

## Task Force on Court, Police & Legal Issues

The purpose of the Task Force on Court, Police and Legal issues is:

*"To have a time limited process where police, Judges, Lawyers and other court officials can work together with woman abuse survivors and their advocates to consolidate approaches to issues of custody and access in woman abuse cases. This would include solidifying the wording and enforcement of custody and access orders, as well as exploring a model for implementation of mandatory supervised access with graduated options in woman abuse cases." (Vision Statement)*

The phrase "seamless response" has increased in usage to the point that it may already be used without proper consideration of what we mean in any particular context. For the purposes of our work, we understood a "seamless response" to mean that, in order to develop successful practical responses to the issues of violence against women and children, we needed to bring together survivors of domestic violence, professionals working in community support and advocacy, and professionals working in the various sectors of our legal system. In bringing women and men to the table from each of these areas we found that many of us fall into not just one category, but sometimes two or all three categories - that is to say...any one individual may be a survivor, advocate, and professional working passionately for change.

Our Task Force is a true "committee of the whole". It is a committee comprised of the following 28 passionate and dedicated individuals:

*3 senior police officers, 1 family court judge, 1 assistant crown attorney, 4 family law lawyers, 1 court services manager, 1 probation services officer, 1 victim witness assistance program coordinator, 1 supervised access centre executive director, 1 children's aid society manager, 1 court-based mediation & information services manager, 1 therapist/men's abuse group facilitator, one woman's shelter/outreach worker, 1 sexual assault/domestic violence response team worker, 1 therapist/woman abuse advocate, 1 psychologist/group dynamics specialist, AND 6 focus group participants (woman abuse survivors).*

*We are 23 women and 5 men.*

When we initially came together we faced the challenge of not all sharing the same philosophies or world views, but to the credit of this amazing group of women and men, we have been able to set our differences to one side as we actively have worked together to make our shared vision - of a safe community - a reality. As well, to assist us in working together, early on in our process we invited an expert in the area of group dynamics to join us - and his participation has been integral to our moving forward together.

Our responsibilities and objectives are as follows:

1. To develop standardized wording for custody and access orders to make them more effective and enforceable.
2. To define ways of making custody and access orders more enforceable by police and courts.
3. To explore the option of early assessment of woman abuse and mandatory supervised access with referral to a court program for abusive men where they could earn increased and unsupervised access based on behaviour changes noted by trained facilitators in consultation with the abusive man's partner. This includes exploration of options for having an assessor within the court who is clinically trained and experienced in identifying woman abuse for these purposes.
4. To identify and define areas where legislation and policy changes are needed regarding custody and access issues, and to develop a plan to advocate for those changes.
5. To develop a standardized broad legal definition of woman abuse for custody and access cases.
6. To identify resources and services that would be needed to effectively implement the decided courses of action.



Our Task Force is action oriented and we immediately identified and formed the necessary subcommittees to accomplish the objectives and responsibilities. Each of the subcommittees regularly reported back to the Task Force for input and discussion by all members as the work progressed. Our Task Force meetings were held once per month on average beginning July 1999. Each of the subcommittees is at various stages and has produced work ranging from templates to recommendations for legislative change to a "next steps" list.

In addition to our work, there has been an ongoing sharing of information across working groups to once again ensure that the tools and systems we are working to develop are "seamless". The work of the Task Force currently mainly overlaps with that of the Lawyers' Working Group, although we have ongoing reporting and discussions with the other working groups as well. It is also important to note that the coordination of our efforts has been facilitated by the overlap of the membership of the working groups and steering committee.

The work of the two original Task Force Subcommittees: the Orders Subcommittee and Information Package Subcommittee is outlined in detail in separate sections below. The purpose of the Orders Subcommittee is to develop standardized wording for restraining orders and custody & access orders. The purpose of the Information Package Subcommittee is to develop an information package for women and their advocates that demystifies the family and criminal justice systems. In addition, the Task Force has recently identified the need for two more subcommittees: the Police Training Subcommittee and the Supervised Access Subcommittee. These later two subcommittees are in the early stages of identifying and clarifying the issues to be addressed, identifying whether there are other community members who need to be invited to participate, identifying what work has already been done in this area, and beginning to develop recommendations for models of optimal service delivery.

The work of each of these subcommittees and that of the Task Force as a whole has already resulted in "early" wins. This includes actual concrete successes in our work to protect women and children by sharing information between focus group participants and the various professionals around the table.

While there is still much to do, our Task Force is well on its way to accomplishing each of our responsibilities and objectives in the context of the vision statement. Most importantly, our team (and we are a team) is committed to continuing this good work.



**TASK FORCE ON COURT, POLICE & LEGAL ISSUES - MEMBERSHIP**

**Janette Watt**

B.A. Hons., LL.B., Manager of Mediation and Information Services for The Unified Family Court, Oshawa, **Chair**

**Rita Benson**

M.S. (MFT), M.S.W., Family Therapist, Family Services Durham

**Penny Contreras**

Victim/ Witness Co-ordinator, Ministry of the Attorney General (Durham) **Chair, Info Pkg Subcommittee**

**Justice Margaret Scott**

Superior Court Judge in the Unified Family Court (Durham) **Chair, Orders Subcommittee**

**Bev LeMay**

Family Therapist, (Family Services Durham), Mediator, Custody & Access Assessor, Durham Family Court Clinic

**Brian Fazackerly**

Staff Inspector, Durham Regional Police Services Officer in Charge of Professional Standards Unit Director of Legal Services

**John Hamilton**

Superintendent, Durham Regional Police Services Note: has been transferred and his replacement is Superintendent Tony Turner

**Dan Matthews**

Inspector, Durham Regional Police Services, Regional Support Services

**Kate Richards**

Legal Assistant, Durham Regional Police Services Civil Litigation Coordinator

**Marie Michaels**

Family Law Lawyer (solo practitioner)

**Kent Saliwonchyk**

Assistant Crown Attorney, Crown Attorney's Office

**Judy Morine**

Nurse and Counsellor, Domestic Violence Response Team Durham Sexual Assault Centre

**Debra C.**

Focus Group Participant

**Rachel Eynon**

Family Law Lawyer, Durham Region Law Association

**Madge Ferguson**

Outreach Worker & Counsellor, The Denise House

**Bev Leonard**

Manager of Court Services, Unified Family Court (Durham)

**Wanda Secord**

Director of Family Services, Durham Children's Aid Society

**Deborah Sinclair**

**M.S.W., Project Resource Person and Community Facilitator**

**Donna C. Babbs**

B.A., LL.B., Lawyer, Sims, Thomson & Babbs, Whitby (past member)

**Siri Brown**

(past Coordinator of C/A Project) (past member)

**Representative**

Durham Supervised Access Center

**Five Focus Group Participants**