

September 27, 2021

Dear Members of the Police Services Board,

This deputation, signed by agencies serving survivors of domestic violence, calls on the Board to freeze the OPS budget. Additionally, based on the volume of overall calls to OPS, we urge that the response to Violence Against Women/Gender Based Violence (VAW/GBV) be prioritized within the existing budget. If the OPS budget reflected the demand for service in this city, this would mean 30% of the OPS budget would be spent on VAW/GBV responses.

Violence against women was identified as a priority for OPS in 2014 and VAW agencies and advocates have been actively working with them since then to improve their response to these cases. The OPS commitment has recently been reflected in their resource allocation with an increase in the number of officers dedicated to this area, a commitment to hire a VAW Senior Advisor, an undertaking to better serve Indigenous and racialized women and a commitment to building Advocate Case Review of OPS' response to crimes of violence against women into their infrastructure. These are positive developments. However, we want to ensure that they are ongoing, and do not rely on budget increases.

Almost 30% of calls to police across Canada are for domestic violence. If we look at the OPS budget, do we see 30% of resources dedicated to this? Responding to violence against women and gender-based violence is chronic and urgent. It needs to be resourced as such. We don't need more money added to police budgets, we need money from existing budgets allocated to reflect OPS' commitment to address violence against women. This can be done by using transparent and participatory gender equity and inclusion budgeting. Beyond budget allocation, we need to evaluate service quality and make these findings public.

We request that any new funding that otherwise would have been provided to policing be reallocated to community agencies focused on prevention and response to VAW/GBV, mental health, harm reduction and other social needs. Most importantly, we request that OPS continue to engage in good-faith efforts to provide better responses to survivors of violence. In the absence of alternatives to intervention during assaults, threats, harassment, stalking, child custody disputes & return of overheld children, keep the peace calls during property retrieval and other instances where violence or the threat of violence exists, we ask that resources from the existing budget be directed to intervening in situations of violence and saving lives in Ottawa.

We recognize that OPS has made a commitment to VAW work and that an improved police response has been prioritized. However, we continue to wait for a response to a series of demands made in the wake of the femicide of Hanadi Mohammed. Advocates have long offered recommendations to improve safety for victims/survivors of violence and still wait for implementation and public accountability. While we work towards better, community based, responses for VAW/GBV victims/survivors we will also work with OPS to inform better responses to victims/survivors. Advocates have spent countless hours providing insights, education, and recommendations to improve the OPS response. OPS has acknowledged that there is work to do and we have hopes that through continued engagement with VAW/GBV advocates that this change will occur.

Calling police to intervene while violence is occurring or has the potential to occur is currently the only option for many victims, yet we still do not see consistent positive outcomes for those who ask for police interventions. Particularly for members of IBPOC communities. In addition, many racialized and Indigenous people experiencing violence feel that calling OPS is not a safe option for them. Because of this, it is critical to invest in prevention and supports for victims and survivors as well as work to improve police response where no other alternatives exist. We believe it is equally important to track OPS progress over time. In order for that to happen, OPS needs to improve data collection, review, and analysis and allocate resources within the existing budget towards an additional case manager position to adequately monitor the DV queue. Most importantly, we urge OPS to implement the checklist provided to them by VAW advocates that will ensure that risk and other critical factors are assessed at every DV call. See attached letter with the complete list of demands.

Individuals within OPS have made great efforts to build trust with the VAW sector. It's time now to build trust with community by working within existing budgets and focusing resources where the need exists most.

Sincerely,

Interval House of Ottawa

Nelson House of Ottawa Carleton

Harmony House

FOR IMMEDIATE RELEASE

Violence Against Women Community Advocates Outraged at the predictable and preventable femicide of Hanadi Mohammed

(Ottawa, June 21, 2021)

We are outraged at the killing of Hanadi Mohammed and the attack on her daughter. Hanadi Mohammed should be with us today and we mourn her loss and the loss to so many communities. We share our most sincere condolences to all who knew and still love her.

Femicide in the context of partner violence is all too common. Although the impacts of the pandemic are yet to be fully known, we know there were 128 femicides in Canada in 2020, up from 89 in 2019. Thirty-six of these, or 41% were intimate partner femicides. A woman was killed every 2.5 days in Canada.¹

Hanadi Mohammed knew she was in grave danger, and she tried to get protection and support and our systems failed her. Our systems fail women repeatedly: especially Indigenous, Black, and women of colour. Too often it is because women are not believed and their legitimate fears that signal grave danger are dismissed. It is time to truly listen to women and believe them when they report to police. Survivors are experts in violence against women.

People with the power to make real change that would save the lives of women and children frequently say all the right things about how violence against women must end, but the murder of Hanadi Mohammed shows us that this is just lip service. What do words matter when she is gone? It's time for concrete, measurable action.

The Ottawa Police Service (OPS) has drawn on the community's expertise for how to help prevent and address violence against women, hosting an advisory committee since 2014. In 2015, a series of recommendations were made to the OPS on how to improve its response to incidents of intimate partner violence. Notably, VAW advocates found that OPS often fails to take a comprehensive history that identifies individual incidents of abuse as part of a pattern of relationship violence and coercive control. We recommended that OPS do risk assessments in every case, even where they have not found the grounds to lay charges in a particular incident. There are well known risk factors that predict potential serious or lethal violence, and risk assessments help identify them.

There is simply no excuse for police failure to regularly screen for risk. Indeed, following a similar process of community consultation in 1999 the Ottawa Police Service identified in its own report the need to establish and apply a standard risk indicator tool.²

¹ https://www.femicideincanada.ca/cfoja_reports

² Ottawa Police Service Partner Assault Unit 2001 Herman Goldstein Award Submission *Domestic Homicide Reducing the Risk*.

The topic of violence against women in intimate relationships has been thoroughly studied and is well understood. Sixty of the jury recommendations from the 1998 Inquest into the murder of Arlene May were directed at police, six of the jury recommendations from the Inquest into the murder of Gillian Hadley four years later were also directed at police. The Domestic Violence Death Review Committee, established following the Hadley Inquest, has made recommendations in response to every intimate femicide in Ontario since 2002. Dozens of repeated recommendations have been directed at police response to these predictable and preventable crimes. Chronic police failure to respond appropriately to these cases is simply unacceptable.

In 2021 the Ottawa Police Service, to their credit, finally agreed to provide comprehensive data on their responses to partner assault reports. This is what it revealed:

- In 2020, OPS only deemed 32% of domestic violence reports 'actual', or worthy of investigation.
- They only laid charges in 42% of these (representing only 14% of all DV reports).
- More than half (53%) were closed 'Insufficient Evidence'. This is more than fifteen times higher than the cases cleared this way reported for police forces throughout Canada in 2018.³

Because women's and children's lives are at stake, Ottawa VAW Advocates demand that the Ottawa Police Service take immediate steps to address the safety of women and children in Ottawa even while they continue to work to improve their response to these cases through the work of the VAW-OPS Community-Police Advisory Committee and DV-VACR. We demand that OPS immediately implement the actions set out in Appendix 1.

To the community, you also have an important role to play in addressing violence against women. We need to support each other, support survivors, and call in those causing harm and violence. Police are failing women; we need to step up. We urge you to visit: [Neighbours, Friends and Families](#) to learn how you can reach out and support survivors and help recognize and prevent these situations from escalating. We also invite you to reach out to [UnsafeAtHomeOttawa.ca](#) text and chat line at 613-704-5535 or the regional crisis line French (613) 745 3665 and English (613) 745 4818 if you or a woman or 2SLGBTIAQ+ person you know is surviving partner violence.

Signed:

Canadian Resource Centre for Victims of Crime
Counselling and Family Services Ottawa
Domestic Violence Against Women Advocate Case Review (DV-VACR) - Leighann Burns
Eastern Ottawa Resource Centre
Harmony House
Immigrant Women's Services Ottawa

³ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2019001/article/00018/tbl/tbl02-3-eng.htm> at Table 2.3.

Interval House of Ottawa
Jewish Family Services

Maison d'amitié
Minwaashin Lodge
Ottawa Coalition to End Violence Against Women
Ottawa Victim Services
Sakeenah Homes
The FAM Network (formerly SafePet Ottawa)
Western Ottawa Community Resource Centre / Chrysalis House
Women's Initiatives for Safer Environments
Women's Shelters Canada

Appendix 1

VAW Urgent Action Demands^[1] 21 June 2021:

In response to the killing of Hanadi Mohammed and the attack on her daughter, the latest in a long list of women and children killed and injured in circumstances where intimate partners are the accused or convicted perpetrators of this predictable and preventable violence experienced in intimate relationships, Ottawa VAW Advocates demand that the Ottawa Police Service take these immediate steps to address the safety of women and children in Ottawa even while they continue to work to improve their response to these cases through the work of the VAW-OPS Community-Police Advisory Committee and DV-VACR. We demand that OPS immediately implement the following:

For every OPS response/complaint where VAW is a suspected or alleged factor:

- 1. Standardization of policing guidance/information/resources.**
 - a. Immediate implementation of checklist in every file that documents:**
 - a. Active offer for French service and use of interpreters for other languages
 - b. Complainants/suspected victims with disabilities offered appropriate assistance NOT from the alleged or potential abuser
 - c. Parties were interviewed separately at the scene
 - d. Completed written risk assessment in every case whether charges are laid or not
 - e. Completed written dominant aggressor assessment in every case where this is a question

- i. Immediate written guidance on the dominant aggressor investigative aid in the partner assault policy
 - ii. Documented regular verbal reminders of its importance and use on parade and announcements
- f. Completed written comprehensive relationship history of abuse/threats/coercive control and recent events leading up to contact with police
 - i. **Patrol Officers** responding to a domestic dispute must probe beyond the one incident that brought them to the scene. When the parties are separated at the scene questions should be asked regarding whether there have been previous incidents where the accused person has lain hands on the complainant or when she has feared him.^[2] Questions must be asked in a manner that invites the complainant to offer anything she feels might be relevant and not just what she thinks the police are looking for. If the officer feels the complainant is reluctant to disclose but that there is more to the story than what is being offered, the case should be flagged for follow-up by the Partner Assault Unit (PAU) or the Victim Support Unit (VSU) or Ottawa Victim Services (OVS).
 - ii. **Investigators** conducting interviews must try a variety of approaches to elicit information beyond simply asking the complainant what else she wants to share. Though we recognize the legitimate reasons an officer may want to avoid asking leading questions, it is equally important to recognize that a complainant who has lived through a constant pattern of abuse over time may not know which incidents to describe. We encourage officers to include questions about whether she ever felt fear or unsafe at other points in the relationship.
- g. Non-judgemental and trauma informed policing in every case
- h. In-person Interviews in every case
- i. Documented screening of child custody and access exchange disputes for VAW
- j. Every confirmed or suspected VAW report screened to identify patterns through OPS contact history / data
- k. Ensuring police reports are complete and decisions are detailed in writing in every case

b. Concise description of necessary elements of offences and documented reasons for charging decisions where charges not laid.

- a. Some required elements, such as fear in criminal harassment charges, will require special attention for survivors of violence for whom managing and minimizing fear may be a necessary coping strategy to get through each day. In these cases, fear may not be articulated clearly by survivors in the expected format. Officers must be alive to this reality in order to respond appropriately and ensure a thorough exploration is conducted in every case.

c. Laying charges: Ensuring a shared understanding of the requisite law

- a. Reasons for Reasonable and Probable Grounds determinations explained to complainants and documented in writing in every file
- b. Ensuring patrol and investigators receive ongoing information and training on the necessary elements required under the Criminal Code & are encouraged to make greater use of infrequently used Criminal Code provisions

d. Interactions with Survivors of violence who present in a variety of ways & where trauma may impede communication:

- a. Intimate partner violence and coercive control are more accurately understood as chronic, rather than as discrete incidents, and by the time of police contact there may be hundreds of incidents over the course of many years, which makes pinpointing exact dates for specific events difficult. It is more important that these crimes be understood as occurring within a context of chronic events and resulting trauma. Survivors may react to situations in ways that are counterintuitive to police.
- b. Police must investigate all incidents survivors report regardless of the manner of delivery; whether apparently delivered with extreme anger or entirely without affect. All reactions to abuse are legitimate and should be seen as a remarkable array of survival strategies, rather than as evidence that credibility is in question.
- c. Appropriate lens applied in every case free of racism, oppression, stereotypes and bias: Stereotypes that impede officers' abilities to understand the situations before them and to respond appropriately have been the subject matter of litigation that provides some guidance. See *Jane Doe v. Metropolitan Toronto (Municipality) Commissioners of Police*^[3] See Institute for the Advancement of Aboriginal Women (IAAW) and the Women's Legal Education and Action Fund (LEAF) Submission Independent Review of Circumstances Surrounding the Treatment of "Angela Cardinal" in *R. v. Blanchard* October 15, 2017^[4]

- d. Appropriate use of cautions with survivors: There are times when it may be appropriate and necessary for police to caution a person regarding the potential legal consequences of statements they make. Costs and benefits of cautions to survivors who are reporting domestic violence incidents must be carefully weighed. A complainant who may already be reluctant to report may be deterred from further engagement with police if cautioned in a manner that leads her to believe she is not believed, which may outweigh the benefit of such a caution in that moment. Such cautions in these circumstances should be utilized sparingly.
 - e. Communication with survivors and their front-line supports throughout the life of the file
- e. Workload management.**
- a. Maintaining adequate number of investigators in the Unit
 - b. Maintaining Case Manager role
 - c. Ensuring patrol is equipped to respond appropriately in every case with appropriate resources and oversight
 - d. Creating a culture of excellence in responding to VAW: Recognizing and rewarding stellar OPS work
- f. Immediate oversight of all DV reports by DV-VACR.**
- g. Every suspected, alleged or confirmed DV report reviewed by OVS & VSU.**
- h. The Ottawa Police Service take immediate steps to fairly and promptly settle all outstanding claims of mistreatment of or improper response to complainants who reported domestic violence or sexual assault.**

^[1] Adapted from confidential OPS VAW Advisory Committee *Mandatory Charging Case Review Report*, L. Burns with support from E. Leigh, 21Sept15. This was an internal report where survivors gave permission for their cases to be reviewed to identify areas for improvement, but they did not consent for the work to be shared publicly.

^[2] This language applies to opposite sex relationships however the same tools can be applied when responding to allegations of domestic violence in same sex relationships.

^[3] *Jane Doe v. Metropolitan Toronto (Municipality) Commissioners of Police*, 1998 Ont. Gen. Div.

^[4] leaf.ca/wp-content/uploads/2017/11/Cardinal-Inquiry-IAAW-and-LEAF-Final-Submission-Oct-15.pdf

For more information:

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