# Violence Prevention Initiative

**An Anti-Violence Policy Framework**

Government of Newfoundland and Labrador

September, 2001

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## I. PREAMBLE AND PURPOSE

The Violence Prevention Initiative (VPI) of the Government of Newfoundland and Labrador reflects government's commitment to addressing the problem of violence in this province. The VPI is a five year, multi-departmental, government-community partnership to find long term solutions to the problem of violence against those most at risk in our society -women, children, the elderly, and others who are victims of violence because of their race, ethnicity, sexual orientation or disability. The VPI builds upon the work of the Provincial Strategy Against Violence (1995-2000) which established the goals and objectives for the VPI.

The two main goals of the VPI are: 1. To improve the coordination and delivery of services and programs by government departments and agencies with violence related mandates, and 2. To enhance the community and government's capacity to coordinate and promote violence prevention.

The goal of coordination and delivery of services within government departments and agencies will be accomplished through the integration of violence prevention into their strategic and operational plans. In so doing the needs of survivors of violence will be guaranteed to be addressed on a continuous basis.

Equally important to this integration is the establishment of mechanisms for accountability within the key government departments. These mechanisms should provide a process for continuous input from the community and clients on policy and procedures related to violence prevention.

The Government of Newfoundland and Labrador, through its commitment to the VPI is responsible for (i) providing effective services to victims of violence, (ii) ensuring that legislation does not impose additional burdens upon those affected by violence and, in concert with community, (iii) reducing and preventing violence. To ensure accountability in all issues related to violence, government has endorsed the development of this broad, anti-violence policy framework to provide the appropriate guidance and direction.

Specifically, the aim of this framework is to fulfill four main functions:

,    To raise awareness within all government departments and government agencies regarding the pervasive nature of violence and the need to review all relevant policies to identify implications for victims of violence.

,    To provide policy makers within government departments and agencies with key information related to violence to assist them in writing sensitive policy which will foster the prevention of violence and facilitate improvements in services to victims of violence.

,    To provide an effective format and comprehensive process for the development and implementation of government policy that reflects understanding of the complexities of violence.

,    To educate the public about government's position and response to violence in our province.

This document is comprised of two main parts.  Part I identifies the primary policy directions to be adopted when government departments develop and update policies that affect victims of violence.  It provides some key criteria for assessment of policies through an anti-violence "lens".  Part II provides an overview of how key government departments, namely the four partner departments: ; Human Resources and Employment; Education; Health and Community Services, and Justice are incorporating effective anti-violence policies into their roles and mandates.  It is an attempt to promote government accountability for its actions.

## II.  INTRODUCTION

What do we mean by violence?

Most people consider violence as only those acts defined by the Criminal Code of Canada as assault or sexual assault.  Violence, however, exists on a continuum that stretches from attitudes and words that show a lack of respect all the way to rape and murder.  While acts of violence may be discrete, occurring on a one-time only basis and involving an aggressor and victim who are unknown to each other, this is not the norm.   Rather, violence has a systemic nature and most often takes place in the context of an ongoing relationship - between intimate partners, in the family unit, at school or the workplace. Violence and the promotion of hate are also commonly directed at specific groups which are distinguished by gender, race, religion, ethnicity, age, physical ability and sexual orientation.  We live in a society which condones and accepts violence as an appropriate response to stressors in our lives. To reduce and prevent violence ultimately requires deconstructing our current thoughts and attitudes and reconstructing more appropriate and healthy methods of interaction within our society.

Although there are many definitions of violence and abuse (see box), there are certain common characteristics of violent and abusive behaviour. Violence and other forms of abuse are best understood as a pattern of behavior intended to establish and maintain control/dominance over family, household members, intimate partners, colleagues or groups. Violence and abuse are a reflection of, and are directed towards continuation of an imbalance of power between victim and

**Definitions of Violence**

Violent behavior is characterized by verbal or written threats; physical, emotional or sexual abuse / harassment or racial harassment by an individual or group which has the effect of impairing the health and welfare of another. (Conception Bay South School Board, 1996)

Violence is the threat or use of force that injures or intimidates a person (makes them feel afraid) or damages property. (BC Teachers Federation, 1994)

**Definitions of Abuse**

Abuse can take many forms. It can include criminal acts such as assault and sexual assault or negligence (not washing, feeding or toileting an individual); human rights violations (such as sexual harassment); verbal taunting; degrading, humiliating behavior; rough handling; or isolation through silence. Abuse can take place once, or it can happen on an on-going basis. (Advocacy Resource Center for the Handicapped, 1990)

abuser. The roots of all forms of violence are founded in the many types of inequality which still continue to exist and grow in our society. Domestic violence, for example, is now understood as a manifestation of the inequality between males and females. It must also be emphasized that violence can be an outcome of any power imbalance which is the product of ability, age, creed, ethnicity, economic status, gender, race and sexual orientation. For example, elderly men, are often as vulnerable to abuse as older women.

Another common characteristic of the many forms of violence is the progressive nature of the phenomenon.  As power and control are established, the need to maintain and increase power will often require a pattern of escalation.  What begins as a single schoolyard taunt may become a cycle of abuse, culminating in physical harm directed at a specific group or class.

Finally, the hidden nature of abuse and violence must also be recognized and addressed.  A great deal of violence occurs in the context of close private relationships unseen by others.  One result of violent, abusive acts is often demonstrated as an extreme sense of shame and secrecy by the victim making the identification of abusive situations and incidents a complex one.  Ideally, prevention of violence and abuse is the gold standard, however, the response to occurrences of abuse and violence will be most effective when all sectors of society understand its destructive nature and actively work to reduce its impact.

## III. GUIDING PRINCIPLES

Government has acknowledged its responsibility in the elimination of violence and in the creation of safe, healthy communities. The Strategic Social Plan, the new Child Youth and Family Services Act, the Model for Coordination of Services to Children and Youth and the Violence Prevention Initiative all reflect this commitment. Government has also articulated a number of guiding principles fundamental to the achievement of a violence free society. These principles form the philosophical foundation for addressing the many forms and types of violence through legislation, service provision and public awareness. They are the basis and underpinnings of the policy framework.

The guiding principles are:

, People have the right to a safe and secure environment.

, Health, well-being and productivity are enhanced in a violence-free environment.

, The social and cultural roots of violence are based on inequality. While all women, children and the elderly are more likely to be victims of violence, factors such as disability, sexual orientation, economic status or racial origin can put them at even higher risk.

, Society reinforces violence through expressions of sexism, ageism, classism, heterosexism, and other biased attitudes.

, Violence is a choice and is preventable. There is strong evidence that effective intervention can reduce and prevent violence.

, Prevention of violence is everybody's responsibility.

, The elimination of violence requires a comprehensive response including prevention, public education, services and enforcement of the law.

, Criminal and other acts of violence and abuse require effective consequences including punishment under the law.

## IV. POLICY DIRECTIONS

A dynamic anti-violence policy framework must reflect the various forms of violence and the social context in which violence occurs. It must allow for the unique needs of vulnerable groups and individuals to be addressed and ensure that their safety and security are not compromised. A useful framework must promote flexibility in policy development and accommodate differing resources and accessibility. To this end, four major policy directions provide the broad parameters for the framework. These include:

, victim safety and determination;

, abuser accountability;

, elimination of inequity;

, coordination, collaboration and quality in service delivery.

1. **Victim Safety and Self-Determination**

   The paramount objective of this framework is the safety and protection of those vulnerable to/affected by violence. The achievement of this end, however, can only be successful if it is acknowledged that the victim is the best determinant of his/her safety and security. Policies and protocols which are implemented by government departments and agencies must not only promote victim safety and

security but must also respect the individual choices of victims of violence.

All government policies should be evaluated on the following criteria to ensure congruence with the policy direction:

, victim safety is the paramount consideration;

, informed choices and the right to self-determination are supported;

, any element of victim blaming is eliminated;

, access to a range of service options is available /offered to the victim;

, inequities resulting from regional variation are addressed.

**How Does the Communication and Interpretation of this Policy Measure Up?**

Currently, policy in the Department of Human Resources and Employment encourages single, able bodied adults to secure board and lodging arrangements as opposed to rental units, as most singles can be appropriately accommodated in such arrangements. However, less well known is the fact that there is flexibility around this policy in the case of individuals who have maintained a home for at least six months, and for those individuals who have other extenuating circumstances, including victims of violence. There have been reported cases whereby women, who have waited for children to grow and leave home before ending an abusive marriage, have reconsidered when they believed that a boarding house was all that was available from the department. If a victim of violence was unaware of such flexibility, her belief in accepting the policy so literally, may be enough to keep her in an abusive relationship. Likewise if staff were unaware of the full circumstances within a specific case, they may initially offer only board and lodging assistance.

Shouldn't the department better communicate the residential options open to victims of violence, and encourage its staff to more thoroughly assess such cases?

2. **Abuser Accountability**

If government and community are to successfully achieve the goal of victim safety and security, it must have the ability to hold aggressors/abusers accountable for violent and abusive behaviours. Given the escalating nature of violence, this accountability is necessary across the full continuum of violent behaviours from disrespect to assault. Abuser accountability can only be ensured if government and community demonstrate both the ability and the will to impose swift, consistent and meaningful consequences for violence which will enhance victim safety and change the behaviour of the aggressor. It is important to emphasize, however, that the need for sanctions is reduced when comprehensive anti-violence prevention and early intervention policies and strategies are universally promoted and delivered.

To this end, application of the Anti-Violence Policy Framework will ensure that the following criteria are addressed in the development of any policy:

, the rights of the victim are recognized and identified throughout the policy;

, violent behavior is an individual's choice which is independent of the actions of the victim. Therefore, interventions to promote abuser accountability

are primarily directed at the abuser and include opportunity for restitution;

, abuser responsibility is reinforced in all responses to violence.

, victim/family input and evaluation of all policies are clearly articulated and monitored;

> **Does this policy work for victims of violence?**
>
> Recently a young man was afraid to go to school because there was a bigger boy who harassed him constantly by calling him faggot. The young boy finally got the courage to tell his parents who reported the problem to the school. The schools response was to suggest moving their child to another school, punishing the victim, not the abuser. Who is accountable here?

, treatment and rehabilitation are promoted and reinforced particularly as it relates to young people;

, interagency protocols are supportive and congruent on abuser accountability.

3. **Elimination of Inequity**

Violence has its roots in inequality and hate. Any abusive or violent behaviour creates a power imbalance and reinforces inequity. Inequality promotes violence and abuse and, consequently, the elimination of violence requires the elimination of systemic inequities. The challenge to the policy maker is to acknowledge the stereotyping and negative attitudes that our society has toward women, youth, seniors, visible minorities, aboriginal people, gays and lesbians, transgendered and bisexual persons, poor people, people with disabilities and people who have been victims of violence. These negative butoften hidden values affect our ability to

develop equitable policy by blinding us to the different impacts policy will have on these vulnerable populations.

When populations are labeled as vulnerable or "at risk", there is a danger that society will come to see the characteristics shared by those populations as individual deficiencies that create the potential for violence. The negative impact of stereotyping is grave and must be counter-balanced. It must be reinforced in a multitude of ways that it is sexism, not gender that makes women more vulnerable to abuse, just as it is racism, not race, ableism, not disability, heterosexism, not sexual orientation, sizeism not weight, that makes these populations also more vulnerable to abuse and violent acts.

Currently the Department of Justice does not provide a dedicated support service to child victims in the criminal justice system. This policy originated when the Department of Social Services identified itself as responsible for direct court-related services with children. Over the years, this practice and policy has changed and as a result children are often appearing in court without professional supports or preparation. Is there a will to develop a coordinated policy between Health and Community Services and Justice so that the responsibility is clear for providing child victim services and therefore change the current situation where children receive lesser services in the court context than adults.

To work toward the elimination of inequities in policies the following actions must be

considered in policy review and development:

, regular, ongoing reviews of all policies, programs and procedures to detect and remove bias and inequities. This requires that policy makers are educated and possess a sound knowledge base on violence dynamics.

, consideration of the impacts that policies will have on the lives of vulnerable groups;

, removal of barriers in access to services;

, rational, fair and equitable provision of services to all citizens.

4. **Coordination, Collaboration and Quality in Service Delivery**

Historically, our response to violent behaviour has been reactive and punitive and directed through the justice system. This traditional approach is too restrictive and and far too inadequate to support an effective policy framework. While the costs of violent behaviour are most obviously borne by the criminal justice system, the effects of crime and other damaging acts are experienced across a broad range of sectors -- social services, health, housing, education, employment and labour.

The array of services that respond to violence can be thought of as a continuum

of strategies and actions that include: (i) prevention; (ii) identification; (iii) protection; (iv) treatment; (v) enforcement; (vi) punishment and (vii) deterrence. All components must work in concert to achieve the best outcome for the people of Newfoundland and Labrador. As emphasised, it will take active participation from all sectors of society, both government and community, to deliver the most effective response. With the development of appropriate alliances and partnerships, communities will be strengthened, supportive networks forged and choices for victims of violence will be expanded.

The following criteria must be considered in the development of policies:

, multi-disciplinary partner-ships within government departments and between government and the community;

, consistency and co-

**What Constitutes Quality?**

A young woman is raped and receives assistance at the local hospital's emergency department. Without her knowledge the police are called but she is too upset to speak to them. The woman is given the number to the crisis line and advised to see her family doctor for follow up.

A week after the rape, the young woman continues to experience significant trauma from the event. She thinks she should press charges but is unsure what to do. She is afraid to go to the police alone and has not yet told anyone in her family what had happened. When she speaks to her family doctor for information and referral to a mental health clinician, she is informed of a four month wait. She has no idea what to do.

Is this a coordinated, quality service for this victim of severe violence? What does this woman need to help her through this difficult experience?

ordination in the develop-ment and review of policies, protocols and programs to ensure that the needs of all victims are addressed effectively and efficiently;

, coordination of policy and service delivery, both within departments and across departmental lines;

, service delivery standards which promote accessibility and quality as well as appropriate information sharing;

, programs which will reduce and prevent violence through early intervention and prevention, education, training and awareness;

, coordinated training, guidance and accountability for all service providers in the implementation of policies;

, government and departmental accountability mechanisms based upon ongoing research and monitoring.

## PART II

### I. DEPARTMENTAL ACCOUNTABILITIES

This section highlights the key roles and responsibilities that four government departments have identified in relation to violence and victims of violence. It outlines the mandate of each department and explores how that mandate influences the policy making of the department.

1. **Department of Human Resources and Employment**

   *Mandate Relative to Violence and Victims of Violence*

   The Department of Human Resources and Employment was created to focus on the development of individuals: to improve access to employment opportunities so that individuals, families and communities can participate in attaining their collective well-being and contribute to the development of the province, and to maintain dignified financial supports to those who cannot work.

   The vision which guides our work is one in which *the people of Newfoundland and Labrador be healthy, educated and self-reliant, living in supportive communities*

*within sustainable regions, having access to social programs which encourage them*

*to achieve their potential.*

Our mission is to be progressive, professional and flexible in working collaboratively with social, community and economic development partners to provide people with employment and career services and income support that respond to client needs and that are linked to the social, community and economic development objectives of the province.

As provided for in the Guiding Principles identified earlier in this Framework, in working with our clients to achieve that vision and fulfill our mission, we recognize that *people have the right to a safe and secure environment, and that health, well-being and productivity are enhanced in a violence-free environment.*

**Key HRE Divisions Responsible for Policy Making on Issues of Violence**

Under the rubric of two main lines of business, *Income Support* and *Employment and Career Services*, our programs, services and activities form an integrated array, or spectrum, of supports comprising:

*Income distribution* -- income support, special allowances for persons with disabilities, and allocations to meet special needs.

*Incentive Based Benefits*--measures that support employment and enrolment in training, labour adjustment programming.

*Emergency Social Services*--in cooperation with the municipal and voluntary sectors, provide a range of social services such as food, shelter, clothing, and registration and inquiry, in the event of a declared state of emergency (e.g. flooding, forest fire or ice storm).  This also includes participation in the development of municipal emergency plans and in ensuring the infrastructure is in place to provide these services.

*Career Development and Case Management Services* -- help people assess their readiness to go to work and, where feasible, support those that are ready to implement an entry/return-to-work action plan. Assistance may include career planning, job search counselling, employment incentives/wage subsidies, and/or other personal supports.

*Career and Job Search Information Services* -- include the toll-free Career Information Hotline service, the Newfoundland and Labrador Work*info*NET

Internet site (NLWIN), and labour market information products (available to all individuals).

*Employment Creation Initiatives* -- wage subsidy programs and activities aimed at stimulating and supporting employment opportunities in the private, public and community-based sectors. Programs may be targeted at various client groups such as youth, graduates and seasonal workers. An active approach is undertaken to seek employment placement opportunities for clients.

*Employability Assistance for Persons with Disabilities* -- assists clients in becoming financially and/or socially independent through supports for training and employment.

*Information and Referral Services* -- measures that link clients to other employment, financial, health and community services and provide information to people about career, labour market training and other programs offered by provincial and federal departments, such as Human Resources Development Canada. The department is also partnering with other government and community agencies to support a broader delivery network of employment and career services.

*Policy Development and Research* include activities designed to identify programs, services and opportunities which would allow the department to provide improved

services to meet the requirements of individuals in need; research labour demand and labour supply issues; identify employment opportunities in the provincial economy; and assess how investments can achieve human resource development and employment goals.

*In providing income support, our goal is to provide income to persons in need, in a manner that preserves human dignity and encourages self-reliance and independence. Our goal in providing employment and career services to our clients is to support and assist individuals to prepare for, attain and maintain employment by linking human resource development with economic development.*

### Departmental Policies that Address Violence

The Anti-violence Policy Framework allows for the unique needs of vulnerable clients and stresses that the security and safety of these persons not be compromised. It promotes flexibility in policy development. It provides four major policy directions:

- C victim safety and determination
- C abuser accountability

C       elimination of inequity

C       coordination, collaboration and quality in service delivery.

HRE policies have not been so much incongruent with as *unarticulated in support of* victims of violence and abuse. There is sufficient flexibility permitted within delivery of our supports to accommodate their needs, staff are encouraged to do so, and are very creative in meeting client needs.

In its present Departmental Plan, Human Resources and Employment identified the following goals which it would work towards in the coming years:

C       To decrease the level of reliance on income support by supporting clients' efforts to become self-reliant and employed;

C       To develop an improved income support program within existing financial resources which provides appropriate supports for those who cannot work;

C       To develop improved strategies for addressing child poverty;

C       To improve levels of self-reliance through employment among people of the province; and

•       To improve levels of self-reliance through employment among the people of the province, particularly those who face special barriers to employment.

While the victims of violence are not mentioned specifically in these goal statements, we can and do provide to them substantial financial and employment development supports, as outlined above, in keeping with three of the four major policy directions outlined in the Anti-violence Policy Framework. The *abuser accountability* principle does not apply to our programs and services; however, our case management approach is completely congruent with the principles of ensuring *victim safety and determination*, *eliminating inequities*, and *coordinating, collaborating and providing quality in service delivery*. Victims of violence receive the full benefit of all our programs and services, and also referral to appropriate services and supports provided by other agencies. Eligibility for income support also allows access to a broader range of services such as health benefits. HRE programs and services are typically part of a spectrum of supports offered by a number of departments and agencies. For example, the Department has identified a primary staff liaison for shelters in each region of the province.

The Framework stresses that *"policies and protocols which are implemented by government departments and agencies must not only promote victim safety and security*

*but must also respect the individual choices of victims of violence."* The Department is cognizant of this issue. As part of the present redesign of Income and Employment Supports, the Department will ensure that policies are consistent with the need to support victims of violence through consultation with client groups and key stakeholders in other departments and community agencies. In 2000 the Department established a Working Group on Victims of Violence made up of community and government representatives. The mandate of the group is to review all Department policies and procedures which effective victims of violence and to make recommendations for improvement where applicable. Policy and procedures directives which stem from the redesign effort will clearly reference the provision of programs and services to victims of violence, as will yearly Department Plans.

Finally, the Department of Human Resources and Employment recognizes that communication is key to handling this problem. We will support and participate fully in government-wide efforts to prevent violence and to increase public awareness of the array of supports available to victims of violence through cooperative communications efforts such as media campaigns and cheque inserts. As well, *working with victims of violence* will be included as a topic in orientation training packages to ensure front-line

employees can identify needs, tailor HRE supports appropriately, and refer clients to

available community resources.

2. **Department of Education**

**Department's Mandate Relative to Violence and Victims of Violence**

The mandate of the Department of Education is to ensure that students throughout Newfoundland and Labrador have the opportunity to demonstrate knowledge, skills, and attitudes in essential graduation learnings.

Our mission is to enable and encourage every individual to acquire through lifelong learning, the knowledge, skills, and values necessary for personal growth and the development of society.

Throughout Education, there is a shared vision of values and beliefs regarding student behavior. Expectations of behavior established by consensus building are shared with the school body so all work to have a orderly, and positive school climate and culture.

The Department of Education's *Policy, Guidelines, and Resource Guide on Discipline, School Violence and Safe Schools Teams* outlines that discipline is essential to foster positive, safe educational environments where teaching and

learning can take place. The eleven school boards in Newfoundland and Labrador base their discipline policy on The Department of Education's policy which articulates the roles and responsibilities of the school community. Each school within each school district bases its school discipline policy on its school board's policy.

The following legislation is the formal basis for making administrative decisions: *The Schools Act, 1997*, *the Criminal Code of Canada*, the *Youth Criminal Justice Act*, the *Canadian Charter of Rights and Freedoms*, the *Human Rights Code*, the *Child Youth and Family Services Act*, the *United Nations Convention on the Rights of the Child (1991)*, the *Provincial Child Abuse Policy and Guidelines*, and *Guidelines for Guidance Programming*.

**Key Education Divisions Responsible for Policy Making on Issues of Violence**

The Division of Student Support Services' *Special Education Policy Manual* sets out the basic requirements and expectations for the organization, management, development and delivery of programs, and the full continuum of services for students to meet a continuum of needs expressed by the total student population.

Special education policies are intended to establish a process of continuing improvement in student support services and act as an accountability guide for the province, school boards and schools. An Individual Support Services Team outlines a plan for any student who avails of any one service for an extended period of time. Any service providers from the four partner Departments and/or agencies of Justice, Health and Community Services, Human Resources and Employment and Education involved in meeting the needs of the student come together under the Model of Coordination of Services for Children and Youth to collaborate and develop a plan in the form of the ISSP. This integrated services approach promotes equity, victim safety and determination, and abuser accountability.

The mandate of the Division of Corporate Planning and Research is *"to provide research and information products and services facilitating educational improvement, decision-making, planning and accountability at all levels of the education system"*. The mandate complements the VPI's Anti-violence Policy Framework in the broad sense through its role in planning and accountability in the education system. As well, certain activities of the division are directly relevant

to the problem of violence and some of its underlying issues. Some of those activities are: facilitation and support for strategic planning and school improvement, the collection of information on violence in the schools, and the creation of indicators documents which monitor inequities in access, participation and outcome measures.

The Division of Program Development contributes to the Anti-Violence Policy Framework through the development and implementation of curriculum. Violence has been identified as an issue through the curriculum development process of needs assessment and is addressed through the following planned curriculum areas: Social Studies, Family Studies, Comprehensive School Health Program (grades K - 9), Physical Education, Religious Education K-12, and Language Arts. Other programs in use or under development which also contribute to the reduction and prevention of violence are Healthy Living 1200 , Human Dynamics 2200 (pilot), Home Economics (7-9) and the Balancing Students' Rights and Responsibilities modules for all levels. Professional development and teacher in-services of the above programs can bring PSAV issues to the forefront. Other examples of initiatives which support the VPI are March 21 International days for the elimination of racial problems and the development of policy

and handbooks related to multi-culturalism and human rights.

## Departmental Polices that Address Violence

The anti-violence policy framework is a lens for examining of The Department of Education's policies to ensure that the unique needs of children and youth are met in safe and secure learning environments.  It provides for four major policy directions:

C      victim safety and determination,

C      abuser accountability,

C      promotion of equity, and the

C      coordination, collaboration and quality in services delivery.

## Victim Safety and Determination

Discipline policies are formulated to incorporate effective prevention approaches, issues related to discipline administration, and intervention strategies for violent and potentially violent situations.  Actions are outlined that work for victims and contribute to violence reduction.

<u>Abuser Accountability</u>

*The School Act, 1997*, outlines the procedures to be followed by schools and school boards where students are persistently disobedient or defiant or conducts themselves in a manner that is likely to injuriously affect the proper conduct of the school.

<u>Promotion of Equity</u>

A safe, positive educational environment is desired for all students where students feel they belong, are treated with dignity and respect and their self-esteem is enhanced. All students have access to appropriate environments, services and supports which enhance their learning. Students are involved to the greatest extent possible in decisions concerning their education. Students with exceptionalities have access to equal educational opportunities, effective programming and learning support systems. Therefore, resources are allocated, deployed and utilized to ensure that all students have access to appropriate programs and services.

Each school board is to ensure that the needs are profiled annually for children with exceptionalities and children at risk of school failure or maltreatment. Each

school board is directed to inform youth over the age of 19, where appropriate, and parents of their right of appeal.

<u>Coordination, collaboration and quality in services delivery</u>

The Department of Education's Division of Student Support Services coordinates the student support services within eleven school districts and collaborates with them and other agencies to ensure quality service delivery. Safe schools teams must be established within each school board and school to give direction and have responsibility for the creation of a safe school where students can learn and teachers can teach in an environment free of fear and intimidation. Members of the school community, i.e., students, parents/ guardians, school personnel, school board members and members of the community and community agencies, all contribute to and share responsibility for the development and implementation of comprehensive discipline policies.

The Department of Education's policy makers are interested in improving existing policies to ensure the promotion of flexibility in policy development and accommodation for differing resources and accessibility to these resources. Policy needs to reflect the various forms of violence seen in today's society and the unique needs of vulnerable individuals and groups. Effective policies clearly

state behavioral expectations and a plan for promoting a positive school climate

where all students can reach their potential.

3. **Department of Health and Community Services**

**Departmental Profile**

The Department of Health and Community Services provides a leadership role in health and community service program and policy development for the Province. This involves working in partnership with a number of key stakeholders including Health Boards, consumers, community organizations, professional associations, post-secondary educational institutions, unions, and other government departments.

The Department provides support services to six Regional Institutional Boards, four Regional Health and Community Services Boards, two Regional Integrated Boards, the St. John's Nursing Home Board, and the Newfoundland and Labrador Cancer Treatment and Research Foundation. The delivery of programs and services including Health Promotion, Disease Prevention, Child Youth and Family Services, Family and Rehabilitative Services, Addictions, Mental Health, and Continuing Care are primarily provided by the Health and Community Service and Integrated Boards. Institutional Health Boards are responsible for the delivery of acute and long term care services in hospitals, community health centres, community clinics and nursing homes throughout the Province.

**Department's Mandate Relative to Violence and Victims of Violence**

The World Health Organization's definition of "health" is the foundation for the Department's Vision, Mission, and Values Statements as well as the Lines of Business. The World Health Organization defines health as: *"Health is a state of complete physical, mental, social well being and not merely the absence of disease or infirmity."*

The mission of the Department of Health and Community Services is that it will ensure that the people of Newfoundland and Labrador have access to services and programs enabling individuals, families and communities to achieve optimal health by maximizing an individual's health and well-being in the context of his/her life.

The Department of Health and Community Services continues its commitment toward healthy public policy and recognizes that achieving good health is more than just the

| Determinants of Health |
| --- |
| L  Income and Social Status |
| L  Social Support Networks |
| L  Education |
| L  Employment/Working Conditions |
| L  Social Environments |
| L  Physical Environments |
| L  Personal Health Practices and Coping Skills |
| L  Health Child Development |
| L  Biology and Genetic Endowment |
| L  Health Services |
| L  Gender |
| L  Culture |

absence of disease or illness. The factors that determine health occur inside and outside the formal health and community services system. Health is influenced by a variety of factors including income, social support networks, social and physical environments, and healthy child development. The Department recognizes that violence is a significant factor in determining the physical and mental health and well-being of individuals, families and communities. Ensuring that individuals are free from violence is a key element in achieving optimal health and well-being and thus, achieving the Department's mission.

**Key DOHCS Divisions Responsible for Policy Making on Issues of Violence**

In 1993, fourteen Boards were established throughout the Province to achieve greater efficiencies and coordination, an increased emphasis on health promotion and illness prevention, and greater autonomy and control of services within regions and communities. The devolution of responsibility for direct program and service delivery to the Regional Boards that has been ongoing since that time has lead to a change in the role of the Department. Accordingly the Department of Health and Community Services has reorganized its operations over the past two years to ensure optimal capacity for skills and expertise to be utilized across all areas

of the Department.  This new structure allows the Department to embrace its role

of policy and program development while providing support to boards and agencies

who are responsible for the delivery of programs and services in the regions.

Thus, the vast majority of the divisions throughout the Department have some

responsibility for policy making on issues of violence.

**Departmental Policies that Address Violence**

The Departmental Plan for the Department of Health and Community Services

identifies the following goals for the Department to work towards over the coming

years:

'      To ensure programs and services reflect current and future needs of the
       population;

'      To reduce the negative impact of selected diseases and conditions;

'      To ensure reasonable access to a range of Health and Community Services;

'      To develop a provincial plan that defines: 1) core health and community
       services, 2) the standards for each, and 3) the finances to support each
       service;

'      To have qualified people, in the right place, at the right time, to respond to
       the health and community services needs of the population; and

'      To ensure evidence-based decision making.

While the text of these six goals do not specifically mention violence, violence prevention and intervention initiatives are encompassed in each. Policies and programs addressing various aspects of violence are a necessary factor to achieving the goals that we, as a Department, have set out for the health and community services system.

*Towards an Abuse Free System (NLHCA, 1996)*

During its 1994 Annual General Meeting the Newfoundland and Labrador Health Boards Association (formerly the Newfoundland and Labrador Health Care Association) passed a resolution to establish a task force to review what is happening in dealing with violence in the health care system. This task force was asked to consider guidelines and pertinent literature from other jurisdictions, all with a view to revising and updating the Association's 1988 Abuse of People Manual with particular reference to adding the issue of violence against workers.

In addressing the resolution, the Newfoundland and Labrador Health Care Association spearheaded a collaborative process involving a wide variety of stakeholders. A committee with representation from health organizations,

Department of Health and other government departments, health sector unions, consumers, front-line workers, has developed a comprehensive framework for dealing with abuse in health organizations.

*Towards an Abuse-Free System* promotes zero tolerance, outlines a set of basic principles on which an abuse-free system should rest, and presents a program with specific prevention, intervention and educational strategies health organizations should consider in addressing the abuse issue. Continuous evaluation of the process is also advocated to ensure that current preventive intervention strategies are considered.

*An Act Respecting Child, Youth and Family Services (2000)*

This Act replaces the Child Welfare Act and supports Government's intention to move from remedial approaches to prevention and early intervention strategies with services delivered by community-based agencies. One of the Act's primary objectives is the protection of children who are at risk of maltreatment. The Act also addresses: identified gaps in services to youth aged 16 and 17; alternate dispute resolution; clear articulated child protection authorities; and, timely

response from the court system for children who have been removed from their families.

*An Act Respecting Adoptions (2000)*

The *Adoption Act* was developed to replace the fifty-year-old *Adoption of Children Act*. This new Act represents a significant shift in how adoption services are provided in Newfoundland and Labrador. It is consistent with the new *Child, Youth and Family Services Act* by focusing on the best interests of children, and giving birth parents and children greater input into the adoption process. Some of the highlights of the new Adoption Act include: ensuring children under age 12 also have input into their adoption; enabling children to have the ability to maintain contact with their birth family following adoption finalization through openness agreements; and direct placement of infants with prospective adoptive parents chosen by the birth parents and approved by the Director of Adoptions.

*Child Care Services Act (1999)*

The new Child Care Services Act replaced the Day Care and Homemaker Services Act greatly enhanced services to children while addressing longstanding concerns of parents, child care providers and others knowledgeable in the field of Early Childhood Education.  It provides improvements to accessibility and quality of child care.  The change is a very positive one in that it allows the Province to improve its standards to reflect the national child care standards.  Many of the enhancements identified will be funded through the new National Child Benefit (NCB) initiative.  These enhancements include licensed day care for children 0 to two years old, family home child care, family resource centres and youth networks.


*Youth Criminal Justice Act (2001)*

The implementation of new federal youth justice legislation and the availability of additional federal youth corrections funding, have provided the Department the opportunity to focus on introducing new community based youth corrections services and enhancing existing services.  A project team was created to investigate: exploring new programs that can be offered as alternatives to the use of custody; expansion of services that can be categorized as alternatives to

formal court charging; updating the provincial Risk-Need Classification System and developing an effective Workload Analysis system; research and program development in several other areas such as dealing with adolescent sex offenders, the use of attendance centres/day treatment programs, etc.; and, support implementation strategies including training and ensuring that provincial policy standards are updated to reflect the changes that accompany new youth justice legislation.

*Legislation Review*

A number of significant statutes are under review that have relevance for victims of violence. In particular, the Mental Health Act and the Neglected Adults Act are being developed from a human rights perspecitve. Throughout both Acts the principles of self-determination and least restrictive intervention will be used to guide actions and authorities. Greater emphasis is given to the involvement of the individual in decision making and to providing the least controlling intervention possible.

*Family Resource Centers*

We now have eight National Child Benefit (NCB) Family Resource Centers throughout the province focused on the provision of programming for children and families in addition to the nine Community Action Program for Children (CAPC) Family Resource Centers.  All programs are consumer-driven in that the needs and interests of the consumers are the basis for determining the kinds of programs and activities to be organized.  The Department is committed to the enhancement of community-based service delivery as these Family Resource Centers are community-based and community owned.  A community coalition, representing 50% consumers and 50% professionals and/or interested others, manage the projects.

*Community Youth Network Development Team*

A Community Youth Network Development Team has been formed including youth and adult volunteers with diverse life experiences.  The Community Youth Network will avail of $1.8 million annually to develop an array of services for youth living in, or at risk of, poverty.  A total of eight sites have now been allotted funding. These services will enhance young people's opportunities for participation in social and economic development by focusing on learning, technology, education, human

dynamics, employability skills, and mental health services through a partnership with the Departments of Health and Community Services, Human Resources and Employment, and Education, as well as Human Resources Development Canada.

*The Enhancement of Mental Health Services for Youth*

This is being enabled through National Child Benefit funding, which supports interventions which either reduce the impacts of poverty, or help prevent conditions which contribute to poverty. Mental Health Services will be developed for 12-18 year olds and, with additional funding and legislative support from the *Child, Youth and Family Services Act*, residential services will be offered to youth at risk of maltreatment. These new or enhanced services will begin to address the long recognized mental health needs of the youth population, and some of the implementation challenges outlined below.

It is important to note that policy and program development in Child, Youth and Family Services, as well as Youth Corrections, are dependent on a strong mental health component, in order to achieve the best outcomes for their client groups. Additionally, the report entitled *Discussion Paper for Program Development in*

*Community Based Addictions and Mental Health Services for Adolescents and Their Families (October, 1998)*, emphasizes the importance of a complementary approach in Mental Health and Addictions Services for youth.

*Addiction Services*

The use of alcohol and other drugs has been found to coexist with violence against women and children in relationships. Addictions Services personnel in Newfoundland and Labrador have been sensitized to the relationship between substance abuse and violence, through a national training process developed by the Addictions Research Foundation, which recognizes that: those who have problems with alcohol and other drugs are likely to have histories of having been abused physically, emotionally, and/or sexually as children; women in abusive relationships are more likely to use calming medications, alcohol or other drugs to cope with the abuse.; and, problem drinkers are more likely to abuse their partners.

*Seniors*

The Ministers responsible for seniors across the country have set safety and security as one of their top priorities. In 1998 the Ministers released the

National Framework on Aging which promotes the principles of **dignity**, **independence**, **participation**, **fairness** and **security** as the most important principles for policies affecting seniors. The Department is thoroughly committed to promoting these principles in all of its policies affecting seniors. A working group of the federal/provincial/territorial officials responsible for seniors has been formed to provide leadership and increase awareness concerning the need for supportive and safe environments for seniors. Other working groups include: consumer protection, older women, images of aging, informal caregiving, IYOP, National Framework on Aging, and day-to-day Technology.

The Department of Health and Community Services realizes that true efforts to combat violence can only be achieved through collaboration between both governmental and community agencies. To this end, the Department is committed to work with consumers, community organizations, professional associations, boards and other government departments and agencies to enable individuals, families and communities to achieve optimal health and well-being.

**4. Department of Justice**

Department's Mandate Relative to Violence and Victims of Violence

The Department of Justice is comprised of several components which, while working towards a common goal of a safer society, contribute through their involvement with distinct "client" populations. Issues related to violence are central to many of the Divisions and related agencies of the Department of Justice. Our vision for the future is a peaceful, tolerant and progressive Province in which to live and work. Our mission is to ensure equality and fairness in the administration of justice.

We recognize that violence is a serious and pervasive social problem. It involves an abuse and imbalance of power between a victim and an offender which undermines the victim's (and the public's) ability to fully contribute to a healthy and productive society. Appropriate justice responses can contribute to positive individual and public attitudes and behaviours. These contributions must be viewed within an overall systemic and coordinated response to violence which necessarily involves other public and community services.

The criminal justice system is responsible for addressing victims' safety needs though a

prompt and professional response to complaints. Policies support coordinated and accessible services for victims. Effective offender management, control and reintegration will enhance victim and public safety and offender accountability. Coordinated victim-sensitive responses, particularly during the investigation and prosecution stages, can minimize revictimization and improve the criminal justice system's capacity to effectively deal with violent offences. All professionals working with victims must be knowledgeable of the complex dynamics of violence and abuse. Policies shall respect victim diversity.

There is a growing understanding (regardless of the mandated service area) that victim issues and needs are critical in the justice system. They are seen as critical for the victim's well-being, but also for the effective operation of the system.

The anti-violence policy framework provides four (4) major policy directions which are clearly relevant for the criminal justice system. These are :

- victim safety and self-determination

- abuser accountability

- elimination of inequity

- coordination, collaboration and quality in service delivery

**Key Justice Divisions Responsible for Policy Development on Issues of Violence**

Within a justice context, there is a unique requirement to develop and amend policies that reflect constantly changing laws. While this is generally true of all areas of public service practice, this is particularly relevant for the justice system because of the specific mandate to enforce and administer the law. The following Divisions are vital for the purposes of this anti-violence policy framework.

**Policy and Strategic Planning**

The newly created Division of Policy and Strategic Planning has overall policy responsibilities for the Department. This includes the development of new policy initiatives as well as coordination, monitoring and evaluation of existing policy areas on a Departmental level.

**Policing Services**

The RNC and the RCMP strive to foster and maintain peaceful and safe communities

through the provision of quality, professional, accessible, timely and fair policing services. Specific activities include Community Policing, Criminal Investigations, Street/Highway Patrol, Crime Prevention, Accident Investigation and Forensic Identification. Both forces have proactive charging policies for family violence cases, and the RNC also has a specialized Sexual Offence Unit. While the victim's wishes are considered where possible, victim and public safety remain the priority concern. Offender accountability is also key to the police response. Inroads are being made, primarily through Community Policing, in coordinating with the community on issues of violence.

**Criminal Law**

The Criminal Law Division prosecutes all provisions of the Criminal Code of Canada and Provincial Statutes and is also responsible for providing legal advice on all criminal matters to law enforcement agencies in the province. The Crown Prosecutor's Office recognizes the unique, complex and serious nature of spousal assault. Therefore the Crown will proceed with prosecution where evidence warrants and decisions will not be determined solely by the preferences of the victim. Special attention is also paid to the release of of individuals charged with assaulting a spouse. The Crown will request orders

prohibiting firearms as well contact with the victim where appropriate.

**Corrections and Community Services**

This Division houses Victim Services, Adult Community Corrections (Probation), Adult Secure Custody and Youth Secure Custody. **Victim Services** provides a range of professional supports and services to victims involved in the criminal justice system. These coordinated services include information, counselling, court preparation and support, Victim Impact Statement Program and referrals. Victims of violence are recognized as a priority for service. The unique needs and input of victims is actively included in the planning process with victims. **Community Corrections** supervises offenders in the community. Community Corrections has established policy to prioritize cases of spousal abuse as requiring more active supervision in efforts to increase victim safety and offender accountability. Contracted community programs are being redesigned to focus on sex offender and male batterer services. **Adult and Youth Secure Custody** operate the secure correctional centres throughout the province and deliver the associated inmate programs including male batterers, sex offenders, anger management, life skills, literacy and addictions programs.

Within this Division, coordinated responses are available to victims through the Spousal Assault Protocol and the Victim Liaison Officer Program. These coordinated responses involve Victim Services, Community Corrections and Correctional Institutions providing information to victims about release status of offenders as well as targeting violent offenders for more intensive supervision and programming.

**Court Services**

The Court Services Division provides the infrastructure and administrative support services to the Courts. It is also responsible for enforcing orders of the Courts including fines and court-ordered support payments. Recently, the Provincial Court has focused attention on policies and practices involving peace bonds. In cases involving violent offences, the Court now refers requests for peace bonds for police investigation and possible criminal charges. Past practices had generally been more accomodating of victim requests for peace bonds. This policy direction reflects concern for offender accountability and victim and public safety. The Courts are also pursuing options for creating more victim-friendly space. In an attempt to create greater efficiencies, the Courts are also looking to less intrusive and intensive Court interventions such as mediation in appropriate cases involving less serious offences.

**Other**

There are other department-wide policies that address victim needs. **Translation services** are available for aboriginal, hearing-impaired and non-English speaking participants in the criminal justice system. This reflects an understanding of the inequities these individuals face. There is also a **Community Notification Protocol** for notifying the public when high risk and dangerous offenders are released from prison. The review committee is comprised of representation from all sectors of criminal justice.

**Considerations for Future Policy Development:**

- **Implementing a feasible and meaningful policy and model for staff training in the area of violence. The VPI training program may offer an excellent vehicle for this, as there are already several certified trainers within Justice for this training program.**

- **Developing a well-informed policy on restorative justice and alternative**

dispute resolution which is victim-focused, includes a gender analysis and reflects the knowledge of key stakeholders.

- Coordinating policy development on issues of violence to ensure policy is well-informed and effective. This requires internal coordination among justice services within government, with other government departments, and with the community.

- Developing a feasible and meaningful policy to address the needs of child victims within the criminal justice system.