



INFORMATION FOR VICTIMS OF DOMESTIC VIOLENCE

HAMILTON POLICE SERVICE
VICTIM SERVICES BRANCH
www.hamiltonpolice.on.ca

Domestic Violence Is A Crime

MESSAGE FOR VICTIMS / SURVIVORS OF DOMESTIC VIOLENCE

We recognize this is a very difficult time for you. It's important for you to know that the Hamilton Police Service is here to provide assistance and support to you. Our duty is to bring an appropriate resolution to the case by conducting a professional and thorough investigation and to provide you with the necessary information and resources to assist you.

Enclosed in this resource guide is information on domestic violence investigations, possible outcomes and the criminal court process. We have also included information on financial compensation programs and how to access professional counselling and support in Hamilton.

It can be overwhelming to look at a list of organizations and phone numbers and you may be confused as to who you should call first. Please know that this is normal. Our Victim Services Branch (VSB) with the Hamilton Police Service is a great starting point and are here to help you with these first steps. The Staff and Volunteers with Victim Services will be able to offer support and help you find the best service match for your personal needs and situation. They are knowledgeable about all of the community programs and financial options and can talk to you on the phone 24 / 7 at (905) 546-4904 or are available to meet you in person.

We hope that the information in this booklet helps to answer some of your questions and provides you with options of where to call to obtain additional assistance and support.

DOMESTIC VIOLENCE

Domestic violence is a pattern of behaviour used by one person to gain power and control over another person with whom they have an intimate relationship. This type of violence can happen within all forms of relationships; marriage, common-law, dating, etc. It can also occur within a heterosexual or LGBTQ2S+ relationship, at any time, and even after the relationship has ended.

Domestic Violence can take many different forms, such as physical violence, sexual assault, emotional abuse, psychological intimidation, verbal abuse, stalking, and using electronic devices to harass and control. The Canadian Criminal Code prohibits any kind of physical assault or sexual assault, some forms of emotional/psychological abuse and neglect, harassment, property damage, and/or financial abuse. Victim Services is here to support you, regardless of whether or not your experiences fall under the criminal code or have been formally reported to police.

The Victim Services Branch team may reach out to check in but you can contact them anytime at 905-546-4904.





QUESTIONS

Experiencing Domestic Violence and interacting with Police can be very overwhelming . You may have many questions about the process, answers to which are detailed below.

What happens when police are called

- ▶ Police Officers will respond to a call for service.
- ▶ An investigation will be conducted by Police Officers.
- ▶ You may be required to attend a Police Station to provide a video statement.
- ▶ If reasonable grounds exist, the Police will lay charges.

If the accused is at the scene:

In most cases, if reasonable grounds exist, the accused will be arrested and charged.

If the accused is not present:

If reasonable grounds exist, Police will attempt to locate and arrest the accused.

If the accused cannot be found:

Police will obtain a warrant for the accused's arrest.

- ▶ When the accused has been arrested, the Officer in charge will determine the type of release:

Promise to Appear/Undertaking:

The accused is released directly from the scene or police station with conditions and a date to appear in court. As the victim, you are not required to attend the accused's

court date. You can speak to the Victim/Witness Assistance Program to further discuss the court process.

Held in custody until a bail hearing:

The Officer in charge may decide to oppose the person's release, which means that the accused will appear in court in front of a Judge or Justice of the Peace. The Judge or Justice of the Peace will decide if the accused should be released and what the conditions will be. Conditions of bail will be discussed with you to ensure your concerns are addressed but the final decision will be up to the Judge or Justice of the Peace. You will hear from the Bail Safety Program (comprised of the Hamilton Police Service Officers and the Victim/Witness Assistance Program) within 24 hours of the accused being arrested.

What does the term “reasonable grounds” mean?

Reasonable grounds are a set of circumstances, which would satisfy an ordinary, cautious, and prudent person, that there is reason to believe an offence has been committed. The belief must go beyond mere suspicion. Reasonable grounds can be established by obtaining witness statements, the existence of physical injuries, and other physical evidence.

Do I have to complete the Victim Impact Statement?

Police will provide you with a blank Victim Impact Statement when charges are laid. This document is completely voluntary. If you decide to complete one, the document would be presented in court prior to sentencing. You have the right to read it aloud in court or you can choose to submit it for the Judge to read. Staff at Victim Services or Victim/Witness Assistance Program will be happy to assist you in completing the form, if you would like.

Who can I talk to about the criminal court system or court process?

The Victim/Witness Assistance Program will reach out to you after charges have been laid. They will explain how the court process works and provide updates as the accused goes through the court system, at your request. They work out of the John Sopinka Courthouse and they can be reached at 905-645-5272. Be prepared to provide your name when you speak to them.

Why did Police arrest my partner after I told them not to?

Police officers in Ontario are obligated to lay criminal charges in domestic violence cases, if they have reasonable grounds to believe violence/abuse has occurred, even if you aren't supportive of the charges. The accused will always be advised that it is the Police laying the charge, not the victim.

Will I be required in court?

As the victim, you are not obligated to attend court unless there is a preliminary hearing or trial. Your assigned VWAP worker will explain this more, at your request.

Can I drop the charges against the accused?

Only the Crown Attorney (lawyer who prosecutes) has the ability to "drop" (withdraw) charges. You can share your input with VWAP, who will then share it with the Crown but it will ultimately be up to the Crown to decide how they want to proceed with the prosecution.

If Police did not have reasonable grounds to charge the person but I want the person to stay away from me, do I have any options?

When Police have not formed reasonable grounds that an offence has been committed and no charges have been laid, the victim of crime may make a private complaint. Individuals may go before a Justice of the Peace to request that a charge be laid on their behalf. Call to make an appointment at The John Sopinka Courthouse 905-645-5252. You will need the Police occurrence number when you make this appointment.

Will I need a lawyer?

As the victim of a Domestic Violence incident, you do not require a lawyer. The Crown is responsible for prosecuting the accused once charges are laid. You are welcome to seek legal information from a lawyer but that would be a personal choice.

If the accused is charged, does that mean there's a restraining order?

A restraining order can only be issued by the Ontario Court of Justice, Family Division. However, when someone is criminally charged for Domestic related offences, they are given rules (also known as conditions) to follow. These conditions typically include a non-communication order that restricts or limits the accused's ability to communicate with the victim and/or any potential witnesses. You will be informed of the accused's release conditions by a member of the Hamilton Police Service. You can also discuss conditions with your VWAP worker. Conditions stay in place until there is an approved bail variation or the matter is considered complete.

What role does the Police have in child custody disputes?

Often, the Police are called to enforce court orders dealing with parent's right of access to their children. Even though there may be an order in place allowing for visitation, the law does not give Police the power to intervene and to enforce the order. Refusal to grant access to children must be referred back to the court that issues the Order. The court may then direct a Police Service to find and deliver a child to the person named in the Order. Unless an Order is obtained containing that specific direction, the Police are only able to respond to incidents where access is denied and to keep the peace.

What if I'm not a Canadian citizen?

Your Immigration status in Canada will not automatically be affected by Police intervention. If you have questions concerning your status, call the Canadian Citizenship and Immigration Office line at 1-888-242-2100 or get independent legal advice from a lawyer specializing in Immigration Law.



VICTIM SERVICES BRANCH

If you need immediate support for yourself or to assist child witnesses of Domestic Violence, you can request police to call their Victim Services Branch to respond to the scene or police station. Victim Services Branch will assist you and your family by offering support with immediate needs, safety planning, and referrals to additional community agencies.



SAFETY PLANNING

Safety planning is a top priority, whether you choose to remain in the home or leave. Here, we have compiled some helpful information to keep in mind while creating a safety plan. Please note that safety plans look different based on each person's individual needs and experiences. You are encouraged to reach out to Victim Services or another appropriate community agency (list in the back) for more in depth safety planning specific to your circumstances.

- In the event of an emergency, call 911 and note your location first so officers can be dispatched, even if the call gets disconnected.



PROTECTING YOURSELF WHILE LIVING WITH AN ABUSER

If you are currently living with the abuser, it's important to create an escape plan ahead of time so you can be prepared in case you need to leave quickly. Some things to be mindful of when living with the abuser:

- ▶ Have a “go bag” hidden and ready with essential items like identification cards, debit cards, keys, etc
- ▶ Create a plan to get out of your home safely and practice it- be aware of exits
- ▶ Decide on a safe room in your house to go if you're in danger- make sure it's free of weapons (kitchen knives, tools, etc.) and has more than one exit
- ▶ If an argument is developing, move to a space where you can get outside easily
- ▶ Hide a list of phone numbers to call for help; call 911 if it's an emergency
- ▶ Identify a safe place to go if you're leaving the house (friend, family, shelter) and have a back up option in case the abuser finds out where you're going
- ▶ Request a Police escort or ask a friend, family member, etc. to accompany you when you leave
- ▶ Do not tell your partner you are leaving- leave quickly
- ▶ If you have children, arrange to take them with you or explore safe childcare options
- ▶ If you are injured, go to a doctor, emergency room or clinic and have them document your visit
- ▶ If you have a vehicle, back it into the driveway and always have it fully fuelled
- ▶ If you have pets, make arrangements for them to go somewhere safe

Safety planning with children:

Children are impacted by abuse in various way, sometimes more than the caregiver is aware of. Some children may feel responsible for the violence and try to intervene. Developing a safety plan with your children can keep them safe and also provide a way to cope with their feelings of confusion, fear or helplessness:

- ▶ Tell your children that violence is never right, even if the violence is from someone they love
- ▶ Teach your children when, how, and who to contact during an emergency
- ▶ Explain the importance of staying safe; tell them to always run to safety, even without you
- ▶ Come up with a code word so they'll know when to leave the house or get help
- ▶ Identify a safe room in the house that they can go when they're afraid, preferably a room on the ground floor so they can escape out of a window, if necessary
- ▶ Instruct them not to intervene in moments of violence
- ▶ Rehearse what to say when they call for help



When the abuser is separated from the family:

- ▶ Keep a fully charged cell phone with you at all times. Any charged cell phone can call 911 even without a cell phone plan or minutes
- ▶ If possible, change your locks, install an alarm system, add extra locks, secure all windows and doors, and ensure you have good exterior lighting
- ▶ If you have children, tell their school or daycare about your safety concerns and provide copies of relevant court documents
- ▶ Take extra precautions at work, at home, and in the community. Consider telling your supervisor at work about your safety concerns
- ▶ Change your daily routines, such as using different routes and going to different grocery stores
- ▶ Tell a trusted friend or neighbour to call Police if they see the abuser near the residence or hear signs of violence within the home
- ▶ If you feel unsafe walking alone, ask a neighbour, friend or family member to accompany you
- ▶ Be aware of your surroundings and avoid isolated or dark locations. If you drive, park in well lit, populated areas
- ▶ Check any location settings on your phone- sign out of any applications that could be used to track your location and consider changing passwords for things like email
- ▶ Be mindful of what you're posting on social media; does it reveal anything about your location?



HOW CAN I COPE?

Abuse can impact survivors in many different ways. It's important to focus on your emotional well-being while you navigate this process. There are many strategies available to help people cope.

Helpful things to do may include:

- ▶ Talk to someone you trust
- ▶ Consider reaching out for professional help (trained counsellors, Employment Assistance Program, family doctor, and/or community agencies, which are listed in the back)
- ▶ Spend time with supportive family and friends
- ▶ Give yourself time to heal
- ▶ Reframe negative thoughts about yourself and adopt positive affirmations to repeat to yourself daily: I am doing my best, I am proud of myself, I care about myself, etc.
- ▶ Take time for yourself; read, play music, exercise, watch your favourite show, etc.
- ▶ Acknowledge your response to the situation and give yourself permission to have difficult moments
- ▶ Write out or journal your experiences, thoughts and feelings
- ▶ Try Box Breathing:
Sit in a comfortable position with your back supported and your feet on the ground.
Step 1: Inhale slowly through your nose to the count of 4.
Step 2: Gently hold your breath to the count of 4.
Step 3: Gradually exhale through your mouth to the count of 4.
Step 4: Repeat steps 1 to 3 at least three times.



RESOURCES LIST

24/7 Help Lines

Assaulted Women's Helpline	1-866-863-0511
COAST (Crisis Outreach and Support Team)	905-972-8338
Barrett Centre for Crisis Support	905-529-7878
Fem'aide: Francophone Women's Support Line	1-877-336-2433
Kid's Help Phone	1-800-668-6868
Mental Health Helpline	1-866-531-2600
SACHA (Sexual Assault Centre Hamilton and Area)	905-525-4162
Victim Services Branch	905-546-4904
Indigenous Victim Services	1-866-445-2204

Women's Shelters and Crisis Lines

Interval House of Hamilton	905-387-8881
Good Shepherd Martha House	905-523-6277
Good Shepherd Mary's Place	905-540-8000
Mission Services Inasmuch House	905-529-8600
Native Women's Centre	1-888-308-6559

Men's Shelters

Good Shepherd Centre	905-528-9109
Mission Services	905-528-7635
Salvation Army Booth Centre	905-527-1444

Medical

Emergency	911
Ambulance NON-EMERGENCY	905-574-1414
Hamilton Health Sciences	905-521-2100
Hamilton General Hospital	
Juravinski Hospital	
McMaster Children's Hospital	
St. Joseph's Hospital	905-522-4941
Urgent Care Centres	
Hamilton Health Sciences	905-521-2100
St. Joseph's Ambulatory Care	905-573-7777
Sexual Assault Domestic Violence Care Centre	905-521-2100 ext. 73557
Rainbow Health Ontario	416-324-4100

Police

Emergency	911
NON-EMERGENCY	905-546-4925
Domestic Violence Unit	905-546-3852/3853
Professional Standards Branch (complaints)	905-546-4776/4777
Ontario Provincial Police	1-888-310-1122

TTY (Deaf and Hard of Hearing)

Emergency	911
Police, Fire, Ambulance NON-EMERGENCY	1-800-855-0511
Ontario Provincial Police	1-888-310-1133

Please note - this list is not intended to be exclusive. The Victim Services Branch is Available 24/7 to assist you. Police involvement is not required to access support through the Victim Services Branch.

Legal Supports

Victim/Witness Assistance Program	905-645-5272
Crown Attorney's Office	905-645-5262
Hamilton Community Legal Clinic	905-527-4572
Legal Aid Ontario	1-800-668-8258
Family Law Information Centre	905-645-5252 ext. 2554
Legal Advocates	
Jared's Place	905-522-0127
Flamborough Women's Resource Centre	289-895-8580
Good Shepherd Women's Services	905-523-8766
Mission Services Inasmuch House	905-529-8149
Family Court Support Worker	
Good Shepherd Women's Services	905-523-8766
Hamilton Detention Centre	905-523-8800
Probation	905-521-7527
Parole Office (Provincial)	905-549-9977
Parole Office (Federal)	905-572-2695

Counselling Services

Sexual Assault Domestic Violence Care Centre	905-521-2100 ext. 73557
De dwa da dehs nyes>s - Aboriginal Health Centre	905-544-4320
Hamilton Regional Indian Centre	905-548-9593
Centre de santé communautaire Hamilton/Niagara	905-528-0163
SACHA (Sexual Assault Centre Hamilton and Area)	905-525-4162
Compass Community Health	905-523-6611
The AIDS Network	905-528-0854
The Women's Centre of Hamilton	905-522-0127
Flamborough Women's Resource Centre	289-895-8580
Good Shepherd Women's Services	905-523-8766
Native Women's Centre	905-664-1114
YWCA Immigration and Settlement Program - Gender Based Violence Counselling	905-536-1930
Hamilton Urban Core Community Health Centre	905-522-3233
John Howard Society	905-522-4446

Child and Youth Supports *in addition to above

CONTACT Hamilton	905-570-8888
Thrive Child and Youth Trauma Services	905-523-1020
Children's Aid Society of Hamilton	905-522-1121
Catholic Children's Aid Society	905-525-2012
Learning Effective Anti-Violence in Families (LEAF)	905-523-8766
Good Shepherd Women's Services	905-527-3823
Catholic Families Services	905-529-8149
Mission Services Inasmuch House	1-800-268-9688
Lesbian Gay Bi Trans Youth Line	905-528-7625
Living Rock	



CONTACT INFORMATION

Uniform patrol officer name:

Contact phone number:

Domestic Violence detective / investigator name:

Contact phone number:

Hamilton Police Service incident number:

Additional Information:



FOR MORE INFORMATION CONTACT:

**VICTIM SERVICES BRANCH
905.546.4904 (24/7/365)**

Hamilton Police Service
Central Police Station
155 King William Street
Hamilton, Ontario L8R 1A7

Note: The information contained in this pamphlet is not intended to be an exclusive or complete statement of the law. It is NOT intended to be relied upon by any individual and is provided for information purposes only. You should be aware of all legal considerations and implications and are encouraged to seek independent legal advice as required.



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