

Smithers
Community Protocol
To
Vary Protective Conditions
In Spousal Assault Files

Amended
May 2009

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**Smithers Community Protocol
To Vary Protective Conditions
In Spousal Assault Files**

INTRODUCTION

The Community Protocol is a set of guidelines formulated by Justice and community service groups to use when applications are made to vary protective conditions. This protocol will ensure that there are no gaps in the process and safety issues are taken into consideration when varying protective conditions. The intent of the protocol is to ensure that applications to vary protective orders can be dealt with in a cautious and consistent manner.

PURPOSE

- To develop a coordinated community response to violence in relationships when varying protective orders.
- To ensure that victims and victim service agencies are involved in applications to vary protective orders.
- To raise community awareness of the necessity to keep families safe when varying conditions.
- To provide information and education to victims of violence.

The Smithers Community Protocol Committee participants anticipate the protocol will be added to, and continue to be developed as other community service agencies are identified as potential members.

RCMP

Program Mandate:

All “spousal assault” calls and calls relating to violence within relationships, as defined in the VIR policy, must be given priority, as the victim may be at risk.

Procedures:

- 1) Telecommunications/OCC/Dispatch Personnel respond to these calls and an officer is dispatched immediately.
- 2) Police officers, when there are grounds to believe an offence has occurred, **will** always arrest when it is in the public interest, including when it is necessary to secure the accused’s attendance in court, or prevent the continuation of the offense or the commission of other offences (including interference with the administration of justice and intimidation of witnesses).
- 3) Once arrested, an accused may be:
 - released by a police officer on conditions;
 - held for a bail hearing before a Justice of the Peace or Provincial Court Judge and released on conditions; or
 - detained.
- 4) Section 503 (2.1) (c) of the Criminal Code allows police to release accused on conditions. Police will consider prohibiting the accused from any contact with the victim, witnesses or any other person, bearing in mind the circumstances of the case and the safety of the victim, and others as appropriate.

For Example:

- a) You must not contact or attempt to contact _____ at any time, for any reason, whether directly or indirectly.
- b) You must not at any time attend the residence of _____ located at _____ .
(These are not the only release conditions but are the usual ones. Supervisors will review with members ensuring emphasis is placed on the issue of firearms).

5) When the police release the accused, the UTA is always stamped with the following requirement:

- a) to report to a Bail Supervisor when the accused is an adult:
“Report in person to Bail Supervisor at Smithers Community Corrections Office, 114-3793 Alfred Avenue, Smithers, B.C., on _____ between 08:30 am and 12:00 noon or 1:00 pm and 4:30 pm and report thereafter as directed by Bail Supervisor”.
- b) to report to a youth worker when the accused is a youth (under 18 years):
“Report to a Youth Court worker at Ministry of Children & Family Development, 2nd Floor 3793 Alfred Avenue, Smithers, B.C., on _____ between 08:30 am and 12:00 noon or 1:00 pm and 4:00 and report thereafter as directed by Youth Court Worker”.

6) If the accused is released by a Justice of the Peace, it will always be requested that the “Report to a Bail Supervisor or Youth Court Worker” condition be added as a condition of release. This request will be justified / rationalized by the member making the request.

7) A complete and thorough investigation will be conducted in all cases, even when the victim may not agree to cooperate. The victim will be advised that the **decision to proceed with charges does not rest with them.**

8) Every effort will be made to obtain full statements from victim(s) and witnesses. Photographs of injuries and property damage will also be collected where possible.

Reference - RCMP Policy Violence in Relationships/Violence Against Women in Relationships – British Columbia – December 2000

- 9) The attending officer will ensure the victim is provided with the attending officer's name or number, the case file number and contact phone number. The officer will also inform the victim of their right to receive information under the B.C. Victims of Crime Act. The card provided to the victim will provide information about the victim's right to Victim Services, financial assistance and benefits for victims of crime, how the justice system works, the status of police investigations, court outcomes, the administration of the offender's sentence and their right to privacy.
- 10) Police will complete a thorough risk assessment prior to release of an accused. This includes an inquiry, by facsimile, with MCFD, Community Corrections and the Protection Order Registry to identify any information that should be considered when deciding to release or seek detention of the accused. In addition, this assessment will consider: past assaults of family members, acquaintances or strangers, past violations of conditional releases or community supervision, substance abuse or dependency, past physical assaults of current partner, past use of weapons and signs of escalation in the frequency or severity of assaults. Form ED301-1 will be used to document the outcome of the risk assessment.
- 11) If an accused is released from police custody, police will make every effort to notify the victim of the accused's release and of any conditions attached to the release order to avoid situations where the victim is surprised by the accused's return to residence; especially at night. The arresting officer will advise the releasing officer of the telephone number and address where the victim is located.
- 12) Refer victims, with their consent, to victim service programs and document on Report To Crown Counsel (RTCC) whether victim has agreed to Victim Services. Members will also document on PRIME a separate Victim Service text page and indicate acceptance or refusal of referral.
- 13) A Report to Crown Counsel will be completed as soon as possible. Ensure that the following are included in the RTCC:
 - the criminal record of the accused
 - details of any previous violence in a relationship complaint
 - the letter "K" after the police file number (e.g. YY-12345 K) – The Ministry of Attorney General has requested the "K" flagging system to better identify VIR cases
 - known risk factors that indicate a likelihood of future violence
- 14) Complete a *Violence in Relationships Check Sheet* Form "ed-301" and "ed-301-1" (FLO) in every case and retain those forms on file.
- 15) Where children may have been exposed to relationship violence in any form, MCFD is always advised. (They will determine, independent from a police investigation, if they will initiate their own investigation.) Any allegations relating to the criminal abuse of children will be investigated thoroughly.

Reference - RCMP Policy Violence in Relationships/Violence Against Women in Relationships – British Columbia – December 2000

COURT SERVICES

Mandate:

Court Services Branch delivers all court administration services in B.C.

These services include:

- registry and trial support for the Provincial Court, Supreme Court and Court of Appeal
- prisoner custody and escort
- courthouse security
- providing and maintaining courthouse facilities.

As a servant of the court, the branch provides administrative services to the judiciary in a manner respectful of judicial independence.

Procedures to Vary Conditions:

Application to Vary Bail by Consent

An *Application To Vary Bail By Consent* (PCR 317) may be used by an accused / young person and Crown Counsel to change a condition of a bail order without having to appear in court. The *Criminal Code* authorizes the variation of an *Undertaking Given To a Justice*, an *Undertaking Given To a Peace Officer or an Officer In Charge* or a *Recognizance of Bail* with the written consent of the prosecutor.

The accused / young person or defence counsel completes the form and takes it to the Crown Counsel office. A copy of the bail order must be attached to the Application.

Crown Counsel will consider the application and indicate if the request is consented to or not and return the form to the court registry.

If Crown consents to the variation, the Court Registry updates the file and Justin database and creates a Variation Order or a new bail document. The accused / young person must attend at the Court Registry to sign the document. If the change is made to a *Recognizance* with a surety, the surety must also sign the document before a justice of the peace (JP) before the change will take effect.

If the prosecutor does not agree to the change, the Judicial Case Manager sets a date for the accused to appear in court to make the application before a judge. Crown must be given a minimum of two days notice of the hearing date.

If the Court varies the bail, the Court Registry updates the file and Justin database and creates a Variation Order or a new bail document. The accused / young person must attend at the Court

Registry to sign the document. If the change is made to a *Recognizance* with a surety, the surety must also sign the document before a justice of the peace (JP) before the change will take effect.

Application to a Judge

An *Application To A Judge* (PCR 315) is used to apply to a judge for changes to sentences or to apply for other orders in criminal cases. An *Application* may be made by an offender, the crown, a probation officer, or a person who is subject to an order (such as a victim). The judge may review the *Application* and make the order in chambers as a desk order without a hearing, or may direct that a hearing be held, and issue process to compel the attendance of the accused / young person.

The bottom portion of the form may be used to record orders made by the judge, and to indicate that the parties have been notified. In some cases a new order may be prepared but in most cases a *Variation of Order* (PCR 143) will be prepared and attached to the original order.

If an *Application To A Judge* is filed requesting a variation of conditions, the Judicial Case Manager sets a date for the accused / young person to appear in court to make the application before a judge. Crown must be given a minimum of two days notice of the hearing date.

If the Court varies conditions, the Court Registry updates the file and Justin database and creates a Variation Order or a new order. The accused / young person must attend at the Court Registry to sign the document. If the change is made to a *Recognizance* with a surety, the surety must also sign the document before a justice of the peace (JP) before the change will take effect.

Notice To Change a Conditional Sentence

The *Notice to Change a Conditional Sentence Order* (PCR 113) is completed by an offender, prosecutor or supervisor to apply for a change to the optional conditions on the *Conditional Sentence Order*. If the supervisor proposes the change, the offender and prosecutor have seven days from the date they receive the *Notice* to request a hearing, or the judge may direct that a hearing be set. If no hearing is requested or ordered by the Court, the changes automatically take effect fourteen days after the court received the *Notice*. Registry staff records the effective date of the change(s) on the face of the *Notice*.

A hearing is required if the *offender or prosecutor files the Notice*. Registry staff must set a date within thirty days of filing of the *Notice*, write the hearing date on the *Notice* and send a copy to the parties.

If the conditions are varied, the Court Registry updates the file and Justin database and creates a Variation Order or a new order. The offender must attend at the Court Registry to sign the document.

CROWN COUNSEL

Mandate:

Crown tries to ensure that release conditions for accused in cases of alleged spousal violence are fair to the accused but also protective of the complainant.

Procedures:

Where an application is made to vary bail conditions, Crown Counsel will:

1. Inform the complainant of the application and advise the complainant that in order for Crown to consider the proposed changes(s) we ask that they meet with Victim Services (VS).
2. Provide contact information for Victim Services to the complainant.
3. Provide copy of Application to Vary Bail and UTA upon request of VS.

Crown Counsel will request that the RCMP forward the Report to Crown Counsel as soon as possible or, if that is not feasible, give Crown the basic details of the investigation.

Crown will then review the material from the RCMP, the *Post Bail Report* (if available) from Victim Services, and where appropriate any report from the bail supervisor along with any other relevant information and determine whether they will consent to the variation or an amended variation.

When Crown consents to vary protective conditions they will consider inclusion of words to the effect of “Must leave the presence of _____ upon her request, or the request of a bail supervisor or peace officer, and not come back until invited to do so by _____”. Through this mechanism, protective conditions continue to exist even when parties have had the “No contact” conditions varied.

If Crown does not consent they will make efforts to contact the complainant, (or, where a *Post Bail Report* has been received then Victim Services), advise them of the court date for the application and suggest that the complainant may attend court if s/he wishes.

Crown will generally return the application to the Registry within 7 days, whether or not a *Post Bail Report* has been received.

Where the proposed changes are opposed by the complainant, and Crown counsel intends to consent to them, Crown will delay that consent until they have made reasonable attempts to contact the complainant and inform him or her.

SMITHERS VICTIM SERVICES

Program Mandates:

Specialized Victim Assistance Program Mandate (SVAP):

Located in the offices of the Northern Society for Domestic Peace, the SVAP offers confidential support and information for people of all ages, both male and female, who have been victimized by sexual assault, domestic violence, or criminal harassment. Clients may or may not choose to report their victimization to the RCMP. Emotional support, victim's rights and criminal justice system information are provided during one-to-one client-centered meetings. Liaison and advocacy, court orientation and accompaniment, safety planning, referrals and assistance with forms such as Victim Impact Statements and Crime Victim Assistance Program applications are offered. The service area includes Moricetown, Smithers, Telkwa, Houston, and outlying areas.

Smithers Police Based Victim Services Mandate (PBVS):

PBVS, located in the Smithers RCMP office offers crisis intervention and support services to all client groups, and refers victims of sexual assault, domestic violence and criminal harassment to SVAP and other community resources for long term support. We also assist victims of domestic and sexual assault with emotional support, victim's rights, criminal justice system information, and safety planning. Court orientation and accompaniment, referrals and assistance with forms such as Victim Impact Statements and Crime Victim Assistance Program applications are offered. PBVS clients are also victims (or family members of victims) of common assault, crime or trauma, sudden death, and missing persons. The service area includes Moricetown, Smithers, Telkwa, Houston, and outlying areas. PBVS provides crisis support to victims only at the request of the RCMP and may attend at the hospital for those clients 24 hours per day, 7 days per week.

Procedures:

1. If initiated by the victim at the Victim Services (VS) office, a Victim's Request for Variance (Letter #1 Appendix C) may be forwarded to the Crown Counsel office by fax. The VS worker may assist the alleged victim in the preparation of the letter which will be signed by the victim. (This letter does not indicate this office's support for the application to vary conditions).
2. Crown Counsel will keep the letter on file in the event that the accused/offender makes an application to vary conditions.
3. When Crown counsel receives an Application to Vary Conditions from the accused, Crown Counsel will inform the alleged victim about local Victim Service agencies and victim may elect to deal with either Specialized or Police Based VS to meet and complete a *Post Bail Report*. Crown will inform the client they will not be likely to consent to the proposed changes until an interview has been carried out in a meeting between the alleged victim and the VS worker.
4. In preparation for the interview, VS will ask Court Services for a copy of the *Application to Vary by Consent, PTA and UTA*. This request must be made by fax and documents will be faxed to VS.

5. In the interview the Victim Service worker will:
 - Open a file.
 - Review Victims Rights, Cycle of Violence, Personal Safety Planning
 - Complete an Abuse Inventory
 - Complete a *Post Bail Report*-Victim Interview. (Appendix B)
 - Provide appropriate referrals to community agencies.

6. The Victim Service worker will use the *Victim Response to Variance* (Letter #2 Appendix B) to Crown Counsel that confirms their interview, plus documents the changes that the client wishes to have in the conditions. **This letter will not make recommendations, but will only relay the client's wishes.** The letter will be faxed to the Crown Counsel office along with the *Post Bail Report* – Victim Interview.

If the victim does not wish to have conditions varied, Letter #2 (Appendix B) will also indicate this.

7. The victim will be provided the following handouts for later review.
 - Rights of the Victim
 - Role of Crown Counsel
 - Local Community Resources (Do You Need Help?)
 - Personal Safety Planning Information
 - No Contact Orders Explained
 - Cycle of Violence
 - Procedures for Varying Conditions
 - Completed Abuse Inventory

8. Where a Post Bail Report was sent to Crown, They will advise VS of the result. If a variance was approved, Crown will provide VS with a copy of the new Recognizance/ Undertaking. VS will contact the victim and describe the changes, provide a copy, and explain that reporting a breach requires reporting to both RCMP and Probation.

9. Upon intake, Victim Services will fax notification to Community Corrections that they are working with this client using *Notification to Corrections* form (Appendix B, p. 35) and that they require copies of all pertinent orders.

SMITHERS COMMUNITY CORRECTIONS

Program Mandate:

The mission statement of the Corrections Branch is "...to increase public safety through offender management and control." Community Corrections assesses the risk posed by adult offenders and manages that risk by applying appropriate levels of supervision and programming.

Spousal Assault (K-files)

Community Corrections is required to follow the Ministry of Attorney General's *Violence Against Women in Relationships Policy* (VAWIR). In all cases involving spousal assault (K-files) Probation Officers make reasonable efforts to contact the victim and others protected by the order to ensure that the victim is informed of court orders, their contents, implications and changes to orders that may affect the victim's security.

For all K-files, at initial intake the Probation Officer contacts the victim and:

- Informs the victim that the criminal justice system takes a proactive stand in dealing with violence in relationships and that breaches of the order are acted upon;
- Informs the victim of the contents of the order, in particular the protective conditions;
- Supplies the victim with a copy of the order;
- Advises the victim how to report breaches of protective conditions and the possible requirement to be a witness in a hearing for breaches of conditions; and
- Provides the victim with information regarding support services (*Victim Assistance Services: Hazeltons, Moricetown, Smithers, Houston, Burns Lake and areas*).

Procedures for variation of protective conditions

Community Corrections follows the same basic process for all requests to change protective conditions (Bail, Probation, and Conditional Sentence) on spousal assault files.

If an accused requests protective conditions be changed/deleted the Probation Officer/Conditional Sentence Supervisor/Bail Supervisor will:

1. Provide the accused with a *Variation of Bail by Consent/Application to a Judge/Notice to Change a Conditional Sentence Order* and explain the variation process.
2. Inform the victim of the pending application to change conditions and ensure that the victim is aware of how to contact Crown Counsel and/or Victim Services to provide input into the application process.
3. Upon request of the Court/Crown provide a progress report on the accused's response to supervision. A minimum of two working days notice is required for production of a progress report. The Probation Officer/Conditional Sentence Supervisor/Bail Supervisor will contact the victim for input during the preparation of this report.
4. Inform the victim of the outcome of the application to change process, provide the victim with a copy of the changed order, explain the changes and how to enforce conditions and ensure that the victim is aware of Victim Services and other support providers.
5. If Corrections has received a *Notification to Crown and Community Corrections (Appendix B p.35)* from Victim Services, forward all pertinent orders to the victim and Victim Service Program.

6. If first appearance date comes and an information is not sworn, the bail order expires. If there were protective conditions, notify the victim of changes.

If a victim requests the Probation Officer's/Conditional Sentence Supervisor's/Bail Supervisor's assistance in changing/deleting a protective condition, the supervisor will refer the victim to Crown Counsel and to Specialized Victim Services.

The Probation Officer's/Conditional Sentence Supervisor's/Bail Supervisor's role is to provide information on the application process; they will not assist in filling out an application to change conditions nor provide any advice on how to proceed.

ACKNOWLEDGEMENTS

The Smithers Community Protocol Committee is indebted to many individuals for their participation in creating the protocol.

THE PARTICIPANTS

Lyn Nugent, **Acting Administrative Crown Counsel**

Shirley Meldrum, Administrative Crown Counsel

Debora Chatfield, RCMP Based Victim Services

Janet Caird, Manager, Court Services

John Rei, Local Manager, Smithers Community Corrections

S/Sgt. Sheila White, NCO RCMP

Wanda Watts, Specialized Victim Assistance Coordinator, NSDP

Special Thanks to Elizabeth Hutchison
and the
Williams Lake Community Protocol Committee
for sharing their time, expertise and documents.

SMITHERS COMMITTEE PARTICIPANTS

Shirley Meldrum

Administrative Crown Counsel

Date

Sheila White, Staff Sergeant

RCMP

Date

John Rei, Local Manager

Smithers Community Corrections

Date

Janet Caird

Manager, Court Services

Date

Wanda Watts, Program Coordinator

Specialized Victim Services

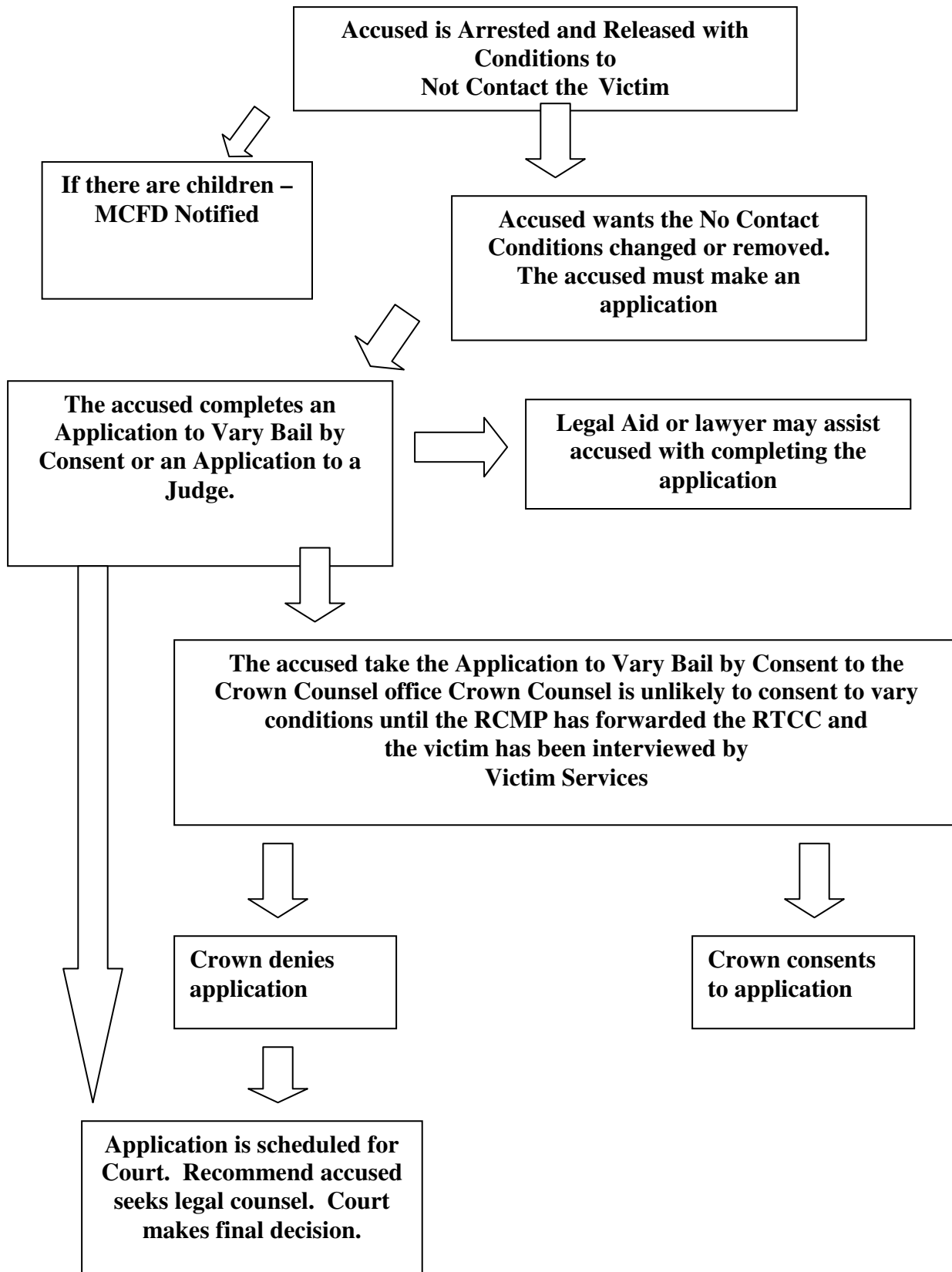
Date

Debra Chatfield, Program Coordinator

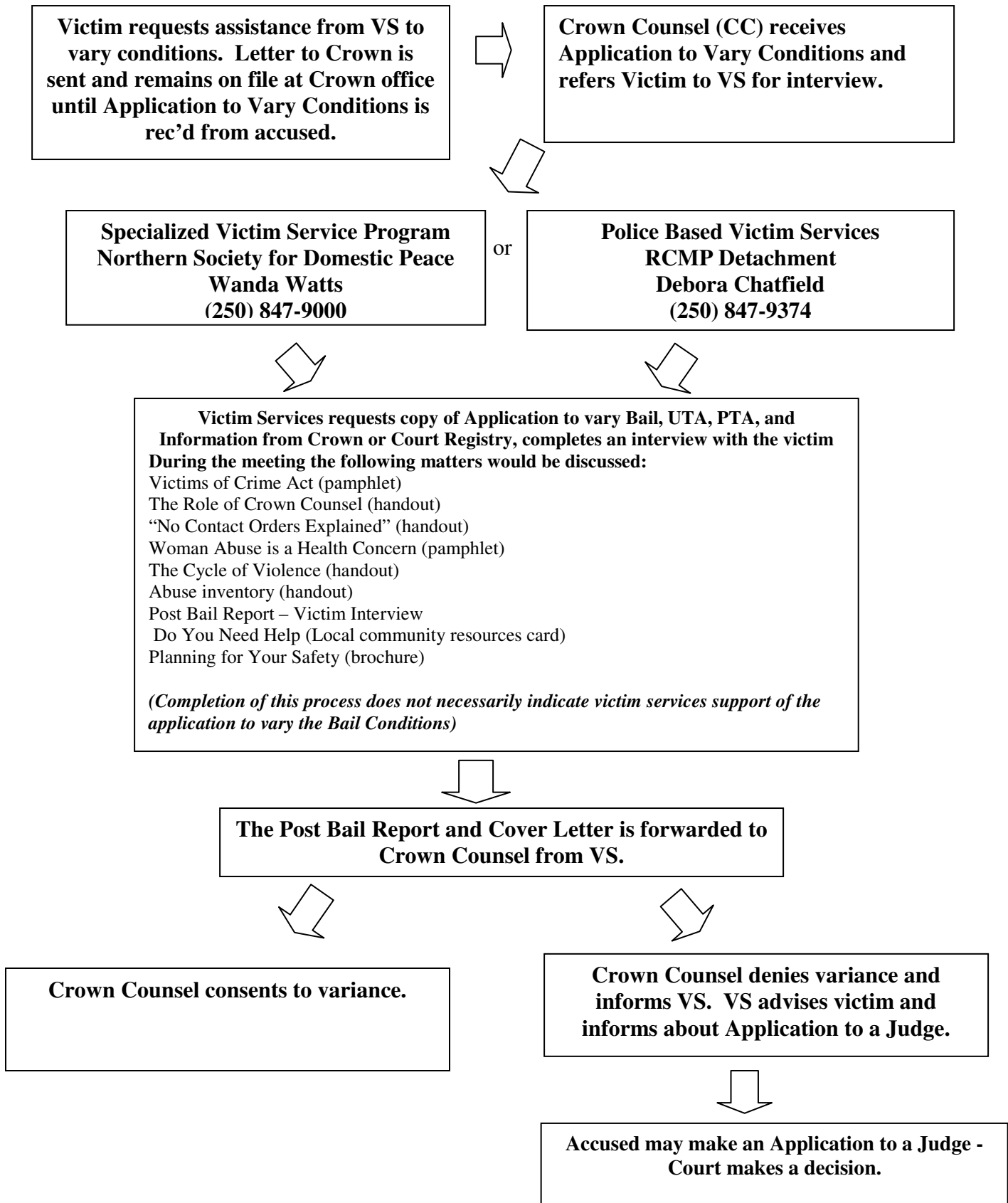
Police Based Victim Services

Date

ACCUSED - FLOW CHART



VICTIM – FLOW CHART



APPENDIX 'A'

Application to Vary Bail by Consent

APPLICATION TO A JUDGE

Promise to Appear

**Undertaking Given to a Peace Officer
or an Officer in Charge**

Undertaking Given to a Justice or Judge

**Notice to Change a Conditional Sentence Order
Page 1**

Notice to Change Conditional Sentence Order
Page 2

**RECOGNIZANCE ENTERED INTO
BEFORE AN OFFICER IN CHARGE**

Recognizance of Bail

APPENDIX 'B'

Letter #1 –Victim’s Request for Variance to Crown

To: Smithers Crown Counsel

Fax: (250) 847-7581

Date: _____

From: Specialized Victim Assistance (Wanda)

Police Based Victim Services (Deb)

Fax: _____

RE: Request to Crown Counsel to Vary Protective Conditions

I, _____ (name), the victim on RCMP file # _____, am requesting that the conditions of release for _____ (name of accused) be varied.

I understand that the *Application to Vary Bail by Consent* must be initiated and completed by the accused before the request can be considered.

I can be reached at _____ (phone number).

Yours truly,

Signature of Victim

Letter #2a–Victim Response to Variance

SPECIALIZED VICTIM SERVICES

3772-1st Ave, Smithers, BC, VOJ 2N0

P) 250-847-9000 F) 250-847-8911

Crown Counsel Office
3793, Alfred Ave
Smithers, BC
VOJ 2N0
Fax 847-7581

Date: _____

Dear Crown:

Re: Accused: _____

DOB: _____

Crown/Court File # _____

RCMP File #: _____

This is to confirm that on _____, I met with _____, to discuss the request to vary bail conditions on an Undertaking.

During our meeting the following matters were discussed:

- | | |
|-------------------------------|-----------------------------------------|
| The Rights of the Victim | Stages- Battered Woman |
| The Role of Crown Counsel | Children Living in Violent Homes |
| No Contact Orders Explained | Power and Control Wheel |
| Cycle of Violence | Change Conditions on a Release Document |
| Abuse Inventory | Smithers Police Based Victim Services |
| Do You Need Help? | Talk to Someone You Trust |
| Planning for Your Safety | Planning for your Children’s Safety |
| Specialized Victim Assistance | Northern Society for Domestic Peace |
| Victim Link | |

A *Post Bail Report- Victim Interview* has also been completed and a copy is attached for your information.

_____ is asking that the ‘no contact’ conditions on the undertaking:

- a) Remain as is,
- b) Be deleted entirely;
- c) Be amended as follows:

(N.R. Completion of this and the accompanying form does not necessarily indicate this office’s support of the application to vary the undertaking.)

Sincerely,

Wanda Watts (Program Manager)

Letter #2b – Victim Response to Variance

POLICE BASED VICTIM SERVICES

3772-1st Ave, Smithers, BC, VOJ 2N0

P) 250-847-9000 F) 250-847-8911

Crown Counsel Office
3793, Alfred Ave
Smithers, BC
VOJ 2N0
Fax 847-7581

Date: _____

Dear Crown:

Re: Accused: _____

DOB: _____

Crown/Court File # _____

RCMP File #: _____

This is to confirm that on _____, I met with _____, to discuss the request to vary bail conditions on an Undertaking.

During our meeting the following matters were discussed:

The Rights of the Victim
The Role of Crown Counsel
No Contact Orders Explained
Cycle of Violence
Abuse Inventory
Do You Need Help?
Planning for Your Safety
Specialized Victim Assistance
Victim Link

Stages- Battered Woman
Children Living in Violent Homes
Power and Control Wheel
Change Conditions on a Release Document
Smithers Police Based Victim Services
Talk to Someone You Trust
Planning for your Children's Safety
Northern Society for Domestic Peace

A Post Bail Report has also been completed and a copy is attached for your information.

_____ is asking that the 'no contact' conditions on the undertaking:

- a) Remain as is,
- b) Be deleted entirely,
- c) Be amended as follows:

(N.R. Completion of this and the accompanying form does not necessarily indicate this office's support of the application to vary the undertaking.)

Sincerely,

Debora Chatfield
Program Coordinator

How to Change Conditions on a Release Document

1. The document is a legal document signed by the accused; therefore **the accused must make the application to have it changed**. The victim CANNOT make the application on the accused's behalf.
2. The accused should speak with either his bail supervisor or the Court Registry to obtain the application form. The accused may get help from legal aid or a lawyer.
3. A copy of the application form, with the release document attached will be forwarded to the Crown Counsel office.
4. Crown Counsel requires information regarding how the victim feels about the application; i.e.
 - a) Does the victim agree to the change, and if so for what reason?
 - b) Has the victim considered safety aspect? , etc.

For this reason it is helpful if the victim has spoken with someone from either the Specialized Victim Assistance Program or the Police Based Victim Services Program. Staff in these programs are trained in a specific procedure that considers victim's requests, concerns, safety etc. and will provide that information to the Crown Counsel Office.

5. Crown will rarely consent to an application to vary bail conditions if the victim has not had contact with Victims Assistance Program. In some cases, even if the victim has spoken with a Victims Assistance Program the Crown may oppose the application.
6. If Crown does not consent to the application, the accused has the right to have the application heard in Court.

POST BAIL REPORT – VICTIM INTERVIEW

VICTIM INFORMATION

Name: _____ DOB: _____

Street Address: _____

Mailing Address: _____

Phone number: _____ Alt Msg. #: _____

Accused Information

Name: _____ DOB: _____

Court file #: _____ Police file #: _____

Interview type: In person By Phone from _____ (location/phone #)

FAMILY HISTORY:

1) **How long in relationship?** _____
Married ___ C/L ___ Dating ___ Separated ___ DIV ___

2) **Children?**
Name: _____ DOB: _____
Name: _____ DOB: _____
Name: _____ DOB: _____

a) Were the children in the home at the time of the offence? **Y N**

b) Is Ministry for Children and Families involved? **Y N**

c) Social Worker's Name: _____

3) **Similar incidents in the past?** _____

a) Were they reported? **Y N**

b) What were the results?

4) Counselling:

Victim? **Y N** Past Current Counsellor's name: _____

Accused? **Y N** Past Current Counsellor's name: _____

5) Risk Factors :

a) Substance abuse:

Victim? Y N Type? _____

Accused? Y N Type? _____

b) Mental Health Issues:

Victim? Y N Type? _____

Accused? Y N Type? _____

c) Employment Concerns:

Victim? Y N Type? _____

Accused? Y N Type? _____

d) Financial Hardship?

Victim? Y N Type? _____

Accused? Y N Type? _____

Comments: _____

6) Safety Issues:

a) Is victim being pressured to vary conditions? Y N

b) By whom and how? _____

d) What happens when the accused gets angry? _____

e) How does victim respond? _____

f) Does the victim fear for her/his safety? Y N

g) Safety of the children? Y N

h) Has a safety plan been reviewed and implemented? Y N

Comments: _____

7) Weapons:

- a) Were weapons involved in this incident? Y N
- b) Prior history of weapons? Y N
- c) Does the accused have access to firearms? Y N
- d) Possession Acquisition Licence? Y N

8) Has the victim been made aware of how and why to report breaches? Y N

Additional Comments (use another page if necessary): _____

9) Status of Investigation / Court Proceedings: _____

10) Requested change to Protective Conditions: _____

a) Reason for requested change: (I.e. specific circumstances): _____

11) Additional Information: _____

Name of worker completing form: _____

Agency: _____

Signature of worker completing: _____ Date: _____

Signature of client: _____ Date: _____

The client acknowledges that this report will be provided to Crown Counsel as well as the Defense lawyer, and will be seen by the accused.

N.R. Completion of this document does not necessarily indicate this office's support of the application to vary the undertaking.

Fax Notification to

Smithers Community Corrections @ (250) 847-7582

Date _____

RCMP File # _____

Court File # _____

Accused Name _____

DOB _____

Alias _____

Victim Services (_____) is working with:

_____ DOB _____

Street address _____

Mailing address _____

Phone Number(s) _____

**Please forward copies of all pertinent Orders to the Victim Services client
and to the Victim Service Worker:**

Wanda @ Northern Society for Domestic Peace.....Fax (250) 847-8911

OR

Debora @ Smithers RCMP Detachment.....Fax (250) 847-9383