

ENDING VIOLENCE

Association of BC

Interagency Case Assessment Team Best Practices:

Working Together to Reduce
the Risk of Domestic Violence



Vernon Women's Transition House Society



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- *Greater Victoria Regional Domestic Violence Unit (RDVU) – Victoria*
- *Ministry of Children and Family Development (Provincial Practice)*
- *Ministry of Justice (Corrections Branch, Criminal Justice Branch,¹ Community Safety and Crime Prevention Branch, and Policing and Security Programs Branch)*
- *North Okanagan Integrated Case Assessment Team*
- *Provincial Office of Domestic Violence*
- *RCMP E Division*

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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.² 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.

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 organization.

² "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." (See: British Columbia Coroners Service, 2010, p 82)

2 | Scope of this Manual

This Manual consists of four 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 practices including ICAT membership, administration and procedures, risk assessment and management, records management, 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.

The 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?

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. An ICAT is a partnership of local agencies, including police, child welfare, health, social service, victim support, and other anti-violence 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.*

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.

4 | ICATs, Domestic Violence Units, Highest Risk Domestic Violence Teams, and Violence Against Women Coordination Committees

ICATs, Domestic Violence Units (DVUs), Highest Risk Domestic Violence Teams (HRDVT), and local domestic violence coordination committees (“coordinating committees”) are efforts that help communities respond effectively to domestic violence.³ They are each different in their make-up and function, but they complement one another and add strength to the local domestic violence response.

HRDVTs are usually comprised of partnerships between police, child welfare, victim services and Community Corrections. They are governed by police detachments and focus primarily on investigation and intervention after a police report. Domestic violence cases reviewed by an HRDVT do not necessarily need to be designated Highest Risk, however the risk factors present will be identified and assessed.

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. Some RCMP Detachments refer to one or more police officers in a detachment designated to work with domestic violence cases as a DVU. The DVU may be a part of an HRDVT or an ICAT. Unlike a DVU, an ICAT is not an investigative body.

The sole purpose of an ICAT is to increase safety and reduce harm that results from domestic violence.

³ Local coordination committees are often referred to as Violence Against Women in Relationships (VAWIR) or Violence in Relationships (VIR) Committees.

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 www.endingviolence.org.

Typically, the ICAT is co-chaired by one police officer and one representative from a community-based victim assistance 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. Consent and cooperation of the victim is the best practice and usual, however, legislation permits and in certain situations requires the sharing of information without consent.

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 worker/anti-violence worker can ensure that the victim is respected as an expert in personal risks and safety, and is kept informed and central to the ICAT process. The victim service worker/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.⁴

⁴ For safety reasons, it is recommended that the perpetrator not be notified of, or provide consent regarding the ICAT meeting. **Organizations participating in ICAT ensure that the authority to share information exists within legislation (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

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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 she was 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 from teens to older adults.

8.2 Highest risk

Consistent with the BC Violence Against Women in Relationships 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 which 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.⁵ These assessments focus on the perpetrator, 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 both 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 Personalized Safety Plan). 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 may not always be shared with ICAT members but is kept by the victim and possibly her victim services or anti-violence worker.

⁵“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.” (See: Critical Components Project Team, 2008)

9 | “Life Trumps Privacy”:⁶ Sharing Information at the ICAT Table

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,⁷ 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 is considered necessary to protect individuals, their children and others who have been identified or assessed at 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 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 shared, 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 & PIPA*). *FIPPA* also specifically permits the release of personal information for the purpose of reducing the risk of domestic violence if domestic violence is 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.

⁶ Office of the Information and Privacy Commissioner for BC & Information and Privacy Commissioner of Ontario (2008) at p. 1

⁷ Please refer to item 9.3 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.⁸ Each ICAT member is responsible for ensuring that information sharing meets the requirements of the privacy laws governing his or her workplace and profession. For more information on applicable privacy laws see CCWS Backgrounder: Critical Privacy Provisions which Impact Information Sharing in Woman Abuse Cases (September 2013).

Applicable laws include the following:

- Federal *Privacy Act* (for federal government entities such as RCMP, 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,⁹ and organizations such as unincorporated associations, trade unions, and charities)
- BC *Child, Family and Community Service Act (CFCSA)*. This act includes the requirement to report situations where a child is in need of protection. This requirement applies to everyone. (See section 9.9 of this Manual for further information on the reporting requirement related to children.) In addition, the *CFCSA* has privacy provisions which apply to Ministry of Children and Family Development personnel.

9.3 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.

⁸Note: Some entities and their contractors may have different applicable laws. See: www.oipc.bc.ca and www.priv.gc.ca/index_e.asp

⁹ 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)

9.3(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,¹⁰ the *Privacy Act* still allows personal information to be shared 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 federal ***Privacy Act 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 federal ***Privacy Act 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 federal ***Privacy Act Section 8(2)(m)(i) and (ii)***.

9.3(b) If You are part of a provincial public body such as Municipal Police, Community Corrections or Mental Health

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:¹¹

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.¹²
Section 33.1(1)(m.1)

¹⁰ For information on procedural safeguards where consent is not given see also section 9.5(a) of this Manual.

¹¹ Assuming that all disclosures for ICAT purposes occur inside Canada, *FIPPA* authorizes disclosure in the circumstances listed below.

¹² This provision also applies to MCFD/DAA pursuant to *CFCSA* S. 74(2)(e)(iv).

3. For the purpose for which it 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* 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. This provision applies whether or not consent to disclosure is given. **Section 25**

9.3(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*¹³ 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)**

¹³ 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.

9.3(d) If you are a Child Protection Social Worker

The *CFCSA* applies to Ministry of Children and Family Development personnel (MCFD/DAA). If the ICAT is in need of personal information held by MCFD/DAA and the individual has not given consent, *CFCSA* authorizes disclosure if the disclosure is necessary to ensure the safety or well being of a child or is necessary to ensure the safety of a person other than a child. ***CFCSA* Section 79(a) and (a.1)** This provision overrides privacy provisions in FIPPA. ***CFCSA* Section 74**

9.4 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 should be shared at the ICAT table.

9.5 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 subject to this Protocol.

Although obtaining consent from the individual is the best practice, it may not be possible in all cases and the 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.

9.5(a) Additional procedural safeguards to help protect privacy where information is shared without consent¹⁴

In terms of personal information about the victim, every effort should be made by the ICAT member agency or the referring agency to obtain their 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 share 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 decision 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.

¹⁴ See: Community Coordination for Women's Safety (2012) for more information.

9.5(a) Additional procedural safeguards to help protect privacy where information is shared without consent¹⁴ (cont'd)

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/survivor and to whom and
- Consider the risks 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.

9.6 Sharing personal information without breaching ethical standards

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

9.7 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.

9.7(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).¹⁵ federal ***Privacy Act* 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. federal ***Privacy Act* Section 5(3)(b)**

¹⁵ Section 8(2) permits disclosure by a federal public body for a number of circumstances including the following: for a consistent purpose 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 8(2)(m).

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

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

An organization may collect personal information only for reasonable purposes and only collect information that fulfills the purposes disclosed and permitted by *PIPA*. Generally, an organization needs 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 interest 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 22.¹⁶

¹⁶ 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

9.8 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.

9.9 The CFCSA requirement to report in situations where a child is in need of protection

The purpose of the *CFCSA* is to protect children from harm, promote the integrity of the family and assure the best interests of children. In all proceedings and matters pursuant to the Act, the paramount consideration is the best interests of the child. If any ICAT member or referring agency has reason to believe a child needs protection, they have a legal duty to report their concern to their local child welfare worker. This Act requires everyone to report to the Ministry for Children and Family Development facts and circumstances supporting a belief that a child needs protection. (See s. 13 of the *CFCSA* for examples of when a child would be deemed in need of protection.)

(See: BC Handbook for Action on Child Abuse and Neglect)

9.10 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.

9.11 If the case is not assessed to be highest risk

If a case is assessed as "not highest risk", information sharing stops, but the usual police, child welfare and anti-violence agency safety and support plans and mandates are implemented. The referring person monitors the case for changes in risk factors that may result in ICAT reviewing the case again.

9.12 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 *Family Law Act*, *Public Health Act*, the *Health Act*, *Ministry of Health Act*, *Hospital Insurance Act*, the *Coroner's Act* and regarding the disclosure of youth records, the *Youth Criminal Justice Act*.

9.13 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 Protocol

The term of any local ICAT protocol commences when all participants have signed on and is subject to the sections below.

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

Any of the ICAT members representing agencies, public bodies or organizations that are parties to this Protocol may terminate participation in this 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
- Victim services (community and/or police-based)
- Probation (known in BC as Community Corrections)
- 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.

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

- Transition House Programs (including Safe Homes and/or Second Stage Housing)
- Stopping the Violence Counselling and/or Outreach Programs
- Mental health
- Substance misuse programs
- Income Assistance (MSDSI)
- Indigenous community and organization representatives
- Hospitals, clinics or physician's offices
- Settlement Programs
- Parole
- Children Who Witness Abuse Programs
- BC Forensic Psychiatric Services
- Schools
- Employee Assistance Programs
- 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 members 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 others who are invited on a case-by-case basis.

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 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

The ICAT coordinator should be associated with a community-based victim service program that is a standing member of the ICAT. 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 13, ICAT Meeting and Case Review Minutes).
- Circulating meeting minutes to the ICAT members
- Receiving and circulating case-relevant critical updates between ICAT meetings
- Preparing the Risk Review Report (see Appendix 11, Risk Review Report Sample) 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.
- Forwarding notes and records to the ICAT police member for storage.
- Scheduling an annual team meeting to discuss ICAT process, team training needs, areas for improvement and to summarize case reviews.

10.3(c) Assuring confidentiality

Affirmations of Confidentiality (see Appendix 8, Affirmation of Confidentiality) 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 risks and vulnerabilities posed to the victims, 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 at the time she provides consent to 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 without the use of victim or perpetrator names (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, the content of an ICAT meeting cannot be discussed with coworkers. If a victim or perpetrator is unknown to an ICAT member's agency, no information can be shared except for relevant alerts (i.e. victim's first name to transition house to ensure she is prioritized for safe shelter).

10.3(d) 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 police member takes the lead role in maintaining ICAT records and communicating ICAT conclusions to Crown, 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.

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 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 (Appendices 11 and 12, Risk Review Report Sample and Initial 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 14, ICAT Case Update Sample). 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 risk management plans, are kept separately from the investigative file related to that case.

A brief summary of reasons for closing a file is documented 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.

12 | Seeking Consent and Managing the Referral

12.1 Consent received

If the victim consents to the ICAT process, the ICAT member or the party seeking consent will ensure that the victim has read or has been read and understands the consent document explaining privacy (see Appendix 5, Consent to Release Personal Information). This explanation should include the fact that the victim can revoke consent, but that the ICAT may likely 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 who 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 No consent

If a victim declines consent to the ICAT, it is important to be respectful of the fact that she is likely declining because she believes she can manage the risk, that consenting will cause the victim or her family greater risk or other complicating factors. If the victim ultimately declines consent or participation, explain the reason that ICAT must proceed, particularly if the victim has children or other community members exposed to risk. 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 will likely be taken by the ICAT because of compelling safety concerns that exist. Offer to keep the victim informed and remind her that police and child welfare may proceed with an investigation regardless of the victim's non-consent. If the perpetrator becomes aware of the ICAT process, it should be made clear to him that the process was conducted without the victim's 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.

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, her 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 a consent form has not been completed by the victim 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.

14.3 Attendance at an ICAT meeting

In order to share expertise and knowledge of ICAT, 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) 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 her behalf. The expert opinion of 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 13, ICAT Meeting and Case Review Minutes Sample) are discussed. 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, rather 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 behavior.

During the meeting, the ICAT coordinator takes notes on the BCSDVRF Note Taking Form (see Appendix 10, BCSDVRF Note Taking Form). 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 situation being discussed is determined. Consensus is sought, but if the police ICAT member disagrees with a risk designation, they have the ability to "veto" the decision.

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 assessed as **Highest Risk**, relevant information about the victim, perpetrator and others at risk can be shared to develop a Risk Review Report (see Appendix 11, Risk Review Report Sample) and a risk management plan (see Appendix 12, Initial 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 14, 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**, ICAT information sharing stops 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 Master List as a closed case. The referring party, if not present, should be notified and asked to watch for escalation or changes in circumstances. If the case is referred again to the ICAT for re-assessment, the closed 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 and the perpetrator's liaison will typically be police, probation or a mental health worker (see Appendices 9 and 10).¹⁴ However, a victim may request any ICAT member to be their liaison worker.

ICAT Risk Review Reports, Initial Risk Management Plans or 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 risk management information into PRIME that is pertinent to maintain safety in the case. The 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 the 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 police member regarding any contact the perpetrator or victim have with police. This information, if relevant, should then be shared with the ICAT members.

¹⁴ 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 expert opinion of the victim increases the effectiveness of risk management, a victim may choose to keep her personal safety plan private.

If the ICAT Initial Risk Management Plans 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. In addition, while victim safety plans will not generally contain information relevant to the prosecution of an ICAT case, if 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. Note that 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.

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 status, for example incarceration, relocation or other event that results in 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 placed in the police ICAT cabinet.

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

If a victim relocates to another community in BC, the ICAT case should be transferred to the new community if there is an operating ICAT. The transfer is initiated by the ICAT police member who shares relevant information with the new community's ICAT police member. If there are children, the ICAT child welfare members will also be involved. The original case files should reflect the transfer of the file. If this was not covered at the time initial consent was given by the victim, another consent may be required to share their information with the other ICAT.

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 COM 2 -- Committee Involvement (Ministry of Justice 2005). 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 Share 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*, 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 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 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 member, 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.¹⁷

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 may 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 notes were destroyed by a sexual assault crisis centre.

¹⁷ Crown Counsel's disclosure obligations are discussed in The Criminal Justice Branch's policy entitled "Disclosure – DIS 1" (Ministry of Justice 2005)

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 will be made by the ICAT police member after consultation described above.

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.

Appendices/Templates

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Terms of Reference

Purpose:

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

Responsibilities:

1. To develop and record policies, procedures and protocols to govern the activity of the Anytown Interagency Case Assessment Team Project.
2. To identify, recruit and orientate suitable agencies and individuals to participate in the domestic violence risk assessment and safety planning process.
3. To promote awareness and acceptance of the concept of risk assessment and safety planning.
4. 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.
5. To create a protocol agreement that enables agencies to share information appropriately and within boundaries of legislation.
6. To identify domestic violence “cases” that would most benefit from the attention of the Anytown Interagency Case Assessment Team.
7. To participate in the monitoring and evaluation of the Project and the making of subsequent recommendations.
8. 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 Project is to encourage information sharing and maintain awareness within their agency and the community of safety planning and risk assessment and its principles and practices by:

1. Acting as liaison between his/her 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 RCMP will ascertain the final consensus based on Federal, Provincial, and Municipal legislation.

APPENDIX 1

Anytown Interagency Case Assessment Team Advisory Committee

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 women and their children 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 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 Highest Risk Domestic Violence Team (HRDVT) 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 HRDVT 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)¹ tool and other agreed upon instruments.

c) Anytown Highest Risk Domestic Violence Team (HRDVT)

The Anytown Highest Risk Domestic Violence Team (HRDVT) is the body of community member agencies who respond to domestic violence, by providing either intervention or support. The HRDVT 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.²

¹ 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.

² 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 and members of the community via the RCMP Domestic Violence Unit Coordinator, 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 RCMP, Anytown RCMP 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 Housing and Social Development.

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.

Freedom of Information and Protection of Privacy Act: if compelling circumstances exist that affect anyone's health or safety, Section 33.1 (1)(m.1) states: "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".

Personal Information Protection Act: if there are reasonable grounds to believe that compelling circumstances exist that affect the health or safety of any individual.

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 share 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 decision 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 place on its recipients
- Give consideration to whether notice of disclosure must be provided.

5 Risk assessment process

1. A case is referred to the RCMP Domestic Violence Unit Coordinator 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 RCMP Domestic Violence Unit Coordinator 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.
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 Member Information and Guidelines

Purpose of Interagency Case Assessment Team (ICAT)

The ICAT team meets to discuss highest risk domestic violence cases. We use 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 the 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 offender.
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 RCMP Domestic Violence Unit member. We do not seek consent from the offender and the offender 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 offender, 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. **Assessment.** 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 safety 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 offender.
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 offender or vice versa
- Offenders 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.

RCMP Domestic Violence Unit
250-555-5555
@rcmp-grc.gc.ca

Community Coordinator
Community-Based Victim Assistance Program
(or other Anti-Violence Agency worker)
250-555-5555
cbvap@antiviolenceagency.ca

Completed Document Protected A

ATTENTION: RCMP DOMESTIC VIOLENCE 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: _____

ATTEMPTED Death or Grievous Bodily Harm	YES / NO
Explain:	
Weapons Used:	
THREATENED Death or Grievous Bodily Harm	YES / NO
Explain:	
Weapons Used:	

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	

Relationship Status:	✓	Living Status:	✓	Orders:	Past/Present
Prior		Joint Residence		Child Custody	
Current		Independent Residence		Civil Restraining	
Married		Transition House		Peace bond	
Common Law		Other:		Undertaking	
Dating				Other:	
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 offenders' 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).*

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.?)*

Witness(es): _____

Other Persons at Risk: _____

ANYTOWN HIGHEST RISK DOMESTIC VIOLENCE TEAM
INITIAL CASE REFERRAL CHECKLIST

POLICE USE ONLY

DATE FILE RECEIVED MM DD YYYY RECEIVED BY: _____

	POS	NEG		POS	NEG
PORS	<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)			
RCMP Domestic Violence Unit		Anytown Women's Transition House	
RCMP Victim's Assistance		Community-Based Victim's Assistance	
Ministry for 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	
Anytown Immigrant Services			

Risk Classification: **HIGHEST** **MEDIUM** **LOW**

File Review Dates: _____ Decision Record Completed: **YES / NO**

COMMENTS: _____

Consent to Release Personal Information

I, _____, hereby give permission to the staff of _____ (agency name) to disclose personal information to the Anytown Interagency Case Assessment Team (ICAT).

The following specific information may be disclosed:

Information concerning the relationship and/or interactions between myself and/or my children and extended family members with _____ during the time period of _____ 20__ to present.

It is understood that all information provided to the above-mentioned Team shall not be further disclosed without my consent subject to certain limited exceptions as set out in the Anytown Interagency Case Assessment Team Protocol.

This Release may only be revoked by notice in writing delivered to the RCMP Domestic Violence Unit. The Release is a consent pursuant to the Personal Information Protection Act (see reverse).

Please be advised that revocation means your participation in the ICAT process has completed. The ICAT process, including sharing of information, will continue to provide proactive interventions that result in enhanced safety and support.

COMPLAINANT

WITNESS

 Signature

 Signature

 Phone Number

 Phone Number

Protocol for confidentiality explained on: _____, 20____

Method for revoking consent explained on: _____, 20____

Privacy Rights under the Personal Information Protection Act and Privacy Act explained on: _____, 20____

 Witness Signature

 Witness Signature

Consent to Release Personal Information

PERSONAL INFORMATION PROTECTION ACT (PIPA) and PRIVACY ACT (BC)

Under PIPA consent is generally required before personal information about you can be shared with other agencies. PIPA allows information to be shared without consent in certain circumstances including where there are reasonable grounds to believe that compelling circumstances exist affecting the health or safety of any individual.

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

Before the passing of the Privacy Act, (BC) the laws of British Columbia did not allow a person to sue if someone discussed her or his private affairs. The Privacy Act now says that you can sue for that. Section 2 of the Privacy Act says that you can allow people to discuss your affairs. If you have allowed them to discuss your affairs, they cannot be sued.

REVOKING CONSENT

If you wish to revoke consent for the Integrated Case Assessment Team (ICAT) to use the information from your case, contact the RCMP Domestic Violence Unit Coordinator, 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 RCMP Domestic Violence Unit Coordinator, who will assign a number to your case. She will then assign your case a meeting date and notify the ICAT members involved with your case (i.e. RCMP, Transition House, Victim Services, etc.) of the meeting date and the case to be discussed.

NO ONE OTHER THAN THOSE INVOLVED WITH THE INTEGRATED CASE MANAGEMENT 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 Domestic Violence Unit of the RCMP Detachment.

Anytown ICAT Master List Template

20__						
CASE #	Referred by	Offender	Victim	Opened	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#:						

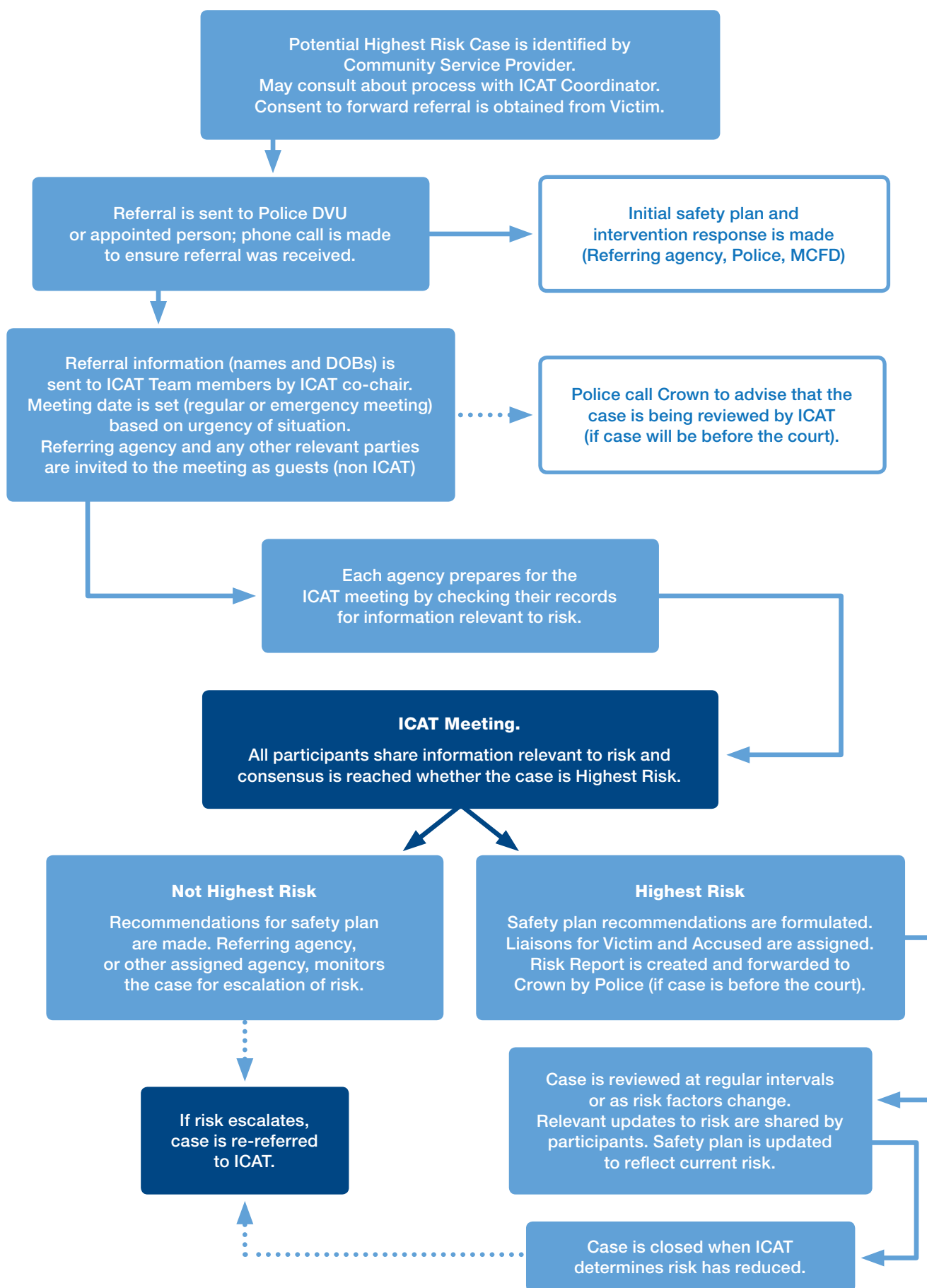
Page 1

Date: _____

This agreement is in effect from _____ until the ICAT case is closed.

INSERT CURRENT DATE

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
Based on 19 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	Current Status of the Relationship 	<ul style="list-style-type: none">Is there past, recent or pending separation in the relationship? Note: Social science experts say that where there are controlling coercive behaviours, the intensity and lethality of violence often escalates after the victim leaves the relationship		
1.2	Escalation in Abuse 	<ul style="list-style-type: none">Is there escalation in the frequency/intensity of violence or abuse towards the complainant, family members, a pet or another person?		
1.3	Children Exposed	<ul style="list-style-type: none">Are there children, under 19 years of age, in the family who are living in the home?Who are the parents and is there a custody dispute? (Note: Contact MCFD)		
1.4	Threats	<ul style="list-style-type: none">Has the Suspect ever threatened to kill or harm the complainant, a family member, another person, children or pet?		
1.5	Forced Sex	<ul style="list-style-type: none">Has the Suspect ever forced sex on the complainant?		
1.6	Strangling, Choking, Biting 	<ul style="list-style-type: none">Has the Suspect ever strangled, choked or bit the complainant?		
1.7	Stalking 	<ul style="list-style-type: none">Has the Suspect displayed jealous behaviours, stalked or harassed the complainant or a previous intimate partner?		
1.8	Information on Relative Social Powerlessness	<ul style="list-style-type: none">Are marginalization factors present (i.e. drugs, alcohol, pregnancy, etc.)?Geographical isolation, disability, poverty?Are cultural factors present (i.e. family pressures, religious beliefs, gender inequality, etc.)?		

2. COMPLAINANTS PERCEPTIONS OF RISK			YES	NO
2.1	Complainant's Perception of Personal Safety	<ul style="list-style-type: none">Does the complainant believe the Suspect will disobey terms of release particularly a No Contact Order?		
2.2	Complainant's Perception of Future Violence 	<ul style="list-style-type: none">Does the complainant fear further violence if Suspect should be released from custody?What access is there to the Victim and what is the basis of the Victim's fear?		

BC SUMMARY OF DOMESTIC VIOLENCE RISK FACTORS

Based on 19 Risk Factors

3. SUSPECT HISTORY			YES	NO
3.1	Suspect's Criminal Violence History	<ul style="list-style-type: none"> Does the Suspect have a history of threats, violence, sex assaults, and criminal harassment? <p>Note: <i>One of the most common research findings is that Suspects with a history of violence are much more likely to engage in future violence than those with no such history.</i></p>		
3.2	Suspect's Previous Domestic Violence History	<ul style="list-style-type: none"> Is there a history of violence or abusive behaviour in a previous Intimate Partner Relationship? Is there any history of threats or actual violence or abusive behaviour against other members of the household including children, other family members or family pets? 		
3.3	Court Orders	<ul style="list-style-type: none"> Has the Suspect ever violated a Court Order? Is the Suspect presently bound by any Court Orders? (FLA, CFCSA, or protection orders?) Is the Suspect in a reverse onus situation for bail? 		
3.4	Alcohol/Drugs	<ul style="list-style-type: none"> Does the Suspect have a history of drug or alcohol abuse? 		
3.5	Employment Instability	<ul style="list-style-type: none"> Is the Suspect unemployed or experiencing financial problems? 		
3.6	Mental Illness 	<ul style="list-style-type: none"> Does the Suspect have a history of mental illness (e.g. Depression or paranoia)? 		
3.7	Suicidal Ideation 	<ul style="list-style-type: none"> Has the Suspect threatened or attempted suicide? If YES, when and how? <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		

4. ACCESS TO WEAPONS/FIREARMS			YES	NO
4.1	Weapons/Firearms (Used or Threatened?)	<ul style="list-style-type: none"> Has the Suspect used or threatened to use a firearm or weapon against the complainant, family member, children or an animal? 		
4.2	Access to Weapons/Firearms	<ul style="list-style-type: none"> Does the Suspect have access to weapons/firearms? 		

Review Meeting Date: _____

File Review Dates: _____ **Decision Record Completed:** **YES** / **NO**

COMMENTS:

[illegible]

Date _____

BC SUMMARY OF DOMESTIC VIOLENCE RISK FACTORS

Based on BCSDVRF 19 Risk Factors

NOTE TAKING FORM

Date of ICAT Meeting: _____ Police File Number: _____

ICAT File Number: _____

1. RELATIONSHIP HISTORY			YES	NO
1.1	Current Status of the Relationship			
1.2	Escalation in Abuse			
1.3	Children Exposed			
1.4	Threats			
1.5	Forced Sex			
1.6	Strangling, Choking, Biting			
1.7	Stalking			
1.8	Information on Relative Social Powerlessness			

2. COMPLAINANTS PERCEPTIONS OF RISK			YES	NO
2.1	Complainant's Perception of Personal Safety			
2.2	Complainant's Perception of Future Violence			

BC SUMMARY OF DOMESTIC VIOLENCE RISK FACTORS

Based on BCSDVRF 19 Risk Factors

NOTE TAKING FORM

3. SUSPECT HISTORY			YES	NO
3.1	Offender's Criminal Violence History			
3.2	Offender's Previous Domestic Violence History			
3.3	Court Orders			
3.4	Alcohol/Drugs			
3.5	Employment Instability			
3.6	Mental Illness			
3.7	Suicidal Ideation			

4. ACCESS TO WEAPONS/FIREARMS			YES	NO
4.1	Weapons/ Firearms (Used or Threatened?)			
4.2	Access to Weapons/ Firearms			

RISK REVIEW REPORT

February 2, 2010

Sample Case

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

ICAT Case # 2010-xx

Vernon RCMP File # 2010 - xxxx

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

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

Children: LAST, First (DOB: xxxx-xx-xx)

Risk Level

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

Consent: Complainant has consented to the assessment. Consent documents to be kept on file at DVU.

Summary of Risk Factors:

Suspect's Criminal Violence History

Assault of a stranger outside of a bar.

Previous Domestic Violence History

History of serious violence against partners in intimate relationships, including year long history in current relationship. Has done federal time for previous aggravated assault (K File).

Court Orders

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

Alcohol and Drugs (Suspect)

Alcohol not known, misuses drugs. 11-year involvement in grow op on Vancouver Island and into USA.

Employment Instability

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

Mental Illness

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

Suicidal Ideation

Has threatened suicide if she reports abuse or leaves him.

Weapons/Firearms

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

Complainant's Perception of Personal Safety

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

Complainant's Perception of Future Violence

Same as above – recognizes the risk.

Current Status of the Relationship

Complainant and her child are currently staying at the transition house.

Escalation in Abuse

Violence has escalated, but has been present throughout relationship.

Children Exposed

The complainant's son (not his biological) has been exposed to frank violence.

Threats

Suspect has made threats in front of others (including the Justice of the Peace) to kill complainant. He has threatened to kill male friends of complainant and police officers (told the complainant that he was going to kill these people).

Forced Sex

Not forced but coerced.

Strangling, Choking and Biting

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

Stalking

Found complainant's location in Vernon after she left Sooke, via hacking into complainant's 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.

Information on Relative Social Powerlessness

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

Other information:

- suspect will be released from custody on Feb 4, 2010.
- suspect's parents will be taking him from Kamloops to Vernon to get some belongings and then to Duncan. He will be monitored by P/O at that time.
- complainant's cat is staying at foster home.

INITIAL RISK MANAGEMENT PLAN
February 2, 2010
Sample Case

**Present: RCMP, Probation, CBVAP, STV Outreach, Transition House, ICAT
Community Coordinator, MCFD**

ICAT Case #	2010-xx	
Vernon RCMP File #	2010 - xxxx	
Accused:	LAST, First	(DOB: xxxx-xx-xx)
Complainant:	LAST, First	(DOB: xxxx-xx-xx)
Children:	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 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 of his) has apparently been contacting 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.
- CBVAP will support complainant at the trial.
- Accused’s lawyer may be able to appear on his behalf at the plea hearing on February 25, 2010 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, 2014

1:30pm

ICAT Members' Attendance			
L M – RCMP	X	L R – MSDSI	X
B Mc - VWTTHS	X	A E – RCMP VS	X
L P – MCFD	X	D K – IHA	
C H – SVAP	X	L L - Parole	X
S D – Community Corrections		M M – Transition House	X
W H – Women's Outreach	X	S K– Forensics	X
ICAT Alternates' Attendance			
C P - RCMP		N C – MCFD	
S D - MSDSI	X	S B – RCMP VS	
D G – Community Corrections		D H - VWTTHS	
E C – SVAP		M M – 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. VWTTHS - : B Mc is away tomorrow and Friday.
 - c. No other agency updates
3. Case Reviews
 - a. No new referrals
 - b. IH is monitoring a case; no referral at this time
4. Case Updates and File Closures
 - a. 2014-18 – updated; see notes
 - b. 2014-19 – updated; see notes
5. Closed Files – Information to bring forward
 - a. t2014-05 – updated; see notes
6. ICAT training/information to share

Request for ICAT brochures – B to bring to the next meeting.
7. ICAT Team meeting – see notes
8. Next meeting: Wednesday November 26, 2014 at Vernon Parole

Christmas get together will be at L Mc's house at 1pm on December 10th. Group to order Chinese.

ICAT CASE UPDATE
MAY 21, 2014

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

ICAT Case #	2010-xx	
Vernon RCMP File #	2010 - xxxx	
Accused:	LAST, First	(DOB: xxxx-xx-xx)
Complainant:	LAST, First	(DOB: xxxx-xx-xx)
Children:	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 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, 2014

GLOSSARY OF ACRONYMS

Useful for Work with Interagency Case Assessment Teams

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
CBVAP	Community Based Victim Assistance Program (also SVAP)
CCLO	Community Corrections Liaison Officer
CCO	Continuing Custody Order (MCFD)
CCWS	Community Coordination for Women's Safety
CFCSA	Child, Family and Community Services Act
CLE	Community Legal Education
CORNET	Corrections Network (information system)
CPIC	Canadian Police Information Centre
CWWA	Children Who Witness Abuse
DO	Dangerous Offender
DSM (iv,x)	The manual and system for diagnosing mental illness and disorders
DVU	Domestic Violence Unit police and support person response to DV
EDP	Emotionally Disturbed Person
FCPC	Family Case Planning Conference (MCFD)
FDR	Family Development Response (MCFD)
FGC	Family Group Conference (MCFD)
FH	Fraser Health
FVIR	Family Violence Investigation Report (Alberta)
FOI/PPA	Freedom of Information and Protection of Privacy Act
FLA	Family Law Act
FRA	Family Relations Act
ICAT	Interagency or Integrated Case Assessment Team
ICM	Integrated Case Management (system used by MCFD, SDSI and others)
IH	Interior 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
MHA	Mental Health Act
MIS	Management Information System
MOJ	Ministry of Justice (formerly PSSG)
NH	Northern Health

GLOSSARY OF ACRONYMS

Useful for Work with Interagency Case Assessment Teams

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)
PIPA	Provincial Information Protection Act
PIRS	Police Information Retrieval System
PO	Probation Office/Parole Officer
PODV	Provincial Office of Domestic Violence
POR	Protection Order Registry
PROS	(Alberta) Police Reporting Occurrence System
PRIME	Police Records Information Management Environment
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 CBVAP)
TCO	Temporary Custody Order (MCFD)
T-House	Transition House
UTA	Undertaking to Appear
VAWIR	Violence Against Women in Relationships
VCA	Voluntary Care Agreement (MCFD)
VCH	Vancouver Coastal Health
VIHA	Vancouver Island Health Authority
VIR	Violence in Relationships
VOCA	Victims of Crime Act

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 _____.

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.

Service Provider	Contact Person	Phone Number and/or Email Address

This resource was adapted as part of the Online Domestic Violence Safety Planning Training course co-funded by BC Housing and the Ministry of Public Safety and Solicitor General, Government of British Columbia.

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