



Taking Action

Against Violence

Resource guide for service
providers on the processes and programs
designed to address domestic violence

We would like to acknowledge the financial assistance
provided by the Department of Justice Canada.

Manitoba 

Table of Contents

Manitoba Justice

Victim/Witness Programs

Are you a victim of domestic violence who needs help understanding your legal options, rights, and responsibilities?

Court Services for Victims	7
Women's Advocacy Program	7

Does an abused child you know need support and assistance in criminal court proceedings?

Child Victim Support Service	8
------------------------------------	---

Have you been subpoenaed as a Crown witness?

Victim/Witness Assistance Program	8
---	---

What is the current legislation designed to enhance victims' rights?

Crime Victim Services Unit	9
----------------------------------	---

Are you looking for financial compensation for a personal injury or death resulting from a crime?

Compensation For Victims of Crime	9
---	---

Are you a victim of domestic violence or stalking who is in extreme risk of violence?

Victims 1st Cellular Program	10
------------------------------------	----

Prosecutions

Do you want to know more about the role of a Crown Attorney in prosecuting domestic violence cases?

Role of the Crown	12
Family Violence Unit.....	12
Crown Policy in Domestic Violence Cases.....	12

The Court System

Are you a victim of domestic violence dealing with both criminal and family law matters, such as custody of your children?

The Court System and Victims of Domestic Violence.....	13
--	----

Do you want to learn about the criminal court process and family law?

Criminal Offences	13
Family Violence Court	14
Family Law	14

<i>Do you require protection from your current or former intimate partner or stalker?</i>	
Protection Orders	14
Prevention Orders	15
Peace Bonds	16

Policing

<i>Do you want to know what will happen when you call the police?</i>	
Laying Charges: The Role of the Police.....	16
Computerized Information on Offenders.....	16
Police-Based Victim Services	16

Legal Aid

<i>Are you a low-income person needing a lawyer but cannot afford to pay one?</i>	
Legal Aid.....	17

Corrections

<i>What will happen if your partner is convicted and sentenced?</i>	
Domestic Violence Unit	17
Corrections Protocol.....	18
Community Supervision Programs	18
Community	19
Correctional Centre (Jail)	19

Family Services and Housing

<i>Are you an abused women needing EMERGENCY accommodation and support?</i>	
Women’s Shelters.....	21

<i>Do you want information on programs, services and training for women?</i>	
Women’s Resource Centres	22

<i>Are you an abused women requiring protective, affordable long-term housing and support?</i>	
Residential Second-Stage Housing Programs	23

<i>Do you and/or your intimate partner need therapeutic counselling associated with domestic violence?</i>	
Urban Support Programs.....	23

<i>Does your abusive partner have legal access to your child(ren)?</i>	
Specialized Programs.....	24

<i>Have you left your abusive partner and need financial assistance?</i>	
Income Assistance.....	24

<i>Do you require further information on your options?</i>	
Available pamphlets and publications.....	25

Education, Citizenship and Youth

<i>Do you want to know how Manitoba Education, and Youth is working towards a society free of violence?</i>	
A) Current Curricula and Programs	27
B) Non-Department Programs in Use in Schools	28
C) Professional Development.....	29
D) Financial Resources.....	30

Health

<i>Do you need to find a Regional Health Authority in your region?</i>	
Health Care Services in Manitoba.....	31
Manitoba Health Protection for Persons in Care Office.....	31
<i>Do you need help treating alcohol, drug, and substance abuse?</i>	
Addictions Foundation of Manitoba	32

Appendices

For further information, please consult the appendices:

APPENDIX I – Cycle of Violence.....	33
APPENDIX II – Protection Plan	35
APPENDIX III - Prosecutions Policy Respecting Domestic Violence	37
APPENDIX IV – Court System in Manitoba.....	41
APPENDIX V – Court Offices	43
APPENDIX VI - Custody and Access.....	46
APPENDIX VII - RCMP Victim Services/Prosecutions Crime Victim Rights Unit.....	48
APPENDIX VIII – Family Violence Intervention Teams Pilot Project.....	49
APPENDIX IX – Legal Aid.....	50
APPENDIX X – Legal Aid Contact Offices.....	51
APPENDIX XI - Summary Chart: Resource Services for Abused Women	52

Introduction

Domestic violence is a serious crime that is never acceptable and will be severely dealt with by the justice system. The position of the Manitoba government in the matter of abuse is “zero tolerance” which means that, subject only to the limits imposed by law, no margin will be afforded to abusers. The police and prosecutors have been so instructed and conduct themselves accordingly. The government’s stand recognizes the high cost of violence, the suffering of our families and our communities and the need for intervention.

This comprehensive resource guide covers services and processes now in place in the fields of criminal justice, social services, health, housing and education to help victims and, ultimately, end domestic violence. It contains valuable information for service providers and sets out the initiatives and changes that have been implemented to support zero tolerance. There is also a listing of the services and programs available for offenders and victims of domestic violence.

A number of new initiatives have been and continue to be implemented, and the government’s own experience has produced additional reforms throughout the system. Changes continue as the government adapts and improves the way it deals with domestic violence. The long-term objective remains to change the values and attitudes that contribute to and generate violence against women.

This resource has been produced by Manitoba Justice and the Manitoba Women’s Directorate, with financial assistance from the Department of Justice Canada.

A Victim/Witness Programs

Since the early 1980s, the Canadian criminal justice system has experienced a significant increase in programs serving the victims of crime. This reflects greater awareness of the effects of personal and property crime on victims.

Victims of domestic violence often experience physical and psychological trauma unique to this type of crime. If they have to appear in court, they may undergo additional trauma. Manitoba Justice operates information, support and advocacy programs to assist domestic violence victims during the court process.

Court Services for Victims

Court Services for Victims combines both the Women's Advocacy Program and the Child Victim Support Service. Both programs assist victims involved in the criminal justice system by providing timely emotional support, information about court processes, short term counselling, advocacy and court preparation. In addition, Court Services for Victims provides for court orientation, court accompaniment, case information and case referral to community resources. Program staff also link with the Crown attorney's office and other departments within the justice system.

Women's Advocacy Program

The Women's Advocacy Program is designed to provide services to victims of domestic violence in cases where criminal charges have been laid against their partners. The primary goals of the program are to provide legal and resource information; to advise victims of their options, rights, and responsibilities; and to enhance their ability to make informed choices and potentially increase their level of safety and the safety of those close to them. Victims of domestic violence face complex relationship issues with the offender. The Women's Advocacy Program offers ongoing emotional support and short term counselling throughout the court process.

Victims are contacted as soon as possible after a charge has been laid. Victims may choose to meet with a counsellor to ask questions and discuss any information relevant to the case. Staff explain the cycle of violence, how the cycle may affect victims and their families and how to escape from it (See Appendix I). They also help victims to develop protection plans to increase their personal awareness and safety (See Appendix II). Women's Advocacy counsellors also explain how to get and use protection orders. In addition, program staff make referrals to other agencies and/or resources (treatment programs, shelters, and support groups).

Within the context of existing Manitoba Justice policies, the program provides legal and other information. Women's Advocacy counsellors advise Crown Attorneys about victims' concerns about the criminal justice system. They discuss the court process and what a victim may expect as the case proceeds through court. A counsellor can ensure that a Crown Attorney is aware

of the victim's concerns or wishes regarding the incident. However, the Women's Advocacy Program does not attempt to change the prosecution or the outcome of the court case

The Women's Advocacy Program currently employs six full-time counsellors, one policy analyst and two administrative staff, in Winnipeg. Outside of Winnipeg, the Program has a full-time counsellor in Brandon, Selkirk, The Pas and Thompson.

How to Reach Women's Advocacy Program:

Winnipeg	945-6851
Selkirk	785-5213
Brandon	726-6515
The Pas	627-8483
Thompson	677-6368

Child Victim Support Service

The Child Victim Support Service focuses on the needs of sexual and physical abuse victims between the ages of 4 and 18 years. The program supports and assists child victims and their families to participate in criminal court proceedings. Program staff explain the criminal court process to reduce the trauma experienced by victims who have to testify in court.

A counsellor, depending on individual needs, often sees victims several times. Counsellors prepare victims for their testimony by visiting an empty courtroom and familiarizing victims with the surroundings. They advise children, parents and guardians about the justice system, courtroom procedures and the use of screening devices, videotapes and closed-circuit television. Program staff may also help schedule meetings with the Crown attorney and accompany the victims to court to give emotional support.

The counsellor acts as a liaison among victims, the police, the Crown attorney and the court to keep the victims informed of the status of their case.

The Child Victim Support Service has five offices in Manitoba: Winnipeg, Brandon, The Pas, Selkirk and Thompson. The program has been expanded in Winnipeg to include services for adult victims of child abuse. In Winnipeg, two counsellors staff the Child Victim Support Service. In rural areas, an individual staff member fulfils the functions of both the Women's Advocacy Program and the Child Victim Support Service.

Referrals are received through various sources including Prosecutions, the RCMP and Child and Family Service agencies.

How to Reach Child Victim Support Services:

Winnipeg	945-0662
Selkirk	785-5213
Brandon	726-6515
The Pas	627-8483
Thompson	677-6368

Victim/Witness Assistance Program

The Victim/Witness Assistance Program provides a range of support services for crime victims and victims who are subpoenaed as Crown witnesses in court. Victims and witnesses may require support for such things as travel, child-care, work related issues, health concerns, fear of facing the accused and discomfort about their role in the court process. Victim/Witness Assistance staff are trained to respond promptly by addressing the victim/witness' concerns with the Crown attorney or other justice personnel.

The program is staffed by a co-ordinator, two witness workers and trained volunteers. The Victim/Witness Assistance Program staff:

- provide information about the criminal justice process, including an overview of criminal court proceedings
- provide court orientation and court preparation assistance
- offer basic information about the case affecting them, including the next court date, courtroom location, purpose of the court date (when known), name of the Crown attorney assigned to the case and case disposition
- serve as a liaison between victims, witnesses and justice personnel
- provide information on victims' rights and responsibilities in the criminal justice system
- explain how to seek restitution and information about the Compensation for Victims of Crime Program
- offer information on victim impact statements, and assist those who are unable to complete the statement on their own
- notify civilian and police witnesses of court cancellations
- work in conjunction with prosecutions staff to co-ordinate witness travel arrangements
- provide reimbursement of expenses for witnesses and interpreter services
- refer victims to other justice-based and community service agencies
- assist victims and witnesses with special needs
- offer emotional support to victims and witnesses

The Victim/Witness Assistance Program office is on the fourth floor of the Law Courts Complex at 408 York Avenue in Winnipeg. A reception kiosk located on the main floor also operates

from 8:30 a.m. to 10:00 a.m. Monday to Friday, when most victims and witnesses are arriving for court.

How to Reach the Victim/Witness Assistance Program:

Winnipeg	945-3594
Outside Winnipeg	1-866-635-1111 (toll-free)

Crime Victim Services Unit

The Manitoba Justice Crime Victim Services Unit consists of 2 Winnipeg Crime Victim Services Workers (CVSWs) and 10 regional Crime Victim Services Workers.

The Crime Victim Services Unit provides province-wide post-charge support and assistance to victims of crime under The Victims' Bill of Rights. CVSWs who are housed in RCMP detachments provide both pre-charge and post-charge support and assistance to victims. (The Winnipeg Police Service, Brandon Police Service and other local police forces also have victim service workers to provide support to victims during the pre-charge investigation and arrest stages.)

How to reach the Crime Victim Service Workers

Call the toll free number @1-866-484-2846

Compensation For Victims of Crime

The Compensation for Victims of Crime Program compensates victims for personal injury or death resulting from crimes. People who sustain an injury while helping a police officer or while trying to prevent a crime may also be compensated. In the event of the victim's

death, an immediate family member may make the application.

Under the program, injured victims or their designates, must file a report with the police as soon as possible after the incident occurred. They must co-operate with law enforcement agencies in apprehending and/or prosecuting the offender. However, the offender does not need to be apprehended for compensation to be awarded.

A person whose injuries or death occurred while participating in a criminal offence, or whose conduct directly or indirectly contributed to the victim's injury or death, is not eligible for compensation. The act requires that a claim be filed within one year of the injury or death. Only in exceptional circumstances does the director decide to extend the time limit.

Funding for victim compensation comes from general revenues collected by Manitoba Justice and administered through the Compensation for Victims of Crime Program. In the past, nearly one-third of these costs have been recovered from the Victims' Assistance Fund.

Eligible compensation benefits can include:

- payment of medical expenses (prescription drug costs, ambulance bills)
- replacement of damaged clothing
- dental treatment, replacement or repair of dentures
- replacement or repair of prescription eyeglasses
- counselling
- compensation for lost wages if the victim is disabled or fatally injured
- support payments for dependants
- rehabilitation or retraining
- compensation for permanent disability
- payment of funeral expenses

Personal losses not covered by the program include:

- compensation for pain and suffering
- any loss under \$150
- stolen items and/or money
- loss or damages to property, including a victim's car or home
- injuries received on the job when worker's compensation is payable
- injuries arising from a motor vehicle accident
- injuries sustained outside of Manitoba
- benefits that are payable through other insurance plans or programs

The program, staffed by an adjudicator and two administrative support personnel, processes applications generally within two to three weeks.

There is no cost for a victim to file a claim. After a claim is filed, staff gather all necessary documentation to process the claim, including relevant medical, police and employer information. An adjudicator reviews the claim and sends a written decision to the claimant. If the claimant disagrees with the decision, he or she may appeal.

How to Reach Compensation for Victims of Crime

Winnipeg	945-0899
Outside Winnipeg	1-800-262-9344 (toll-free)

Victims 1st Cellular Program

The Victims 1st Cellular Program provides an added level of protection to people who are at high risk of violence in relationships and stalking. The Victims 1st Cellular Program is a co-operative effort between MTS, Nokia, social

service agencies, police services and Manitoba Justice. It is available in various Manitoba communities.

The program loans victims free cell phones at times of extreme risk. The phones are pre-programmed to dial emergency services. Victims of domestic violence and stalking who receive the phones, must also have a protection plan in place.

Eligibility Criteria

To qualify for the program, clients must meet the conditions of Manitoba Justice's client agreement. Clients must:

- have a protection plan in place
- live in an area where cell phone service is available
- have made a formal complaint to police
- agree to have police charge the offender after an emergency call
- hold, or have applied for, a restraining or protective order (Recognizance, Peace Bond, Protection Order or Prevention Order)
- indicate that the offender has a history of physical and emotional violence that would put the victim at risk
- understand that the Victims 1st Cellular Program is a short-term program
- understand that the phone will be returned when it is no longer needed

How the Program Works

The Public Safety Branch of Manitoba Justice issues cell phones to social service agencies and police services for eligible victims. Clients are shown how to operate the cell phone and are required to sign an agreement that explains their responsibilities.

Eligibility for Victims 1st is based on a victim's present situation. If clients need a cell phone again, they must re-apply to the program. If the

new circumstances make a victim eligible, another cell phone is given out and a new agreement is signed.

For Information on Victims 1st Cellular Program Call:

Winnipeg	945-2303
Outside Winnipeg	1-866-635-1111 (toll free)

B Prosecutions

The Prosecutions Division of Manitoba Justice is responsible for all prosecutions in Manitoba. Offices are located in Winnipeg, Brandon, Dauphin, Portage la Prairie, The Pas and Thompson.

Role of the Crown

Crown Attorneys represent the Attorney General in all criminal prosecutions. A Crown Attorney's prime duty is to see that justice is done. Their task is to present, on behalf of the community, evidence to the court of alleged crimes in a fair and impartial manner. In domestic violence cases, Crown Attorneys have the difficult challenge of proving that an offence has occurred, often with little evidence. Crown Attorneys do not represent the victim's interests alone. Their duty extends to the court, the accused and the community interest in the prosecution. This duty is to be performed without bias or prejudice in a just and dispassionate manner.

Family Violence Unit

In 1990, a specialized Family Violence Unit was established in Winnipeg. This unit was the first of its kind in Canada. The unit is responsible for prosecuting domestic violence cases in the Family Violence Court in Winnipeg. There are 16 full-time Crown Attorneys who prosecute child abuse, spousal abuse and elder abuse cases in Winnipeg. Crown Attorneys throughout the province receive training and experience in family violence in order to conduct these prosecutions throughout the Province.

Crown Policy in Domestic Violence Cases

Manitoba's policy respecting domestic violence is one of zero tolerance. The object of the policy is to ensure that those who abuse others in a relationship, including partners, elders and children, will be pursued forcefully in the courts by means of a criminal prosecution. Once charges are laid by the police, they will be dealt with by the prosecutor through the criminal justice system unless it becomes clear, at some stage of the proceedings, that there is no longer a reasonable expectation of conviction. In practical terms, this requires that where there is evidence to support charges, they will be laid by police. Where there is evidence to support conviction, the Crown Attorney will proceed to trial with the case.

Crown Attorneys will make every effort to encourage a victim to testify. If a woman requests that charges be dropped, a referral is made to the Women's Advocacy Program to examine safety concerns and issues giving rise to the woman's request. A memorandum will be prepared for the Crown Attorney who will make the final decision about whether the charges should proceed regardless of the victim's wishes. In cases where a victim refuses to testify, she will not be subject to prosecution unless the circumstances are extraordinary or unusual.

These procedures balance the need to be sensitive to the victim with the goal of achieving successful prosecution of the case (which may prevent another assault) and, potentially, providing treatment and intervention to offenders. The Crown policy in domestic violence cases is included as Appendix III.

How to Reach Public Prosecutions

Winnipeg	945-2852
Brandon	726-6013
Dauphin	622-2082
Portage la Prairie	239-3343
The Pas	627-8444
Thompson	677-6766

C Courts

The Courts Division of Manitoba Justice manages all courts, liaises with the judiciary, and schedules and processes court cases. Offices are located throughout Manitoba. A description of the court system in Manitoba and a list of court offices are included as Appendices IV and V.

The Court System and Victims of Domestic Violence

When a person is the victim of domestic violence two parts of the Court system are generally involved, criminal and family.

Criminal matters are usually in the Provincial Court, where a Crown Attorney has conduct of the prosecution. While victims have the right to have input and to be consulted, it is the responsibility and duty of the Crown Attorney to determine how the case will proceed.

Family matters in Brandon and Winnipeg are usually dealt with in the Court of Queen's Bench where the victim can either retain a lawyer privately or if eligible, have one appointed through legal aid (see legal aid section). In other regions, family matters may be addressed in either the Queen's Bench or Provincial Court, depending upon the nature of the relief sought. An application must be made to court before issues of custody, support and/or protective relief can be decided (see Appendix VI for more

information about custody and access). The victim receives advice from the lawyer including what the next steps should be and after considering the lawyer's advice tells the lawyer what steps to take. The victim directs the steps to be taken.

Criminal and family matters can overlap when protective relief is sought. Protective relief can come from the criminal court process and the family court process. Civil law can be used to resolve disputes of a family law nature between individuals and can also provide protection for an individual. Deciding which process should be used depends on the relationship between the victim and the offender and the urgency of the situation.

Criminal Offences

In the criminal court process, conditions can be imposed on an accused to prevent that person from having contact with the victim. These conditions can be in an undertaking made by police, or in an order made by the court either as part of the conditions of being granted bail (recognizance) or as part of a sentence if the accused is convicted. The conditions may be time limited. If the accused person does not follow the conditions then s/he can be charged with breaching the court order.

If a person is charged with a criminal offence (an offence in the Criminal Code of Canada), the matter will be heard in either the Court of Queen's Bench or the Provincial Court. Most criminal matters are processed in the Provincial Court.

Once a person is charged with an offence, police make a decision (sometimes in consultation with a Crown Attorney) about whether the person should be released directly by the police. If the police are opposed to release, the accused

makes a first appearance before a justice of the peace (also called a magistrate). The accused has the right to consult a lawyer and after consultation may decide to have a hearing in front of the magistrate to determine if the person can be released on conditions or if they will stay in custody.

Where domestic violence has occurred, the matter will be dealt with in a specialized court with Crown Attorneys who have been educated about domestic violence and understand the dynamics. From the bail hearing to final disposition, these matters are kept separate from other criminal matters.

Family Violence Court

This court was established to handle cases of family violence (partner abuse, physical and sexual abuse of children and elder abuse) and meet the needs of parties involved. It processes all family violence appearances, remands, guilty pleas, preliminary hearings and trials in Winnipeg that would normally be processed in Provincial Court. Crown Attorneys of the Family Violence Unit prosecute trials, throughout the process including in the Court of Queen's Bench in Winnipeg. In addition, special procedures are being examined for circuit court sittings in communities with no resident court. These measures will ensure that the benefits of the Family Violence Court and its specialized approach will be available to all Manitobans.

Family Law

In the family court process, spouses or partners who are being abused, or who fear they may be abused, may apply to court for an order of protection, sometimes called a "restraining order." These orders may forbid the abusing spouse from engaging in certain behavior, such as making harassing telephone calls.

Until September 30, 1999, *The Family Maintenance Act* provided for these orders. A new law, called *The Domestic Violence and Stalking Prevention, Protection and Compensation Act*, has replaced the protective relief provisions of *The Family Maintenance Act*. It provides victims of domestic violence and stalking with greater protections and options under the law.

The new law creates two different types of orders, Protection Orders and Prevention Orders.

Protection Orders

A Protection Order can be obtained quickly, simply and inexpensively, without notice to the alleged abuser or stalker (the respondent). Applications can be made in person to a Designated Justice of the Peace of the Provincial Court. Applications can also be made by telephone with the assistance of a police officer or a lawyer. Anyone applying will have to provide evidence under oath about the stalking or domestic violence. Because victims may make applications for protection orders on their own, it is important that they provide as much specific information as possible about the things that have happened to them. The justice of the peace hearing the matter needs this detailed information to be able to determine if the tests as set out in the legislation have been met. If granted, conditions will be set out in an order and a sheriff or police officer will serve the order. No advance notice to the respondent is required but the respondent does have to be served and can move to have the order set aside.

Protection Orders may include any of the following provisions necessary for immediate protection:

- prohibit the respondent from coming to the applicant's home or workplace or that of other specified persons;

- prohibit the respondent from following the applicant or others;
- prohibit the respondent from contacting or communicating with the applicant or others, directly or indirectly;
- give the applicant or respondent possession of necessary personal effects;
- provide peace officer assistance to remove the respondent from premises and/or to ensure the orderly removal of personal effects;
- require the respondent to turn over weapons and authorize the police to search for and seize weapons.

After a Protection Order is made, the respondent will be notified through service by a sheriff or police officer. The respondent will then have 20 days to ask the Court of Queen's Bench to set it aside and will have the opportunity to present evidence.

Prevention Orders

Prevention Orders, made by judges of the Court of Queen's Bench, may include any of the same conditions found in a Protection Order. The court can order additional conditions as well to protect the applicant and deal with the domestic violence or stalking, including:

- allowing the applicant sole occupancy of the family residence;
- giving temporary possession of specified personal property, such as household goods, furniture or vehicles;
- seizing items used by the respondent to further the domestic violence or stalking such as cameras, video cameras, computers and other recording equipment;
- recommend the respondent obtain counselling;
- prohibiting the respondent from damaging

or dealing with property in which the victim has an interest;

- ordering the respondent to pay compensation to the applicant for any monetary losses caused by the violence or stalking, such as expenses for counselling, security measures, moving or lost income.

If the respondent uses a vehicle to further the stalking or domestic violence, a Court of Queen's Bench judge may suspend the respondent's driver's licence and prohibit the respondent from operating a motor vehicle.

If immediate protection is needed, an abused spouse or partner can apply for an interim (temporary) order, sometimes without notice to the abusing spouse. Such a without-notice order will remain in effect for a limited time, until a judge can hear from both parties.

Applying for a Prevention Order can be a complicated process. A person should consult a lawyer for assistance on this or other issues such as custody and support.

This new law, *The Domestic Violence and Stalking Prevention, Protection and Compensation Act*, came into effect on September 30, 1999.

Formerly, under *The Family Maintenance Act*, a judge or magistrate could also make an order forbidding the abuser to molest, annoy or harass the other spouse or partner (a non-molestation order). A Court of Queen's Bench judge could make an order forbidding the abuser to enter the home or place of work of the other (a prohibition order). Existing orders of this type were not changed by the new law. They continue to be in effect until the court cancels the order or, in the case of a non-molestation order that had been granted by a magistrate or a Provincial Court judge, the person protected under that order gets a protection order or prevention order under the

new law. In such a case, the new protection order or prevention order would take the place of the old non-molestation order.

A person disobeying a civil order of protection can be brought before a judge and may be fined or imprisoned. Civil orders of protection do not lapse after a certain period of time unless they specifically say so. Such orders are in effect until changed or ended by a court order, even if the parties reconcile.

Peace Bonds

In addition to other types of civil law protective orders, a Peace Bond is a court order that persons can apply for in order to protect themselves against harassment and violent actions by others. A Peace Bond can be requested against anyone causing a person fear. It is not limited to persons who are married or have lived with someone.

A Peace Bond can include conditions such as ordering one person not to harass another or not to attend at the other person's home or place of work. It is similar to other civil orders of protection except that it is handled in criminal court. In order to obtain a Peace Bond, a person must apply through the Provincial Court. If the application is contested by the other person, a hearing must take place before a judge.

If the court orders a Peace Bond, it will remain in effect for up to one year. A person who does not comply with the conditions of the order can face criminal charges.

D Policing

The police play a critical role in enforcing criminal law in cases of domestic violence. Effective police response can ensure that the violence stops and that all parties receive the help they need.

Laying Charges: The Role of the Police

Police officers may lay criminal charges where there are reasonable grounds to believe an offence under the Criminal Code or any other law has been committed. That is not to say that charges should be laid automatically, whether or not there is evidence to support criminal proceedings: the Criminal Code requires that, before laying charges, a peace officer must be satisfied that there are reasonable grounds, based on the available evidence, to do so. Where such grounds do exist, however, charges should be laid.

Computerized Information on Offenders

The Canadian Police Information Centre data bank and other information systems are used by police forces across Canada to obtain information on criminal records, warrants, missing persons and other relevant matters. They can be an invaluable tool for the police and the justice system to gather information quickly and effectively on domestic violence offenders.

Police-Based Victim Services

Police forces in a number of major centres in Manitoba offer victim services to ensure that victims receive immediate and short-term assistance and information on resources. These programs have developed strong community partnerships with crisis shelters and other support services. Winnipeg operates its own program, while Brandon and the RCMP operate similar services in conjunction with Manitoba Justice (see Appendix VII).

The City of Winnipeg, in conjunction with Winnipeg City Police Services has started a pre

charge pilot project as part of a police-based victim services initiative. (For information about the Family Violence Intervention Teams Pilot Project see Appendix VIII).

E Legal Aid

Legal Aid Manitoba helps people who need a lawyer but who cannot afford to pay for one. It does that by paying for or helping to pay for the person's lawyer.

For this service individuals must complete an application and be found eligible. Decisions about who gets Legal Aid are made on the basis of two main eligibility criteria: financial circumstances and type of case.

Legal Aid sets financial eligibility guidelines based on gross income and family size (see Appendix IX). If you are within these guidelines, then you probably qualify financially.

Subject to financial eligibility, Legal Aid covers most family law matters, such as divorces, separations, child custody and access, spousal and child support, occupancy of the family home, division of marital property and prevention orders.

Legal Aid has staff lawyers and there are also private lawyers who take Legal Aid cases. A person may choose any lawyer who participates in the Legal Aid plan to act on his or her behalf. Applications for Legal Aid may be made at the Drop-In Centre in Winnipeg, at any of the Legal Aid offices outside of Winnipeg, or through a private lawyer participating in the plan.

Legal Aid also offers services for which an application is not needed. One is a drop-in program that provides legal information, general advice and some basic assistance from a lawyer or supervised paralegal. As well, through the duty

counsel program lawyers are present in many criminal and youth and some child welfare courts to help and advise anyone who has to appear before a Judge.

Legal Aid has a number of special programs including the Poverty Law Office, which helps persons who have legal problems that are unique to poor people, such as welfare and disability benefit concerns. The Aboriginal Centre Law Office handles cases in accordance with aboriginal concepts of justice and provides legal help in areas that are of special concern to aboriginal persons. The University Law Centre offers assistance on minor matters that are not usually covered by Legal Aid.

If a person needs a lawyer to act outside Manitoba, it may be possible for Legal Aid Manitoba to help obtain such a lawyer (for contact information see Appendix X).

F Corrections

The Corrections Division of Manitoba Justice is responsible for services to sentenced offenders. The Division has two main components: Community and Youth Corrections and Adult (institutional) Corrections.

The Division offers a variety of programs for domestic violence offenders. The Corrections Division has placed a priority on improving these programs and the management of offenders convicted of crimes against their partners.

Domestic Violence Unit

This unit is made up of specialized probation officers working exclusively with domestic violence offenders. Part of the unit's work includes assessing Winnipeg offenders individually to determine placement in the most

appropriate treatment or program. The unit has established protocols for liaising with victims, police officers and Crown Attorneys involved in domestic violence cases.

Corrections Protocol

A comprehensive protocol for domestic violence cases has been developed and implemented. Its procedures deal with protecting victims, working with sentenced offenders in a variety of programs and situations, training and educating staff about partner abuse and encouraging community participation in efforts to eliminate and prevent abuse. The protocol also outlines procedures for a variety of emergency and non-emergency situations affecting offenders and victims.

Two major subjects stressed in the document are treatment of offenders and sensitivity to the safety and feelings of victims. Procedures for working with offenders to try to change attitudes and beliefs that lead to violence are outlined. Corrections workers are instructed in steps to take to inform victims of an offender's sentence, treatment program and probation or temporary-release status. Victims are also notified if an offender escapes or is unlawfully at large, and are encouraged to call the offender's case manager or probation officer with any concerns involving the offender. Corrections will refer the victim to appropriate agencies for additional assistance (e.g. her safety).

Community Supervision Programs

Criminal Organization High Risk Offender Unit (COHROU)

The Criminal Organization High Risk Offender Unit is aimed at improving community safety by offering a comprehensive, co-ordinated response to organized crime and high risk offenders. The Criminal Organization High Risk Offender Unit brings Probation Officers and Crown Prosecutors together as a specialized team to expedite the arrest, prosecution and supervision of serious high risk offenders, particularly those involved in gang-related criminal activity, home invasions and other violent crimes including domestic violence, sex offenders, and stalkers.

Target Group

The unit targets adult offenders in the city of Winnipeg who may have one or more of the following criteria:

- Sentenced to a period of community supervision
- Offences have involved extreme violence and multiple victims
- Assessed as high-risk to re-offend in a violent manner
- Escalation in frequency and severity of violent behaviour
- History of non-compliance with Court Orders
- Serious substance abuse problem
- Use or threatened use of weapons
- Victim vulnerability
- Mental disorder/disability
- Notoriety of offense/offender
- Continuing criminal conspiracy

Goals

The goal of the program is to enhance the protection of society by facilitating the successful re-integration of the offender into the community as a law-abiding citizen. Support is also offered to victims of crime by addressing their concerns and informational needs.

Objectives

The program aims to manage offender risk by working in a coordinated fashion with prosecutions and jurisdictional police. As well, probation order conditions and/or conditional sentences and judicial restraint orders are effectively and efficiently monitored in order to detect and respond to deteriorating behavior and attitudes and to address non-compliance.

Design

The program consists of an Assessment Phase followed by a series of 3 steps which matches intensity of supervision and support with compliance with court mandated conditions, the level of acceptance of responsibility, victim vulnerability, motivation to address criminality, and positive activity during each step. The offender can work their way through the program based on achieving certain goals at each step.

Community

Specific programs and materials in several languages have been developed to meet the needs of offenders from a number of cultural backgrounds. The programs are given by community resource people from ethno-cultural communities.

Correctional Centre (Jail)

Partner Abuse Intensive Group Program

The Partner Abuse Intensive Group program (PAIG) offered at Headingley Correctional Centre is an initiative by the Province of Manitoba to provide programming to Medium/High Risk Domestic Violence offenders. The PAIG program is classified as a treatment based and process-orientated program which calls for interaction within the group of men and gives the opportunity for men to discuss and deal with personal issues. Participants are located in a common sub-unit at Headingley Correctional Centre's Domestic Violence Unit. Participants share such living accommodations two weeks prior to the commencement of the PAIG program and throughout the remainder of the 10 weeks.

The PAIG program sessions run Monday to Thursday from 12:30-3:00 PM with scheduled one to one process interviews with assigned facilitators to provide the opportunity to look more in-depth at issues the participant is not ready to discuss in group.

Partner Abuse Short Term Program (PAST)

The Partner Abuse Short Term Program (PAST) offered at Headingley Correctional Centre is a 5 day educational program and is presented out of the Domestic Violence Unit. Program content offers the participants an opportunity to address their domestic violence issues by learning the various types of offending behaviors and the techniques to stop their violence.

Family Services and Housing

The Department of Family Services and Housing provides funding to programs and services that meet the personal, crisis and shelter/housing needs of abused women and their children. Manitoba Family Services and Housing plans, develops and monitors services aimed at eliminating abuse against women by their partners and spouses, and helping women make informed decisions about their lives. This section outlines the services offered.

The Family Violence Prevention Program (Department of Family Services and Housing) plans and develops a continuum of community-based programs to promote the elimination of violence against women by their partners through the provision of policy and administrative direction and funding support to specialized services for abused women, their children and for men affected by family violence. These programs are administered through 34 agencies.

Activities involve provision of the following services:

- 10 women's shelters that provide emergency accommodations and supportive counselling to women and their children who are victims of family violence. Funding is also allocated to support a provincial toll-free crisis line service that automatically links a caller with the nearest regional or Winnipeg shelter service, or with the shelter service of the caller's choice.
- 9 Women's Resource Centres that provide information and referral, individual counselling, outreach and support groups to women affected by domestic violence, as well as educational programs, volunteer training and community development activities.

- 4 Residential Second-Stage Housing Programs which offer protective, affordable, long-term housing for women leaving an abusive relationship but have extensive needs. These programs also provide comprehensive, emotional and practical support including individual and group counselling, parenting support and information and referral to other supportive services.
- 6 Urban Support Programs that provide individualized counselling, open and closed support groups, longer-term counselling services, training to other service providers and public education.
- 7 Specialized Programs such as Supervised Access Services, Couple's Counselling, and programs for men affected by family violence.

A Women's Shelters

Women's shelters, owned and maintained by Manitoba Family Services and Housing, are residences offering emergency protective accommodation and support at no cost to abused women and their children. They are accessible 24 hours a day, seven days a week. Support services consist of crisis counselling, follow-up for women who have left abusive relationships after crisis intervention service and counselling for children who have been to a shelter with their mother. Women can contact shelters by calling the provincial toll-free crisis line that will automatically link the caller to the nearest shelter (1-877-997-0007). Crisis counselling and other supports are available to women who do not wish to stay in a shelter. Shelters also offer services to the community, such as training, advocacy and public awareness

of violence against women.

The department funds the following shelters:

Osborne House (Winnipeg) 942-3052
(toll-free) 1-877-977-0007

Ikwe-Widdjiitiwin Inc.*
(shelter for aboriginal women),
Winnipeg 987-2780
(toll-free) 1-877-977-0007

YWCA of Brandon (Westman Women's Shelter)*
(local) 727-3644
(toll-free) 1-877-977-0007

Parkland Crisis Shelter, Dauphin
(local) 638-9484
(toll-free) 1-877-997-0007

Eastman Crisis Centre, Steinbach*
(local) 346-0028
(toll-free) 1-877-977-0007

Portage Women's Shelter
(local) 239-5233
(toll-free) 1-877-977-0007

Nova House (Selkirk)*
(local) 482-1200
(toll-free) 1-877-977-0007

South Central Committee on Family Violence,
Winkler*
(local) 325-9800
(toll-free) 1-877-977-0007

The Pas Committee for Women in Crisis*
(local) 623-5497
(toll-free) 1-877-977-0007

Thompson Crisis Centre*
(local) 778-7273
(toll-free) 1-877-977-0007

*These shelters also run interim housing, in conjunction with follow-up services.

Length of Stay in Shelter

A woman may remain in shelter as long as necessary, until she:

- is emotionally and physically stable,
- can develop and implement a protection plan (includes receipt of a protection/prevention order if appropriate),
- makes safe living arrangements.

Interim Housing

Interim housing is available to women who no longer require the extensive physical protection and crisis counselling services of a shelter, but need additional time in a supportive atmosphere to prepare for independent living. Seven shelters provide interim housing units. The goal of the program is to have this service available through all shelters. Manitoba Housing provides interim housing units to shelters.

B Women's Resource Centres

Nine centres provide information, programs, services and training to help women make informed decisions about their lives. The centres have also undertaken community development activities to help women achieve social, economic and/or legal reforms. They are strongly supported by the community and are extensively used.

Both Swan Valley (Swan River) and Women's Safe Haven (Flin Flon) have a second stage housing component to their program. This support is for women who are somewhat independent but need a violence-free living environment to move toward complete independence. The long-term goal of these programs is to help women re-establish and maintain successful experiences in social, family and work relationships.

The nine funded resource centres are:

Swan Valley Crisis Centre, Swan River	734-9368
Snow Lake Centre on Family Violence	358-7145
Fort Garry Women's Resource Centre, Winnipeg	477-1123
North End Women's Centre, Winnipeg	589-7347
Pluri-Elles (Manitoba), serving Francophone women, Winnipeg	233-1735
Toll free	1-800-207-5874
Lakeshore Women's Resource Centre, Ashern	768-3016
Interlake Women's Resource Centre, Gimli	642-8264
Women's Safe Haven/Resource Service, Flin Flon	681-3105
Western Manitoba Women's Regional Resource Centre, Brandon	1-204-726-8632
toll free	1-866-255-4432

C Residential Second-Stage Housing Programs

Residential second-stage housing programs recognize the range of needs of women who have left abusive relationships. The programs offer women leaving abusive relationships protective, affordable, long-term housing that is accessible to employment, education, social services, child care, and public transportation. Comprehensive emotional and practical support - including individual and group counselling, parenting support, information and referral to other supportive services and non-residential and sec-

ond stage follow-up support - is also provided. Children's supportive services are offered in conjunction with services to the mothers.

Residential second-stage housing programs provide affordable, longer-term housing, as well as comprehensive, on-site emotional and practical support, for women and their children.

The four funded programs are:

WISH (Women in Second-Stage Housing)- Winnipeg	275-2600
L'Entre-Temps Des Franco-Manitobaines- Winnipeg	925-2550
Toll free	1-800-668-3836
Samaritan House Ministries- Brandon	726-0758
Alpha House Project – Winnipeg	982-2011

D Urban Support Programs

In Winnipeg, a number of agencies offer a range of programs for specific groups. These programs are essential in the continuum of services for families who are, or have been, in violent relationships. The services offered within these programs are generally for individuals seeking longer-term, therapeutic counselling.

The Native Women's Transition Centre operates a transitional housing project for aboriginal women who are victims of family violence/ abuse or substance abuse, and/or need child-care and parenting skills. A primary requirement for admission is a woman's expressed desire to make positive changes in her life and pursue this goal through improving parenting and personal life-skills, money management, interpersonal relationships and building social support networks. Contact 989-8240.

The Spirit of Peace counselling program of Ma Mawi-Wi-Chi Itata Centre offers culturally appropriate, longer-term counselling for aboriginal families who have experienced family violence. There are specific programs for abused women, abusive men and children who have witnessed abuse. Contact 925-0349.

The family violence counselling program at Nor'West Health Co-op offers short-term crisis services, support groups, longer-term support services and information and referral for women who are or have been abused. Contact 633-5955.

The Immigrant Women's Counselling Services offers culturally appropriate counselling for immigrant women. Contact 953-4100.

The Laurel Centre provides individual, couple and group counselling for women who have experienced childhood or adolescent sexual victimization and want to resolve the long-term effects of the abuse. The Laurel Centre recognizes that compulsive coping behaviours/addictions are one of the detrimental long-term effects of unresolved trauma. Contact 783-5460.

EVOLVE (Klinic) provides longer-term counselling for abused women, and abusive men. Contact 784-4070.

E Specialized Programs

Supervised Access Programs enable a child to safely visit with their parent and prevent contact between a custodial and visiting parent where there is a history of domestic violence. This program provides a safe, neutral, and child-focussed setting for the exchange of children and supervised visits where a high level of conflict exists between the parents. Supervised Access Programs are currently offered at The Winnipeg Children's Access Agency (284-4170),

Thompson Supervised Visitation/Access Service (778-7979) and Brandon Access/Exchange Service (729-8115).

Couples counselling programs provide counselling to couples who have experienced violence in their relationship and are committed to staying together. It is a "second-stage" treatment program that is only appropriate when the violence has stopped. The program provides initial assessments, individual, dyadic and family therapy, and information and referral. Couples counselling is currently provided in Winnipeg by the Elizabeth Hill Counselling Centre (956-6562) and in Brandon by the YWCA (571-3680).

Men's counselling services are offered to help men eliminate violence toward their partners; to develop healthy beliefs and behaviours towards their partners, and to stop behaviour intended to control and intimidate their partners. The Men's Resource Centre (at the Elizabeth Hill Counselling Centre) is the first men's resource centre funded in the province and only one of three in Canada. The Men's Resource Centre offers information and referral, short-term counselling, a "drop-in" counselling program, longer-term group counselling, community outreach programs, and a peer assistance program. Contact 956-6562. Services to men are also offered by the Counselling Centre in Brandon. Contact 726-8706.

F Other Services For Women

Income Assistance

Many women in crisis because of partner abuse are receiving Income Allowances or are eligible for assistance. For women in crisis without essential resources, assistance may be available.

Staff at crisis centres and shelters are familiar with the Employment and Income Assistance Program and have information on the program. If a woman needs help and may be eligible for assistance under the program, a crisis centre, shelter or non-residential service at a shelter will help her obtain the necessary aid.

G Available pamphlets and publications

A variety of information materials dealing with partner abuse issues are available from Justice and Family Services and Housing, and agencies working in the fields of partner abuse and law. Most focus on the needs of victims. They advise about personal protection, victims' rights, safety and well being of children, available resources and personal/legal options concerning relationships and rebuilding their lives. However, another critical aspect is dealing with and assisting victims.

Education and Youth

A critical element of zero tolerance is confronting the values and attitudes that contribute to and generate violence against women.

Manitoba Education, Citizenship and Youth addresses this need by including materials relevant to the prevention of domestic violence in the curriculum. A range of materials for students in kindergarten through Grade 12 (Senior 4) cover a variety of issues related to violence and families. These include topics in the compulsory K-S2 Physical Education/Health Education Curriculum, a support document for students in Grades 5 to 8 called Violence Prevention in Daily Life and Relationships (1993), a 10-part unit for high school students entitled Violence Against Women (1991) topics in the high school Family Studies course. In addition, a variety of school-based anti-violence programs are given in Manitoba schools. They give students the tools and information to resolve conflict non-violently.

The department takes a preventive approach to the issue of violent behaviour in home and school. It works collaboratively with other departments on initiatives that address the increasing incidence of violence in our society. The department supports student services such as counselling and guidance services, special education, psychologist services, and other services and programs for emotionally and behaviourally disturbed children and students at risk.

The issue of what “education” is doing about domestic violence should be seen in the context of teachers acting as role models and helping students live more harmoniously. The main methods that schools use to promote non-violent behaviour are:

- providing a safe, secure environment for

students,

- providing an atmosphere based on caring, respect and concern for people and their human rights,
- implementing curricula and programs that enable students to become independent and responsible citizens.

A Current Curricula and Programs

1. The compulsory Physical Education/Health Education curriculum is compulsory from Kindergarten to Grade 10 (Senior 2). Violence prevention is addressed in context with three general learning outcomes. They are Safety, Personal and Social Management and Healthy Lifestyle Practices. Communication skills and styles are emphasized in building healthy relationships as well as interpersonal skills, conflict resolution skills, stress management skills and problem solving skills. A variety of teaching methodologies, including small and large group discussions, co-operative learning, guest speakers and independent research projects, are used.
2. Skills for Independent Living units relevant to domestic or general violence:
 - Grade 10
 - Self-Management
 - Dealing with Conflict
 - Interpersonal Relationships
3. Family Studies units relevant to domestic or general violence:
 - Grade 10-12
 - Parenting
 - Human Development

- Grade 10
 - Parenting
 - Human Development
 - Family Conflict
 - Family Roles
 - Family Communication
 - Separation and Divorce
4. *Violence Against Women: Learning Activities to Prevent Violence Against Women. Senior 1 to 4 (Grades 9-12)* (1991), a support document developed by Manitoba Education and Youth for high school students and group guidance, was distributed to the school system. Workshops intended to orient teachers to its use are available upon request.
 5. A 13-lesson curriculum package entitled *Violence Prevention in Daily Life and Relationships* (1993) is available for Grades 5-8. The materials stress assertiveness and effective communication to help students in that particularly vulnerable age group (11-14 years) act more assertively when faced with potentially dangerous or violent situations.
 6. A growing emphasis on career education and career counselling is a positive force in promoting equality of the sexes. Since many authorities believe that the issue of violence against women is linked to the subordinate position of women in the economy, career counselling will open up more economic opportunities to young women.
 7. The Career Symposiums held annually in Winnipeg and in Brandon affords high school students an opportunity to speak to representatives of a wide variety of careers.
 8. Clinicians from the department work with teachers and administrators to put into place appropriate support (both emotional and academic) for students who have been victims of domestic violence.

B Non-Department Programs in Use in Schools

School divisions use a variety of teacher-developed and commercially available curricula and materials in addition to those made available by Manitoba Education, Citizenship and Youth. In previous years, some examples have been:

“Second Step” (Committee for Children, Seattle), a violence prevention program used by some Manitoba schools;

“c.a.r.e. Kit” (Red Cross) - A program used by a number of school divisions to instruct primary-level children in the prevention of child abuse;

“Talking About Touching” a resource on child abuse in some schools;

“Feeling Yes, Feeling No” a Manitoba Advanced Education and Training resource for elementary students used by schools to promote assertiveness and self-esteem in potential abuse situations;

“Thumbs Down,” a program produced by the Canadian Teachers’ Federation, to reinforce the value of non-violence in human relationships, teach that those who hit others (or otherwise abuse them) are responsible for their own actions and emphasize that the person hit is not responsible for the other’s behaviour.

A variety of anti-bullying programs such as “Bully-proofing Your School” and “Bully B’ware ” have been implemented in school divisions.

C Professional Development

1. In 1993 the department developed a response to the problems of youth violence. Two consultation sessions were held in Winnipeg and Brandon. Fifty key specialists from Education, Justice, Family Services, Health and community organizations throughout the province were invited to identify the direction that schools should take into the year 2000 to reduce aggression and violence. The results have formed the basis of a violence prevention strategy for the department. Elements of this strategy have included:
 - a. An additional position, a Violence Prevention specialist, was added to the Program Development and Support Services Division.
 - b. A Violence Prevention Team was established. The team co-ordinated the department's violence prevention and intervention strategies and activities. Specific actions included:
 - providing intensive, comprehensive training for key school personnel in implementing school-based models and strategies to address "normal" to "disruptive" student behaviour.
 - developing a violence prevention program that incorporates early intervention, curriculum development and instructional strategies, a positive, supportive learning environment, parental involvement and inter-organizational collaboration.
 - establishing a collaborative network of community agencies, police and other government ministries (Justice, Family Services, Health) to provide coherent, co-ordinated intervention programs.
2. The Violence Prevention Team has offered a series of workshops for educators in violence prevention, intervention and post-intervention. Throughout the 1994-95 school year, regional trainer training was given to teachers nominated by their superintendents to attend. More than over 100 educators participated.
3. Professional development workshops in non-violent intervention, to help teachers deal with aggressive or violent students, are available from departmental consultants.
4. "A Pro-Social Skills Development Project" was developed by the department. A group of Manitoba teachers with experience/expertise in managing behaviourally dysfunctional students, who are interested in further developing and sharing that expertise, have been trained via a series of four regional workshops.
5. Consultation and in-service training on safe school practices continue to be available upon request. In particular, "Safe Schools Manitoba" has been designed to support and encourage inter-organizational efforts aimed at enhancing the safety and security of learning and work environments for students and staff. This partnership initiative is housed in the offices of the Manitoba Association of School Trustees and is funded through the Manitoba Departments of Education, Citizenship and Youth and Justice, the Community Mobilization Program of the National Crime Prevention Centre and the RCMP.

D Financial Resources

Since 1992, Education, Citizenship and Youth has funded schools for guidance and counselling in Grades 5-12. By funding counselling programs, the department recognizes the critical need to have school-based social and emotional counselling and support available to students in their turbulent adolescent years.

The department provides special funds to help schools improve a number of areas related to promoting social skills and preventing violence. Among projects funded by the department are the "Second Step" classroom anti-violence program, co-operative classroom discipline, conflict resolution and the "Lion's Quest" social skills program. Peer helper and mentoring programs are supported, as well as programs focusing on co-operative learning methods and anti-racist education. Many teachers have been trained in the pro-social skills "Second Step" training program alone.

Manitoba Health works with health care facilities to facilitate the development of protocols that incorporate standards for identifying, assessing, intervening in, referral and recording of domestic violence incidents.

A Health Care Services in Manitoba

Under The Regional Health Authorities Act, the responsibility for the majority of health service delivery in Manitoba rests with the Regional Health Authorities (RHAs). These RHAs provide a range of health services such as hospital and emergency services, home care, public health, community mental health and long-term care. Staff is responsive to the health needs of people involved in domestic violence and provide support and referrals to services providers in domestic violence. For more information on health services in your region, call:

- Assiniboine Regional Health Authority – (204) 483-5000 and toll-free 1-888-682-2253
- Brandon Regional Health Authority – (204) 571-8400
- Burntwood Regional Health Authority – (204) 677-5350
- Central Regional Health Authority – (204) 428-2000 and toll-free 1-800-742-6509
- Churchill Regional Health Authority – (204) 675-8318
- Interlake Regional Health Authority – (204) 467-4742 and toll-free 1-888-488-2299
- NOR-MAN Regional Health Authority – (204) 687-1300

- North Eastman Regional Health Authority – (204) 753-2012 and toll-free 1-877-753-2012
- Parkland Regional Health Authority – (204) 622-6222 and 259-7541
- South Eastman Regional Health Authority – (204) 424-5880 and toll-free 1-866-716-5633
- Winnipeg Regional Health Authority – (204) 926-7000

B Manitoba Health Protection for Persons in Care Office

The Manitoba Health Protection for Persons in Care Office is the unit responsible for carrying out the provisions of The Protection for Persons in Care Act that was proclaimed on May 1, 2001. The legislation is viewed as an extra safeguard built into Manitoba's high quality health care system. The legislation protects individuals in hospitals, personal care homes and Selkirk Mental Health Centre from abuse. It is now mandatory to promptly report suspected abuse in health care facilities. Suspected abuse can be reported to the office at (204) 788-6366 or toll-free 1-866-440-6366, Deaf access line TTY/TDD (204) 786-7132. Fax (204) 775-8055, www.gov.mb.ca/health/protection/, email: protection@gov.mb.ca

C Addictions Foundation of Manitoba

The assessment procedures and treatment programs of the Addictions Foundation of Manitoba recognize the link between domestic violence and alcohol, drug and substance abuse (and excessive gambling).

Programs are offered to both victims and abusers. After assessment, a client can either enter an appropriate AFM program or be referred to a program offered by another agency.

AFM community prevention programs and the applied counselling program at the University of Manitoba give professionals training in the field of women and domestic violence.

The foundation has offices in Winnipeg and many rural and northern communities. AFM can be reached at 944-6200 in Winnipeg and 1-800-463-1554 toll-free in the rest of Manitoba.

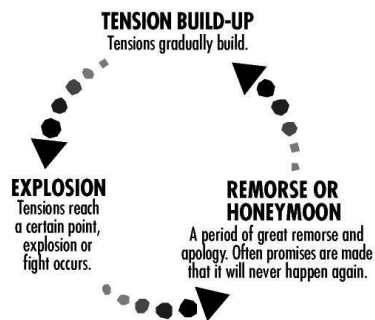
Cycle of Violence

The Cycle of Violence – and how you can break it



You're not alone.

A victim of domestic violence will often feel like the only one being abused. That isn't true. Abuse happens to people from all backgrounds and all neighbourhoods. Rich or poor, educated or not – domestic violence is a reality countless people face on a daily basis.



Understanding the cycle of violence is the first step towards breaking it.

Most of the time, abuse doesn't occur continually, but rather in a cycle. The cycle of violence is made up of three phases:

Tension Build-up Phase

- Tension builds gradually beginning with verbal abuse; name-calling, insults and accusations. Minor battering incidents occur.
- As the tension builds, the victim tries to calm the abuser and anticipate the abuser's every need.

- The tension between the two becomes unbearable...like "walking on egg shells".

Explosion Phase

This phase is shorter than the others, usually lasting from two to 48 hours. There is no escape once the battering has begun – only the abuser can end the incident.

- The tension that builds up leads to severe verbal abuse, violent physical or sexual attack.
- The violence is usually triggered by an outside event that causes the abuser stress (e.g. problems at work, a flat tire, etc.)

The victim will often deny the seriousness of the injuries to soothe the abuser, and to be assured that the violence is over.

Remorse or Honeymoon Phase

- After the attack takes place, there is a return to some sense of calmness. The abuser may promise it will never happen again, act apologetic and loving and beg for forgiveness.
- Since their relationship has been deteriorating, the abuser's loving behaviour is very important to



the victim. It reinforces the victim's hope that the abuser can change.

- Guilt also plays a role. The victim feels responsible for her abuser's behaviour and the abuser's future welfare. For example, she may feel that if she leaves, she'll be breaking up the home.

The victim is **least likely** to leave during the honeymoon phase. If the victim stays, it's not long before the loving behaviour gives way to small battering incidents.

A NEW CYCLE OF VIOLENCE BEGINS.
It doesn't get better – it only gets worse. The cycle cannot be broken without outside help.

The cycle can cover a long or short period of time. Often, as the pattern continues, the honeymoon phases get shorter and the violence increases. The assaults can also become more serious.

Often, a victim caught up in this cycle becomes isolated from family and friends. The victim is either ashamed to see them, or the abuser tells her not to communicate with them. In this way, the victim becomes more dependent on the abuser, and has few or no other people to help.

If you are an abused woman seeking to break the cycle of violence, help is available through the following resources:

For more information, contact:

Winnipeg

Women's Advocacy Program	945-6851
Winnipeg Crisis Line.....	942-3052
Osborne House (shelter).....	942-3052
Ikwe-Widdjiitiwin (shelter).....	987-2780
Toll-Free	1-800-362-3344
Elder Abuse Resource Centre.....	956-6449
Evolve	784-4067
Ma Mawi-Wi-Chi Itata Centre	925-0348
The Laurel Centre Inc.	783-5460
Immigrant Women's Association.....	953-4100
Women in Second Stage Housing (WISH)	275-2600
l'Entre-Temps des Franco-Manitobaines	925-2550
Toll-Free	1-800-668-3836
Pluri-Elles Centre de femmes	233-1735
Toll-Free	1-800-207-5874
Fort Garry Women's Resource Centre	477-1123
Native Women's Transition Centre.....	989-8240
North End Women's Centre.....	589-7347
Alpha House Project.....	982-2011
Nor'West Co-op Community Health Centre.....	633-5955
Elizabeth Hill Counselling Centre	956-6560
Winnipeg Police	911
Non-Emergency	986-6222

Brandon and Area

Women's Advocacy Program	726-6515
Westman Women's Shelter.....	727-3644
Samaritan House Ministries (Brandon)	726-0758
Brandon Police	911

Portage la Prairie and Area

Portage Women's Shelter	239-5233
Toll-Free	1-877-977-0007
South Central Committee on Family Violence (Winkler).....	325-9800

Selkirk and Area

Women's Advocacy Program	785-5213
Nova House Inc. (Selkirk)	482-1200
Toll-Free	1-877-977-0007
Lakeshore Women's Resource Centre (Ashern).....	768-3016
Toll-Free	1-877-977-0007
Interlake Women's Resource Centre (Gimli).....	642-8264
Toll-Free	1-877-977-0007

Steinbach and Area

Eastman Crisis Centre (Agapé House) (Steinbach).....	346-0028
Toll-Free	1-877-977-0007

The Pas and Area

Women's Advocacy Program	627-8483
The Pas Committee for Women in Crisis (Aurora House).....	623-5497
Toll-Free	1-877-977-0007
Women's Safe Haven Resource Service (Flin Flon).....	681-3105
Snow Lake Family Resource Centre.....	358-7141

Thompson and Area

Women's Advocacy Program	677-6368
Thompson Crisis Centre	778-7273
Toll-Free	1-800-442-0613

**Toll-Free Province-Wide
Domestic Abuse Crisis Line (24 hours)
1-877-977-0007**

Protection Plan for Women in Abusive Relationships



Keeping yourself and your children safe from violence.

The Protection Plan

What is a protection plan?

A protection plan will help you and your children get to a safe place when you are in danger. The plan will include where to go, and what you need to take with you, if you're forced to leave your home to escape from a violent partner.

When do you need a protection plan?

- a) If you are in an abusive relationship
 - When you are living within the "cycle of violence", you need to be prepared to get yourself and your children to safety when you feel an attack is about to happen.
- b) If you have recently left an abusive relationship
 - If you remain in the family home, it is possible your partner may return and threaten or assault you again. Even if you have obtained a court order, that is no guarantee that the abuser will stay away.
 - If you leave the family home, your partner may search for you, and threaten or assault you.

The Cycle of Violence (and its role in the protection plan)

Violence in abusive relationships follows what is known as a "cycle of violence". An assault is usually followed by a period of calm called the "honeymoon phase", where the abuser feels and acts sorry about the attack. The honeymoon phase is followed by the tension-building phase, during which you will see a gradual build-up of tension, frustration and anger

in your partner. **It is during the tension-building phase that the chances of assault are much greater.** The safest and surest way to protect yourself (and your children) is to put some distance between you and your partner during these high-risk times.

Elements of a Protection Plan

Remember – each protection plan is unique, because each woman's circumstances are unique. The most important thing is your safety and the safety of your children.

1) Be aware of the signs that tell you an assault is about to take place.

Every abusive person has a different set of signs that indirectly tells the partner an attack is about to happen. Being aware of these "signs" can help a woman in an abusive relationship know when she will be attacked.

Answering the following questions will help you figure out what signs to look for:

- What does your partner do or say in the period before an attack?
- Does alcohol play a role in the violence towards you?
- Is there a predictable time between attacks? When was the last attack and when can you expect the next one?
- Are there other indicators an attack is about to happen? Examples may include unemployment, pregnancy and money troubles.



2) Decide on a safe place you can go with your children.

This might be a crisis shelter, the home of a friend or relative, a hotel, or any another place in which you can be safe. If you can not leave your home, is there a room or area of your home where you can be safe?

3) Decide how you will get there.

Decide what transportation you will use to get to a safe place. Do you have a car? If not, who can help you get to your place of safety? You might arrange for a friend, neighbour or relative to pick you up when the time comes. You may also want to keep some money with friends, so that when you feel threatened, you can leave quickly by taxi even if you have no cash on you. The police or Domestic Abuse Crisis Line may be able to help you plan your transportation.

4) Decide how you will escape from your home if an attack is about to happen.

Find out if there is a door or window you can use for escape, if necessary, and whether your children can also be taken out through these exits. Make sure that once you leave the home, you know immediately where to go. Find out beforehand where the nearest public phone is. Memorize any emergency numbers you may need (i.e., crisis shelter, police, social worker, etc.).

5) Decide what to take when you leave.

Do not stay behind to take any belongings if it endangers you or your children. If possible, do not leave your children. If you are in immediate danger and need to leave them, return as soon as possible, with the police if necessary.

If you are not in immediate danger, you should pack the following useful items:

- Identification for you and your children – such as birth certificates, your social insurance number, driver’s license, immigration papers or treaty card.
- legal documents – your mortgage or lease, or information about loans or assets you have

- keys – for your house, car and safety deposit box (if you have one)
- personal items – clothing and toiletries
- medications you or your children are taking
- things for your children – clothing, favourite toys, medicine, diapers or bottles

Remember – safety for you and your children is most important. If you have to leave without these items, the police can come back with you later to pick them up.

Additional tips

- Keep a spare set of house keys and car keys handy.
- Keep I.D. cards (i.e., health care, band numbers) for yourself and the children in your purse, or some place you can get to quickly.
- Put some money away in a safe place – a little at a time.
- Memorize any emergency phone numbers you might need.

BEFORE YOU RETURN TO YOUR HOME, MAKE SURE IT IS SAFE TO DO SO. BRING SOMEONE WITH YOU, IF YOU ARE IN DOUBT.

For more information, contact the Women’s Advocacy Program:

Winnipeg	1-204-945-6851
Brandon	1-204-726-6515
The Pas	1-204-627-8483
Thompson	1-204-677-6368
Selkirk	1-204-785-5213

Toll-Free Province-Wide Domestic Abuse Crisis Line
(24 hours) 1-877-977-0007

Prosecutions Policy Respecting Domestic Violence

The Attorney General's policy regarding domestic violence is straightforward: there is zero tolerance. This means the discretion conferred on those responsible for enforcing the criminal law ought, at each stage of the proceedings, to be exercised in favour of sanctions where a lawful basis to proceed exists. In practical terms, this requires that where there is evidence to support charges, they will be laid. Where there is evidence to support conviction, the case will proceed to trial as soon as possible. If a Judge errs at the trial, or imposes an inappropriate sentence, an appeal will be taken to a higher court. Throughout the proceedings, Crown Attorneys are expected to pursue cases involving domestic violence vigorously. Zero tolerance is aimed at ending violence against women and others who find themselves in an abusive relationship. It has as much to do with denunciation of the serious social problem and crime as it has to do with changing public attitudes.

Scope of this Policy

This policy is intended to confirm instructions to Crown Attorneys and provide direction to others involved in administering criminal justice in Manitoba, particularly the police. The object of the policy is to ensure that those who abuse others in a relationship, including partners, elders and children, will be pursued forcefully in the courts by means of a criminal prosecution.

Domestic assault, for the purposes of this policy, is defined as physical or sexual assault or the threat of physical or sexual assault of a victim by a person with whom they have or have had an intimate relationship, whether or not they are legally married or living together at the time of the assault or threat.

Intervention

Where a victim of domestic abuse seeks help, police agencies throughout the province are expected by the Attorney General to respond appropriately by treating the situation as a crime and not simply as a "family dispute." Primary concerns at this stage are separation of the parties, and steps taken to ensure non-repetition of the offence. Police should therefore intervene, lay charges where the facts warrant it and arrest and detain in custody where appropriate.

Prosecuting Criminal Charges: Role of the Crown Attorney

Once charges are laid, Crown Attorneys are expected to proceed to trial unless it becomes clear, at some stage of the proceedings, that there is no longer a prima facie case for which there is a reasonable expectation of conviction.

1. Every effort should be made to encourage witnesses who are victims of domestic violence to testify, including putting such witnesses on the stand, but where the charge is provable by other evidence, the reluctant spouse should be excused without further sanction.
2. Where there is not sufficient evidence, without that of the victim, regard must be had to the circumstances of each offence. The more serious the offence, the more appropriate it would be to take all reasonable steps to compel testimony.

Three important points arise. First, the charges should proceed unless the evidentiary foundation supporting the case collapses. Second, the evidence will be measured against the "reasonable

expectation of conviction” standard common to most jurisdictions throughout Canada and the Commonwealth. Third, proceedings should not be terminated unless it is clear that there is no longer sufficient evidence to support charges.

Any woman who requests that charges be dropped should be directed to contact the Women’s Advocacy Program where available. In centres outside the scope of the Program, the Crown Attorney may refer a victim to a similar program. If no such program exists, the Crown Attorney should discuss the matter with the victim, and if necessary, contact the Women’s Advocacy Program for advice on safety planning. Contact with the Women’s Advocacy Program and the outcome should be noted on the file.

Guidelines to Prosecutors in Certain Types of Cases

Several scenarios often arise in the prosecution of cases involving domestic violence. Additionally, guidelines to Crown Attorneys on how to handle these types of cases are described. Ultimately, of course, Crown Attorneys must exercise professional judgement based on the specific facts of each case. The scenarios are only intended to assist counsel in reaching a decision that is appropriate.

General Guidelines regarding the prosecution of domestic violence cases are as follows:

The victim, who chooses not to testify, should not, unless special or unusual circumstances exist, be made the subject of further prosecution as a result of her failure to testify (i.e. charges of public mischief). Such authority to prosecute must be given by the Supervising Senior Crown Attorney of the Family Violence Unit or the Director of Prosecutions.

A victim who fails to attend Court in answer to a subpoena or who refuses, once sworn, to answer questions is in contempt of Court and may be called upon by the presiding Judge to answer for his/her contempt. Crown Attorneys may only move to cite such witnesses for contempt with the authorization of the Supervising Senior Crown Attorney of the Family Violence Unit or the Director of Prosecutions.

Sentencing and Appeals

If an accused is convicted, the Crown Attorney shall recommend a sentence that, among other goals, reflects public denunciation of this kind of offence. Counsel should ordinarily oppose recommendations for conditional or absolute discharges and conditional sentences unless extraordinary and compelling circumstances are present. Where an inadequate sentence is imposed, an appeal should be recommended promptly.

Cross-reference to other existing policies: Counter Accusations (Charging Directive May, 1994); Manitoba Justice/Police Domestic Violence/Partner Abuse Protocol (Guideline 2:SPO:1)

Factual Scenarios Arising in Cases Involving Domestic Violence

The following describes four of the more difficult factual scenarios that arise in cases of domestic violence. Each includes a guide on how the case can be approached. Ultimately, of course, Crown Attorneys must exercise professional judgement based on the particular facts of the case before them. The following is simply intended to assist counsel in reaching an appropriate decision.

Scenario No. 1

Police attend a 911 call relating to a disturbance. On arrival, the female complainant is suffering from a bleeding lip. The accused is present in the apartment. The complainant refuses to provide a statement to police. Police charge the accused. The Police Report to Crown Counsel, however, does not describe evidence of an assault. There is no other evidence demonstrating how the complainant was injured. The Crown Attorney concludes that there is not a prima facie case for which there is a reasonable expectation of conviction. If the police are unable to obtain further inculpatory evidence, the Crown Attorney should, in general, enter a stay of proceedings on the charge.

Scenario No. 2

Police attend at the scene of a complaint. The complainant provides verbal advice to police concerning the circumstances of the assault. However, she refuses to provide a written statement and indicates that she will not attend Court. There is no material corroboration of the complainant's evidence. In general, Crown Attorneys should refer the complainant to a counselling agency that can assist her, such as Women's Advocacy (where available).

Several situations can arise here. If, after meeting with the counsellor, the complainant indicates that she was untruthful in making the initial complaint, the Crown Attorney can be expected, in the absence of further inculpatory evidence, to conclude that there is not a prima facie case for which there is a reasonable expectation of conviction. Where that conclusion is reached, a stay of proceedings should be entered.

If the complainant refuses to attend the counselling agency, Crown Attorneys should make all reasonable efforts to make contact with the complainant and then consider if the matter should proceed to trial.

Scenario No. 3

Police attend at the scene and the complainant provides a statement concerning the assault. Police lay charges as a result. After charges are laid, the complainant confirms the accuracy and truthfulness of her statement, but advises that she does not wish to testify at trial. In general, the Crown Attorney should refer the complainant to an appropriate counselling agency for support regarding the court process. The Crown Attorney should take all reasonable steps to speak to the complainant if the complainant refuses to attend the counselling agency, and then consider if the matter should proceed to trial.

Scenario No. 4

Police attend the scene, and the complainant gives investigators a statement outlining an assault upon her. There is no material corroboration of the complainant's evidence. Subsequently, the complainant advises that she lied to the police regarding the incident. In general, the complainant should be referred to an appropriate counselling agency such as Women's Advocacy, where available.

Once again, several situations can arise here. If, after meeting with the counsellor (who can assess any elements of coercion and provide safety planning to the complainant), the complainant continues to deny the assault, the Crown Attorney may, unless the police can obtain further inculpatory evidence, conclude that there is not a prima facie case for which there is a reasonable expectation of a conviction. Where that conclusion is reached, a stay of proceedings should be entered on the charge.

If the complainant fails to attend counselling, the Crown Attorney should take all reasonable steps to contact the complainant. Later, a decision will have to be made concerning the strength of the case, based on the facts available at that time.

Exceptional Cases

The following briefly describes less frequent scenarios that can arise in the prosecution of domestic violence cases. They are:

Despite the existence of a detailed statement given to police by the complainant at the time of the assault, she later indicates she has little recollection of the incident. In general, the matter should be set down for trial and Crown Attorneys should proceed on the basis of “past memory recollected.”

Where the Crown Attorney has had no pre-trial contact with the complainant and, on the date set for trial, the complainant either says she lied regarding the incident or adamantly contends that she cannot recall the incident (and past memory recollection is not applicable) or minimizes the incident to the point of de minimus, the Crown Attorney may either put the complainant on the witness stand and lead evidence concerning why she changed her story or bring the complainant into the courtroom and explain on the record the complainant’s position, and have her confirm that position. Where this occurs, the complainant should be given an appropriate counselling agency phone number to assist her in the future, should she wish to receive assistance.

If a complainant becomes an uncooperative witness, the Crown Attorney should consider the circumstances of the case to determine if an application to tender the complainant’s statement in lieu of her testimony is appropriate. This consideration will only be carried out after discussions with the Supervising Senior Crown Attorney of the Family Violence Unit or the Director of Prosecutions.

Where there have been allegations concerning the same complainant or others that tend to show a pattern of violent behaviour on the part of the accused, or previous instances of the complainant becoming uncooperative, referral should be made to the appropriate police agency for flagging as “high risk” and future videotaping of complainant statements.

Court System in Manitoba

There are three levels of court in Manitoba:

- Court of Appeal
- Court of Queen's Bench
- Provincial Court

The Court of Appeal is the highest court in the province, hearing appeals from decisions of the Court of Queen's Bench and the Provincial Court in the areas of criminal, civil and family law. It also hears in limited circumstances and as mandated by statute, appeals from professional bodies and some government boards and tribunals, usually when a point of law or jurisdiction is involved. Appeals of a decision of the Court of Appeal are heard by the Supreme Court of Canada.

The Court of Queen's Bench is the highest trial court for the province hearing civil family and criminal cases (both jury and non-jury cases). The court is divided into two divisions, the General Division and the Family Division.

The Family Division deals with family law cases while the General Division deals with all other matters, including trials in civil matters (for example suits in contract, accident cases, and commercial lawsuits), estate/probate cases, indictable (the most serious) criminal matters with or without a jury, and applications for the review of decisions from certain administrative tribunals. The court also has appellate jurisdiction and in this capacity judges of the Court of Queen's Bench hear appeals from decisions of hearing officers in small claims matters and the Provincial Court of Manitoba in less serious criminal and quasi-criminal matters.

Masters of the Court of Queen's Bench are judicial officers appointed under *The Court of Queen's Bench Act* with jurisdiction prescribed by legislation including the Queen's Bench Rules. The Masters have extensive jurisdiction with respect to court motions, and references which may be directed by judges of the Court of Queen's Bench. They deal with a wide variety of family law matters including the conduct of *Marital Property Act* references, striking out improper evidence from affidavits filed in family law cases (expungement), and presiding over various family law motions, Maintenance Enforcement court and Child Protection screening court.

The Provincial Court of Manitoba is a trial court hearing primarily criminal matters. The Provincial Court may also hear some family law matters and is also the Youth Court under the federal *Youth Criminal Justice Act*. The Provincial Court of Manitoba is established by the *Provincial Court Act*. It is a court of record, and has primarily a criminal jurisdiction, as well as limited shared jurisdiction with the Court of Queen's Bench in family law matters outside the City of Winnipeg. More than ninety-five percent of all criminal cases in Manitoba commence in the Provincial Court.

After an individual is charged, the Provincial Court hears applications for judicial interim release (bail), presides over intake (first appearance) courts, screening (resolution) courts, preliminary inquiries (to determine whether there is sufficient evidence to order an accused to stand trial), and various types of trial courts. The Provincial Court also hears all youth cases in the Province of Manitoba.

In addition to cases under the Criminal Code and the *Youth Criminal Justice Act*, the Provincial Court hears cases under a variety of other federal statutes, such as the *Controlled Drugs and Substances Act*, and hears all provincial statute cases, such as those under *The Highway Traffic Act* and *The Liquor Control Act*. The Court also presides over inquests under *The Fatality Inquiries Act*, and reviews alleged police misconduct under *The Law Enforcement Review Act*.

Court Offices

Winnipeg Court Offices

Court of Appeal
100E-408 York Avenue
Winnipeg MB R3C 0P9
945-2647
Fax: 948-2072

Court of Queen's Bench,
100C-408 York Avenue
Winnipeg MB R3C 0P9
945-0344

General (includes criminal and civil)
945-0344
Fax: 945-5550

Probate (Estate) Matters
945-3184
Fax: 945-5550

227 Provencher Boulevard
St. Boniface MB R2H 0G4
945-8010
Fax: 945-5562

Provincial Court

Winnipeg Courts
1st floor-408 York Avenue
Winnipeg MB R3C 0P9
Phone: 945-3454
Fax: 945-7130

Highway Traffic Matters
100-373 Broadway
Winnipeg MB R3C 4S4
945-3156
Fax: 948-2023

All Winnipeg and St. Boniface court offices can be reached toll-free at 1-800-282-8069. (The extension number for a particular office is the last 4 digits of its phone number.)

Regional Court Offices

Brandon

Court of Queen's Bench
1104 Princess Avenue
Brandon MB R7A 0P9
726-6240
Fax: 726-6547

Provincial Court

1104 Princess Avenue
Brandon MB R7A 0P9
726-6598
Fax: 726-6995

Maintenance Enforcement

1104 Princess Avenue
Brandon MB R7A 0P9
726-6237
Fax: 726-6546

Dauphin

Court of Queen's Bench
and Provincial Court Office
114 River Avenue W.
Dauphin MB R7N 0J7
General Info: 622-2086
Fax: 622-2099

Flin Flon

Court of Queen's Bench
and Provincial Court
Court Office
104-143 Main Street
Flin Flon MB R8A 1K2
687-1670
Fax: 687-1673

Minnedosa

Court of Queen's Bench
and Provincial Court
Court Office
70 - 3rd Avenue SW, PO Box 414
Minnedosa MB R0J IEO
867-2238
Fax: 867-2440

Morden

Court of Queen's Bench
and Provincial Court
Court Office
301 Wardrop Street
Morden MB R6M 1X6
822-2882
Fax: 822-2883

Portage la Prairie

Court of Queen's Bench
20 -3rd Street SE
Portage la Prairie MB R1N 1M9
239-3431
Fax: 239-3383

Provincial Court
25 Tupper Street N.
Portage la Prairie MB R1N 3K1
239-3337
Fax: 239-3402

Selkirk

Court of Queen's Bench
and Provincial Court
Court Office
101 - 235 Eaton Avenue
Selkirk MB R1A 0W7

Court of Queen's Bench
785-5122
Fax: 785-5125
Provincial Court
785-5077
Fax: 785-5125

Steinbach

Provincial Court
Court Office
284 Reimer Avenue, Box 21480
Steinbach MB R0A 2T3
346-6070
Fax: 326-5101

Swan River

Court of Queen's Bench
and Provincial Court
Court Office
201 - 4th Avenue S., Box 206
Swan River MB R0L 1Z0
734-2252
Fax: 734-9544

The Pas

Court of Queen's Bench
and Provincial Court
Court Office
300 - 3rd Street E., Box 1259
The Pas MB R9A 1L2
627-8420
Fax: 623-6528

Thompson

Court of Queen's Bench
and Provincial Court
Court Office
PO Box 34, 59 Elizabeth Drive
Thompson MB R8N 1X4
Court of Queen's Bench
677-6757
Fax: 677-6686

Provincial Court
General Info: 677-6761
Fax: 677-6584

Virден

Court of Queen's Bench
and Provincial Court
Court Office
232 Wellington Street W., PO Box 1478
Virден MB R0M 2C0
748-4288
Fax: 748-2980

Appendix VI

Custody and Access

The legal term custody refers to all the rights and duties related to the care of a child. This includes the right to make all important decisions about the child's care and upbringing (legal custody), and the right to the actual everyday physical care and control of the child (physical custody). In practical terms, custody means which parent has the right to look after and care for a child. Under The *Family Maintenance Act*, both parents of a child have equal rights to the custody and control of their child if they have lived together after the child's birth and no court order has set out a different arrangement. However, if the parents never lived together after the child's birth, the parent with whom the child is living is deemed to have sole custody and control (see *Family Law in Manitoba, 2002*).

Applying for Custody

When parents separate and can't agree on parenting arrangements, either parent can apply to the court for custody of a child. In such circumstances, the parent should speak to a lawyer as soon as possible. Upon an application by either parent for custody, the court will make a decision based on the best interests of the child. The court will take into account a number of factors, such as:

- care arrangements before the separation. (For example: who looked after the child most of the time? Who took the child to the doctor and dentist? Who arranged extra-curricular activities? Who dealt with the child's school and teachers?);

- the parent-child relationship and bonding;
- parenting ability;
- the parents' mental, physical and emotional health;
- the parents' and the child's schedules;
- support systems. (For example, assistance and involvement from grandparents and other close relatives.);
- sibling issues. Generally, brothers and sisters should remain together, but under some circumstances, it may be necessary to consider separating the children; and
- the child's special needs. (For example, the child has a serious medical condition and one parent is better able to handle the care required.)

The court will also consider the child's wishes. There is no magic age for when a child has the right to decide where he or she is going to live. The court gives more weight to the child's wishes as the child matures. An older teenager's wishes will often be decisive.

It may take several months or more for the court to make a final decision regarding custody. A parent can seek an interim (temporary) custody order while their case continues. An interim order is important if there are reasons why the issue of custody cannot wait months or more for a final decision, such as if a child's safety is at risk or if there is a risk of one parent running off with the child.

The law encourages the continuation of a healthy relationship between both parents and their children after separation. Unless there is a risk to the children, generally it is best for children to have contact with both parents.

Sole Custody

A court order of custody or sole custody to a parent means that parent has both legal and physical custody of the child. He or she makes the important decisions about the child's education, extracurricular activities, health and religion, and the child lives most or all of the time with that parent.

Access

When the court makes a sole custody order, it will usually give the other parent access, the right to have contact with the child. What an order of "access" or "reasonable access" means depends on the arrangements the parents make between themselves. For example, it may mean that the child lives with the other parent two or three days a week, or that the child sees the other parent once a week.

Sometimes, especially when the parents have difficulty cooperating with one another, the court may order specified access. This kind of order will lay out exactly when and under what conditions the other parent can have contact with the child. Where there is tension and conflict between the parents, the court may order that a third party be involved to facilitate the access, for example, by helping with the pick-ups and drop-offs. Where the court is concerned about the child's safety in the care of that parent, the court may order that another person supervise the access.

Joint Custody

The court often orders that the parents have joint custody, with one parent having primary physical care and control, and the other parent having physical care and control as the parties may agree or at specified times. This kind of

order means that both parents have legal custody of the child -joint decision-making power-but one parent looks after the child most of the time and makes the everyday decisions about the child's care.

Sometimes the court will state in the order that the parties must consult with each other on all major decisions respecting the child, but that one parent has the right to make the final decision if they can't agree. The court is more likely to make a joint custody order where the parents agree on it and appear to be able to cooperate with one another for the benefit of the child.

Other Time Sharing Arrangements

Most court orders typically contain provisions for either sole custody and access or joint custody. This does not necessarily mean though that the court will not consider other kinds of time sharing arrangements respecting children in appropriate cases. The court will on occasion grant an order for a more flexible time sharing arrangement between parents, particularly in cases where the parents are in agreement on the issue. An example of this would be a shared arrangement where the child may live with each parent more or less equally.

The Government of Canada is currently considering changes to the *Divorce Act* with respect to determining parenting arrangements on divorce. The proposed changes will still include the basic components of a parenting order including allocation of parenting care and control time and certain decision-making responsibilities. At this time, it is unknown when these proposed changes to the *Divorce Act* might come into effect.

Appendix VII

Regional Crime Victim Service Units

D' DIVISION

1091 Portage Ave.
Winnipeg MB R3C 3K2

Regional Manager
Ph: 984-5817 Fax: 984-0642

FLIN FLON

Crime Victim Services
96 Hapnot Street
Flin Flon, Manitoba R8A 1L6

Ph: 687-3512
Fax: 687-4220

LAC DU BONNET

Crime Victim Services
Box 280
Lac du Bonnet, Manitoba R0E 1A0

Ph: 345-9752
Fax: 345-6307

PARKLAND (DAUPHIN)

Crime Victim Services
2 Hedderly Street
Dauphin, Manitoba R7N 3M2

Ph: 622-5080
Fax: 622-5070

PORTAGE LA PRAIRIE

Crime Victim Services
340 Lorne Avenue East
Portage la Prairie, Manitoba R1N 3M8

Ph: 239-1816
Fax: 239-0130

RED RIVER (MORRIS)

Crime Victim Services
Box 579
Morris, Manitoba R0G 1K0

Ph: 746-8249
Fax: 746-6214

SELKIRK

Crime Victim Services
1019 Manitoba Avenue
Selkirk, Manitoba R1A 3T7

Ph: 785-4000
Fax: 482-9131

THE PAS

Crime Victim Services
Box 710
The Pas, Manitoba R9A 1K7

Ph: 627-6223
Fax: 623-5346

THOMPSON

Crime Victim Services
122 Selkirk Avenue
Thompson, Manitoba R8N 0M9

Ph: 677-6944
Fax: 677-6947

Family Violence Intervention Teams Pilot Project

The Family Violence Intervention Team Pilot Project is a collaborative venture between the City of Winnipeg's Community Services Department and Police Services that resulted from the recommendations of the City's Working Group on Domestic Violence. The Project commenced in 2001. It is a three-year pilot project involving two Family Violence Intervention Teams each consisting of a police detective and social worker who intervene in high-risk domestic violence cases **where arrests have not been made**. The project is set up to provide early intervention to families "at risk" by raising awareness of family violence related issues and connecting them to appropriate community resources and services. The overall goal is to increase safety for families and to reduce the harmful impact of domestic violence through the provision of outreach services, working in partnership with the community.

- Social workers with the Community Services Department work in full-time partnerships with Winnipeg Police Service detectives to provide a joint police and social work follow-up response.
- The teams provide a joint police and social work response in situations where no charges have been laid and the incident occurred in designated geographic areas.

- The designated geographic areas for the pilot include police District 1 (downtown area) and 6 (Charleswood, Fort Garry, Fort Rouge, St. Norbert, River Heights and Tuxedo).
- Uniformed patrol officers investigate cases of domestic violence that are reported to the police in the first instance.
- The teams review the police reports and police records on those situations that did not result in charges, and based on a group of selection criteria (informed by literature and a committee of community experts in the field of family violence), identify those situations that pose the highest risk for escalation and attempt to contact them.
- **The teams provide assessment and intervention through the provision of education, information, assistance with safety planning, short-term counselling, advocacy, and co-ordination and connection to appropriate community resources.**

It should be noted that the teams' workload is generated from police reports not external referrals.

Appendix IX

Legal Aid

GUIDELINES

You can be eligible for legal aid in one of three ways. You can be eligible without having to pay anything (fully eligible). Legal Aid may ask you to pay a fixed part of the cost of the case (an agreement to pay). Or Legal Aid may ask you to pay the full cost of the case together with a program fee (expanded eligibility). You may also be asked to pay the cost of legal aid if you own property (by agreeing to a lien against your property) or if you get money from your case.

This table contains the financial guidelines as of August 1, 2000. The income figures are gross (before deductions) yearly income.

Family size	Fully	Partially	Not
Contribution	Eligible	Eligible	Eligible
	(Gross)	(Gross)	(Gross)
1	14,000	16,000	23,000
2	18,000	20,000	27,000
3	23,000	25,000	31,000
4	27,000	29,000	34,000
5	31,000	33,000	37,000
6	34,000	36,000	40,000
Greater than 6	37,000	39,000	43,000

Some of your expenses, such as maintenance paid or day care will be deducted from your income. Assets will also be considered.

Legal Aid Contact Offices

Legal Aid Manitoba (Administrative Office)

402-294 Portage Ave
Winnipeg, MB R3C 0B9
Telephone: 985-8500 or 1-800-261-2960

Drop-In Centre
416-294 Portage Ave
Winnipeg, MB R3C 0B9
Telephone: 985-8500 or 1-800-261-2960

Criminal Law Office
514 St. Mary Ave
Winnipeg, MB R3C 0N6
Telephone: 985-8570

Family Law Office

308-294 Portage Ave
Winnipeg, MB R3C 0B9
Telephone: 985-8550
(The Family Law Office also includes
the Poverty Law Office at the same
location and the Child Protection
Unit located at 416 -294 Portage Ave)
Telephone: 985-8566

Aboriginal Centre Law Office

409 - 181 Higgins Ave
Winnipeg, MB R3B 3G1
Telephone: 985-5230 or 1-800-300-2307

Public Interest Centre

(for group representation)
402 - 294 Portage Ave
Winnipeg, MB R3C 0B9
Telephone: 985-8540 or 1-800-261-2960

University of Manitoba Law Centre

Faculty of Law
101 Robson Hall, University of Manitoba
Winnipeg, MB R3T 2N2
Telephone: 985-5206

Westman Law Centre

1239B Princess Ave
Brandon, MB R7A 0R2
Telephone: 204-729-3484

Parklands Law Centre
31 - 3rd Ave N.E.
Dauphin, MB R7N 0Y5
Telephone: 204-622-7000

Northlands Community Law Centre
Box 2429
236 Edwards Ave
The Pas, MB R9A 1M2
Telephone: 204-627-4820

Legal Aid Manitoba
3 Station Road
Thompson, MB R8N 0N3
Telephone: 204-677-1211

Appendix XI

Summary Chart: Resource Services for Abused Women

Toll-Free Province-wide Crisis Line (24 hours) 1-877-977-0007
Local Winnipeg Crisis Line (24 hours) 942-3052

WINNIPEG

Evolve/Klinic (A)	784-4070
Women's Advocacy Program (A)	945-6851
Ma Mawi-Wi-Chi Itata Centre (A)	925-0349
The Laurel Centre (A)	783-5460
Immigrant Women's Counselling Services (A)	953-4100
Osborne House (C,E)	942-3052
Ikwe-Widdjiitiwin (C,E)	
local	987-2780
toll-free	1-877-977-0007
Women in Second-Stage Housing (WISH) (F)	275-2600
Fort Garry Women's Resource Center (A)	477-1123
North End Women's Center (A)	589-7347
Pluri-Elles Centre de Femmes (A)	233-1735
L'Entre-Temps Des Franco-Manitobaines	925-2550

WESTMAN REGION

Westman Women's Shelter (C,E)	
local	727-3644
toll-free	1-877-977-0007
Samaritan House Ministries (F)	726-0758
Women's Advocacy Program (A)	726-6515

CENTRAL REGION

South Central Committee on Family Violence (C,E)	
local	325-9800
toll-free	1-877-977-0007
Portage Women's Shelter (C,E)	
local	239-5233
toll-free	1-877-977-0007

EASTMAN REGION

Eastman Crisis Centre (C,E)	
local	326-0028
toll-free	1-877-977-0007

INTERLAKE REGION

Lakeshore Women's Resource Centre (C,D)	
local	768-3016

Interlake Women's Resource Centre (C,D)	
local	642-8264

Nova House (Selkirk) (C,E)	
local	482-1200
toll-free	1-877-977-0007

PARKLAND REGION

Parkland Crisis Centre (C,E)	
local	638-9484
toll-free	1-877-977-0007

Swan Valley Crisis Centre (C,D,F)	734-9368
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NORMAN REGION

Snow Lake Centre on Family Violence (C,D)	
local	358-7145

The Pas Committee for Women in Crisis (C,E)	
local	623-5497
toll-free	1-877-977-0007

Women's Safe Haven/Resource Service, Flin Flon (A)	
local	681-3105

Women's Advocacy Program (A)	627-8483
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THOMPSON REGION

Thompson Crisis Centre (C,E)	778-7273
toll-free	1-877-977-0007

Women's Advocacy Program (A)	677-6368
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As a general rule

- A. Specialized counselling, non crisis-oriented.
- B. Shelter will refer to contact person in community, if necessary.
- C. Short-term crisis services.
- D. Safe home - residential accommodation in a family home.
- E. Shelter - emergency residential accommodation and counselling services.
- F. Residential second-stage program.