

Police Response to
Domestic Violence
A Provincial Overview
August 2005



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Health and Social Services

**“Our lives begin to end
the day we become silent
about things that matter.”**

Martin Luther King, Jr.

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Deputy Chief, Richard Collins
President,
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Protection of the public is of paramount importance to police. Over and over again, police respond to calls involving cases of domestic violence. Every effort is made to calm the situation and prevent the further occurrence of violence. Notwithstanding this laudable goal, domestic violence remains highly prevalent in Prince Edward Island.

Recent high profile cases have emphasized the need for police to evaluate and re-evaluate response methods deployed in situations of domestic violence. In order to move forward, it is necessary to know from where we have come. That involves studies such as the one contained within this report.

All domestic violence police files in PEI during the period January 1, 2002, to December 31, 2002, were reviewed to compile the information contained herein. In total this amounted to 604 domestic violence matters reported to police. In a province with a population of approximately 142,000, such a high volume of domestic violence reports is troubling to say the least.

We know that the challenge of domestic violence does not rest solely with police. This report highlights the need for a collaborative approach among police, court officials and government officials in both the Department of Health and Social Services and the Office of the Attorney General, to adequately respond to the challenges presented by homes in which domestic violence occurs.

The work represented by this report would not have been possible without the commitment and dedication of its researcher, Rona Brown, who has done a superb job of compiling data and presenting it in a useful and highly informative manner. She has our thanks for a job well done.

This report makes a significant contribution to the knowledge base upon which law enforcement crafts a response to domestic violence. It will unquestionably contribute to a more effective response to domestic violence and will support interventions that increase the likelihood that the domestic violence will not be repeated.

Deputy Chief, Richard Collins

President,

PEI Association of Chiefs of Police



Hon. Pat Binns
Premier
Prince Edward Island

Family violence prevention requires sustainable and collaborative partnerships among government, community and law enforcement. Ultimately, the sorrow and pain that results from violence within relationships of trust and dependency must be addressed by our entire Island community. By working together, we enhance our goal of safer families and communities for all Islanders.

The PEI Association of Chiefs of Police is to be commended for initiating leadership of this significant research project that examines police response to domestic violence on Prince Edward Island. Through a transparent review of its files, in partnership with the researcher, Rona Brown, provincial Family Violence Consultant, the association demonstrates its commitment to family violence prevention as a priority for law enforcement.

The evidence-based findings contained within this report provide valuable data for training and policy consideration across a variety of sectors including health, social services, justice, education, community and law enforcement. By working together, we can make a difference!

Hon. Pat Binns
Premier, Prince Edward Island

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Acknowledgements

I would like to take this opportunity to commend the PEI Association of Chiefs of Police for their unwavering leadership in our collective efforts to effectively respond to domestic violence in this province. Through transparency, they have invited this candid review of their files and have set a precedent for others to follow. Only through a willingness to learn, can we truly begin to effect change. A very special “thank you” to Chief Paul Smith and staff, Charlottetown Police Department; Chief Ian Drummond and staff, Summerside Police Services; Commanding Officer Randy Robar, S/Sgt Dwight Mullally (retired) and staff, RCMP “L” Division; Chief Paul Cousins (retired) and Chief Robin Clark and staff, Kensington Police Department. Your leadership sets you apart.

A very special “thank you” to members of the PEI Association of Chiefs of Police working group who were instrumental in guiding the final product, Cindy Wedge, Director of Prosecutions, Office of the Attorney General, and Chief Paul Smith, Charlottetown Police Department. I would also like to acknowledge the PEI Association of Chiefs of Police for their financial support of this initiative by contributing to the printing costs for this report and its companion desktop reference.

This initiative was fully supported and facilitated by the Department of Health and Social Services which provided the family violence consultant and administrative assistant required to complete the project, as well as the computer software required to analyse the data.

I would also like to express my gratitude to the people who willingly participated in this research project and who provided support. A very special “thank you ” to the administrative assistants in police jurisdictions across the province who went beyond in their willingness to provide support and gather files, and who provided workspace along with many extras. Also, a very special “thank you” to Cindy Ferguson, administrative assistant, Health and Social Services, for everything!

In closing, I would like to acknowledge the individuals experiencing violence within their families. To those who have reached out for help, your voices have been heard and to those still suffering in silence, there are resources in place to help you. *No one deserves to be abused, and abuse, no matter what form, is always wrong.*

Rona Brown,
Family Violence Consultant

Introduction

“Man is the only animal in all of creation which deliberately inflicts maliciously vindictive violence upon its own kind.”
(McQuaid, 1991, p.1)

Domestic violence is an abuse of power within relationships of family, trust and dependency. It always involves someone using their power over another person in a way that is hurtful. This behaviour can take many forms including physical, psychological, sexual, emotional and financial abuse, as well as abandonment, neglect, injury to pets, destruction of property and homicide.

Domestic violence knows no boundaries and occurs in all income and educational levels; in all religious, racial and cultural groups; and in both genders. It occurs within a context of assaultive and controlling behaviour that is often repetitive and escalates over time. Unlike other crimes, violence within the family often means that the offender and victim share a home and are emotionally and financially attached to one another. The cyclical and recurrent nature of the abuse impacts the safety and security of other family members. While alcohol and drugs may contribute to it, they do not cause the abusive behaviour. *Being abusive is*

always a choice. Once a pattern of abuse has been established, it is very difficult to stop it without outside help. Children exposed to domestic violence experience serious effects to their health, safety, behaviour, emotional and social development, and educational progress.

Many people suffer in silence before taking the first step to call police for help, and for many, they merely want the abuse to stop and for their partner to get help. As gatekeepers to the justice system, police officers are often in the unique position of being the victim's first point of contact for help with personal safety and protection.

Domestic violence calls present police officers with highly charged emotional situations which can be dangerous for everyone involved. It is often frustrating and confusing for police officers to respond to these calls because the victim, for a variety of reasons, may resist the police officer's efforts to help. Therefore, it is important that the dynamics of domestic violence are understood, namely, that victims make decisions about staying in or leaving an abusive relationship within the context of survival, and that leaving is often better understood as a process rather than as an event.

In 1998, police agencies across Prince Edward Island participated in a police file review to examine police response to domestic violence. The review was conducted by the Department of Health and Social Service's family violence consultant. Data findings provided information for policy and protocol considerations. In 2001, the PEI Association of Chiefs of Police requested

that the family violence consultant complete an updated statistical review of domestic violence reported to police. This request was supported and facilitated by the Department of Health and Social Services.

Methodology

Purpose

Every year the Canadian Centre for Justice Statistics collects data from police departments through either the Incident-Based Crime Reporting (UCR2) Survey or the Operational Statistics Reporting System (OSR). The UCR2 Survey gathers detailed information about incidents, victims and offenders, including the age of the victim and his/her relationship to the accused. This data is drawn from 94 police departments and published in the annual *Family Violence in Canada: A Statistical Profile* under the Federal Family Violence Initiative. While this data is not nationally representative, it does provide a valuable profile of the nature and characteristics of police-reported domestic violence incidents. In 2002, Prince Edward Island police agencies reported through OSR.

In an effort to capture a provincial profile of police-reported domestic violence on Prince Edward Island, this research project will provide a statistical overview of data on domestic violence reported to police between January 1, 2002 and December 31, 2002. It is anticipated that findings will be used to impact program, policy, protocol, training and educational initiatives related to family violence prevention within and among various sectors.

Study Sample / Data Analysis

Prince Edward Island has a population of approximately 142,000 people. Policing responsibilities are divided among municipal police departments and the Royal Canadian Mounted Police (RCMP). Municipal policing services are provided by the Charlottetown Police Department, Charlottetown; Summerside Police Services, Summerside; Kensington Police Department, Kensington; and Borden-Carleton Police Department, Borden-Carleton. The RCMP "L" Division provides police services to municipalities in Montague, Souris and Stratford, as well as to all rural areas of the province through detachments located in Alberton, Summerside, Charlottetown, Montague and Souris.

All RCMP and municipal domestic violence police files during the period January 1, 2002, to December 31, 2002, were reviewed. The criteria selection for files were determined to include four primary codes only and one secondary code:

AA00-70	=	All Assault Files
AG01	=	<i>Child Protection Act</i>
AC41	=	Criminal Harassment
AC61	=	Other Criminal
DQ32	=	Family Violence

A manual Police Information Retrieval System (PIRS) review of each file within the above coding was completed by the family violence consultant conducting this research. Designated files were then identified and selected for inclusion using PIRS and/or Simplified Paperless Universal Reporting System (SPURS) databases and hard copy files as required. Paperless files were also included in the total 604 domestic violence files identified for inclusion in the project.

Security clearance for the family violence consultant was granted by the RCMP and honoured by all municipal police departments. An instrument entitled Police File Data Instrument was designed to collect relevant police file data. This instrument facilitated the collection of both quantitative and qualitative data. The qualitative data analysis is presented through the verbatim descriptors provided in police file documentation. The quantitative statistical analysis is based on the Statistical Package for the Social Sciences (SPSS) version 10, used to provide a description of the data.

Considerations/Limitations

The focus of this project has been to capture a statistical picture of domestic violence reported to police across Prince Edward Island for a one year period. An important consideration is to be always mindful that this data only represents information documented on files of incidents

that have been reported to police and have been designated for inclusion in this study.

Understandably, this does not reflect either the true prevalence of domestic violence on Prince Edward Island, nor does it truly capture the full nature of police reported domestic violence.

One of the greatest challenges in retrieving data from case files is that the files only reflect the documentation provided by the investigating officer. Depending on the style of the officer's documentation practices and the involved individuals' willingness to provide the information, the recorded data may include detailed information or skeletal information, thus, limiting the consistent retrieval of peripheral information from the file that would enhance the detail related to the reported incident.

Another limitation is the dependency on accurate coding to capture domestic violence reported to police. Discretion of both the dispatcher and the responding police officer can determine whether or not the call is coded as a domestic. Frequently, calls are coded according to the originating nature of the occurrence or the more serious of the reported incident (e.g., robbery, break and enter, theft, sexual assault, etc) which may not reflect the actual domestic dispute discovered upon investigation. Such data, therefore, is often not retrievable under the coding criteria used in this study, leaving some reports of domestic violence unidentified.

Additional limitations for consideration in reviewing the findings include:

- The term “domestic violence” is used throughout this project to refer to violence committed by legally married, common-law, dating, separated and divorced partners between the ages of 15 and 70 years and older. It does not include assaults directed towards children, assaults among siblings, child sexual assault, sexual assault or assaults by extended family members.
- The percentages of the data findings may not consistently add up to 100 per cent due to rounding and overlapping.
- The significant categories of “unknown” or “not available” data gaps.

- The 2002 data does not capture subsequent police training initiatives.

It is important to reiterate that the findings of this report focus on 2002 data. Since that time, there have been significant police training initiatives across the province including training on children exposed to domestic violence and the *Victims of Family Violence Act* (March 2004). Findings from the most recent training initiatives indicate increased referrals to Child and Family Services in cases involving domestic violence and children, and increased police use of Emergency Protection Order applications under the *Victims of Family Violence Act*.

Data Presentation

Demographics

Domestic violence differentially affects men and women. Although both men and women can be victims of domestic violence, the overwhelming majority of domestic violence reported to police involves men abusing women within intimate relationships. These relationships vary in duration and legal formality, and include current and former dating, common-law and married couples.

Domestic violence crimes are often committed in a context where there is a pattern of assaultive and controlling behaviour. The abusive behaviour is used to intimidate, humiliate or frighten victims to make them powerless.

Domestic violence is a process and not a single event. There is a continuum along which abuse occurs ranging from a single incident to a pronounced pattern of escalated frequency and severity. This overall pattern of behaviour suggests a high likelihood of repeat violence, dangerous behaviour and potential for life-threatening harm.

The Ontario Domestic Violence Death Review Committee Annual Report to the Chief Coroner 2004 identifies a number of common risk factors associated with potentially lethal domestic violence:

“The most common factors found in the nine cases reviewed in 2004, as well as the overall common factors for 2003 and 2004 combined, appear to be an actual or pending separation, prior history of domestic violence, and a perpetrator who had made threats to harm himself or his partner in the past.....In eight out of the nine cases from 2004, the homicide appeared both predictable and preventable.” (O’Marra, 2005, pg.8)

The following provides an overview of demographic information gleaned from the 604 reports of domestic violence reported to police on Prince Edward Island in 2002.

Jurisdiction

Policing services on Prince Edward Island are mandated within the varying jurisdictional boundaries of the RCMP in those designated rural areas of the province, and within the mandate of municipal police departments in those designated urban areas of the province. The following data illustrates the distribution of the 604 domestic violence files reported to police in 2002 designated for inclusion in this study. Please note throughout this report that

Borden-Carleton Police Department did not report any domestic violence files during this time period, therefore, they are not illustrated in the data findings.

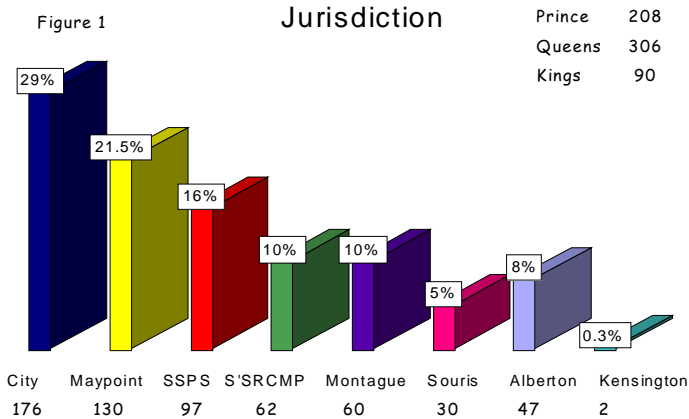


Figure 3 Day of Report to Police
2002 - 604 Police DV files

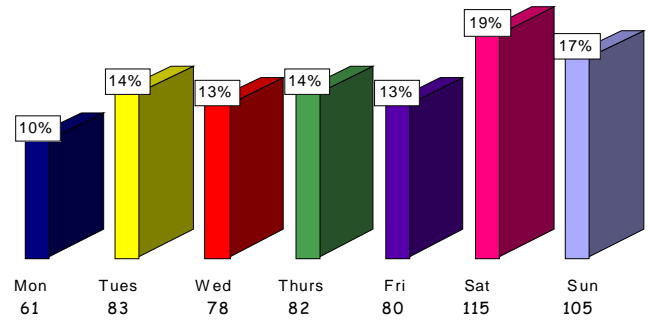
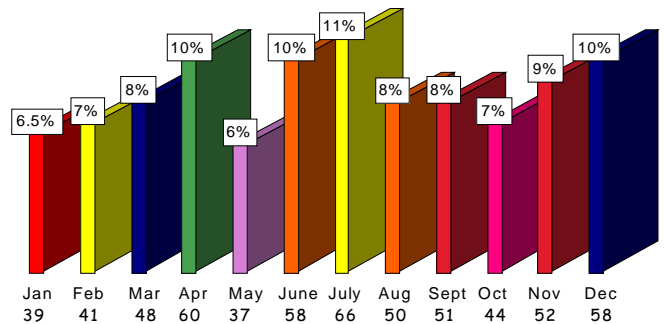


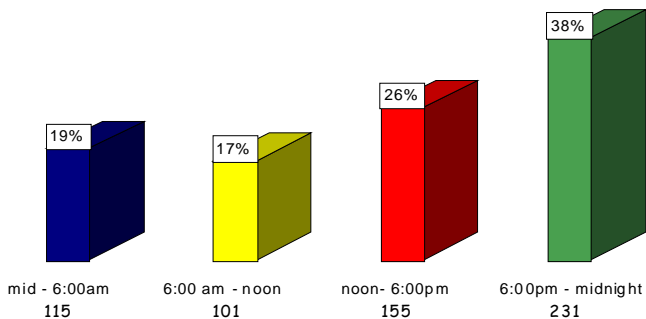
Figure 4 Month of Report to Police
2002 - 604 Police DV files



Time/Day/Month Prevalence of Domestic Violence Reports to Police

The following data highlight the frequency of the time/day/month of domestic violence calls reported to police throughout Prince Edward Island.

Figure 2 Time of Report to Police
2002 - 604 Police DV files



Complainant Source

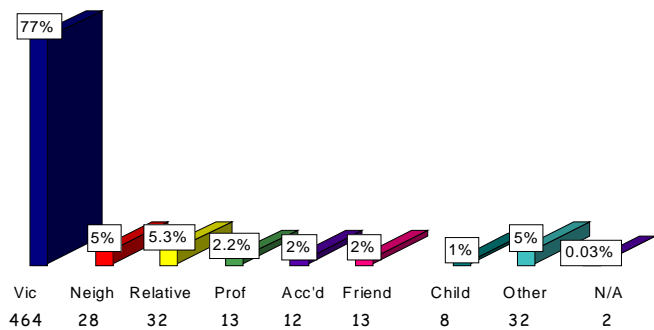
Calls to the police requesting help for domestic violence are primarily initiated by the victim but are also received from a variety of sources including children, extended family members (parents, grandparents, siblings), friends, professionals, neighbors, employers and often by third-party witnesses when the violence has spilled out into public view. The following data illustrates the complainant source. It should be noted that the “other” category includes calls to police from third-party observers to the abusive

behaviour occurring in public venues such as restaurants, parking lots, shopping malls, etc.

Figure 5

Complainant Source

2002 - 604 Police DV files



Victim Characteristics

In 2002, females accounted for 85 per cent of all victims of domestic violence reported to the subset of police departments as highlighted in the Family Violence in Canada: A Statistical Profile 2004 report published by the Canadian Centre for Justice Statistics. Young females aged 25 to 34 experienced the highest rates of domestic violence. On Prince Edward Island, there is evidence of comparable rates of victimization for Island women.

Figure 6

Victim Gender

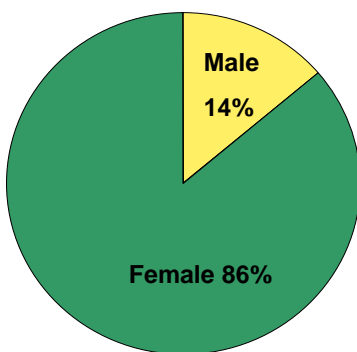
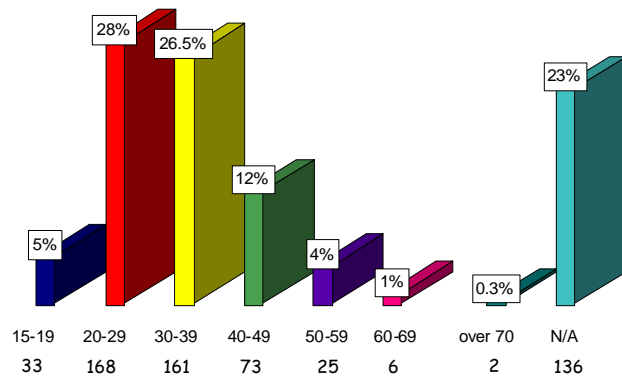


Figure 7

Victim Age



The following illustrates the dynamics reflective of the continuum of domestic violence wherein victims often assume responsibility for the violence or minimize it, in an attempt to maintain their basic survival skills within the abusive relationship dominated by power and control of the offender over the victim:

- *Victim hit on the head and back, fell on pavement, scraped lip, right palm, right forearm and left fingers. Victim recanted and wrote letter to accused's lawyer saying accused wasn't responsible as she instigated the assault.*
- *Accused told victim if she didn't give statement he would leave her alone but if she did he would get her and kill her when he got out of jail.*
- *Victim does not want charges laid but strongly fears for personal safety.*

- *Victim with cuts to arms, neck, face and chest, punched with two fists, pulled by hair, kicked, telephone destroyed and accused threatened to kill victim. Accused told victim to “Call 911 because I am going to kill you.” When police respond, victim did not want accused to be put in jail as he needs help.*
- *Accused’s hand bleeding from breaking glass in door, victim pushed, accused broke into victim’s house and smashed door, smashed holes in bedroom door where victim had barricaded herself. Next day victim changes story and doesn’t want accused charged.*
- *Pushed, hit across face, knocked to ground, etc. Victim said she refused to give a statement initially because if police had not arrested accused, it would have exacerbated the situation and she didn’t want to deal with accused on her own.*

Offender Characteristics

The following data highlights the gender and age characteristics of those identified as the accused in 604 police-reported domestic violence included in this study.

Power and control are the core ingredients that constitute abusive relationships. Findings from the police file review provides qualitative data to support these dynamics.

Figure 8 Offender Gender

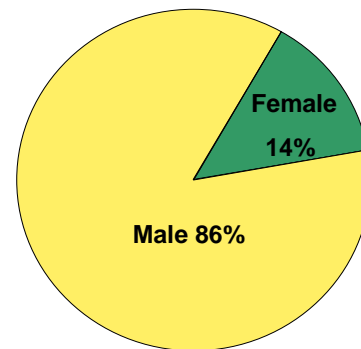
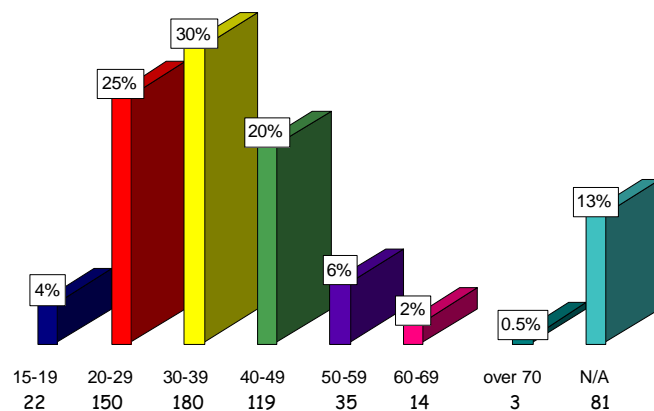


Figure 9 Offender Age



The following comments highlight verbatim quotes by offenders:

- *“You are my woman. I own you.”*
- *“Women make men do strange things (referring to Stratford murder). There are reasons why men blow away the women in their lives.”*
- *“If I can’t have you, no one will.”*

- *“If you are going to charge me with assault again, I’ll blacken both your eyes and punch your teeth out so they can’t identify you.”*
- *“You know you deserved it don’t you,, I’ll have you dead and myself gone. I should get a butcher knife and slit your throat.”*
- *“I’ll only get 10 years and it will be worth it. You’re going to get a bullet in the head.” (said in front of three and four year old children)*
- *“She’s my woman. I’ve got a right to chase after her, to care for her, wouldn’t you?”*

Relationship Status

The unique nature of domestic violence, unlike stranger violence, is inherent in the intimate relationship involving the two parties. Domestic violence victims often have a relationship that existed not only before, but also endures after, the abusive incident:

“Over sixty percent of women who flee their abusive partner and take refuge in a shelter will return to their partner and suffer subsequent violence: ‘domestic violence is by its nature a reoccurring crime with a marked tendency to escalation’.” (Final Report of the Ad Hoc Federal-Provincial Territorial Working Group Reviewing Spousal Abuse Policies and Legislation, 2003, pg. 14)

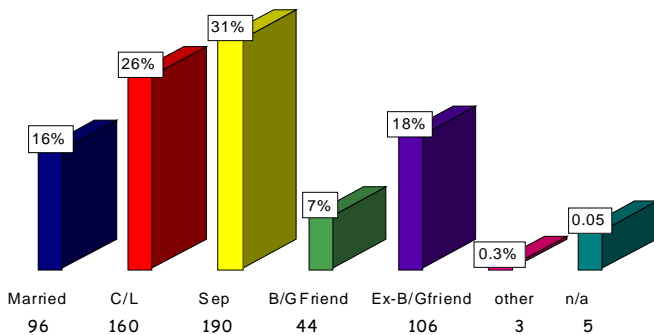
Highlights of the 1999 General Socialization Survey (GSS) data published by Statistics Canada indicates there is a greater risk of experiencing domestic violence when the following factors are considered:

- younger women between 15 and 24 years of age;
- persons living in common-law relationships;
- persons whose partners abuse alcohol;
- persons living with very controlling and emotionally abusive partners;
- Aboriginal women; and
- women undergoing a separation.

Although it is a common assumption that separation and divorce end the risk of domestic violence, the findings of the Family Violence in Canada: A Statistical Profile 2001 report highlights that significant violence occurs after separation. Women, reportedly, are three times more likely to be physically injured during violent encounters with their former partners. Of those reporting post-separation violence, 24 per cent state the assaults became more severe and 39 per cent report that the violence only began after separation. As well, separated women are at greatest risk of being murdered:

“rates of spousal homicide were nine times higher for separated women (38.7 per million separated women) compared to those who were legally married (4.5 per million married women) or living common-law (26.4 million).” (Final Report of the Ad Hoc Federal-Provincial-Territorial Working Group Reviewing Spousal Abuse Policies and Legislation, p.6, 2003).

Figure 10 Relationship Status



Injuries

The findings of the Family Violence in Canada: A Statistical Profile 2001 also indicates that the nature and severity of violence suffered by women and men is different. For example, women were more likely than men to experience more severe forms of violence: they were more than twice as likely to report being beaten, five times more likely to be choked, five times more likely to require medical attention, five times more likely to fear for their lives, twice as likely to have been abused more than 10 times, and twice as likely to have a gun or

knife used against them. The data from PEI police files suggests comparable findings.

Figure 11 Injuries Involved
2002 - 604 Police DV files

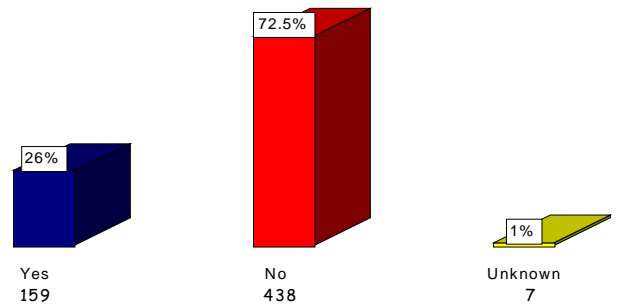
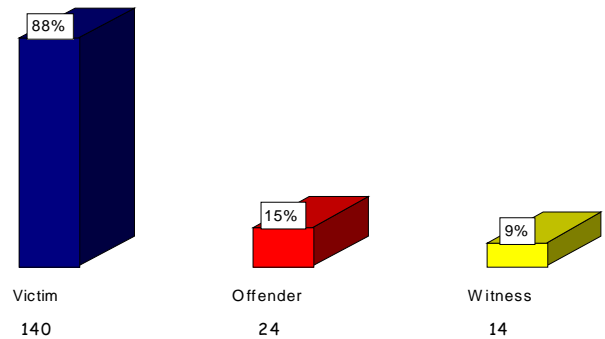


Figure 12 Injuries - Total 159 files



The following data provides highlighted samples of injuries as noted in police files:

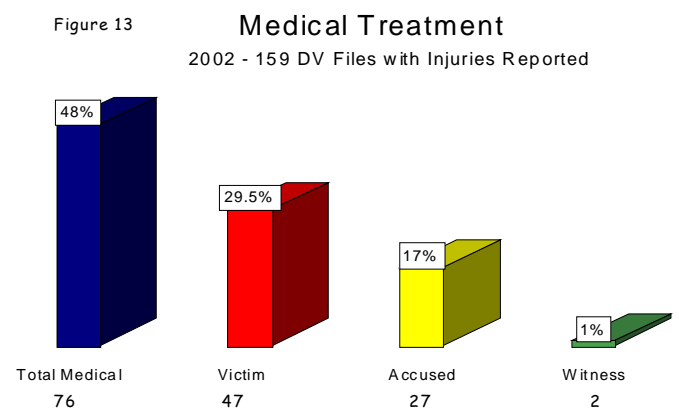
- *punched, held knife to breast/chest/arm and threatened to kill victim;*
- *chipped tooth, bruises on arm/face, marks on neck, large amount of hair pulled from victim's head, choked, hit head off patio door;*

- *fractured nose, swollen lips, multiple bruises and abrasions, punched repeatedly in head and facial area, grabbed head and banged into wall, shirt ripped from body and victim thrown to the floor – children present throughout;*
- *neighbor heard yelling and child crying – redness on face and scratches, pulled clumps of hair from victim's head, bruised ear, slapped on head twice, name calling;*
- *pushed, grabbed, fell on floor, ripped two phones out of the wall so victim couldn't call for help;*
- *swollen eye, facial and neck scratches, pulled out of bed by hair, thrown on floor;*
- *bleeding and bruised nose;*
- *punched with fist, threw against wall and slammed door on victim's legs/arm;*
- *grabbed around throat and choking, threatened to kill her, three young children present, red mark on neck, blood behind ear;*
- *bruise on lip, grabbed, pushed, hit, shaken, slammed victim's head into child's head in bed, chair smashed;*
- *severely sprained ankle, bruises on both arms, kicked in stomach, thrown out door.*

It should be noted that in the majority of cases involving injuries to the accused and subsequent medical treatment, most injuries were the result of self-inflicted harm resulting from violent behaviour (e.g., putting fist through glass window, thus, requiring suturing, etc). Medical assessments for accused individuals also involved requests for psychiatric and alcohol-related medical assessments.

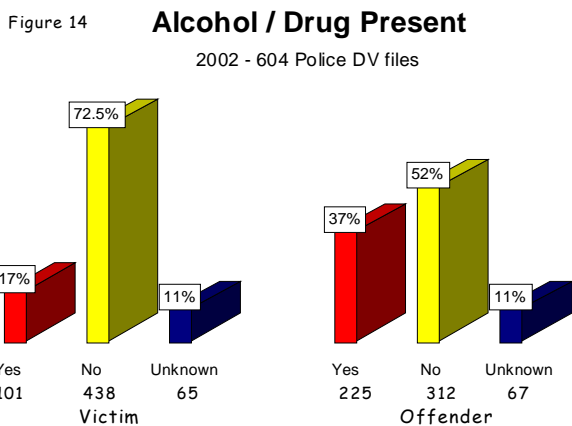
Medical Treatment

The 1999 General Socialization Survey (GSS) published by Statistics Canada indicates that women are three times more likely than men to experience physical injury and five times more likely than men to require medical attention as a result of domestic violence. Provincially, medical attention for injuries captured in this study are highlighted in the following data. It should be noted that this data includes doctor office visits, assessments at hospital emergency departments and hospitalizations associated with the current report of domestic violence to police.



Alcohol/Drug Involvement

While alcohol/drug use is not a causal factor for domestic violence, it can be a correlational factor. Research shows a correlation between heavy drinking and violence, with more severe violence perpetrated by men who are drinking at the time of the assaults (Johnson, 1996, p. 12). The following data provides highlights of documented alcohol/drug presence as noted on police files. It is important to note that the presence of legal/illegal drug involvement is not always available.



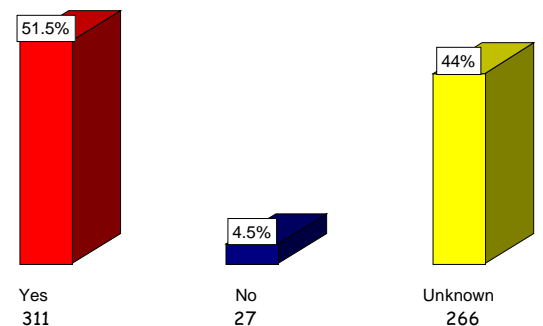
History of Family Violence

Research confirms that most victims of domestic violence do not report the abusive behaviour to authorities, rather, three-quarters seek support of some kind from someone, usually a friend or family member. Consistently, only about 25 per cent of domestic violence victims report their experiences to police (Johnson, 1996, p. 204).

The decision to involve the criminal justice system for help is not taken lightly by most victims; for a very few, it is an option that is exercised at the first sign of trouble, for many others, it is only after reoccurring episodes. Therefore, frequently when police receive a complaint of domestic violence, there is an increased likelihood that this is not the first incident, however, it may be the first time that the victim has called police to ask for help.

The following table highlights the frequency of family violence histories as gleaned from the police file data. Most of this information was retrieved from statements taken from both the victim and the accused. A cautionary note, once again, suggests that this data is based only on documented information where available in just over half of the files and includes both previously reported and unreported incidents.

Figure 15 **History of Family Violence**
2002 - 604 Police DV files



Weapons

Research indicates that nationally, approximately 15 per cent of male victims were injured by a weapon (most commonly, a knife or other piercing, cutting instrument), while only five per cent of females were injured with a weapon (Family Violence Canada: A Statistical Profile 2004, p.7). The following data suggests a variation on Prince Edward Island specific to police-reported male/female victimization rates of domestic violence involving weapons. Consistent with the national findings, the most common weapon of choice is a knife.

Figure 16
2002 - Total 604 DV Files - 40 Involving Weapons

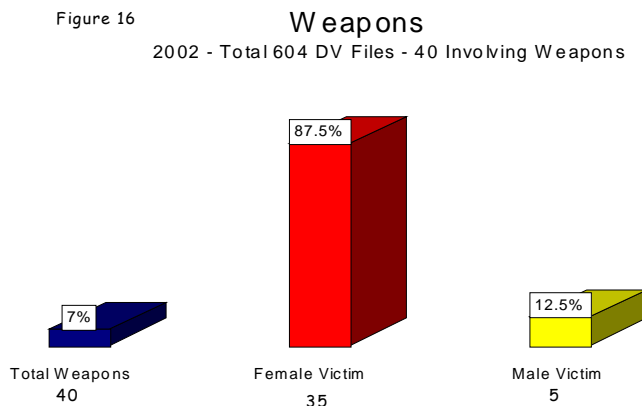
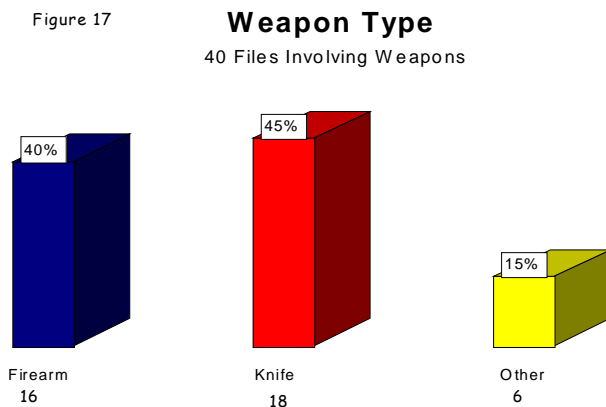


Figure 17
40 Files Involving Weapons



The following highlights samples of weapons involved in the 40 domestic violence files as documented by police:

- *threatened to kill victim, police seized a firearm, AK47, three magazines complete with ammunition and a switch blade;*
- *accused arrested with knife, piece of rope and meat cleaver;*
- *accused tried to stab victim with a syringe;*
- *eight-year-old child showed police a large butcher knife she had picked up during the domestic violence incident because she was afraid of the accused; and*
- *accused going to kill himself and take victim with him, 11 year old and eight year old present, three firearms seized.*

Police Response

Domestic violence policies for charging and prosecution continue to be the subject of considerable debate. The Final Report of the Ad Hoc Federal-Provincial-Territorial Working Group Reviewing Spousal Abuse Policies and Legislation prepared for the Federal-Provincial-Territorial Ministers of Justice (2003), identified three key objectives of the criminal justice system's response to domestic violence:

- criminalizing spousal abuse;
- promoting the safety and security of the victim; and
- maintaining confidence in the administration of justice.

The primary objectives of the mandatory charging policy are as follows:

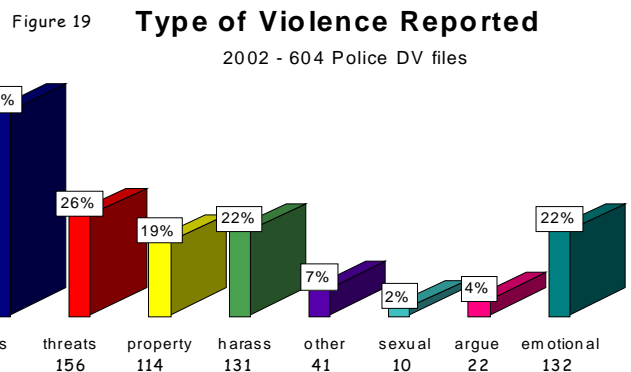
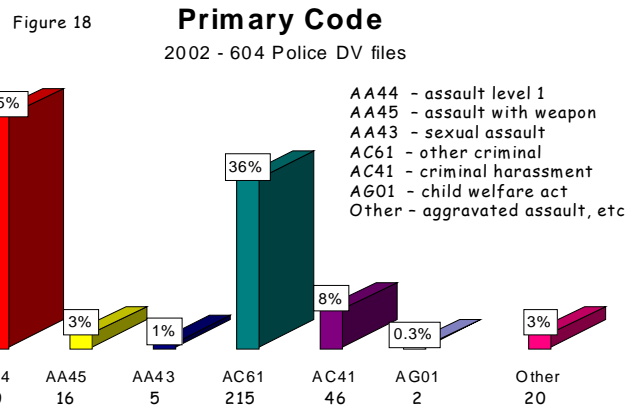
- to remove responsibility (and blame) for the decision to lay charges from the victim;
- to increase the number of charges laid in reported spousal abuse cases;
- to increase the reporting of incidents of spousal abuse; and
- to reduce re-offending. (Final Report of Adhoc FPT, 2003, p. 16)

The pro-charging policies adopted in Canada during the 1980s have significantly contributed to the strengthening of the criminal justice system response to domestic violence. It is imperative that when a victim of domestic violence calls police for help, there is a consistent response, and at a minimum, police will provide protection and safety from the immediate incident. Today, charging and prosecution policies on domestic violence remain in effect in all provinces and territories.

The following data provides an overview of police response to domestic violence on PEI.

Nature of Complaint

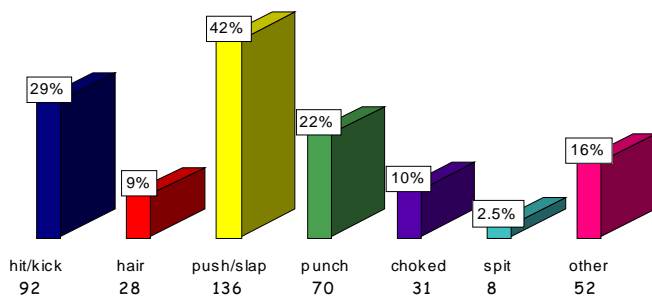
Findings from the Family Violence in Canada: A Statistical Profile 2004 indicate that the most commonly reported domestic violence offence is common assault. This is consistent with PEI data.



Type of Violence Reported

Domestic violence frequently involves a variety of abusive behaviours which overlap resulting in physical, emotional and psychological impacts for the victim. The following quantitative and qualitative findings demonstrate the most frequent types of domestic violence reported to police in 2002, detailed descriptions of the 321 physical assault files, and the psychological and physical impacts noted by victims and documented in police records.

Figure 20 Assault Description
321 Physical Assault DV Files



The following provides a descriptive sampling of physical assault files to highlight the nature and extent of the physical impacts of domestic violence as documented on police reports:

- *redness, swelling to jaw, punched in face;*
- *grabbed by hair, strangled, attempted forced sex;*
- *pulled hair, tore clothes, grabbed phone and tried to shove down victim's throat;*

- *hit in face five times, grabbed by throat, pushed, threw against wall, phone ripped out of wall; and*
- *scratches, swelling, bruising, slapped on face and punched in head, grabbed by neck.*

The following provides descriptive sampling of the many impacts of abusive behaviours which are indicative of the dynamics of power and control inherent to domestic violence:

- *victim refused to give statement as she was fearful accused would get her and police would not be able to protect her all the time*
- *"...verbal abuse and would threaten to hurt me but would always go and break something instead." Kicked glass out of her hand, then kicked her again and threw her out the door. "I'm going to kill you." (couple in process of separating)*
- *victim thrown to ground, choked, and pushed against wall. Accused threatened to kill victim if she didn't move out by the following day. He was going to kill her and her pets.*
- *harassment – comes around the house at night and refuses to leave and calls repeatedly*
- *being harassed by ex-partner who slowly drives by residence and gazes at victim*

- *pulled phone from wall and smashed receiver when victim tried to call police*
- *accused threatened to stab victim, threw groceries out of car and then drove over them*
- *calling victim names, left message on victim's machine saying he would burn her house down and she would go with it, accused on probation and to have no contact with victim*
- *accused entered victim's house and slapped her around, questioned her on her faithfulness in the relationship, took a long kitchen knife and held it against her throat and told her if she tells anyone about this, he will kill her. When he fell asleep, the victim took her three children and went to safety.*
- *accused going to "kill himself and take victim with him"*
- *accused physically assaulted victim stating victim dressing inappropriate and committing sexual acts with men at work*
- *"I think I will go to your place and kill you today"*
- *victim punched in the head, accused threatened to kill victim and held fist to victim's face and said, "I'll ruin you that bad inside that no man will ever want you"*
- *two children present – victim bruised on forehead, arm and side – punched, kicked, pushed downstairs, verbal abuse and uttering threats. Victim waited to report because fears for her life and lives of her children.*

Criminal Charges

The mandatory charging policy of all police jurisdictions on Prince Edward Island seeks to ensure a consistent and sensitive response to the unique dynamics of domestic violence consistent with the objective that criminal charges are to be laid where there are reasonable and probable grounds to believe that an offence has been committed, regardless of the wishes of the victim.

Police officers are to conduct a full and thorough investigation into reports of domestic violence, and are to lay a charge where there are reasonable grounds to believe that a criminal offence has taken place. Where there are no grounds to lay a charge, police discretion guides the investigating officer's response. There are several options available to the investigating officer including orders under Section 810 of the *Criminal Code of Canada*.

In several files, as noted in the data below, there was insufficient evidence to proceed with a criminal charge and the report was cleared and/or coded as paperless, which means that an electronic record of the complaint is available rather than a hard copy file. There are several

factors which must be considered when interpreting this data and consideration must be given to the context of the individual reports. Consideration includes those files where: the caller requested that the report be documented for information purposes only; upon investigation, the complaint is determined to be unfounded; a third party reports a domestic incident which upon investigation is determined to be another matter such as a noise disturbance; the parties could not be located upon police arrival and there was no identifying information available for tracking purposes; situation resolved; or, the police spoke with all parties involved and the complainant was satisfied with police response and wished no further action be taken.

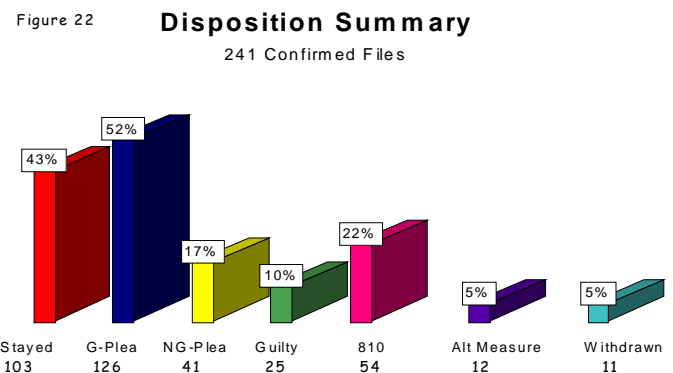
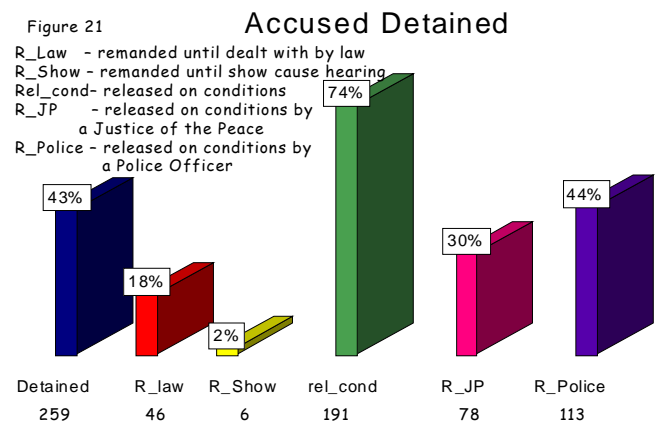
The following provides an overview of police response to the 604 reports of domestic violence identified for this study:

Total Reports:	604 files
Paperless Files:	174 files
Criminal Charges:	260 files
810 Applications:	23 files
Cleared Otherwise:	147 files

Disposition

The following data provides an overview of the disposition summaries available for the 241 identified files. It is important to note that many files include more than one charge,

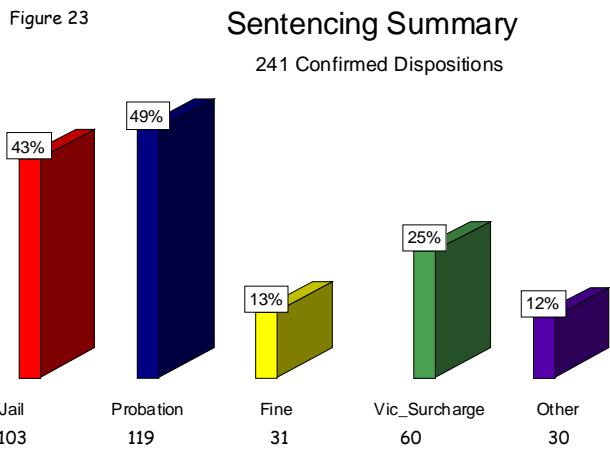
therefore, one file may include a variety of disposition outcomes.



Sentencing

For the first time in Canada, the Canadian Centre for Justice Statistics has been able to link police records from the Incident-based Uniform Crime Reporting Survey (UCR2) to court records. This demonstration study facilitated an analysis of the court's response to family violence cases when compared to cases of non-family violence, while taking into consideration aspects of the nature of the relationship between the victim and the offender. The results are available in the Family

Violence in Canada: A Statistical Profile 2004 report. Overall, the two most common sanctions for domestic violence were prison and probation with probation being the most common. Given this is a demonstration study, the findings are not representative of a national sample, however, the analysis provides information for consideration within the PEI context which resulted in similar findings. The following provides an overview of documented disposition information as collected from police files.



Victims of Family Violence Legislation

Seven jurisdictions in Canada have now passed civil domestic violence legislation: Saskatchewan (1995), Prince Edward Island (1996), Yukon (1999), Manitoba (1999), Alberta (1999), Ontario (passed in 1999 but not yet proclaimed) and Nova Scotia (passed in 2001 but not yet proclaimed). New Brunswick, Quebec and the Northwest Territories are considering adopting such legislation.

The *Victims of Family Violence Act* was proclaimed in Prince Edward Island on December 16, 1996. As of February 28, 2005, a total of 252 Emergency Protection Orders (EPO's) have been granted. This legislation is intended to complement, not supplant, the Criminal Code process. It provides a wider range of remedies than those currently available in the Criminal Code or other provincial statutes. Applications are with victim consent only. In the following data, a distinction is made between those files wherein police explore EPO applications with the victim and those files where the victim consented to an EPO application. An overview of police-based EPO applications in 2002 by jurisdiction is also included.

It is important to reiterate that in March 2004 police participated in refresher training on amendments to the *Victims of Family Violence Act* and EPO applications. Since that time, there has been an increase in police applications for EPOs. This continues to be a priority training issue for all police jurisdictions on PEI.

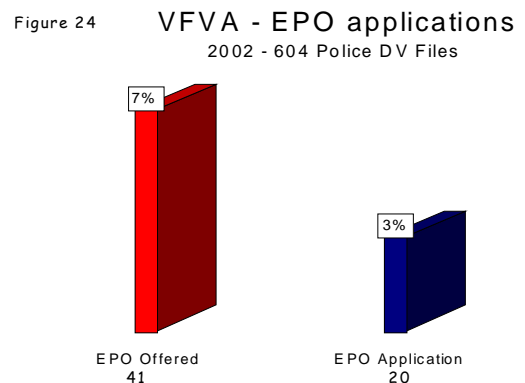
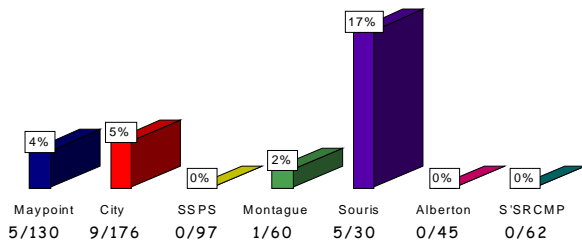


Figure 25

VFVA - EPO's
Application by Jurisdiction



- availability of information and effective communication mechanisms among players within, and external to, the justice system (pp. 59-60).

The following data provides an overview of police referrals to other agencies. It should be noted that only those files with documentation noting outside referrals were included in the study. It should also be noted that operational practices for referral to Victim Services vary among jurisdictions. The RCMP, for example, are governed by the *Freedom of Information Act* which requires consent from the victim before forwarding a referral to victim services. The municipal police jurisdictions are not governed by the same federal legislation and practices vary among departments. The Victim Services worker for the Charlottetown Police Department, for example, reviews all police file occurrences on a weekly basis for possible consideration of a victim of crime referral to the provincial Victim Services program. Further analysis of the data also indicates an 83 per cent referral rate to Victim Services when criminal charges have been laid as a result of the domestic violence report to the police.

Referrals to Outside Agencies

Provision of supportive services is a critical ingredient in an effective response to domestic violence. The Final Report of the Ad Hoc Federal-Provincial-Territorial Working Group Reviewing Spousal Abuse Policies and Legislation (2003) identified the following key components of an effective response for victims:

- intervention as soon as possible following the incident;
- access and referral to a continuum of services;
- services that recognize the unique needs of spousal/partner abuse victims;
- collaboration and co-ordination among agencies providing services;
- clarity of roles (between criminal justice-based victim services and community support agencies); and

Figure 26 Police Referrals to Outside Agencies
2002 - 604 Police DV files

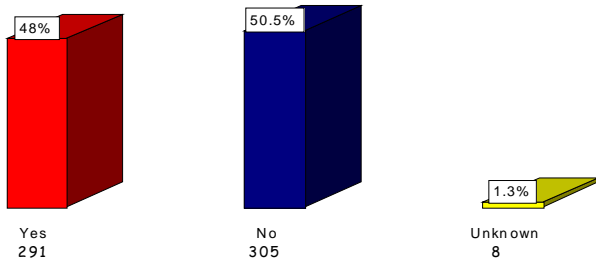
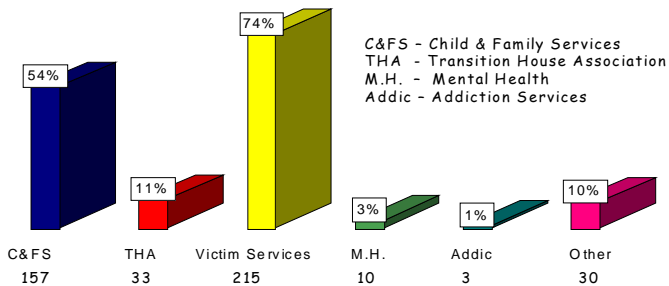
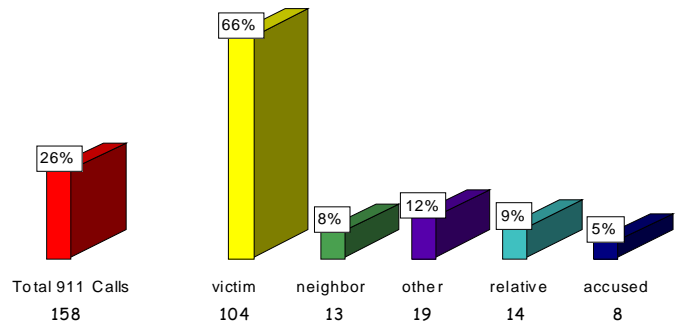


Figure 27 Police Referrals to Outside Agencies
291 Files with Referrals



want charges laid, rather, they merely want the police to intervene and stop the abuse without criminal sanctions being brought against their partner. This data also indicates that 11 per cent of victims refuse to provide a statement to the police, thus, thwarting the investigating police officer's ability to proceed. A sampling of victim comments follows which illustrates these dynamics.

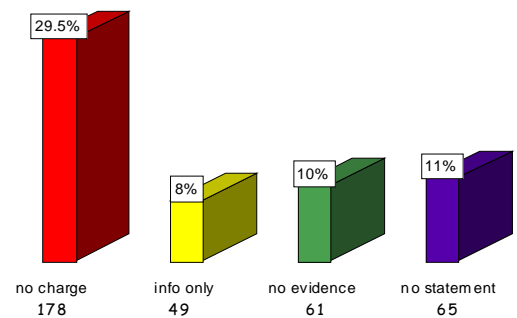
Figure 28 Domestic Violence Calls to 911
2002 - Total 158



Related Information

Victims of domestic violence call the police for personal safety and protection from violence at the hands of an abusive partner. Often, they do not want to engage the full criminal justice process, particularly when that engagement results in a loss of control over decision-making. Victims of domestic violence often have a relationship that existed, not only before, but that also endures after, the violent incident. For many, they merely want the police to stop the immediate danger. The following indicates that for many victims contacting police, a number of whom use the 911 Emergency response system, a significant percentage (29.5 per cent) do not

Figure 29 Related Information
2002 - 604 Police DV files



Victims make decisions about staying in or leaving their abusive relationship within the context of survival:

- *victim started to give a statement and then stopped saying accused trucks for a living and she didn't want to take any action to jeopardize that. Victim refused to cooperate or give a statement.*
- *victim said she never called a week ago (when partner held a knife to her throat) because she didn't want the accused to lose his job or have a criminal record*
- *victim four months pregnant (red welts on face/neck), fearful of husband and didn't want him charged for hitting her*
- *slapped across face, victim doesn't want charges and doesn't want partner in jail, loves him, victim called back and told police it was her fault accused hit her*
- *victim doesn't want charges laid – just wants accused out until he sobers up*
- *victim refused to cooperate and give statement, no physical evidence, so police unable to proceed*
- *victim refused to give statement, only wants accused kept away from her and kids*
- *reported for information only, adamant no police intervention*
- *victim said she didn't want charges because*

accused would only come back and do more damage to her property

- *Police contacted victim who was initially uncooperative as she felt it would be a financial risk if police became involved.*

Additional Information

- *Nine reports of domestic violence to police involved pregnant women as victims (1.5 per cent).*
- *Fifteen files involved consideration to/or laying of dual charges against both the offender and the victim (2.5 per cent).*
- *Seventy-four reports of domestic violence involved offenders currently on court orders to stay away from the victim (12 per cent).*
- *There were eight documented files involving Feeney warrant applications to enter a residence (1.3 per cent).*
- *Two hundred and sixteen files identified a previous criminal record (36 per cent).*
- *One hundred and sixty-six files identified a previous criminal record for violence (27.5 per cent).*

Impact on Children

Canada has produced the most comprehensive survey about violence against women that includes estimates about the number of children who are exposed to violence in their homes (Johnson, 1996). The 1999 General Socialization Survey (GSS) revealed that approximately half a million children in Canada had heard or witnessed a parent being assaulted during the previous five years. In cases where children witnessed domestic violence, they were more likely to witness assaults against their mothers (70 per cent) than against their fathers (30 per cent), and assaults witnessed against their mothers tended to be more serious. Over half of the female victims in these cases feared for their lives because of the violence (Family Violence Profile 2001, p. 8).

Children exposed to domestic violence see, hear and are aware of the violence happening in their home. They may witness the abuse directly, or they may be hiding around a corner or they may see the aftermath of the abuse. They see and hear behaviours that range from verbal abuse to harassment, to physical abuse, to homicide. There is often an atmosphere of tension and for many it is like “walking on egg shells” most of the time. The home environment is a toxic environment in which the child’s well-being and development are compromised. Even when an incident of physical violence is not occurring, there is often an atmosphere of fear, anxiety,

anger and tension that pervades the family home. Best estimates indicate that three to five children in every Canadian classroom have witnessed their mother being assaulted (Wife Abuse - The Impact on Children, National Clearinghouse on Family Violence Publication, 1996).

Children living with domestic violence may be accidentally injured because of their close proximity to the non-offending parent during the violent incident or because they try to intervene to stop the violence. There is also evidence to indicate that children exposed to domestic violence are more likely to become a part of a generational cycle of violence:

“boys who witness the abuse of their mothers are more likely to subsequently become abusive in their own relationships; girls who witness the abuse of their mother are more likely to subsequently enter into abusive relationships.” (Final Report of Adhoc FPT, 2003, p. 7)

On Prince Edward Island, as in several other jurisdictions, provincial child protection legislation includes childhood exposure to domestic violence as a criteria to find a child in need of protection. The PEI *Child Protection Act*

outlines mandatory reporting of children in need of protection. In 1999, a protocol was developed that police report to the director of child welfare all domestic violence occurrences in which children reside in the home. In April 2003, revised child protection legislation changed the definition of a child in need of protection from “...who is living in a situation where there is severe domestic violence,” to “...the child has suffered physical or emotional harm caused by being exposed to domestic violence by or toward a parent.”

Children Involved in Police-reported Domestic Violence on PEI

The Director of Child Welfare for PEI states that domestic violence is the second highest form of child abuse reported to Child and Family Services with neglect being the first (December 2004). The following data indicates that children are known to be involved in 50 per cent of domestic violence reported to police on PEI. In 84 per cent of the known cases involving children, they were physically present in the home at the time the domestic violence was reported to police. A total of 400 Island children were physically present at the time of the abuse and when police arrived at their home.

Figure 30 Children Involved
2002 - 604 Police DV files

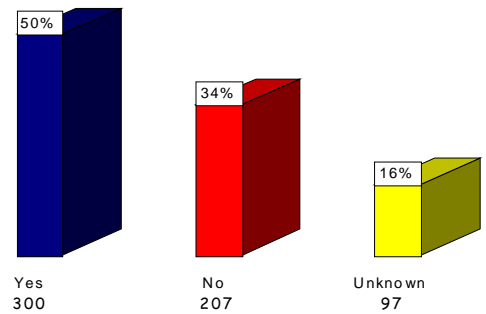
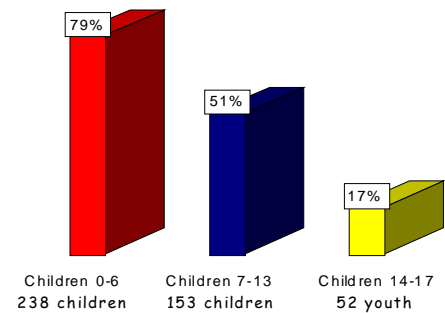


Figure 31 Total Number of Children Involved by Age Group
300 Police DV files involving Children



Impact on Children

When children live with domestic violence, their experience is likely to be different from that of children who are not exposed to violence in the home. Watching, listening or later seeing the aftermath of a parent being harmed threatens the stability and security typically provided by family.

The 2002 data findings indicate that children were involved in 50 per cent of domestic violence reported to police. Documented police referrals to Child and Family Services, however, do not consistently reflect these findings. Frequently, police officers express confusion about their role when children are involved. This is an area which is being monitored by all police jurisdictions across the province and continues to be highlighted as a police training initiative.

The following data provides an overview of the findings of police-reported domestic violence involving children:

- A total of 443 children were involved in 300 of 604 cases of domestic violence reported to police.
- A total of 400 children were physically present in 252 of 300 files involving children.
- Male and female children were equally represented.
- The most prevalent age group is children between the ages of 0 to six years.
- Most families involved one to two children.

- The PEI Child Protection Act requires mandatory reporting by police to Child and Family Services when they respond to a report of domestic violence and children live in the home.
- Police reporting of children exposed to domestic violence to Child and Family Services increased from 13 per cent in 1998 to 51 per cent in 2002.
- Children were present in 58 per cent (151 files) of cases where criminal charges were laid (260 files).
- The police referral rate to Child and Family Services where children were present and criminal charges were laid was 74 per cent (112 of 151 files).

Children's Experiences

The impact, either directly or indirectly, of being exposed to one's parent being harmed is intensified when another parent is responsible for the violence. Children living with domestic violence are at an increased risk for direct victimization (Baker, 2004, pg. 8). They may be accidentally injured because of their close proximity to the non-offending parent, or they may be used as pawns by the offender as part of the power and control tactics used against the other parent.

The following provides an overview of children's experiences as noted on police files:

- *Three-month-old struck accidentally when accused threw victim to the floor several times and victim's leg struck infant (three-month-old twins and three-year-old present).*
- *Fifteen-year-old son present and also assaulted along with younger children. Female victim choked unconscious and accused tried to throw her out window, smashed TV, dresser, mirror and VCR.*
- *Slapped and grabbed victim by throat, name calling, threatened to kill – accused said he stopped when he heard the two kids (ages nine and 11) crying.*
- *Victim four months pregnant, scratch over eye, redness on cheek, marks on back. Victim said it was different because accused assaulted her in front of three-year-old child.*
- *Victim woke 10-year-old child up to come and help her – broken nose, knife held to her throat, punched, etc. Child finds mother on floor bleeding.*
- *Twelve-year-old son got offender off victim during physical assault.*
- *Three-year-old child's head hit on door frame when female victim pushed into door while holding child in her arms*
- *Victim pregnant and holding five-month-old infant – accused choked/hit her in back while holding infant.*
- *Ten-month-old and 22-month-old children present – 22-month-old had swelling on forehead where kicked by accused – accused punched female victim in face while holding 10-month-old infant.*
- *Four children present and watched as victim struck in head while holding 15-month-old infant.*
- *Window broken/glass on floor – five-year-old and one-year-old present – five-year-old tells police she didn't touch the phone, visibly shaking and cold (summer). Police note fear level of child reflected in her physical reaction.*
- *Victim yelled to six-year-old child to go get help, but he didn't know what to do.*
- *Four-year-old witnesses assault on mother – victim tells child to go get help – child goes outside for help.*
- *Accused going to school and making threats to kids about mother's boyfriend.*
- *Accused threatened six-year-old child that if his mother left with him that he would kill his pet dog, fish and rabbits. Accused also threatened child that he wouldn't be allowed to have his scooter or his clothes that accused bought for him.*

Conclusion

Domestic violence is a pervasive reality within Island families and communities. It is a complex problem with multiple dimensions and causes that requires a collaborative and coordinated response from all levels of government, community and law enforcement.

Domestic violence is unique in that the parties share a relationship with emotional bonds. Frequently, the pattern of violence takes place amid a confused climate of intimacy and love mixed with fear, hope, isolation and intimidation.

Law enforcement remains a primary component of societal response to domestic violence. As gatekeepers to the criminal justice system, police officers are often the first point of contact for people seeking relief from abusive relationships.

Through this study, the PEI Association of Chiefs of Police have initiated a transparent

examination of police response to domestic violence on Prince Edward Island. The data findings from the 604 police files included in this study, provide a comprehensive overview of police response to domestic violence on PEI. This data will contribute to policy, protocol, and program considerations across sectors within government, law enforcement and community organizations on Prince Edward Island.

By working together, we enhance our ability to help those we are here to serve and protect as professionals responding to violence within families and communities. As in the motto for our provincial Coat of Arms “Parva Sub Ingenti,” traditionally translated as “the small under the protection of the great,” it is our collective responsibility to protect those most vulnerable among us. *Domestic violence affects each and every one of us and together we can and do make a difference!*

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