

# ENDING VIOLENCE

Association of BC

## Interagency Case Assessment Team Best Practices:

Working Together to Reduce  
the Risk of Domestic Violence



SECOND EDITION **2017**



Verdon Women's Transition House Society



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- *Ending Violence Association of BC and Community Coordination for Women's Safety*
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- *Ministry of Children and Family Development (Provincial Practice)*
- *Ministry of Justice (Criminal Justice Branch<sup>1</sup>)*
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# Introduction

## 1 | The Purpose of this Manual

This Manual is meant to:

- *Guide and support the operation of local highest risk domestic violence Interagency Case Assessment Teams (ICATs) in BC*
- *Enhance collaboration among members of existing ICATs*
- *Guide and support communities interested in developing an ICAT*
- *Encourage consistent ICAT practices in different parts of the province.*

This Manual supplements ongoing ICAT training provided by the Community Coordination for Women's Safety (CCWS) Program in collaboration with the RCMP and is meant to be used in conjunction with that training.

The Manual was created through interagency dialogue focused on the task of collectively understanding and defining what constitutes safety and risk management in practice.

Given the diverse nature of communities in different parts of the province, it is recognized that a one-size ICAT model will not fit all communities. This Manual and the attached forms can be adapted to meet the needs of local ICAT teams. The Manual will be revised and improved regularly based on the collective wisdom and experience of ICAT members and other experts throughout the province.

ICAT members come from a broad range of disciplines and have different roles and mandates. However, they share the goal of wanting to develop a common understanding and a collaborative approach to managing risk and safety.<sup>2</sup> ICAT members also share a desire to keep women, children and communities safer. The underlying principle is that with coordinated intervention, injury or death as a result of domestic violence is preventable.

The Truth and Reconciliation Report and its findings represent a watershed in the relationship between Indigenous and non-Indigenous people in Canada (Truth and Reconciliation Commission of Canada, Fontaine & Craft, 2016). It represents an opportunity to acknowledge and begin to address the tragic legacy of colonialism and residential schools. Our justice system, based primarily on the British model, has until recently largely disregarded the presence of pre-existing Indigenous frameworks and cultural practices (Borrows, 2002). Given this history, it is critical that when working with Indigenous communities, the process of risk identification and risk management be handled in a culturally sensitive manner.

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<sup>2</sup> "Victims and perpetrators of domestic violence encounter a number of service providers as they progress through the legal system. It is absolutely critical that there be a standardized, collaborative approach to domestic violence by all agencies, ministries, and support networks reinforced by enhanced public awareness of the risks for families in distress." (British Columbia Coroners Service, 2010, p 82)

BC’s population is diverse and the cultural mix in our province continues to evolve as new immigrants and refugees join our communities. Case management can be complex in this dynamic context. ICAT work should be informed by recognition and regard for distinct cultures and an awareness of the critical role cultural factors can play in risk management.

This document is intended as a guide and is for general information only. It is not intended to be, and cannot be relied upon, as legal advice. Responsibility for compliance with the law remains with each participating organization.

## 2 | Scope of this Manual

This Manual consists of three sections:

**The Introduction** includes: a brief description of the purpose of this Manual, an overview of the role of ICATs, how ICATs differ from other bodies responding to high risk domestic violence cases, and the relationship between ICATs and local coordinating committees.

**The Protocol** includes: definitions of key terms used in the Manual; an overview of federal and provincial privacy laws; and an outline of best practice procedures including implementation of a local protocol, ICAT membership, roles and responsibilities of ICAT participants, administration and procedures for cases, risk assessment and management, records management, seeking informed consent, information sharing, and maintaining confidentiality.

**The Appendices** include: forms and document templates used in the development and administration of an ICAT, an ICAT process flowchart, and a list of acronyms used in the Manual.

This Manual is intended to be read in its entirety as each section builds on the previous sections and assumes a familiarity with what precedes it. For this reason sections are numbered consecutively throughout.

### 3 | What is an ICAT?

An ICAT is a partnership of local agencies, including police, child welfare, health, social service, victim support, and other agencies. This group responds to referrals of suspected highest risk cases of domestic violence with a goal of increasing safety. This goal is achieved by:

- *Identifying risk using the BC Summary of Domestic Violence Risk Factors (see Appendix 9) and if necessary an evidence-based risk assessment tool*
- *Legally and ethically sharing risk-related information and*
- *Reaching agreement regarding the risk level.*

While ICATs do review cases, they are not investigative bodies. A domestic violence case may be referred to the ICAT even if a police report has not been made.

Based on contributing risk factors and vulnerabilities, a risk management plan is created by the ICAT that outlines a team commitment to enhanced interventions for victims and monitoring, management and support for perpetrators. The case is reviewed regularly to monitor factors and critical events.

Supplementary guidance, information and resources for ICATs are available at [www.endingviolence.org/ccws](http://www.endingviolence.org/ccws).

### 4 | Domestic Violence Units, Highest Risk Domestic Violence Teams, and Local Domestic Violence Coordination Committees<sup>3</sup>

ICATs, Domestic Violence Units (DVUs), Highest Risk Domestic Violence Teams (HRDVs), and local domestic violence coordination committees (“coordinating committees”) are all initiatives that help communities respond effectively to domestic violence. They are each different in their make-up and function, but they complement one another and add strength to the local domestic violence response.

<sup>3</sup> Local domestic violence coordination committees are often referred to as Violence Against Women in Relationships (VAWIR) or Violence in Relationships (VIR) Committees.

A DVU may be an integrated unit within a police detachment/department consisting of police, community-based victim services and, in some cases, child protection social workers. One or more police officers within a police agency designated to work with domestic violence may also be referred to as a DVU. Both types of DVUs may contribute to HRDV or an ICAT. Unlike HRDVs or ICATs, DVUs are investigative bodies. The primary purpose of an ICAT is to increase safety and reduce harm that results from domestic violence.

HRDVs are usually partnerships between police, child protection social workers, community-based and police-based victim services and Community Corrections. They may have an affiliation with a DVU or a domestic violence officer/liaison officer.

ICATs, integrated DVUs, and HRDVs are all operational initiatives that are responsive to the Provincial VAWIR Policy and Protocol for Highest Risk Cases. Police in all of these initiatives use the BC Summary of Domestic Violence Risk Factors to assist with assessing risk while conducting and documenting evidence-based, risk-focused domestic violence investigations.

**4.1 ICATs and local coordinating committees**

Local domestic violence-related coordinating committees include a broad range of service providers and responders to domestic violence. These committees identify and address service gaps and safety needs, using a strategic planning model. Networking, training and information sharing is part of a typical agenda, but information about specific cases is not shared at a coordinating committee meeting. There are often sub-committees, one of which may be an ICAT.

Generally, an ICAT is a sub-committee of the local coordinating committee (see Appendix 1, Terms of Reference). The coordinating committee supports the work of the ICAT and can assist in resolving systemic and public awareness issues that come to an ICAT's attention. This assistance may come in the form of resources, problem solving or ideas for funding. The coordinating committee may assist with or participate in the development and delivery of ICAT training to the community to promote understanding of risk and explain how to make a referral to the ICAT. Assistance with community presentations can be accessed in the form of an ICAT Brochure and ICAT presentation materials at <http://endingviolence.org/publications/icat-orientation-presentation/>.

Typically, the ICAT is co-chaired by one police officer and one representative from a community-based victim service program or other victim service program. The co-chairs regularly update the coordinating committee about overall progress of the ICAT, including the number of ICAT referrals and meetings, trends, successes and obstacles. The ICAT does not disclose any identifying information about cases to the coordinating committee.

## **5 | Referrals of Suspected Highest Risk Cases to ICATs**

ICATs receive referrals from ICAT members and from agencies and individuals providing services in the community.

Seeking consent and cooperation of the victim is the best practice and usual, however in specific situations legislation permits, and in certain other situations requires, the sharing of information without consent. When seeking consent from the victim, using the template at Appendix 5, the ICAT member explains that they are seeking consent to disclose the victim's personal information to ICAT and for that team to initiate the ICAT process of reviewing their case and determining whether it is highest risk. This is detailed further at sections 9 and 12.1.

## **6 | The Role of Victims, Perpetrators and Support Workers**

For the purpose of this Manual, the term “perpetrator” is used, but we recognize that this person may not have been accused or convicted of a crime. The word “victim” is used to describe the person or people for whom the plan is creating safety, although that person may not identify as a victim. To maintain privacy and safety and to be able to share relevant information within legal parameters, neither victims nor perpetrators are present at ICAT meetings.

The victim service/anti-violence worker plays a critical role to ensure that the needs of the victim, particularly related to safety, are paramount. The victim service/anti-violence worker can bring insight regarding the dynamics of domestic violence from a victim's perspective to ICAT. In addition, the victim service/anti-violence worker can ensure that the victim is respected as knowledgeable about their own personal risks and safety, and is kept informed and central to the ICAT process. The victim service/anti-violence worker also makes sure to include the victim's input in the risk management plan.

ICAT members from Community Corrections, police, forensic services, mental health and substance misuse bring experience and information that can assist in creating effective monitoring, accountability and support for the perpetrator.<sup>4</sup>

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<sup>4</sup> For safety reasons, it is recommended that the perpetrator not be asked to provide consent regarding the ICAT meeting. See section 12.3. Organizations participating in ICAT ensure that they have legislative authority to share information (please refer to Section 9 for more information). To properly assess the perpetrator risk factors present, for example continued substance use, mental health deterioration, compliance with conditions and other concerns, participation of those working closely with the perpetrator is essential.

# The Protocol

## 7 | The Purpose of this Protocol

A protocol is a series of steps or procedures that are recommended best practice. This Protocol guides ICAT information sharing practices in keeping with federal and provincial privacy laws. ICAT information sharing is for the purposes of identifying and responding to the risk of serious bodily harm or death in domestic violence cases. Based on the risk identification, ICAT engages in a collaborative approach in order to provide enhanced risk management and supports to victims and proactive interventions to perpetrators (see Appendix 2, Local Protocol for Reviewing Highest Risk Domestic Violence Cases).

This Protocol also provides a framework for day-to-day ICAT operational procedures over and above information sharing.

## 8 | Definition of Terms

### 8.1 Domestic violence

For the purpose of this Protocol, *domestic violence* is defined as physical or sexual assault, or the threat of physical or sexual assault, against a person with whom there is or has been an intimate relationship, including both heterosexual and same-sex relationships. Domestic violence also includes other behaviour, such as stalking, threatening, mischief, neglect, deprivation, kidnapping, mental or emotional abuse or threats and violence towards children, extended family, loved ones, pets and property where the act was done to cause fear, trauma, suffering or loss to the intimate partner even if they were not the direct victim.

The term domestic violence encompasses common law and dating relationships and was chosen for its gender neutrality. However, it must be acknowledged that the vast majority of victims of violence within relationships are women (Brennan, 2011). Domestic violence can affect intimate relationships throughout the life spectrum of those involved, from teens to older adults.

## 8.2 Highest risk

Consistent with the BC Violence Against Women in Relationships (VAWIR) 2010 Policy, this Manual uses the term “highest risk” to refer to domestic violence cases when there is concern for serious bodily harm or death.

The designation of highest risk is based on a continuum of risk identification factors listed in the BC Summary of Domestic Violence Risk Factors Form (see Appendix 9, BC Summary of Domestic Violence Risk Factors). It is the role of ICATs to make the determination of risk level. The use of the term “highest risk” is not intended to deter service providers from referring cases that might not meet the criterion for highest level of risk. Neither should the term be seen to minimize the seriousness of domestic violence that is not designated highest risk.

## 8.3 Risk assessment

In general, the terms risk assessment, threat assessment, danger assessment, and lethality assessment are used interchangeably.<sup>5</sup> These assessments focus on the perpetrator, their relationship with the victim, criminal history, police contact, mental health and victim vulnerabilities. This formal assessment is done by police or community corrections using a structured approach, often utilizing a formal risk assessment tool.

## 8.4 Risk management

Risk management is the process of managing the risks that are identified in a risk assessment. Risk management generally includes victim and perpetrator factors, as well as community vulnerability factors that may affect the safety of victims, their children or others, including the perpetrator.

## 8.5 Victim safety planning

Victim safety planning (“victim safety plans”) should not be confused with the risk management planning of the ICAT process. A victim safety plan can empower the victim to take steps to keep herself, her children and her dependents safer (see Appendix 16 Victim’s Personalized Safety Plan Template). Victim safety planning refers to a process of identifying a victim’s risk factors and putting together strategies, tools and resources to increase the victim’s safety. The victim safety plan is not generated by ICAT. The victim safety plan may not always be shared with ICAT members but is kept by the victim and possibly her victim services or anti-violence worker.

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<sup>5</sup>“The terms ‘risk assessment,’ ‘lethality assessment,’ ‘danger assessment,’ and ‘threat assessment’ are generally used interchangeably in the literature. Risk assessment is normally done by police or Community Corrections. Safety assessment and planning is part of the role of victim support workers. There is clearly overlap between these forms of risk management. A coordinated approach and information sharing among all responders is therefore required.” (Critical Components Project Team, 2008)

## 9 | “Life Trumps Privacy”:<sup>6</sup> Sharing Information at the ICAT Table

This section outlines the various laws that govern ICAT agencies’ ability to disclose personal information. Subject to certain limited exceptions, the victim will be asked to consent to have their personal information disclosed and to consent to the ICAT process of reviewing the case and determining if it is highest risk. The consent form template can be found at Appendix 5.

### 9.1 Overview of privacy and information sharing

Federal and provincial laws allow for the collection, use and disclosure of personal information by a variety of public entities and private organizations. The collection of personal information must be for a reasonable and authorized purpose and the personal information must be relevant to that purpose. Subject to certain limited exceptions,<sup>7</sup> personal information regarding a victim, alleged perpetrator, or involved family members must not be used or disclosed for purposes other than those identified upon collection unless the person consents to the new use or the disclosure is authorized by law. The federal *Privacy Act* and the provincial *Freedom of Information and Protection of Privacy Act (FIPPA)* also permit disclosure of the information for a purpose consistent with the original purpose of collection.

For the purpose of this Protocol, the collection, use and disclosure of personal information are considered necessary to protect individuals, their children and others who have been identified or assessed as highest risk by the ICAT. In some cases, the sharing of personal information at the ICAT meetings may be for a purpose other than the original purpose explained to the victim by the ICAT member agency upon initial collection and prior to the ICAT process. If this is the case, federal and provincial legislation allow for this personal information to be disclosed to, collected, and used by the ICAT to reduce the risk of harm.

Commentary regarding privacy legislation has stated that the threat to life trumps privacy. While privacy laws limit situations in which someone’s personal information can be disclosed, they also allow personal information to be disclosed in the public interest (*Privacy Act*), or where compelling circumstances exist that affect anyone’s health or safety (*FIPPA & Personal Information Protection Act*). *FIPPA* also specifically permits the release of personal information for the purpose of reducing the risk of domestic violence if domestic violence is reasonably likely to occur. *FIPPA* also **requires** public disclosure of information about a risk of significant harm to the health or safety of the public or a group of people.

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<sup>6</sup> Office of the Information and Privacy Commissioner for BC & Information and Privacy Commissioner of Ontario (2008, p. 1)

<sup>7</sup> Please refer to item 9.4 of this manual below for details regarding specific exceptions allowing disclosure.



## 9.2 Privacy laws that come into play for ICATs

Each ICAT member or referring agency that holds the individual's personal information should determine if they are governed by federal or provincial privacy legislation. Once that is determined, the following provisions provide guidance. These provisions allow for information sharing with and without consent.<sup>8</sup> Each ICAT member is responsible for ensuring that information sharing meets the requirements of the privacy laws governing their workplace and profession. For more information on applicable privacy laws see CCWS Backgrounder: Critical Privacy Provisions which Impact Information Sharing in Woman Abuse Cases (2013a).

Applicable laws include the following:

- Federal *Privacy Act* (for federal government entities such as RCMP and Federal Parole)
- BC *Freedom of Information and Protection of Privacy Act (FIPPA)* (for public bodies such as Municipal Police, Community Corrections, Health Authorities, provincial ministries, public education bodies, local governments and contracted service providers performing services for a public body)
- BC *Personal Information Protection Act (PIPA)* (for not-for-profit organizations such as Community-Based Victim Service programs, other anti-violence programs such as Stopping the Violence Counselling and Outreach programs, Transition Houses, and Children Who Witness Abuse programs,<sup>9</sup> and organizations such as unincorporated associations, trade unions, and charities)
- BC *Child, Family and Community Service Act (CFCSA)*. This Act includes the legal requirement for anyone who has concerns about a child's safety and wellbeing to promptly report their concerns to a child welfare protection worker (see section 9.10 of this Manual for further information on the reporting requirement related to children). In addition, the *CFCSA* outlines privacy provisions under which the Ministry of Children and Family Development may share information with or without consent.

## 9.3 Consent requirements from the parties the information is about

Under existing privacy laws, if personal information is collected for an authorized purpose by government, a public body or a private organization, and they want to use or disclose this information for another purpose, they would generally need to get consent from the person who provided the information. If possible and if it is safe to do so, every effort should be made to obtain written or verbal consent from the victim before disclosing personal information to the ICAT members and engaging in the ICAT process of reviewing risk and making risk management plans with those subject to this Protocol.

<sup>8</sup>Note: Some entities and their contractors may have different applicable laws. See: [www.oipc.bc.ca](http://www.oipc.bc.ca) and [www.priv.gc.ca/index\\_e.asp](http://www.priv.gc.ca/index_e.asp)

<sup>9</sup> Whether or not a community-based program is covered by *FIPPA* or *PIPA* depends upon the wording of the contract the program has with the funding ministry. If the contract wording suggests that program records are under the agency's or program's custody or control, then *PIPA* rules apply. For more information on factors affecting who has custody or control see: Ruebsaat (2006)

Although obtaining consent from the individual is the best practice, it may not be possible in all cases and federal and provincial laws do allow for the disclosure of personal information without consent in certain circumstances as discussed below. Most of these circumstances allow for information sharing in order to reduce the risk of harm.

#### **9.4 Legal authority for ICAT members or referring agencies to share information with the ICAT**

This will depend upon which type of agency you work for or represent.

##### **9.4(a) If you are part of a federal agency such as RCMP or Federal Parole**

If the ICAT is in need of personal information from such a federal agency and the individual has provided **consent** to the ICAT member agency or the referring agency that holds that information, the federal *Privacy Act* authorizes disclosure to the ICAT.

If **no consent** is given,<sup>10</sup> the *Privacy Act* still allows personal information to be disclosed without consent in certain situations including, but not limited to, the following:

- 1.** For the purpose for which the personal information was obtained or compiled or for a use consistent with that purpose. **Section 8(2)(a)**
- 2.** Under an agreement or arrangement between the Government of Canada or an institution thereof and the government of a province... or any institution of such government, for the purpose of administering or enforcing any law or carrying out a lawful investigation. Section 8(2)(f) works in conjunction with the 1983 Canada-British Columbia Agreement on Disclosure of Personal Information. **Section 8(2)(f)**
- 3.** Where in the opinion of the head of the institution, the public interest in disclosure clearly outweighs any invasion of privacy that would result from disclosure or disclosure would clearly benefit the individual to whom the information relates. **Section 8(2)(m)(i) and (ii)**<sup>11</sup>

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<sup>10</sup> For information on procedural safeguards where consent is not given see also section 9.6 of this Manual.

<sup>11</sup> Section 8(5) of the *Privacy Act* requires that if personal information is disclosed under section 8(2)(m), the head of the government institution must notify the federal Privacy Commissioner prior to any disclosure where reasonably practicable or in any other case forthwith on the disclosure. In urgent cases where this subsection is being used, the federal institution can release the information and notify the federal Privacy Commissioner as soon as possible after the release.

### **9.4(b) If you are part of a provincial public body such as Municipal Police, Community Corrections or Mental Health<sup>12</sup>**

If the ICAT is in need of personal information held by provincial public bodies and the individual **has given consent**, **FIPPA at section 33.1(1)(b)** authorizes disclosure inside or outside Canada.

If the ICAT is in need of personal information held by provincial public bodies and the individual **has not given consent**, **FIPPA at section 33.1** authorizes disclosure:<sup>13</sup>

1. If the head of the public body determines that compelling circumstances exist that affect anyone's health or safety, and notice of disclosure is mailed to the last known address of the individual the information is about, unless the head of the public body considers that giving this notice could harm someone's health or safety. **Section 33.1(1)(m)(i) and (ii)**. Compelling circumstances exist where there is a necessity to act to avert imminent danger to someone's health or safety or to protect someone's health or safety.
2. For the purpose of reducing the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur.<sup>14</sup> **Section 33.1(1)(m.1)**
3. For the purpose for which the personal information was obtained or for a use consistent with that purpose. **Section 33.2(a)**
4. To an officer or employee of a public body or to a minister if the information is necessary for the performance of their duties. **Section 33.2(c)**
5. To an officer or employee of a public body or agency ... if the information is necessary for the delivery of a common integrated program or activity. **Section 33.2(d)**
6. To a public body or a law enforcement agency in Canada to assist in an investigation with a view towards a law enforcement proceeding or from which a law enforcement proceeding is likely to result. **Section 33.2(i)**

Provincial public bodies who are ICAT members should also be aware that *FIPPA* requires public disclosure of information about a risk of significant harm to the health or safety of the public or a group of people. This provision applies whether or not consent to disclosure is given. **Section 25**

<sup>12</sup> A Privacy Impact Assessment (PIA) for ICAT was completed and approved by the Vancouver Coastal Health Legal Services and Privacy Office (E-mail: [privacy@vch.ca](mailto:privacy@vch.ca) Tel: (604) 875-5568 Fax: (604) 875-5374). Please contact your local Health Authority's Health Information, Privacy and Security Operations Committee lead for more information.

<sup>13</sup> Assuming that all disclosures for ICAT purposes occur inside Canada, *FIPPA* authorizes disclosure in the circumstances listed.

<sup>14</sup> This provision also applies to MCFD/DAA pursuant to *CFCSA* s. 74(2)(e)(iv).

### 9.4(c) If you are part of a non-profit organization

If the ICAT is in need of personal information held by community-based organizations and the individual has given **consent**, *PIPA*<sup>15</sup> sections 7 and 8 authorize disclosure.

If the ICAT is in need of personal information held by these organizations and the individual has **not given consent**, *PIPA* authorizes disclosure in the following circumstances:

1. The disclosure is in the interests of the individual and consent cannot be obtained in a timely way. **Section 18(1)(a)**
2. The disclosure with consent would compromise an investigation or proceeding and disclosure is reasonable. **Section 18(1)(c)**
3. The disclosure is to a public body or law enforcement agency in Canada to assist in an investigation or in the making of a decision to undertake an investigation. **Section 18(1)(j)**
4. There are reasonable grounds to believe that compelling circumstances exist that affect the health or safety of any individual and notice is sent to the last known address of the individual to whom the personal information relates. **Section 18(1)(k)**

Also, *PIPA* allows an organization to disclose personal information to another organization **without consent** if the individual consented to the original collection and the personal information is disclosed to the other organization solely for the purposes for which the information was originally collected; and to assist the other organization to carry out work on behalf of the first organization. **Section 18(2)**

### 9.4(d) If you are a child protection social worker

The *CFCSA* is the legislation that applies to the social workers in the Ministry of Children and Family Development (MCFD) and Delegated Aboriginal Agencies (DAAs) who provide child protection services.

Obtaining information **without consent**: Under section 96 of the *CFCSA*, the director has the right to any information held by a public body in order to ensure the safety and well-being of a child.

Disclosing information **without consent**: Under section 79(a) and (a.1) of the Act, the director may, without consent, disclose any information if the disclosure is necessary to ensure the safety or wellbeing of a child or the safety of a person other than a child. This section overrides privacy provisions in *FIPPA*.

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<sup>15</sup> In light of the Supreme Court of Canada ruling related to union picketing activity: *Alberta (Information and Privacy Commissioner) v. United Food and Commercial Workers, Local 401*, 2013 S.C.C. 62, BC's *PIPA* is currently under legislative review and certain amendments are pending.

In addition to this and specific to domestic violence situations that reasonably might occur, section 74(2)(e)(iv) of the *CFCSA* provides that s. 33.1(1)(m.1) of *FIPPA* also applies to the director with the result that they may disclose personal information "...for the purpose of reducing risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur."

Sections 74 to 79 of the *CFCSA* apply despite *FIPPA*.

## **9.5 The scope of information that may be shared with the ICAT**

Information relevant to the health or safety concern in question may be shared. There are specific risk indicators for domestic violence and information related to these indicators may be shared at the ICAT table.

## **9.6 Additional procedural safeguards to help protect privacy where information is disclosed without consent<sup>16</sup>**

In terms of personal information about the victim, every effort should be made by the ICAT member agency or the referring agency to obtain the victim's written consent before disclosing such information to the ICAT. In certain situations however, it may not be possible or even safe to make contact with the victim. When making difficult decisions about whether to disclose personal information without consent, the paramount principle guiding this decision is that the preservation of life trumps privacy.

Where an ICAT member agency or referring agency decides to disclose personal information without consent that decision should:

- Be reached on a case-by-case basis
- Be based on a necessity to disclose
- Ensure that only proportionate and relevant information is disclosed in light of the level of risk of harm to a named individual or a known household in each case
- Be properly documented at the time a disclosure is made, identifying why the disclosures are being made (i.e. what risk is believed to exist), what information and to whom it will be disclosed and what restrictions on use of the disclosed information will be placed on its recipients.

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<sup>16</sup> See: Community Coordination for Women's Safety, (2012) for more information.

Additional safeguards:

- Whenever possible and safe, notify the victim if the information is about them
- Give consideration as to whether notice of disclosure must be provided to others in addition to the victim and to whom, and
- Consider the risk and benefits of sharing information without consent.

It is also important to determine who within the agency holding the personal information is authorized to decide about release of that information to the ICAT.

### **9.7 Sharing personal information without breaching ethical standards**

Most professional ethics codes provide that privilege or confidentiality does not extend to situations involving imminent danger.

### **9.8 ICATs' authority to collect personal information**

Personal information shared between ICAT members during a case review is considered to be collection from a third party or indirect collection under the applicable privacy laws. Each ICAT member must determine that they have the authority to collect such personal information from other agencies at the ICAT table during a case review pursuant to the privacy legislation that applies to their agency.

#### **9.8(a) If the ICAT member is collecting information under the federal *Privacy Act***

Where federal agency members of the ICAT are collecting personal information from another agency at the ICAT table **with consent**, the authority to collect this information indirectly is found where the individual the information is about authorizes this collection or where personal information may be disclosed under section 8(2).<sup>17</sup> **Section 5(1)**

Where federal agency members of the ICAT are collecting personal information from another agency at the ICAT table **without consent**, the authority to collect this information indirectly is found as an exception to the collection of personal information directly from the individual to whom it relates if doing so would defeat the purpose or prejudices the use for which the information is collected. **Section 5(3)(b)**

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<sup>17</sup> Section 8(2) permits disclosure by a federal public body for a number of circumstances including the following: for a consistent purpose s. 8(2)(a); in accordance with an Act of Parliament s. 8(2)(b); under an agreement between the government of Canada and the government of a province s. 8(2)(f); and in the public interest s. 8(2)(m)

### **9.8(b) If the ICAT member is collecting information under the Freedom of Information and Protection of Privacy Act**

Provincial public body members of the ICAT who are subject to *FIPPA* have the authority to collect personal information indirectly or without consent from another agency at the ICAT table under the following circumstances:

1. If the information is collected for the purposes of law enforcement. **Section 27(1)(c)(iv)**
2. If the information is collected for the purpose of reducing the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur. **Section 27(1)(c)(v)**
3. If the information may be disclosed to the public body under sections 33 to 36. **Section 27(1)(b)**

### **9.8(c) If the ICAT member is collecting information under the Personal Information Protection Act**

Under *PIPA*, an organization may collect personal information only for reasonable purposes and only collect information that fulfills the purposes disclosed and permitted by *PIPA*. Generally, organizations need consent to collect information and must notify the individual of the purposes for collection.

In limited and specific circumstances, organizations may collect personal information without consent or from a source other than the individual when:

1. The collection is in the interests of the individual and consent cannot be obtained in a timely way. **Section 12 (1)(a)**
2. The collection with consent would compromise the availability or accuracy of information and the collection is for an investigation or proceeding. **Section 12 (1)(c)**
3. The information was disclosed to the organization under *PIPA* Sections 18 through 22.<sup>18</sup>

<sup>18</sup> Section 18 - consent not required; Section 19 - for employment purposes; Section 20 - facilitating sale of business and assets; Section 21 - Research and statistical purposes; Section 22 - archival and historical purposes

## **9.9 Managing personal information once it is provided to the ICAT**

All information and documentation provided to, collected by, delivered to or compiled by or on behalf of the members to this Protocol in the performance of their duties and responsibilities shall be dealt with subject to and in accordance with federal and provincial statutes. This includes verbal disclosures made at the ICAT table based on member agencies' records.

Subject to constitutional and legislative obligations to disclose where these obligations exist, information shared according to this Protocol is kept confidential and used only to protect individuals, their children and others who have been identified or assessed at highest risk by the ICAT and to provide a coordinated and effective justice system and child welfare response to highest risk domestic violence cases. Such information is not to be used by ICAT members for purposes unrelated to the protection of those at risk. This is sometimes referred to as a secondary purpose.

## **9.10 The CFCSA requirement to report in situations where a child is in need of protection**

Under section 14 of the *CFCSA*, anyone who has a reason to believe that a child (any person under 19) needs protection under section 13 must promptly report the matter to a director or person designated by a director. Section 13 of the *CFCSA* sets out the circumstances in which a report to MCFD/DAA is required. For further details refer to section 13 of the *Act* and *The B.C. Handbook for Action on Childhood Abuse and Neglect for Service Providers, 2017*.

## **9.11 Where there are immediate safety risks**

An ICAT does not respond to emergency situations. When a referral is made, police and child welfare will respond to emergencies and take action under their usual mandate.

## **9.12 If the case is assessed “not highest risk”**

If a case is assessed “not highest risk” information sharing for the purposes of the ICAT response ends. Information sharing may continue between service providers with the consent of the victim and/or under applicable legislative authority; but unless there is an escalation in risk, there is no ongoing sharing of information at ICAT. The referring party and other team members connected to the case monitor the case for changes in risk factors that may result in ICAT reassessing the case.



### 9.13 Other laws that may apply

The main pieces of legislation governing information sharing between the parties of the ICAT protocol are discussed above, however, other specific laws may also be relevant such as: the *Criminal Code*; the *Gunshot and Stab Wound Disclosure Act*, the *Police Act*; the *Access to Information Act*, *Correction Act*, *Corrections and Conditional Release Act*, the *Victims of Crime Act*; the *Canadian Victims Bill of Rights*, the *Family Law Act*, *Public Health Act*, the *Health Act*, *Ministry of Health Act*, *Hospital Insurance Act*, the *Coroners Act* and regarding the disclosure of youth records, the *Youth Criminal Justice Act*.

### 9.14 ICAT records

Records of the ICAT meetings and the risk assessment process will be maintained and the process for that maintenance is discussed in the following ICAT procedures section.

## 10 | Procedures for Day-to-Day Operations of the ICAT

This section outlines detailed procedures for the ongoing operations of the ICAT (see Appendix 7, ICAT Process Flow Chart).

### 10.1 Signing on, amending and terminating the local protocol

The term of any local ICAT protocol commences when participants have agreed to the terms. Every effort should be made to have the protocol signed by all participants.

The local protocol and forms may be amended by mutual written agreement of the ICAT members.

The local protocol template (see Appendix 2, Local Protocol for Reviewing Highest Risk Domestic Violence Cases) suggests that any of the ICAT members representing agencies, public bodies or organizations that are parties to the local protocol may terminate participation in the protocol by providing 30 days written notice to the other ICAT members of their agency's intention to terminate its involvement with the ICAT.

## 10.2 ICAT members

Depending on the community, a minimum core membership of an ICAT should include:

- Police
- Probation (known in BC as Community Corrections)
- Victim services (community and/or police-based)
- Child welfare agency.

If core agencies are unavailable locally, or unable to be present at a meeting, participation via teleconference or other real-time platforms is acceptable.

The VAWIR policy (Government of British Columbia, 2010) and its Protocol for Highest Risk Cases, are supportive of including other relevant service providers in ICATs. In the purpose section, the VAWIR policy notes the following:

*Developing and maintaining positive working relationships among service providers in the justice, child welfare, health, housing and social services sectors is key to ensuring that victims of domestic violence are well supported. This may include partnering with local service providers on innovative approaches to co-ordination through developing projects or processes that are supported by protocols or memorandums of understanding. (p. 2)*

In addition, the Protocol for Highest Risk Cases directly "...acknowledges the importance of responders working collaboratively with allied service providers to ensure a comprehensive response..." and suggests that "...referrals to and collaboration with these services are key to ensuring that victims of domestic violence are effectively supported in a co-ordinated fashion." (p. 59)

Where available, standing members of the ICAT may also include representatives from:

- Transition House Programs (including Safe Homes and/or Second Stage Housing)
- Settlement Programs
- Stopping the Violence Counselling and/or Outreach Programs
- Parole
- Mental Health
- Children Who Witness Abuse Programs
- Substance misuse programs
- BC Forensic Psychiatric Services
- Income Assistance (MSDSI)
- Schools
- Indigenous community and organization representatives
- Employee Assistance Programs
- Hospitals, clinics or physicians' offices
- Local Department of National Defence base staff.

There should be sufficient representation from the community to achieve a balance with system-based organizations, and to accomplish the ICAT goals identified in the Protocol. Consideration needs to be given to make sure at least one service provider can provide support to and monitoring of the perpetrator. If ICAT members have a personal relationship, or have more than one role in the community, thought must be given as to how this may affect decision-making at the ICAT table. Once the core membership is established, other service providers may be invited to share information regarding individual cases.

### **10.3 Roles and responsibilities of ICAT participants**

ICAT participants include co-chairs (one of whom may be the coordinator), standing members, their alternates and other service providers who are invited on a case-by-case basis.

All those attending ICAT are responsible for participating in the risk review process, sharing relevant information and for participating in risk management planning. Following through by recording and sharing risk-related information, according to policy of the ICAT member's agency, is critical.

#### **10.3(a) ICAT co-chairs**

The ICAT designates two co-chairs from the membership. One co-chair must be a police officer and the other co-chair should be from a community-based or anti-violence agency. The anti-violence or community member who serves as a co-chair may also be the ICAT coordinator. The duties of the co-chairs include:

- Chairing ICAT meetings
- Orienting the new ICAT members
- Addressing the removal or resignation of any ICAT members
- Recruiting new ICAT members
- Acting as the point of contact for referrals, public comments and requests for information.

#### **10.3(b) ICAT coordinators**

To ensure consistency with the intent of the *Referral Policy for Victims of Power-Based Crimes* (Government of British Columbia, 2007) the ICAT coordinator should be associated with a community-based victim service program that is a standing member of the ICAT. However, the coordinator may also be associated with an STV Counselling Program, transition house, police-based victim services or other agency that is a standing member of the ICAT. The following are duties of the coordinator, but may be assigned to other ICAT members where appropriate and agreed to:

- Sending notices of ICAT meetings
- Maintaining ICAT membership lists
- Preparing minutes of ICAT meetings (see Appendix 12, ICAT Meeting and Case Review Minutes).
- Circulating meeting minutes to the ICAT members
- Receiving and circulating case-relevant critical updates between ICAT meetings
- Forwarding notes and records to the ICAT police member for storage
- Preparing the Risk Review Report (see Appendix 10, Sample Risk Review Report) and forwarding it to the ICAT police member to finalize and send to Crown Counsel if the police are going to be submitting a Report to Crown Counsel (RCC), or have already submitted an RCC, in regards to the ICAT case
- Tracking cases and making team members aware of upcoming critical dates or events where risk may increase (i.e. court proceedings)
- Scheduling an annual team meeting to discuss ICAT process, team training needs and areas for improvement.

**10.3(c) Other standing members and alternate members**

Standing members that do not perform either of the above roles have the following responsibilities:

- Bring relevant information, pertaining to risk, to the ICAT meeting
- Document action items from the risk review and risk management plan for which they, or their agency, will be primarily responsible
- Communicate pertinent information back to their agency according to the agency’s operational policies
- Complete action items and report back to the ICAT team on the status of action and changes to risk including upcoming critical dates.

**10.3(d) Assuring confidentiality**

Affirmations of Confidentiality (see Appendix 8, Affirmation of Confidentiality Template) must be signed by ICAT members, alternates and all individuals who participate or are present at an ICAT meeting.

Information shared should be limited to what is relevant to the risk posed to the victim, the community and the perpetrator. ICAT members must be conscious of the impact that unnecessary sharing of graphic or detailed information from crime scenes or statements has on their team and themselves.

Discussions regarding ICAT highest risk cases should occur only during ICAT meetings. Critical updates must be shared with the ICAT police member and the ICAT co-chair outside of the meetings to ensure that appropriate and timely responses are made to any changes to risk level. This should also be explained to the victim when consent is sought for the ICAT process.

Case-related electronic communication must be password-protected and must not contain client-identifying information in the body of an email. Case numbers should be used when referencing cases to better protect client and risk management plan information. The ICAT Master List contains the list of all ICAT cases by case number (see Appendix 6, ICAT Master List Template).

Information learned at an ICAT meeting must not be used by ICAT members for a secondary purpose at their agency or workplace. Except for meeting agency commitments to risk management plans, or ensuring relevant alerts are in place, the content of an ICAT meeting cannot be discussed with coworkers.

### **10.3(e) Evaluating ICAT membership**

ICAT membership should be reviewed annually by the ICAT co-chairs to ensure that membership includes an appropriate cross-section of agencies. An evaluation process should be established to determine whether membership meets the needs and expectations of the ICAT member and their agency.

Removal of an ICAT member or alternate is the responsibility of the ICAT co-chairs in consultation with the entire ICAT. Grounds for removal would include, but not be limited to, an inability to support and facilitate a collaborative community response to highest risk cases, a breach of confidential information, and/or a conflict of interest.

When an ICAT member resigns, the ICAT co-chairs should conduct an exit interview with the member as part of the ICAT's ongoing evaluation process and should ask the member to identify if they have any recommendations or feedback for the ICAT to consider.

## **11 | Managing ICAT Records**

The ICAT police member takes the lead role in maintaining ICAT records and communicating ICAT conclusions to Crown Counsel, probation and other criminal justice personnel as necessary. This role for law enforcement is consistent with information sharing provisions in both provincial and federal legislation.

### 11.1 Record keeping

ICAT files should be referenced by year and case number, starting with the first new case of a calendar year. The files should contain the police file number and ICAT file number.

The case review notes should include the ICAT file number and names of the victim(s) and perpetrator. The notes for each case review should be recorded on a separate sheet and should be separated from any general business notes such as minutes that are taken (see Appendices 10 and 11, Sample Risk Review Report and Sample Risk Management Plan).

ICAT notes taken by the coordinator should be recorded and stored on separate sheets for each case reviewed or updated (see Appendix 13, Sample ICAT Case Update). The only document that individual ICAT members retain should be the ICAT Master List and personal notes related to their agency's obligation to the risk management plans and next steps.

All files, documents and notes (originals and copies) related to each ICAT case review should be kept in a locked file cabinet in the ICAT police member's office. The ICAT files, including consent documents and risk management plans, are kept separately from the investigative file related to that case. ICAT records are separate and distinct from files owned and held by ICAT member agencies.

### 11.2 Documentation

The ICAT note-taker, usually the coordinator, fully records information relevant to risk. These notes are used to prepare the Risk Review Report that will go to Crown Counsel if there is a related or planned RCC.

The note-taker fully records the Risk Management Plan including what agency is responsible for follow-up and other action items. Bring forward dates are noted and tracked by the Coordinator.

Other members record, for their own agency, action items on the Risk Management Plan that they will be primarily responsible for. It is recommended that all agencies have a procedure for documentation of ICAT materials.

Note: child protection workers must document risk and safety information in order to adhere to their duties under the *CFCSA*. The Ministry of Children and Family Development has created guidelines for child protection workers attending ICAT to outline what should be documented at the meeting and on their internal database system.

If a file is Not Highest Risk the same documentation procedures apply and notes should include why the case was determined Not Highest Risk.

When closing a file, a brief summary of reasons for closure should be documented on a case closure form (see Appendix 14, Sample ICAT Case Closure Notes) and in the appropriate column on the ICAT Master List (see Appendix 6, ICAT Master List Template). Closed ICAT files should be maintained by the ICAT police member's agency.

### **11.3 File retention and storage**

Closed ICAT files should be retained on the police operation/investigation file as per the retention timelines in that police jurisdiction. Notes on other agencies' files should be kept as per that agency's own operational policies for records management.

To assist in ensuring that appropriate precautions are taken by police agencies before releasing information in closed ICAT files, these ICAT files should be sealed in an envelope labelled '*Interagency Case Assessment Team (ICAT) file - not for disclosure*' and placed on the operations/investigation file. Note the non-disclosable ICAT package exists on the police file as per the policies and protocols of that police jurisdiction.

When an ICAT file is requested, the police agency representative should consult with a supervisor and/or freedom of information expert before releasing any information from the ICAT file. All efforts should be made not to release risk management plans and/or victim safety plans. Should the ICAT file have to be released, the file should be vetted accordingly for victim risk management information.

See Section 20.2 for information regarding the disclosure of ICAT records in the course of a criminal prosecution.

## **12 | Seeking Consent and Managing the Referral**

### **12.1 Seeking the victim's consent to disclose their personal information and to have the case reviewed by ICAT**

It is important that the victim be informed about the ICAT and that the victim consents to having their personal information released to the ICAT team and to the ICAT process, namely, to having the ICAT members review the case and determine whether it is highest risk. The ICAT Process Flowchart in Appendix 7 can be used to provide the victim with an overview of what will happen. The consent form template is found at Appendix 5.

The ICAT member, or person seeking consent from the victim, should ensure that the victim has read or been read and understands the consent document included in Appendix 5. The form articulates the ICAT process and explains the applicable privacy principles with respect to the release of their personal information. Information provided to the victim at this stage should include that they can revoke consent, but that the ICAT may need to proceed despite this because of compelling safety concerns. Every effort should be made to ensure that the victim has support from a victim service provider or support worker, and that the provider informs the victim of the steps being taken to ensure their safety and of the ICAT's decisions and actions, including the point of file closure.

The ICAT process, including the role of the agencies that sit at the table, must be thoroughly explained, along with possible impacts, such as police and child welfare exercising their mandate to investigate safety concerns. Explain that information from ICAT about the perpetrator or others will not be shared with the victim.

## **12.2 When a victim does not consent**

If a victim declines consent to the ICAT, it is important to be respectful of the fact that the victim is likely declining because they believe they can manage the risk, or that consenting will cause the victim or their family greater risk or is due to other complicating factors. If the victim ultimately declines consent or participation, explain the reason that ICAT must proceed. Address any immediate safety concerns the victim has, offer services, and ensure she understands that no interventions, support or services will be withdrawn based on her not consenting.

It should be explained that if the victim chooses not to consent, an ICAT review and steps to enhance safety may likely be taken by the ICAT if there are compelling safety concerns. Offer to keep the victim informed and remind her that police and child welfare may be required to proceed with an investigation regardless of the victim's non-consent.

If the victim does not consent to ICAT, the victim should be supported in the development of an enhanced safety plan and referred to relevant services.

## **12.3 Consent of perpetrator**

Consent of the perpetrator is generally not required due to existing provisions within privacy legislation that allow for the sharing of personal information without consent (see section 9 Sharing Information at the ICAT table for more information). However risk management should be discussed at the ICAT table as the perpetrator will likely become aware of the ICAT process.

The perpetrator can be advised that ICAT is a standard practice when there are significant concerns about the safety and wellbeing of all individuals and that victim consent is not required for an ICAT process to be initiated.



# 13 | Process for Referral to the ICAT

## 13.1 The referring agency or individual

The ICAT receives referrals of cases believed to be highest risk from ICAT members and from agencies and individuals providing services in the community. Agencies that are not sure if a case fits the criteria for highest risk are encouraged to err on the side of caution by making a referral in order to ensure safety for a victim, their family and the community.

All referrals should be made using the ICAT Case Referral Form (see Appendix 4, Initial Referral Form) within 24 hours of being identified as possible highest risk. An ICAT member may assist the referring party with filling out the referral form. There may also be a 911 response if a victim is in immediate danger. The information submitted in a referral will include the victim(s) and alleged perpetrator(s) information, relevant risk factors and other pertinent details necessary to assess and manage risk.

The ICAT Case Referral Form is faxed or emailed as a password-protected (where possible) document to the ICAT police member or designate. The person making the referral must call the police to ensure it is received. If the ICAT police member is unavailable, confirm receipt with the Watch Commander.

## 13.2 Police receipt of referral

Upon receipt of the ICAT referral, the ICAT police member completes a police history check of the perpetrator (CPIC, PIRS, PRIME). The police agency informs the ICAT coordinator/co-chair by text, email or phone that there is an ICAT referral for the next meeting or for an emergency meeting if warranted. If the victim has not completed a consent form at the time of the initial referral, consent will be sought at this point by the referring person or by a victim services ICAT member.

## 13.3 Coordinator referral process

The ICAT coordinator/co-chair securely (password-protected, in attachment) distributes the names and birthdates of the victim, perpetrator, children and any other person at risk. The secure email will suggest a date, time and place for the meeting. Anyone having a conflict of interest with the case, for example someone who has a personal or family connection with the victim or perpetrator, is asked at this time to abstain from further ICAT involvement on this case and to send their agency's alternate.

A meeting of the ICAT should be scheduled as soon as possible in response to a referral. It can be held on an emergency basis or added to the agenda at the next regularly scheduled ICAT meeting. While the ICAT meeting is pending, ICAT members will follow their professional mandates regarding the case, such as a 911 or child welfare response.

# 14 | Managing the Meeting Process

## 14.1 Arranging meetings

The meeting will usually take place at the office of an ICAT member. If no member meeting rooms are available, the meeting may be held in a location that offers privacy, security and anonymity. To avoid confusion, consistency of meeting locations is helpful.

## 14.2 Before a meeting takes place

The ICAT police member should notify Crown Counsel of the upcoming ICAT meeting, if they are intending to submit a Report to Crown Counsel (RCC) or have already submitted an RCC in regards to the ICAT case.

After receiving the new ICAT referral information, all ICAT members will search their agency for records related to the victim, children, perpetrator and other associated third parties and bring relevant files, reports or notes to the ICAT meeting.

If non-ICAT agencies or individuals are involved with the parties in the new referral, they should be invited to the ICAT meeting by a co-chair or delegate. Before the meeting, an ICAT co-chair should review the ICAT process, including expectations and limitations of participating in an ICAT meeting with the non-ICAT member (see Appendix 3, New ICAT Participant Information and Guidelines).

## 14.3 Attendance at an ICAT meeting

In order to share expertise and knowledge of risk identification and management, standing ICAT members or their alternates should attend all case reviews, regardless of their involvement with the victim or perpetrator. Other agencies or individuals may be invited, if it is suspected that the knowledge and information they hold is critical and relevant to the risk identification or management.

All non-ICAT member participants may stay only for the portion of the meeting in which the case they are involved is being discussed. They will not be included in the risk level decision. Prior to the start of the meeting, all new participants must sign an Affirmation of Confidentiality (see Appendix 8, Affirmation of Confidentiality Template) and be advised that third party information cannot be shared with the client.

Neither the victim nor the perpetrator should attend the ICAT case review. However, victims should be informed by victim services or another support person of the progress of the ICAT review and of risk management strategies that are taken on the victim's behalf. Obtaining information from the victim increases the effectiveness of risk management, therefore, close liaison is important to the success of the risk management plan. The victim must be notified when the case is closed.

#### 14.4 Managing the meeting

During an ICAT meeting, new referrals, case updates on existing files and regular ICAT business (see Appendix 12, Sample ICAT Meeting and Case Review Minutes) are discussed. For new case referrals, the person who referred the case to the ICAT should initiate the case presentation process. If the referring person is not available, an alternate from their agency may present the case. Using the BCSDVRF (see Appendix 9, BC Summary of Domestic Violence Risk Factors) as a guide, risk indicators and vulnerabilities are reviewed. After the referring person presents the case and reason for concern, other agencies share structured, relevant information regarding the case and events. The BCSDVRF is an evidence-based risk identification tool, but should not be used as a checklist, but rather as a framework for conversation and sharing information. Professional judgment and knowledge of domestic violence are required of the ICAT members to consider the 19 risk factors in context of the victim vulnerabilities and perpetrator behaviour.

During the meeting, the ICAT coordinator takes notes on the case and relevant risk factors. All other ICAT members take their own notes for their agency's purpose and action items. When the information has been fully shared, the risk level of the case being discussed is determined.

## 15 | Determining and Recording Risk

### 15.1 Determining level of risk

A commitment to consensus when making decisions about highest risk designation is important to the culture of the collaborative partnership of ICAT. However, if arriving at consensus is impossible after multiple deliberate attempts during the meeting, a vote should be taken. If the vote does not resolve the matter, the final decision about risk level will be made by the ICAT police member.

### 15.2 Highest risk

If, after consideration of risk factors, victim vulnerability and perpetrator behaviour, the case is identified as **Highest Risk**, relevant information about the victim, perpetrator and others at risk can be shared to develop a Risk Review Report (see Appendix 10, Sample Risk Review Report) and a risk management plan (see Appendix 11, Sample Risk Management Plan). Simply put, interventions and supports are extended to the victim, perpetrator and others (i.e. extended family, coworkers) to mitigate the risks and vulnerabilities to the victim, perpetrator and community. ICAT should review the case on a regular basis to monitor and track changes in safety and risk status as determined by the ICAT (see Appendix 13, Sample ICAT Case Update).

The Risk Review Report is prepared by the ICAT coordinator, taking care to use objective, fact-based notes free of personal opinions, emotional or inflammatory language, stating the presence or absence of risk factors and victim vulnerabilities. Following the ICAT meeting, and ideally the same day, the Risk Review Report is sent to the ICAT police member.

The Risk Review Report is sent to Crown Counsel by the ICAT police member if the police are going to be submitting an RCC or have already submitted an RCC in regards to the ICAT case.

### **15.3 Not highest risk**

If the case is determined to be **Not Highest Risk**, information sharing for the purposes of ICAT response ends. A risk management plan is created and referrals to support services are made. The ICAT coordinator documents agreed-upon information, summarizing reasons supporting the not highest-risk determination. The information is entered on the ICAT Master List as a closed case. ICAT team members working with the victim and perpetrator and the referring party will watch for escalation or changes in circumstances. If the case is re-referred to the ICAT with new information, the closed case file should be re-reviewed and level of risk should be determined taking into account the new information that has been presented. In the event that the case is then determined to be Highest Risk, the case file should be re-opened.

## **16 | Managing Risk in Highest Risk Cases**

An initial ICAT risk management plan should be created by the ICAT at the end of the first ICAT meeting where a case is reviewed. At this time, liaison persons should be appointed to provide information to and receive information from the victim and perpetrator. The victim's liaison will typically be a community-based victim service worker (where available) or other anti-violence worker<sup>19</sup> and the perpetrator's liaison will typically be police, probation or a mental health worker. However, a victim may request any ICAT member to be their liaison worker.

Attention must be paid to other court processes, such as family court and child protection proceedings that are occurring, and how those may affect risk.

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<sup>19</sup> There is a difference between the Risk Management Plan and the victim's personal detailed safety plan that may have been developed in conjunction with victim services or other community services. While the information provided by the victim increases the effectiveness of risk management, a victim may choose to keep her personal safety plan private.

ICAT Risk Review Reports, Risk Management Plans and ICAT Case Update Notes should not be posted on the Police Records Information Management Environment (PRIME). The ICAT police member at their discretion should add specific risk management information into PRIME that is pertinent to maintain safety in the case for responding officers. The ICAT police member should also flag the matter in CAD and PRIME as a highest risk domestic violence case. The flag should include the ICAT police member's contact information so they can be reached by any responding officer. The ICAT police member should consider all the following hazard flags to assure that the relevant information is available to other law enforcement officers:

- In CAD dispatch, enter a CAD hazard for the relevant addresses
- In CAD, enter caution codes tied to relevant persons
- In PRIME, flag the record as to relevant addresses, persons and vehicles.

The ICAT police member will be assigned the task of monitoring the "hits" on PRIME that are generated as a result of these 'flag records' through PRIME's "v-mail" feature. The ICAT police member's "v-mail" should be monitored frequently, in some cases daily, to ensure recent information is shared in a timely manner. These "hits" will provide current information to the ICAT police member regarding any contact the perpetrator or victim have with police. This information, if relevant, should then be shared with the other ICAT members.

If the ICAT Risk Management Plan and ICAT Case Updates contain information that the ICAT police member determines may be relevant to the existing prosecution of an ICAT case, and that has not otherwise been disclosed, the ICAT police member should provide the relevant information contained in these risk management documents to Crown Counsel.

Personalized victim safety plans (see example in Appendix 16) are not usually shared with ICAT members and will not generally contain information relevant to the prosecution of an ICAT case. In the rare occasion that the ICAT police member comes into possession of a victim safety plan and it contains information that may be relevant to the existing prosecution of an ICAT case that has not already been disclosed, the ICAT police member should provide the relevant information to Crown Counsel. The ICAT police member should contact Crown Counsel to discuss any concerns that they have about the victim's safety potentially being jeopardized if this information is disclosed to the accused.

Open ICAT cases will be reviewed for critical updates and situational changes for the victim or perpetrator at every regular ICAT meeting until the risk is reduced and the case is closed.

## **17** | **Procedure for Closing Files**

Decisions are reached to close files after discussion at the ICAT table. The decision to close a file usually occurs when there has been a significant change in risk status, for example incarceration, relocation or other event that results in increased victim safety. Prolonged lack of risk activity combined with positive safety reports from the victim may also result in case closure. The ICAT coordinator should summarize the reason for case closure in the appropriate column on the ICAT Master List and the file should be stored as outlined in section 11.3 File Retention and Storage.

If at a later date, new information is referred to the ICAT indicating that the closed case is escalating or changing, the closed case file should be brought forward and re-assessed by the ICAT to determine if the case meets the highest risk criteria.

## **18** | **Transfer of ICAT Files to Another Community**

Continuity of service to continually assess risk is important for relevant risk management planning in ICAT cases. It must be recognized that when a victim relocates to another community it may increase their risk of harm.

### **18.1 Transfer to a community with an operational ICAT/HRDV/DVU**

If a victim and/or perpetrator relocate to another community in BC, the ICAT case may be transferred to the ICAT/HRDV/DVU operating in the new community. The ICAT police member, who shares relevant information with the new community's relevant police member, initiates the transfer process. If the ICAT case is being transferred to another police force, the receiving police force confirms receipt of and responsibility for the ICAT case. The receiving unit reviews the case at their earliest opportunity to assess the level of risk and determine next steps, and follows the case until risk reduces.

### **18.2 Transfer to a community without an operational ICAT/HRDV/DVU**

If there is no operational ICAT/HRDV/DVU in the receiving community, then the ICAT police member in the originating community will communicate with the commander of the receiving police agency to determine an appropriate course of action.

For all transfers:

- Efforts should be made by the transferring community to follow up and confirm the ICAT file has been received and reviewed due to the designation of highest risk.
- All agencies involved with the family should connect with their counterpart in the new community to transfer case files as necessary. If there are children involved, the MCFD/DAA child welfare worker will contact the receiving community's MCFD/DAA child welfare worker by phone prior to the child protection file being transferred. Both the MCFD/DAA transferring and receiving offices will refer to the Best Practices as outlined in the MCFD/DAA Case Transfer and Joint Case Management under the *CFCSA* guidelines.
- Document on the original ICAT case file that the file has been transferred: where, when and to whom.
- As a best practice and where possible, re-confirm the victim's consent for disclosing their personal information. If a potential transfer of the case information was not covered at the time initial consent was given by the victim, another consent may be required to disclose information with the other community's ICAT/HRDV/DVU.

## 19 | ICAT's Relationship with Crown Counsel

Crown Counsel performs a unique and independent function within the justice system. The nature of Crown Counsel's relationship with the ICAT must respect the hallmarks of prosecutorial independence, including the need to maintain impartiality in the exercise of discretion in Crown Counsel's core responsibilities as a prosecutor.

Crown Counsel's role in ICATs is governed by the Criminal Justice Branch policy entitled Committee Involvement - COM 2 (British Columbia Ministry of Justice, 2014). Subject to this policy, Crown Counsel's role may include:

- Working with other agencies or community groups on the initial development of the ICAT and providing subject matter expertise.
- Acting as a training or educational resource to the ICAT on the justice system, criminal procedure and the roles and responsibilities of the Branch and Crown Counsel.

Crown Counsel will not participate as a member of the ICAT.

Crown Counsel will only accept disclosure of information relevant to a possible or active prosecution, including ICAT notifications and reports, directly from police or other investigating agency.

## 20 | Legal Requirements to Disclose ICAT Information

If an ICAT member or ICAT participant receives a request under the *Access to Information Act*, the *Privacy Act*, the *Freedom of Information and Protection of Privacy Act*, *Personal Information Protection Act*, or any other court order, summons or subpoena for disclosure of records relating to the ICAT, that person should immediately notify the ICAT co-chairs. The ICAT co-chairs should then consult with the entire ICAT and seek legal advice if necessary. Any release of information must involve consideration of the potential increase in risk of future harm as a result of the release.

It must be noted, however, that if the ICAT becomes aware of facts and circumstances supporting a belief that a child needs protection, this must be reported to MCFD/DAA.

### 20.1 ICATs sharing personal information for court purposes

ICAT information will not be used for family or any other civil court processes or any other proceeding or hearing without a subpoena or court order from the requesting party. This includes all proceedings related to *Family Law Act* protection orders, divorce, custody and support.

As outlined in section 9 Life Trumps Privacy, information sharing provisions contained in federal and provincial laws allow personal information to be shared with the ICAT. However, the ICAT must exercise caution in releasing this shared information further, even for purposes related to legal proceedings. A formal subpoena or court order for these records is the recommended process before any personal information is released.

### 20.2 Disclosure of ICAT records

The various records created by the ICAT or ICAT members, including the ICAT Risk Review Report, may be subject to the Crown's disclosure obligations and/or an application by the accused for disclosure in the course of a criminal prosecution.

Crown Counsel have both a legal obligation and a professional responsibility to disclose to an accused person all information in the possession or control of the Crown that is relevant to a police investigation and prosecution for a specific charge. The Crown may exercise a residual discretion to refuse to disclose information that is privileged or clearly irrelevant, or where disclosure is otherwise governed by law. In every case where Crown Counsel exercises discretion with respect to disclosure, that exercise of discretion is subject to review by the court.<sup>20</sup>

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<sup>20</sup> Crown Counsel's disclosure obligations are discussed in the Criminal Justice Branch's policy entitled Disclosure – DIS 1 (British Columbia Ministry of Justice, 2005)



The police have an ongoing corollary duty to provide the Crown, without prompting, with information relevant to their investigation of the accused and other information that is relevant to the accused's case. When the police ICAT member, or other police member, comes into possession of ICAT records, the police member is responsible for doing an initial assessment to determine the records' relevance and privilege and for providing ICAT records to Crown Counsel that are relevant to the accused's case. ICAT records that the ICAT police member, or other police member, has disclosed to Crown Counsel will be reviewed by Crown Counsel to determine the manner and degree of disclosure that is necessary and appropriate.

Where disclosure is sought by the accused for ICAT records which are in the hands of "third parties" (which could include records in the possession of ICAT members) that may be likely relevant to an issue at trial, the third party in possession of the records will be responsible for making submissions at the disclosure application hearing for the third party's records, including retaining legal counsel to respond to the disclosure application.

Note that deliberate destruction of records, which may be potentially relevant to a criminal investigation and prosecution, can have a significant adverse impact on a prosecution. For example, see the Supreme Court of Canada decision of *R. v. Carosella*, (1997) where a stay of proceedings was entered where a sexual assault crisis centre destroyed notes.

## **21** | **Dealing with Requests for Public Statements**

If an ICAT or an ICAT member or other participant is contacted for a public statement relating to an ICAT case or any other work related to the ICAT, the primary points of contact should be the ICAT co-chairs. The co-chairs should then consult with the ICAT regarding the request. The ICAT should give consideration to the potential impact public statements may have on any pending or potential court proceedings.

Any public statements made on behalf of the ICAT shall be made by the ICAT police member after consultation described above unless otherwise agreed to by the ICAT.

## **22** | **Dispute Resolution**

The procedure for resolving disputes will depend on the nature of the dispute.

### **22.1 Resolving ICAT operational issues and disputes**

Where a dispute arises between ICAT members that is unrelated to the risk review, the matter should be referred to the ICAT co-chairs to undertake efforts to find resolution. Issues may include conduct of team members, confidentiality, competency or conflict of interests that interfere with ICAT operations.

### **22.2 Resolving disputes about the designation of highest risk cases**

The ICAT is urged to strive for consensus regarding risk level designation of ICAT cases. If risk level cannot be agreed to, it is recommended that Highest Risk designation be applied. If the police ICAT member does not agree with the risk level assigned at the ICAT meeting, she/he can veto the decision.

## **23** | **Training and Self-Care**

The ICAT should consider adopting a training plan and self-care plan to support ICAT members. This plan should be reviewed at an annual team meeting.

## **24** | **For More Information**

For more information regarding the contents of this Manual, contact CCWS or EVA BC at 604-633-2506.

# Terms of Reference

## **Purpose:**

To develop, administer and evaluate a local process that increases the safety of those affected by domestic violence.

## **Responsibilities:**

To develop and record policies, procedures and protocols to govern the activity of the Anytown Interagency Case Assessment Team Project.

To identify, recruit and orientate suitable agencies and individuals to participate in the domestic violence risk assessment and risk management process.

To promote awareness and acceptance of the concept of risk assessment and risk management planning:

1. To research and adapt models and frameworks of assessing risk in domestic violence situations and create a local model that works for the culture of Anytown.
2. To create a protocol agreement that enables agencies to share information appropriately and within boundaries of legislation.
3. To identify domestic violence “cases” that would most benefit from the attention of the Anytown Interagency Case Assessment Team.
4. To participate in the monitoring and evaluation of the Project and the making of subsequent recommendations.
5. To continue to participate, or identify colleagues who will participate, to sustain the work of the Committee beyond Project completion.

**Role of Membership**

The role of the individual members of the Anytown Interagency Case Assessment Team Advisory Committee is to encourage information sharing and maintain awareness within their agency and the community of risk management planning and risk assessment and its principles and practices by:

1. Acting as liaison between their agency (community) and the Committee.
2. Proactively raising awareness of the Interagency Case Assessment Team in both their agency and community.
3. Being committed to the philosophy that domestic violence is a crime and deserves a criminal response, and that domestic homicide is preventable.
4. Helping identify trends, risk factors and patterns from the cases reviewed to make recommendations for effective intervention and prevention strategies.

**Role of the Co-Chairs (Police and Community)**

1. Preside over and facilitate decision-making processes at regular and special meetings of the Committee.
2. Set time, date and place of meetings of the Committee.
3. Prepare agenda for each Committee meeting.
4. Delegate duties such as taking minutes of meetings, producing documents and generating correspondence.
5. Create ad hoc committees as required.

**Decision Making**

1. A commitment to consensus when making decisions is important to the culture of the partnership. However, should arriving at consensus be impossible after concerted effort, a vote will be taken.
2. An acknowledgement that occasionally a member or members may feel it is necessary to choose to stand aside from a committee decision, thereby enabling the work of the Committee to proceed.
3. In the event that a vote cannot resolve the issue, the Committee's police member will ascertain the final consensus based on federal, provincial, and municipal legislation.

### **Role of Coordinator**

1. Researches models and methods of domestic violence risk assessment through contact with other jurisdictions, consultation and internet research.
2. Acts as a resource person to the Committee with respect to laws, legislation and best practices for keeping victims of domestic violence safe.
3. Attends to relationship building among Committee members and ensures that Committee members are provided with necessary information.
4. Ensures the reporting and monitoring requirements of the funder are met.

### **Meetings**

1. Meetings will be held once a month or more often when exceptional meetings are required. The agenda will identify the meeting place and time.

## **Local Protocol for Reviewing Highest Risk Domestic Violence Cases**

### **1 Purpose of the Protocol**

The purpose of this Protocol is to provide a framework for a coordinated and collaborative approach to assess the risk of serious bodily harm or death to victims of domestic/intimate partner violence or stalking. As well, the same collaborative approach will be used to provide an enhanced safety and support system to the victim and proactive interventions to the alleged offender.

### **2 Historical Context of the Protocol**

In 1994, the existing Anytown Violence Against Women in Relationships (VAWIR) Committee was formed with the goal of improving community services to victims of domestic violence and alleged offenders. Since that time, the VAWIR Committee has continued to meet and work toward the goals of annually developed strategic plans.

A recent goal was to create an interagency ‘wrap around’ process where services can work together to provide optimal service and safety. In December 2008, the Anytown RCMP and the Anytown Women’s Transition House Society collaborated on a grant opportunity from the (then) Ministry of Public Safety and Solicitor General’s Victim Services and Community Programs Division for a Domestic Violence Response Fund. The grant application was successful and a partnership was formed between the Anytown Women’s Transition House Society and the Anytown RCMP to work toward a comprehensive safety assessment and planning process.

The Anytown Interagency Case Assessment Team Advisory Committee (ICATAC) began as an ad hoc sub committee of the VAWIR Committee. Terms of reference were developed with a basic responsibility of participants to play an advisory role to the Interagency Case Assessment Team (ICAT) and to develop an enhanced safety and support plan to which their agency will commit. Once the pilot project is complete, the ICATAC will cease to exist and the VAWIR Committee will carry out the advisory function of this Team. The ICAT will provide activity updates to the VAWIR Committee.

### **3 Definitions**

#### **a) Domestic/intimate partner violence**

For the purpose of this Protocol, *domestic/intimate partner violence* is defined as physical or sexual assault, or the threat of physical or sexual assault, toward a person with whom there is or has been an ongoing or intimate relationship. Other behaviour, such as stalking, intimidation, sexual abuse, neglect, deprivation, kidnapping, mental or emotional abuse or threats towards children, loved ones or property must be recognized as part of the continuum of domestic/intimate partner violence.

The term “*domestic/intimate partner violence*” encompasses common law and dating relationships and was chosen for its gender neutrality. However, it must be acknowledged that the vast majority of victims of violence within relationships are women.

In addition to addressing violence in heterosexual relationships, this Protocol applies to violence in same sex relationships.

#### **b) Highest risk**

For the purpose of this Protocol, the designation of *highest risk* will be assigned to a domestic/intimate partner violence case when there is concern for serious bodily harm or death to either partner or other parties. The designation of *highest risk* is based upon, but not limited to, factors which have been specified in the Spousal Assault Risk Assessment (SARA)<sup>1</sup> tool and other agreed upon instruments.

#### **c) Anytown Interagency Case Assessment Team Advisory Committee**

The Anytown Interagency Case Assessment Team Advisory Committee (ICATAC) is the body of community member agencies that respond to domestic violence, by providing either intervention or support. The ICATAC was struck as an ad hoc subcommittee of the Violence Against Women in Relationships Committee (VAWIR) and will dissolve when the implementation of the project is complete.

#### **d) Determination of highest risk**

For the purpose of referring cases to the ICAT, members of the Anytown Interagency Case Assessment Team and community members will identify risk factors of situations they encounter, using an abbreviated tool consistent with the principles of the B-SAFER.<sup>2</sup>

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<sup>1</sup> Spousal Assault Risk Assessment (SARA) is an assessment tool developed by P. Randall Kropp, PhD and Stephen D. Hart, PhD, international experts in risk assessment. Community Corrections and Parole currently use this tool in BC.

<sup>2</sup> B-SAFER is an assessment tool developed by P. Randall Kropp, PhD and Stephen D. Hart, PhD, international experts in risk assessment. Police currently use this tool in BC.

### **e) Interagency Case Assessment Team**

The Interagency Case Assessment Team (ICAT) receives referrals from the ICAT members and members of the community via the ICAT's designated police member, to assess risk, monitor safety and develop risk reduction and support plans for highest risk domestic violence/intimate partner cases from Anytown. Standing members of the ICAT are Anytown Police, Anytown Police Victim Assistance, Community Corrections, Anytown Parole, Mental Health and Addictions (Health Authority), Community-Based Victim Assistance Program, Anytown Women's Transition House, Anytown Hospital, Ministry of Children and Family Development and the Ministry of Social Development and Social Innovation.

## **4 Legislation guiding this protocol**

For the purpose of this protocol, the sharing of personal information may be necessary to protect individuals, their children and other family members who have been identified or assessed at highest risk.

If possible and if it is safe to do, every effort should be made to obtain written consent from the victim and the alleged offender before disclosing personal information to other agencies subject to this protocol.

Generally, consent is required before personal information regarding a victim, alleged offender or involved family members can be shared with other agencies. However, applicable privacy laws [including the federal *Privacy Act* (for RCMP, Parole), *Freedom of Information and Protection of Privacy Act* (for public bodies) and the *Personal Information Protection Act* (for the private and non-profit sector)] allow personal information to be shared without consent in certain situations including the following:

**Federal *Privacy Act*:** where in the opinion of the head of the institution, the public interest in disclosure clearly outweighs any invasion of privacy that would result from disclosure or disclosure would clearly benefit the individual to whom the information relates. Section 8(2)(m)(i) and (ii)

***Freedom of Information and Protection of Privacy Act*:** if the head of the public body determines that compelling circumstance exist that affect anyone's health or safety, and notice of disclosure is mailed to the last known address of the individual the information is about, unless the head of the public body considers that giving this notice could harm someone's health or safety. Section 33.1(1)(m)(i) and (ii). Compelling circumstances exist where there is a necessity to act to avert imminent danger to someone's health or safety or to protect someone's health or safety.

For the purpose of reducing the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur. Section 33.1(1)(m.1)



**Personal Information Protection Act:** if there are reasonable grounds to believe that compelling circumstances exist that affect the health or safety of any individual and notice is sent to the last known address of the individual to whom the personal information relates. Section 18(1)(k)

**Child, Family and Community Service Act:** anyone who has reason to believe that a child (anyone under 19) is, or may be, at risk for physical, sexual and/or emotional abuse, or neglect, and the parent is unwilling or unable to protect the child, has a legal duty to report their concern to the Ministry of Children and Family Development. Section 13

These are the main pieces of legislation governing information sharing between the parties of this protocol; however, there may be other, more specific laws that must also be considered.

Where a decision is made to disclose personal information without consent that decision must:

- Be reached on a case-by-case basis
- Be based on a necessity to disclose
- Ensure that only proportionate and relevant information is disclosed in light of the level of risk of harm to a named individual or a known household in each case; and
- Be properly documented at the time a disclosure is made identifying why the disclosures are being made (i.e., what risk is believed to exist), what information and to whom it will be disclosed and what restrictions on use of the disclosed information will be placed on its recipients
- Give consideration to whether notice of disclosure must be provided.

## **5 Risk assessment process**

1. A case is referred to the ICAT police member or designate via an ICAT member or community member within 24 hours of being suspected highest risk. The information submitted will include victim(s) and alleged offender information, relevant risk factors and other pertinent details necessary to manage risk.
2. The ICAT police member or designate circulates case identity to members of the ICAT and other service providers who have relevant information. Generally, consent of the person about whom the information is being sought will be required prior to contacting the agencies involved, unless special circumstances exist which allow the disclosure without consent, pursuant to privacy laws.
3. A meeting of the ICAT is scheduled as soon as practicable. Prior to attending, relevant file information is reviewed, prepared and summarized for the meeting by each member agency.
4. Using a recognized tool to identify the presence of risk factors, a full review of risk indicators is completed. If the case is rated as highest risk, the process continues. If not, referrals to support services are made for safety planning purposes.
5. If determined to be highest risk by the ICAT, relevant agencies will be notified to ensure that enhanced response, safety and support systems are implemented, based on each agency's highest risk intervention procedure.
6. The ICAT will review the case on a regular basis to monitor and track changes in safety and risk status as determined by the ICAT.
7. Systemic issues will also be noted and addressed or referred to VAWIR, where possible.

## New ICAT Participant Information and Guidelines

### Purpose of Interagency Case Assessment Team (ICAT)

The ICAT team meets to discuss highest risk domestic violence cases. ICAT uses a set of established risk factors in order to assess the risk level of serious bodily harm or death in domestic violence cases. Cases assessed as HIGHEST risk of grievous bodily harm or death are followed by the ICAT team until risk reduces.

### What to Expect at an ICAT Meeting

1. **You will be asked to sign an Affirmation of Confidentiality.** This document states that all information gathered at an ICAT meeting is for assessment purposes only and is not to be shared with either the victim or perpetrator.
2. **Introductions.** We will do a roundtable of introductions of the ICAT members and their organizations.
3. **Client consent document.** If you have had the client sign the consent document it will be given to the ICAT police member. We do not seek consent from the perpetrator and the perpetrator will not be aware that the victim is participating in ICAT.
4. **Presentation of referral.** If you or your agency has made the referral you will be asked to present the case and the reasons why you feel it is highest risk. Outline your relationship to the victim or perpetrator, the history of their relationship and the reasons why you feel this may be a highest risk case. Only share information that is relevant to assessing risk (i.e.: past medical history would not be relevant unless it is directly related to the current violence in the relationship).

Any other participant with information on the case will present their information. We will be seeking specific information related to risk factors for domestic violence. Follow-up questions may be asked by participants in order to get a full understanding of the case being presented and in order to assess all the established risk factors. Conflicting information may arise and will need to be assessed.

5. **Risk Review.** Through discussion, the team will come to a consensus on whether this is a HIGHEST risk case or not. If a case has been deemed HIGHEST risk the ICAT team will follow the case. If a case has not been deemed HIGHEST risk the risk management plan will be implemented but ICAT will not follow the case. If you are not a standing ICAT member, you will not be a part of this decision.
6. **Risk Management Plan.** A Risk Management Plan is formulated and support roles for participants are established. One liaison person is assigned to speak with the victim and the perpetrator.
7. **Follow-up.** Cases deemed HIGHEST risk are re-assessed at regular meetings (every two weeks) or whenever a critical change to risk occurs. You may be asked to attend a follow-up meeting or to provide information before the meeting to a chairperson. If you are aware of any critical changes in the case you can contact one of the chairpersons listed below and the case will be re-assessed.

### **Confidentiality and Information Sharing**

- You may not share information learned at ICAT about the victim with the perpetrator or vice versa
- Perpetrators are not informed of the ICAT process
- Only information relevant to the present risk may be shared at the ICAT table.

### **Contact Information**

If you have any questions about ICAT or have follow-up information to share you can contact one of the co-chairs of ICAT.

Police Coordinator  
250 555-5555  
[police@policeagency.ca](mailto:police@policeagency.ca)

Community Coordinator  
Community-Based Victim Services Program  
(or other Anti-Violence Agency worker)  
250-555-5555  
[cbvs@antiviolenceagency.ca](mailto:cbvs@antiviolenceagency.ca)

## Initial Referral Form

**ATTENTION: ICAT (DOMESTIC VIOLENCE) POLICE COORDINATOR**

**Fax: 250-555-5555      Phone: 250-555-5555**

*This document is intended for the use of the addressee. Disclosure of document content may breach one or more laws. If you have received this communication in error, notify the sender immediately by telephone.*

**Referred By:** \_\_\_\_\_ **Agency Name:** \_\_\_\_\_

**Contact Telephone:** \_\_\_\_\_ **Date of Referral:** \_\_\_\_\_

<b>ATTEMPTED Death or Grievous Bodily Harm</b>	YES / NO
<i>Explain:</i>	
<i>Weapons Used:</i>	
<b>THREATENED Death or Grievous Bodily Harm</b>	YES / NO
<i>Explain:</i>	
<i>Weapons Used:</i>	

**VICTIM NAME:** \_\_\_\_\_

*Victim Vulnerability Factors:* \_\_\_\_\_

DATE OF BIRTH		
MM	DD	YYYY

\_\_\_\_\_

\_\_\_\_\_

**OFFENDER NAME:** \_\_\_\_\_

*Offender Risk Factors:* \_\_\_\_\_

DATE OF BIRTH		
MM	DD	YYYY

\_\_\_\_\_

\_\_\_\_\_

**CHILDREN** YES / NO      (Please list children under 18 years of age)

NAME	DATE OF BIRTH			EXPOSED TO VIOLENCE (✓)
	MM	DD	YYYY	
	MM	DD	YYYY	
	MM	DD	YYYY	
	MM	DD	YYYY	
	MM	DD	YYYY	

**APPENDIX 4**

**Anytown Interagency Case Assessment Team  
Initial Referral Form**

Relationship Status:	✓	Living Status:	✓	Orders:	Past/Present
Prior		Joint Residence		Child Custody	
Current		Independent Residence		Civil Restraining	
Married		Transition House		Peace bond	
Common Law		<b>Other:</b>		Undertaking	
Dating				<b>Other:</b>	
Separated					
Legal Separated					
Divorced					

VICTIM:	✓	OFFENDER:	✓
Drug(s) Abuse		Drug(s) Abuse	
Alcohol Abuse		Alcohol Abuse	
Mental Health Concerns		Mental Health Concerns	

**COMMENTS:** *(Please explain and elaborate on why this case should be considered Highest Risk. Include details on the offender's attitudes/behaviours. Example: Violence against others or domestic pets, stalking or controlling behaviours, criminal record, access to firearms or other weapons, violation of previous court orders).*

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**OTHER CONSIDERATIONS:** *(Please include any other factors that you feel may complicate or increase the risk to the victim or their children. Example: Is the victim socially or physically isolated; unwilling to leave the home; cultural barriers, pregnancy; is the victim or offender involved in organized crime, etc.?)*

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**Witness(es):** \_\_\_\_\_

**Other Persons at Risk:** \_\_\_\_\_

## ANYTOWN INTERAGENCY CASE ASSESSMENT TEAM INITIAL CASE REFERRAL CHECKLIST

### POLICE USE ONLY

**DATE FILE RECEIVED** MM DD YYYY **RECEIVED BY:** \_\_\_\_\_

	POS	NEG		POS	NEG
POR	<input type="checkbox"/>	<input type="checkbox"/>	CPIC	<input type="checkbox"/>	<input type="checkbox"/>
CFRO	<input type="checkbox"/>	<input type="checkbox"/>	PRIME	<input type="checkbox"/>	<input type="checkbox"/>
BCDL: _____			BCRO: _____		

**Police File Number:** \_\_\_\_\_

**ICAT Meeting Date:** \_\_\_\_\_

AGENCIES INVOLVED (Select & List All That Apply)			
Police Domestic Violence Unit		Anytown Women's Transition House	
Police Based Victim's Assistance		Community-Based Victim's Assistance	
Ministry of Children & Family Development		Income Assistance	
Youth Probation		Parole	
Adult Probation		Offender support and counselling	
Aboriginal Family Support		Crown Counsel	
Private Practitioner:		Mental Health and Substance Use Services	
Anytown Immigrant Services			

**Risk Classification:**     HIGHEST     NOT HIGHEST

**File Review Dates:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Decision Record Completed:**

YES / NO

**COMMENTS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## Consent to the ICAT Process and to Release Personal Information to the ICAT

I, \_\_\_\_\_, hereby give permission to the staff of \_\_\_\_\_ (community or police agency/public body name) to refer my case to the Anytown Interagency Case Assessment Team (ICAT) and to have my case reviewed by the ICAT for the purposes of identifying and responding to the risk of domestic violence or stalking and providing proactive interventions that result in enhanced safety and support. The ICAT process has been explained to me.

I, \_\_\_\_\_, hereby give permission to the staff of \_\_\_\_\_ (community or police agency/public body name) to disclose personal information to the Anytown Interagency Case Assessment Team (ICAT) for the purposes of identifying and responding to the risk of domestic violence or stalking.

**The following specific personal information may be disclosed:**

1. Personal information concerning the relationship and/or interactions between myself and/or my children and extended family members with \_\_\_\_\_ (perpetrator's name).
2. Personal information relevant to the 19 risk factors listed in the BC Summary of Domestic Violence Risk Factors.

It is understood that all personal information provided to the above-mentioned Team shall not be further disclosed without my consent subject to certain limited exceptions which have been explained to me and are set out on the second and third pages of this consent and release form.

This Release is consent pursuant to federal and provincial privacy laws. This includes: the federal *Privacy Act* and the provincial *Freedom of Information and Protection of Privacy Act* and the *Personal Information Protection Act*.

This Release is in effect from \_\_\_\_\_ until such time as I revoke consent.

This Release may only be revoked by notice in writing delivered to the ICAT Police member. I am aware that revocation of my consent means that my participation in the ICAT process has completed but that the ICAT process, including the sharing of personal information, may continue due to compelling safety concerns.



**COMPLAINANT**

**WITNESS**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Phone Number

Protocol for confidentiality explained on: \_\_\_\_\_, 20\_\_\_\_\_

Method for revoking consent explained on: \_\_\_\_\_, 20\_\_\_\_\_

Privacy rights under federal and provincial laws explained on: \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Signature

**Consent to the ICAT Process and  
to Release Personal Information to the ICAT**

**FEDERAL AND PROVINCIAL PRIVACY LEGISLATION**

Under the federal *Privacy Act*, and the provincial *Freedom of Information and Protection of Privacy Act (FIPPA)* and *Personal Information Protection Act (PIPA)*, consent is generally required before personal information about you can be shared with other agencies. While these privacy laws limit situations in which your personal information can be shared, they also allow such personal information to be disclosed in the public interest (*Privacy Act*), or where compelling circumstances exist that affect anyone's health or safety (*FIPPA & PIPA*). *FIPPA* also permits the release of personal information for the purpose of reducing the risk of domestic violence if domestic violence is reasonably likely to occur. *FIPPA* also requires public disclosure of personal information about a risk of significant harm to the health or safety of the public or a group of people.

## CHILD WELFARE LEGISLATION

The *Child, Family and Community Service Act* requires anyone who has reason to believe a child (anyone under 19) is, or may be, at risk for physical, sexual and/or emotional abuse, or neglect where the parent is unwilling or unable to protect the child, to report their concern to their local child welfare worker at the Ministry of Children and Family Development.

## CONFIDENTIALITY

Pursuant to this Protocol, your personal information will be kept confidential unless the requirements of the exceptions are met.

## REVOKING CONSENT

If you wish to revoke consent for the Interagency Case Assessment Team (ICAT) to use the personal information from your case, contact the ICAT Police member, in writing, stating your wishes.

## PROTOCOL FOR CONFIDENTIALITY

- A. A referral will be made to the ICAT from an agency that knows your situation and to whom you have given consent.
- B. This referral and consent will be forwarded to the ICAT Police member, who will assign a number to your case. He or she will then assign your case a meeting date and notify the ICAT members involved with your case (i.e. RCMP / Municipal Police, Transition House, Victim Services, etc.) of the meeting date and the case to be discussed.

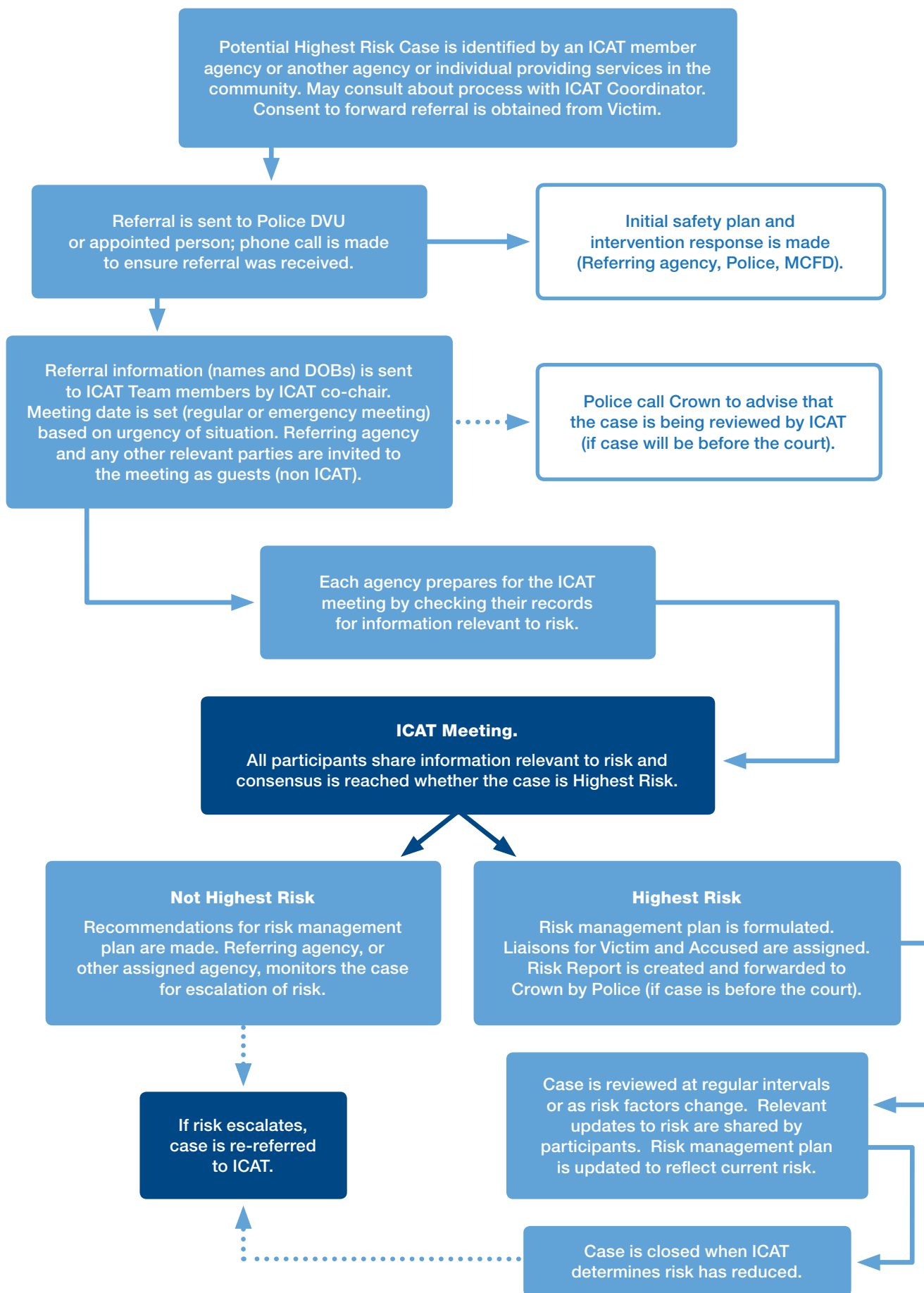
**NO ONE OTHER THAN THOSE INVOLVED WITH THE INTERAGENCY CASE ASSESSMENT TEAM WILL BE MADE AWARE OF YOUR IDENTITY. EXCEPTIONS TO THIS ARE HIGHEST RISK CASES WHERE APPLICABLE PRIVACY LAWS APPLY.**

- C. The referrals, consents, names of victims and file numbers will be locked in the detachment of the ICAT Police member.

# Anytown ICAT Master List Template

CASE #	Referred by	Offender	Victim	Date Opened	Date Closed	Reason Closed
20 -01 Police File#:						
20 -02 Police File#:						
20 -03 Police File#:						
20 -04 Police File#:						
20 -05 Police File#:						
20 -06 Police File#:						

## ICAT Process Flow Chart



## Affirmation of Confidentiality

By signing this Affirmation of Confidentiality, I acknowledge that sensitive personal information may be disclosed during Interagency Case Assessment Team (ICAT) meetings and I understand and affirm that all such information will be held in strict confidence.

I agree that any knowledge gained with regard to specific individuals as a result of my position on the Team is, and will remain, confidential, subject to very limited exceptions and only for the use of the ICAT's purpose. I will exercise due care that any personal information I provide to Team members is information I am permitted to disclose pursuant to the privacy legislation which applies to my agency. If any question arises as to whether such information can be disclosed, I will refrain from providing the information until clarification is obtained.

I further affirm that I will not discuss ICAT business, specifically naming victims or offenders, with any members of the media.

I understand that once signed this Affirmation is irrevocable and continues to apply to me even when I retire from the ICAT.

I have read the above "Affirmation of Confidentiality" and hereby affirm that I will abide by the terms herein.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

# BC SUMMARY OF DOMESTIC VIOLENCE RISK FACTORS




Date of ICAT Meeting: \_\_\_\_\_ Police File Number: \_\_\_\_\_

TEXT IN BOXES BELOW ARE TO DESCRIBE RISK AND IMPORTANT NOTES



Indicates a risk factor associated with an increased likelihood of future violence and also an increased severity (escalation) of future violence.

1. RELATIONSHIP HISTORY			YES	NO
1.1	<b>Current Status of the Relationship</b> 	<ul style="list-style-type: none"> <li>Is there past, recent or pending separation in the relationship?</li> </ul> <p><b>Note:</b> <i>Research indicates that an actual or pending separation in the current relationship is the most significant risk factor associated with an increased severity (escalation) of future violence.</i></p>		
1.2	<b>Escalation in Abuse</b> 	<ul style="list-style-type: none"> <li>Is there escalation in the frequency/intensity of violence or abuse towards the complainant, family members, a pet or another person?</li> </ul>		
1.3	<b>Children Exposed</b>	<ul style="list-style-type: none"> <li>Are there children, under 19 years of age, in the family who are living in the home?</li> <li>Who are the parents and is there a child access or guardianship dispute?</li> </ul> <p><b>Note:</b> <i>Contact the Ministry of Children and Family Development</i></p>		
1.4	<b>Threats</b>	<ul style="list-style-type: none"> <li>Has the suspect ever threatened to kill or harm the complainant, a family member, another person, children or a pet?</li> </ul>		
1.5	<b>Forced Sex</b>	<ul style="list-style-type: none"> <li>Has the suspect ever forced sex on the complainant?</li> </ul>		
1.6	<b>Strangling, Choking, Biting</b> 	<ul style="list-style-type: none"> <li>Has the Suspect ever strangled, choked or bitten the complainant?</li> </ul>		
1.7	<b>Stalking</b> 	<ul style="list-style-type: none"> <li>Has the Suspect displayed jealous obsessive/controlling behaviours; stalked or harassed the complainant, or a previous intimate partner?</li> <li>Is this behaviour persistent? Is it escalating?</li> </ul> <p><b>Note:</b> <i>Social science experts say that where there are controlling coercive behaviours like stalking, the intensity and lethality of violence often escalates after the complainant leaves the relationship.</i></p>		
1.8	<b>Information on Relative Social Powerlessness</b>	<ul style="list-style-type: none"> <li>Are isolation/marginalization factors present (i.e. social contact monitored or controlled, language barrier, disability, addiction, poverty, pregnancy, lack of transportation, financial dependency, literacy issues, mental illness, elderly, etc.)?</li> <li>Is the woman Aboriginal, an immigrant or refugee?</li> <li>Are social/cultural factors present (i.e. culture of male privilege or entitlement, unwilling to report or seek help, family pressures/shame, cultural beliefs, risks/threats related to extended family or community, etc.)?</li> </ul>		

2. COMPLAINANTS PERCEPTIONS OF RISK			YES	NO
2.1	<b>Complainant's Perception of Personal Safety</b>	<ul style="list-style-type: none"> <li>Does the complainant believe the suspect will disobey terms of release particularly a no contact order?</li> </ul>		
2.2	<b>Complainant's Perception of Future Violence</b> 	<ul style="list-style-type: none"> <li>Does the complainant fear further violence if the suspect is released from custody? (What is the basis of the complainant's fear and what access does the suspect/offender have to the complainant?)</li> </ul>		
3. SUSPECT HISTORY			YES	NO
3.1	<b>Suspect's Criminal Violence History</b>	<ul style="list-style-type: none"> <li>Does the suspect have a history of threats, violence, sex assaults, and/or criminal harassment? Are there gang affiliations?</li> </ul>		
3.2	<b>Previous Domestic Violence History</b>	<ul style="list-style-type: none"> <li>Is there a history of stalking, violence or abusive behaviour in the current or a previous intimate partner relationship?</li> <li>Is there any history of threats or actual violence or abusive behaviour against children, other family members, friends, co-workers or family pets?</li> </ul>		
3.3	<b>Court Orders</b>	<ul style="list-style-type: none"> <li>Has the suspect ever violated a Court Order?</li> <li>Is the suspect presently bound by any Court Orders including protection orders (i.e. FLA or CFCSA protection orders)</li> <li>Is the Suspect in a reverse onus situation for bail?</li> </ul> <p><b>Note:</b> Obtain copies of orders wherever possible. Call POR: 1-800-990-9888 (Police Only 24/7)</p>		
3.4	<b>Alcohol/Drugs</b>	<ul style="list-style-type: none"> <li>Does the suspect have a history of drug or alcohol abuse?</li> </ul>		
3.5	<b>Employment Instability</b>	<ul style="list-style-type: none"> <li>Is the suspect unemployed or experiencing financial problems?</li> <li>Have there been recent changes in employment?</li> </ul> <p><b>Note:</b> Document information on past or current employer if applicable.</p>		
3.6	<b>Mental Illness</b> 	<ul style="list-style-type: none"> <li>Does the suspect have a history of mental illness (i.e. depression or paranoia, etc.)?</li> <li>Is the suspect complying with mental health care (i.e. taking medications prescribed)?</li> </ul> <p><b>Note:</b> Also document if there are any other serious medical issues involving any party.</p>		
3.7	<b>Suicidal Ideation</b> 	<ul style="list-style-type: none"> <li>Has the suspect discussed, threatened or attempted suicide?</li> <li>If <b>YES</b>, when and how?</li> </ul>		
4. ACCESS TO WEAPONS/FIREARMS			YES	NO
4.1	<b>Weapons/ Firearms (Used or Threatened?)</b>	<ul style="list-style-type: none"> <li>Has the suspect used or threatened to use a firearm or weapon against the complainant, family member, children or an animal?</li> </ul>		
4.2	<b>Access to Weapons/ Firearms</b>	<ul style="list-style-type: none"> <li>Does the suspect have access to weapons/firearms?</li> </ul>		

## RISK REVIEW REPORT

### February 2, 2016

### Sample Case

**Present:** MCFD, Community Corrections, RCMP, Outreach Services, Women's Transition House Society, Community Based Victim Assistance, Police Based Victim Assistance, Parole

**ICAT Case #** 2016-xx

**Vernon RCMP File #** 2016 - xxxx

**Accused:** LAST, First (DOB: xxxx-xx-xx)

**Complainant:** LAST, First (DOB: xxxx-xx-xx)

**Child(ren):** LAST, First (DOB: xxxx-xx-xx)

#### Risk Level

The Team reached consensus that the risk level is HIGHEST. This conclusion was reached by identifying the presence of evidence-based risk factors for grievous bodily harm or death in K Files.

**Consent:** Complainant has consented to the ICAT process and to the release of personal information to the ICAT.

### Summary of Risk Factors:

#### 1.1 Current Status of the Relationship

Separated since the incident. The complainant and child have sought safe shelter.

#### 1.2 Escalation in Abuse

Violence has escalated since they re-established their relationship, and was present throughout the previous 2 years.

#### 1.3 Children Exposed

The complainant's daughter has been exposed to frank violence. The child is not the Accused's biological daughter.

#### 1.4 Threats

The Accused has made threats in front of others, including the Justice of the Peace, to kill the complainant. He has threatened to kill male friends of complainant and police officers.

#### 1.5 Forced Sex

The Accused regularly coerces the complainant to have sex.

#### 1.6 Strangling, Choking and Biting

The Accused put his forearm across her neck to hold her down until she lost consciousness. Had the same effect as choking.



### **1.7 Stalking**

The Accused discovered the complainant's location in Vernon after she left him by hacking into her social networking account. He called all 480 Facebook "friends" seeking information about her and to threaten male friends. After she left Vancouver Island he repeatedly contacted her parents, her workplace, daughter's daycare.

### **1.8 Information on Relative Social Powerlessness**

Complainant is seven-months pregnant and has limited local social supports. Her family is not very helpful or supportive.

### **2.1 Complainant's Perception of Personal Safety**

Complainant minimizes her personal safety, but recognizes the fact that her relationship puts her and her daughter at risk.

### **2.2 Complainant's Perception of Future Violence**

Same as above – recognizes the risk.

### **3.1 Suspect's Criminal Violence History**

Assault of a stranger outside of a bar in 2015.

### **3.2 Previous Domestic Violence History**

History of serious violence against partners in intimate relationships and during the two years of this relationship. Has done federal time for previous aggravated assault (K File).

### **3.3 Court Orders**

There is a no contact order. The offender is currently in custody and will be released on bail conditions to not contact the complainant.

### **3.4 Alcohol and Drugs**

Alcohol use is not known. The Accused misuses drugs and has had an 11-year involvement in grow op on Vancouver Island and in the USA.

### **3.5 Employment Instability**

Suspect employed as a welder – may have lost his job due to being incarcerated. Property is being foreclosed.

### **3.6 Mental Illness**

Suspect has head injury from childhood (brain tumour). No known DSM IV diagnosis.

### **3.7 Suicidal Ideation**

Has threatened suicide if she reports abuse or leaves him.

### **4.1/4.2 Weapons/Firearms**

Has machete and martial arts beating sticks. May have firearms.

### **Other information:**

- Accused will be released from custody on Feb 4, 2016.
- Accused's parents will be taking him from Kamloops to Vernon to get some belongings and then to their home on the island. He will be monitored by P/O at that time.

## INITIAL RISK MANAGEMENT PLAN

### February 2, 2016 - Sample Case

**Present:** MCFD, Community Corrections, RCMP, Outreach Services, Women's Transition House Society, Specialized Victim Assistance, Police Based Victim Assistance, Parole

**ICAT Case #** 2016-xx

**Vernon RCMP File #** 2016 - xxxx

**Accused:** LAST, First (DOB: xxxx-xx-xx)

**Complainant:** LAST, First (DOB: xxxx-xx-xx)

**Child(ren):** LAST, First (DOB: xxxx-xx-xx)

#### Updates:

- RCMP is arranging to have vehicle keys brought to Vernon from Kamloops via sheriff.
- Accused's parents will meet complainant at RCMP Detachment on Saturday morning to give them keys to residence.
- Accused's parents will pick him up at Kamloops Regional Correctional Centre (KRCC) on Monday and take him to complete paper work at registry. Probation has asked KRCC to phone complainant at transition house to advise of his release.
- RCMP has provided a history of case to Ladysmith RCMP and has relayed the importance of curfew checks and safety nets.
- Probation phoned Kamloops Probation and had them contact Duncan probation to tell them of the importance of curfew checks and safety nets.
- Transition house worker will offer a referral to Support to Young Parents program.
- Accused will check in with Duncan bail supervisor by Tuesday or Wednesday. Probation will follow up to see that this is done.
- Accused's lawyer, a family friend, has apparently been contacting the complainant at the transition house. Transition house worker will confirm this and pass information to RCMP.
- Parents can withdraw their sureties if they wish and a warrant will be issued.
- CBVS will support complainant at the trial.
- Accused's lawyer may be able to appear on his behalf at the plea hearing on February 25, 2016 so that he won't have to attend court in Vernon.
- If there is a critical development in the case, for example, accused breaches bail conditions, an emergency meeting of team will be held.

## ICAT MEETING AND CASE REVIEW MINUTES

### November 12, 2010

### 1:30pm

ICAT Members' Attendance			
LM – RCMP	X	LR – MSDSI	X
BMc - VWTHS	X	AE – RCMP VA	X
LP – MCFD	X	DK – IH	
CH – SVAP	X	LL - Parole	X
SD – Community Corrections		MM – Transition House	X
WH – Women's Outreach	X	SK – Forensic Psychiatry	X
ICAT Alternates' Attendance			
CP – RCMP		NC – MCFD	
SD – MSDSI	X	SB – RCMP VA	
DG – Community Corrections		DH – VWTHS	
EC – SVAP		AB – Transition House	
Guests			

### REGULAR MEETING

1. Introductions and signing of Affirmations of Confidentiality for any new participants
  - a. No new participants
2. Roundtable and agency updates
  - a. MSDSI: Office will be closed on November 21st for computer conversion.  
Clients should expect some delays in processing as staff get used to new system.
  - b. VWTHS: BMC is away tomorrow and Friday.
  - c. No other agency updates
3. Case Reviews
  - a. No new referrals
  - b. Interior Health is monitoring a case; no referral at this time
4. Case Updates and File Closures
  - a. 2010-03 – updated; see notes
  - b. 2010-05 – updated; see notes
5. Closed Files – Information to bring forward
  - a. 2009-05 – updated; see notes
6. ICAT training/information to share
  - a. Request for ICAT brochures – BMC to bring to the next meeting.
7. Next meeting: Wednesday November 26, 2010 at Vernon Parole  
Christmas get together will be at LM's house at 1pm on December 10th. Group to order lunch.

## **ICAT CASE UPDATE** **May 21, 2016 - Sample Case**

**Present:** RCMP, MCFD, Transition House Society, Community Based Victim's Assistance, RCMP Victim's Assistance and Community Corrections

<b>ICAT Case #</b>	2016-xx	
<b>Vernon RCMP File #</b>	2016 - xxxx	
<b>Accused:</b>	LAST, First	(DOB: xxxx-xx-xx)
<b>Complainant:</b>	LAST, First	(DOB: xxxx-xx-xx)
<b>Child(ren):</b>	LAST, First	(DOB: xxxx-xx-xx)

### **Case Update**

#### **Victim Update:**

1. RCMP to add complainant's address to RCMP system
2. RCMP-VS to offer safety check on Victim's home (CPTED)
3. MCFD has referred the complainant to seek advice from a family law lawyer regarding the ex-parte order
4. MCFD to refer the complainant to safe shelter and Outreach Services

#### **Accused Update:**

1. Warrant to be issued
2. MCFD to advise of supervised visits only
3. MSDSI to expedite income assistance application

#### **Upcoming Dates:**

Criminal court: None set

Family court: None set

Next ICAT meeting: Wednesday May 28, 2016

## ICAT CASE/FILE CLOSURE June 11, 2016 - Sample Case

**Present:** RCMP, MCFD, Transition House Society, Community Based Victim's Assistance, RCMP Victim's Assistance and Community Corrections

**ICAT Case #** 2016-xx

**Vernon RCMP File #** 2016 - xxxx

**Accused:** LAST, First (DOB: xxxx-xx-xx)

**Complainant:** LAST, First (DOB: xxxx-xx-xx)

**Child(ren):** LAST, First (DOB: xxxx-xx-xx)

### Case Update

#### Victim Update:

1. CPTED (safety check) completed on Complainant's home
2. Complainant has sought legal advice for family court
3. Complainant is working with CBVS and STV programs

#### Accused Update:

1. Accused has relocated and is abiding by conditions
2. Duncan Probation is continuing to monitor the Accused

ICAT FILE CLOSED. ACCUSED HAS RELOCATED AND IS ABIDING BY CONDITIONS. MONITORING IS IN PLACE. SUPPORTS ARE IN PLACE FOR THE VICTIM, RISK MANAGEMENT PLAN TO BE UPDATED BY CBVS WITH VICTIM AND ANY CRITICAL UPDATES ARE TO BE BROUGHT FORWARD TO ICAT AS THEY ARISE.

## GLOSSARY OF ACRONYMS

ATIP	Access to Information and Privacy
BCH	BC Housing Management Corporation
BCSTH	BC Society of Transition Houses
BSAFER	Brief Spousal Assault Form for the Evaluation of Risk
CAD	Computer Assisted Dispatch
CBVS	Community Based Victim Services Program (also SVAP)
CCLLO	Community Corrections Liaison Officer
CCO	Continuing Custody Order (MCFD/DAA)
CCWS	Community Coordination for Women's Safety
CFCSA	<i>Child, Family and Community Service Act</i>
CLE	Community Legal Education
CORNET	Corrections Network (information system)
CPIC	Canadian Police Information Centre
CWWA	Children Who Witness Abuse
DAA	Delegated Aboriginal Agency
DO	Dangerous Offender
DSM (iv,x)	The manual and system for diagnosing mental illness and disorders
DVU	Domestic Violence Unit
EDP	Emotionally Disturbed Person
FCPC	Family Case Planning Conference (MCFD/DAA)
FDR	Family Development Response (MCFD/DAA)
FGC	Family Group Conference (MCFD/DAA)
FH	Fraser Health
FVIR	Family Violence Investigation Report (Alberta)
FIPPA	<i>Freedom of Information and Protection of Privacy Act</i>
FLA	<i>Family Law Act</i>
FRA	<i>Family Relations Act</i>
HRDV	High Risk Domestic Violence team
ICAT	Interagency or Integrated Case Assessment Team
ICM	Integrated Case Management (used by MCFD/DAA, SDSI and others)
IH	Interior Health/Island Health
JUSTIN	Justice Information System
K.G.B.	Initials of a case prosecuted using a sworn statement and not a witness
K File	Domestic Violence Files
LSS	Legal Services Society
LTSO	Long Term Supervision Order
MCFD	Ministry of Children and Family Development

## GLOSSARY OF ACRONYMS

MHA	<i>Mental Health Act</i>
MIS	Management Information System
MOJ	Ministry of Justice
MSDSI	Ministry of Social Development and Social Innovation
NH	Northern Health
ODARA	Ontario Domestic Assault Risk Assessment
OIC	Officer in Charge
OMS	Offender Management System
PBVAP	Police Based Victim Assistance Program (also RCMP VAP)
PHSA	Provincial Health Services Authority
PIO	Protective Intervention Order (MCFD/DAA)
<i>PIPA</i>	<i>Personal Information Protection Act</i>
PIRS	Police Information Retrieval System
PO	Probation Office/Parole Officer/Protection Order
PODV	Provincial Office of Domestic Violence
POR	Protection Order Registry
PROS	(Alberta) Police Reporting Occurrence System
PRIME	Police Records Information Management Environment
PSSG	Ministry of Public Safety and Solicitor General
PTA	Promise to Appear
RCMP	Royal Canadian Mounted Police
RCY	Representative for Children and Youth
RTCC/RCC	Report to Crown Counsel
SAM	Stalking Assessment Management
SARA	Spousal Assault Risk Assessment
SDSI	Social Development and Social Innovation (Income Assistance)
STV	Stopping the Violence Counselling Program
SVAP	Specialized Victim Assistance Program (also CBVS)
TCO	Temporary Custody Order (MCFD/DAA)
TH/T-House	Transition House
UTA	Undertaking to Appear
VAWIR	Violence Against Women in Relationships
VCA	Voluntary Care Agreement (MCFD/DAA)
VCH	Vancouver Coastal Health
VIR	Violence in Relationships
VOCA	<i>Victims of Crime Act</i>
VSU	Victim Safety Unit

## PERSONALIZED SAFETY PLAN

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Review date(s):** \_\_\_\_\_

It is very important that your abusive partner not find out about your safety plan. Be sure to keep this document and your safety plan in a safe location unknown to the abuser.

The following steps represent my plan for increasing my safety and preparing in advance for the possibility for further violence. Although I do not have control over my partner's violence, I can plan and think about how to respond to him and how to best keep myself and my children, grandchildren or other dependents (such as older persons or persons with disabilities who may be living with me) safe. I will ensure this safety plan is stored in a safe place.

### **Step 1: Safety during a violent incident.**

I cannot always avoid violent incidents. In order to increase my safety, I can use a variety of different strategies. I can use some or all of the following strategies:

- A. If I decide to leave, I will \_\_\_\_\_.  
(Practice how to get out safely. What doors, windows, elevators, stairwells or fire escapes would you use? Consider your physical stamina and abilities as well as the health status of anyone who may need to leave with you.)
- B. I can keep my purse and car keys ready and put them \_\_\_\_\_  
(place) in order to leave quickly.
- C. I can tell \_\_\_\_\_ and \_\_\_\_\_  
about the violence and request that they call the police if they hear suspicious noises coming from my house.
- D. I can teach my children how to use the telephone to contact the police in case of an emergency.
- E. I will establish and use a code word with my children or my friends so they can call for help.
- F. If I have to leave my home, I will go to \_\_\_\_\_.



If I cannot go to the location above, then I can go to \_\_\_\_\_  
or \_\_\_\_\_.

G. I can also teach some of these strategies to some/all of my children.

H. When I expect we are going to have an argument, I will try to move to a space that is lowest risk, such as \_\_\_\_\_.  
(Try to avoid arguments in the bathroom, garage, and kitchen, near weapons or in rooms without access to an outside door.)

## Step 2: Safety when preparing to leave.

Women who have experienced domestic violence frequently leave the residence they share with their abusive partner. The level of risk increases for the woman when the abuser believes that she is leaving the relationship. Leaving must be done with a careful plan in order to ensure safety.

I can use some or all of the following safety strategies:

- A. I will leave money and an extra set of keys with \_\_\_\_\_  
so I can leave quickly.
- B. I will keep copies of important documents at \_\_\_\_\_.
- C. I will open a savings account by \_\_\_\_\_ (date),  
to increase my independence.
- D. If I require immediate financial assistance for basics like food, shelter or medical assistance I can contact the BC Employment and Assistance Program at 1-866-866-0800 to see if I qualify for benefits.
- E. The provincial domestic violence helpline number is 1-800-563-0808 (VictimLink BC). VictimLink BC is TTY accessible. Call 604-875-0885; to call collect, dial the Telus Relay Service at 711. I can seek shelter and counselling by calling this helpline as well as get immediate crisis support 24 hours a day, 7 days a week. I can also contact my local transition house directly at \_\_\_\_\_.
- F. I can keep change for phone calls on me at all times or I can purchase a telephone calling card or get a cell phone. To keep my telephone communications confidential, I must either use coins or a telephone calling card.

- G. I will check with \_\_\_\_\_ and \_\_\_\_\_ to see who would be able to let me stay with them or lend me some money.
- H. I can leave extra clothes with \_\_\_\_\_.
- I. I will sit down and review my safety plan every \_\_\_\_\_ in order to plan the safest way to leave the residence. \_\_\_\_\_ (support worker or friend) has agreed to help me review this plan.
- J. I will rehearse my escape plan and, as appropriate, practice it with my children.
- K. If I have a disability, I may need to set up an emergency care plan if my abuser is also my caregiver. I can contact \_\_\_\_\_ to make a plan for an emergency care provider.

### **Step 3: Safety in my own residence after leaving the abuser.**

There are many things that I can do to increase safety at home. It may be impossible to do everything at once, but safety measures can be added step by step. Safety measures I can consider include:

- A. I can change the locks on my doors and windows as soon as possible.
- B. I can replace wooden doors with steel/metal doors.
- C. I can install security systems including additional locks, window bars, poles to wedge against doors, an alarm system, etc.
- D. I can purchase rope ladders to be used for escape from second floor windows if I am physically able.
- E. I can install smoke detectors and purchase fire extinguishers for each floor in my house/apartment.
- F. I can install an outside lighting system that lights up when a person is coming close to my house.

- G. I can contact \_\_\_\_\_ to help with purchasing these items and \_\_\_\_\_ to help with installing.
- H. I will teach my children how to use the telephone to make a collect call to me and to \_\_\_\_\_ (friend/family member/other) in the event that my partner takes the children.
- I. I will teach my children how to not disclose our address and phone number to: the abuser and the abusers family/friends including \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and others including \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.
- J. I will tell people who take care of my children which people have permission to pick up my children and that my partner/ex-partner is not permitted to do so. The people I will inform about pick-up permission include:
- \_\_\_\_\_ (school),  
 \_\_\_\_\_ (daycare),  
 \_\_\_\_\_ (babysitter),  
 \_\_\_\_\_ (teacher),  
 and \_\_\_\_\_ (others).
- K. If my child goes missing I will call the police. I can also contact Child Find BC at 1-888-689-3463 and/or MissingKids.ca at 1-866-KID-TIPS (543-8477) to help me.
- L. I can inform \_\_\_\_\_ (neighbours), and \_\_\_\_\_ (friends) that my partner no longer resides with me and they should call the police if my partner is observed near my residence.
- M. If I need to call the police, I will give them the following information about the abuser: his birth date \_\_\_\_\_, his physical description including height \_\_\_\_\_, weight \_\_\_\_\_, hair colour \_\_\_\_\_, facial hair \_\_\_\_\_, tattoos and/or scars \_\_\_\_\_, the type of vehicle he drives \_\_\_\_\_, and his license plate number \_\_\_\_\_.
- N. I can take steps to assure the confidentiality of certain documents by using a PO Box or alternate address, or setting up a password with certain institutions to assure only I can access my personal information. The documents I will change include: \_\_\_\_\_ bills, \_\_\_\_\_ utilities, \_\_\_\_\_ car registration, \_\_\_\_\_ taxes, and \_\_\_\_\_ bank accounts.

## Step 4: Safety with a protection order.

I recognize that I may need to ask the police and the courts to enforce my protection order. The following are some steps that I can take to help the enforcement of my protection order:

- A. If I have any questions about protection orders, or how I can get one, I will contact \_\_\_\_\_.
- B. I will keep my protection order \_\_\_\_\_ (location).  
*(Always keep it on or near your person. If you change your purse, your protection order is the first thing that should go in.)*
- C. British Columbia has a Protection Order Registry (POR) that all police departments can access to confirm a protection order within minutes. I can check to make sure that my order is in the registry by calling VictimLink BC at 1-800-563-0808.
- D. I will inform my employer, my closest friend and \_\_\_\_\_ and \_\_\_\_\_ that I have a protection order in effect.
- E. If my partner destroys my protection order, I can get another copy from the courthouse located at \_\_\_\_\_.
- F. If my partner violates the protection order, I can call the police and report a violation. I can also contact my lawyer and/or call my support worker.
- K. I will inform and provide a copy of my protection order to people who have contact with my children. The people I will inform about my protection order include:  
 \_\_\_\_\_ (school),  
 \_\_\_\_\_ (daycare),  
 \_\_\_\_\_ (babysitter),  
 \_\_\_\_\_ (teacher),  
 and \_\_\_\_\_ (others).
- L. If the abuser is involved in the criminal justice system, I can register with the provincial Victim Safety Unit (VSU) to get ongoing information about the status of the abuser, including whether or not he is in provincial jail, what community he may be in, and what conditions he may have to follow. To register for the victim notification services I can contact the VSU at 1-877-315-8822.

## Step 5: Safety at work and in public.

Women who have experienced domestic violence must decide if and when to tell others about the violence and that they may be at continued risk. Friends, family, and co-workers can help.

You should consider carefully which people are supportive and helpful.

I might do any or all of the following:

- A. I can inform my boss, the security supervisor and \_\_\_\_\_ at work of my situation.
- B. I can ask \_\_\_\_\_ to help screen my telephone calls at work.
- C. When leaving work, I can \_\_\_\_\_  
\_\_\_\_\_.
- D. When driving home if problems occur, I can \_\_\_\_\_  
\_\_\_\_\_.
- E. If I use public transit, I can \_\_\_\_\_  
\_\_\_\_\_.
- F. I can use different grocery stores and shopping malls and shop at hours that are different than those that I used when residing with the abuser.
- G. I can use a different bank and take care of my banking at hours different from those I used when residing with the abuser.
- H. I can also \_\_\_\_\_.

## Step 6: Safety and drug or alcohol use.

If drug or alcohol use has occurred in my relationship with the abuser, I can enhance my safety by doing some or all of the following:

- A. If I am going to use, I can do so in a safe place and with people who understand the risk of violence and are supportive.
- B. I can also \_\_\_\_\_.
- C. If my partner is using, I can \_\_\_\_\_ and I might also \_\_\_\_\_.
- D. To safeguard my children, I will \_\_\_\_\_ and \_\_\_\_\_.

## Step 7: Safety and my emotional health.

The experience of domestic violence is exhausting and emotionally draining. The process of moving forward takes much courage and energy.

To conserve my emotional energy and resources, I can do some of the following:

- A. If I feel down and want to return to a potentially abusive situation, I can \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
- B. When I have to communicate with my partner in person or by telephone, I can \_\_\_\_\_.
- C. I can tell myself - “\_\_\_\_\_” - whenever I feel others are trying to control or abuse me.
- D. I can read \_\_\_\_\_ to help me feel stronger.
- E. I can call \_\_\_\_\_ and \_\_\_\_\_ for support.
- F. Other things I can do to help me feel stronger are \_\_\_\_\_,  
\_\_\_\_\_ and \_\_\_\_\_.
- G. I can attend workshops and support groups or \_\_\_\_\_,  
\_\_\_\_\_ or \_\_\_\_\_ to gain support and strengthen my relationships with other people.

## Step 8: Items to take when leaving.

If you leave your abusive partner it is important to take certain items with you. You may also give extra copies of documents and an extra set of clothing to a friend just in case you have to leave quickly.

Items with an asterisk (\*) on the following list are the most important to take. If there is time, the other items might be taken, or stored outside the home. These items might best be placed in one location, so that if you have to leave in a hurry, you can grab them quickly. Check off items on this list as you make your plans.

When I leave, I should take the following items for myself and my children:

* Birth certificates	* Social Insurance Card (SIN Card)
* Driver's licence and registration	* School and vaccination records
* CareCards (Health Cards)	* Passports
* Money	* Chequebook and Bankbooks
* Debit and Credit Cards	* Transit pass
* Keys – house/car/office	* Medications and prescriptions
* Court orders, protection orders and custody documentation	* Citizenship or immigration documents or Certificate of Indian Status
* Work permits	Medical records
Lease/rental agreement, house deed, mortgage papers	Assistive devices (i.e. glasses, dentures, walkers, canes, hearing aids)
Insurance papers (car, home, health)	Address/telephone book
Divorce papers, marriage certificate	Children's favourite toys and/or blanket
Pictures of abuser and children/grandchildren	Valuable or sentimental items such as jewellery

## **Contact information I need to know:**

In the event of an emergency I will immediately call 911 or police.

If I need immediate crisis support or a referral to a program or service I can contact VictimLink BC at 1-800-563-0808 anytime of the day or night.

I can fill out the table below with service providers in my community that can help me.

<b>Service Provider</b>	<b>Contact Person</b>	<b>Phone Number and/or Email Address</b>

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*Adapted with permission from the U.S. based National Network to End Domestic Violence (NNEDV), [www.nnedv.org](http://www.nnedv.org).*



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