

Findings and Recommendations of the Domestic Death Review Panel

Responses

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JUN 29 2010

MINISTRY OF SOLICITOR GENERAL  
OFFICE OF THE CHIEF CORONER



June 25, 2010

Dr. Diane A. Rothon  
Chief Coroner, BC Coroners Service  
Metrotower II, 800 – 4720 Kingsway  
Burnaby BC V5H 4N2

Dear Dr. Rothon:

I am responding to your letter of May 21, 2010 to the Honourable Michael de Jong Q.C., Attorney General, regarding the Domestic Violence Death Review Panel. In addition, I am responding to the letters you addressed to the Honourable Margaret MacDiarmid, Minister of Education; the Honourable Mary Polak, Minister of Children and Family Development; the Honourable Moira Stilwell, Minister of Advanced Education and Labour Market Development; the Honourable Murray Coell, Minister of Labour; and the Honourable Kevin Falcon, Minister of Health Services.

Please find enclosed a table setting out a consolidated list of responses to those recommendations directed to the ministries of government.

The Province of British Columbia, earlier this year, established a Senior Official's Task Force on Domestic Violence which developed an Action Plan in response to recommendations arising from a Coroner's Inquest and a report from the Representative for Children and Youth in relation to the deaths of Ms. Sun Park and her family. The Death Panel Review Report has been forwarded to the Senior Official's Task Force to help inform the work they are completing on the Domestic Violence Action Plan.

Sincerely,

David Morhart  
Deputy Solicitor General

Enclosure

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Ministry of Public Safety and  
Solicitor General

Office of the  
Public Security Commissioner &  
Deputy Solicitor General

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pc: The Honourable Michael de Jong, Q.C.  
The Honourable Margaret MacDiarmid  
The Honourable Mary Polak  
The Honourable Moira Stilwell  
The Honourable Murray Coell  
The Honourable Kevin Falcon

Mr. David Loukidelis  
Mr. James Gorman  
Mr. Mark Sieben  
Mr. Philip Steenkamp  
Mr. Rob Lapper  
Mr. John Dyble

# DEATH REVIEW PANEL

Recommendations	Ministry Responsible	Response
<p>1. A single set of domestic violence policy and practice directives for both police investigations and Crown counsel prosecution that unifies both systems regardless of the role, experience or location of the staff involved, including but not limited to:</p> <ol style="list-style-type: none"> <li>a. A domestic violence investigation guide (Guide), supported by a quality assurance program (QA);</li> <li>b. The Guide and QA are embedded into the police records information management environment (PRIME) to allow access across jurisdictions; and</li> <li>c. The Guide comprises part of the report to Crown counsel, thereby standardizing the information presented to Crown counsel for charge and bail considerations.</li> </ol>	<p>Public Safety &amp; Solicitor Gen</p> <p>Attorney General</p>	<ul style="list-style-type: none"> <li>• The Province will implement a single cross-agency domestic violence policy setting out roles and responsibilities of all service providers who respond to domestic violence.</li> <li>• By 2011, all B.C. police officers and supervisors will have received mandatory, web-based training that covers, among other things, the Domestic Violence Investigation Guide.</li> <li>• The Ministry of Public Safety and Solicitor General will consult with police and assess the ramifications of integrating the Guide into the PRIME records management system.</li> </ul>
<p>2. The creation of a domestic violence resource helpline to provide support and consultation to police officers working in diverse communities across the province, most notably those working in isolated or remote locations.</p>	<p>Public Safety &amp; Solicitor Gen</p> <p>Attorney General</p>	<ul style="list-style-type: none"> <li>• By 2011, all B.C. police officers and supervisors will have received mandatory, web-based training on domestic violence investigations. This training which includes material from the Domestic Violence Investigation Guide will ensure every police officer in the province is specifically trained in domestic violence investigations.</li> <li>• A second, online course, entitled <i>An Introduction to Domestic Violence Threat Assessment and Risk Management</i>, is in development, and will further enhance the domestic violence investigation skills of police.</li> <li>• As well, new, advanced training for prosecutors, police, and victim service and child protection workers will build on these two courses as part of the Domestic Violence Action Plan. These specially trained police investigators and Crown will be available to consult to police officers throughout the province.</li> </ul>
<p>3. The development of a consistent, system-wide definition of spousal or "K" files in consultation with victim and offender services. The definition should recognize it is the nature of the relationship between the victim and</p>	<p>Public Safety &amp; Solicitor Gen</p> <p>Attorney General</p>	<ul style="list-style-type: none"> <li>• The cross-agency domestic violence policy currently under development will provide guidance and direction in regard to the consistent designation of "K" files.</li> </ul>

Recommendations	Ministry Responsible	Response
<p>accused, and not the offence type, which determines designation as a "K" file. This means that, whenever an offence has been committed against a former or current intimate partner of the accused, the "K" designation would apply. An intimate partner is defined as a person in a marriage, common-law or dating relationship regardless of gender.</p>		
<p>4. The implementation of a "collaborative best practices" approach by justice system officials for the investigation and prosecution of domestic violence cases based on and following the best practice guidelines, mutual expectation agreements and organizational structure implemented in models such as the Langley Pilot Project and the Vancouver Police Domestic Violence and Criminal Harassment Unit. The approach should include, but not be limited to:</p> <ol style="list-style-type: none"> <li>a. The first appearance of an accused is no later than ten (10) business days from the offence date and the file presented to Crown counsel by police is as complete as possible;</li> <li>b. The file is fast-tracked through the system with the objective of setting a trial date within 60 days of the offence date;</li> <li>c. Within the provisions of the <i>Victims of Crime Act</i>, Crown counsel or police contacts every victim prior to the first appearance of an accused and ensures that bail conditions are mindful of the safety and needs of the victim and their family. Crown counsel ensures the victim is kept informed of the progress of the prosecution and which prosecutor has conduct of the file. Crown counsel directs the course of the prosecution while ensuring the victim opportunity to provide input; and</li> <li>d. The development of a protocol for communities with multiple police jurisdictions that ensures individuals seeking help and support are directed to the proper agency that will follow through on the case. There is an expectation that police</li> </ol>	<p>Public Safety &amp; Solicitor Gen</p> <p>Attorney General</p> <p>Children and Family Development</p>	<ul style="list-style-type: none"> <li>• As per recommendation #1, the Province will implement a single cross-agency domestic violence policy setting out roles and responsibilities of service providers who respond to domestic violence. The Vancouver DVU and participants in the Langley project have been consulted as part of this work and their input has informed the policy development.</li> <li>• The Province is enhancing training to develop greater expertise and knowledge about domestic violence within the justice system and specifically amongst police and prosecutors. This training will include both risk assessment and safety planning. This will allow B.C. to address domestic violence locally, in every court, rather than through specialized, stand-alone courts.</li> </ul> <p>MCFD is updating the <i>Best Practice Approaches; Child Protection and Violence Against Women</i>. This document will be the basis of training for child welfare workers on assessing and intervening in situations of domestic violence and will augment the Ministry's core new-hire training.</p>

Recommendations	Ministry Responsible	Response
<p>and Crown counsel will ensure each victim is made aware of the support available to them and their family from the appropriate victim services. Proactive victim services referral can only occur with the consent of the victim.</p>		
<p>5. A standard definition for domestic violence cases where there is a higher risk of serious harm or death. The designation is assigned to a case of spousal/intimate partner violence, threats or harassment when there is substantial concern for serious future violence toward either partner or vulnerable children. The designation of high risk is based upon, but not limited to, risk factors for lethality that have been identified in the current research literature and domestic violence death review committee reports on risk assessment tools.</p>	<p>Public Safety &amp; Solicitor Gen</p> <p>Attorney General</p> <p>Children and Family Development</p>	<ul style="list-style-type: none"> <li>• The province has adopted a standardized risk assessment tool for police to use in identifying high-risk cases. Police and selected Crown counsel will be trained in its use, ensuring greater consistency in identifying and responding to these cases.</li> <li>• The province's cross-agency policy will include a specific protocol for service providers in relation to cases where there is heightened risk.</li> </ul>
<p>6. The development of information-sharing protocols between all service providers for all high risk cases under the leadership of the Ministry of Public Safety and Solicitor General Domestic Violence Working Group. This entails directives from respective ministries to commit to sharing information in instances where public safety is at stake by means of Memoranda of Understanding (MOU) or Information Sharing Agreements (ISA). The MOU's and ISA's detail each agency's duty to report on cases of domestic violence.</p>	<p>Public Safety &amp; Solicitor Gen</p> <p>Attorney General</p> <p>Children and Family Development</p>	<ul style="list-style-type: none"> <li>• The province's cross-agency policy will include specific protocols in relation to information sharing.</li> </ul>
<p>7. The implementation of mandatory assessment procedures for adding no-contact provisions in protection orders to include children, family members and/or others where information exists to indicate they are also at risk in domestic violence cases. Procedures should be clear and adopt standard practices with respect to:</p> <ol style="list-style-type: none"> <li>a. Supervised access to children in consultation with the victim and ensuring victim safety;</li> <li>b. Address of school/daycare being</li> </ol>	<p>Public Safety &amp; Solicitor Gen</p> <p>Attorney General</p> <p>Children and Family Development</p>	<ul style="list-style-type: none"> <li>• PSSG and AG, in consultation with the judiciary, have completed work on standardized bail conditions that will help to ensure more consistent and enforceable release conditions are imposed on offenders – particularly those presenting an enhanced risk of re-offending.</li> <li>• MCFD is updating the <i>Best Practice Approaches; Child Protection and Violence Against Women</i>. This document will be the basis of training for child welfare workers on assessing and intervening in situations of domestic violence and will augment the Ministry's core new-hire training.</li> </ul>

Recommendations	Ministry Responsible	Response
<p>added to no-contact orders and a copy of the order provided to school/daycare administrators with discussion of a safety plan (e.g. use of a 'code word');</p> <p>c. Police and MCFD interviews of children as an investigative standard;</p> <p>d. Crown counsel seeking publication bans for child witnesses; and</p> <p>e. Crown counsel seeking orders appointing counsel for cross examination of the complainant, children and/or other family members of the victim or accused in every case where a self-represented accused is conducting his own trial.</p>	<p>BC Assoc of Chiefs of Police</p>	<ul style="list-style-type: none"> <li>As well, domestic violence training courses will incorporate a component on the mandate and use of the Protection Order Registry.</li> </ul>
<p>8. The provision of training and resources to police, Crown counsel, victim services and MCFD to ensure an adequate, accessible and comprehensive response to all victims, regardless of culture, ethnicity, language, gender, age, ability, religion, sexual identity and geographic location. Attention will be paid to the following:</p> <p>a. Cultural competency training;</p> <p>b. Training and guidelines related to violence against women with emphasis on immigrant and settlement service providers;</p> <p>c. Provision of information in multiple languages and access to interpreters;</p> <p>d. Timely statement language translation;</p> <p>e. Outreach to highly marginalized communities.</p>	<p>Public Safety &amp; Solicitor Gen</p> <p>Attorney General</p> <p>Children and Family Development</p> <p>Advanced Education and Labour Market Development</p>	<ul style="list-style-type: none"> <li>By 2011, all B.C. police officers and supervisors will have received mandatory, web-based training on domestic violence investigations. This training, which includes the Domestic Violence Investigation Guide, will ensure every police officer in the province is specifically trained on domestic violence investigations.</li> <li>A second, online course, entitled <i>An Introduction to Domestic Violence Threat Assessment and Risk Management</i>, is in development and will further enhance the domestic violence investigation skills of police.</li> <li>As well, new, advanced training for prosecutors, police, and victim service and child welfare workers will build on these two courses as part of the Domestic Violence Action Plan. These specially trained police investigators and Crown will be available to consult to police officers throughout the province.</li> <li>MCFD is developing specialized training, in consultation with Battered Women's Support Services, for front-line workers who work with immigrant women (in the Vancouver Coastal region).</li> <li>Crown counsel can access additional professional development on domestic violence at the annual Crown counsel conference in November 2010.</li> <li>Province has a toll-free, 24/7 crisis line called VictimLINK that serves domestic violence victims anywhere in B.C., at any time, in 130 languages.</li> </ul>

Recommendations	Ministry Responsible	Response
		<p>VictimLINK provides information and referral services to all victims of crime and immediate crisis support to victims of family and sexual violence.</p> <ul style="list-style-type: none"> <li>• To better co-ordinate services to immigrants, the Province has brought together immigrant-serving agencies, victim support programs and transition houses under Welcome BC.</li> <li>• The Province has also funded five pilot projects to improve services for immigrant and refugee women who have experienced or are at risk of domestic violence, and is working with settlement service providers to identify key competencies for their staff. One of these competencies is understanding inter-cultural family dynamics, including violence.</li> </ul>
<p>9. The allocation of regional Crown counsel domestic violence specialists charged with overseeing the prosecution of higher risk and more complex domestic violence cases.</p>	<p>Attorney General</p>	<ul style="list-style-type: none"> <li>• This fall, a number of Crown counsel are expected to receive training in the risk assessment tool; they will then be a resource for other Crown counsel.</li> <li>• Experienced, senior prosecutors are available where necessary to assist in dealing with serious and complex cases. However, the criminal justice branch is not contemplating designating Crown counsel specifically to supervise domestic violence cases.</li> </ul>
<p>10. The allocation of additional domestic violence Crown counsel to offices with an annual volume of "K" files exceeding local resources.</p>	<p>Attorney General</p>	<ul style="list-style-type: none"> <li>• At this time, the criminal justice branch does not link staffing levels to the volumes of specific types of cases.</li> </ul>
<p>11. The development of an information package by Crown counsel for individuals who are considering being a surety in cases of release to bail on a recognizance.</p>	<p>Attorney General</p>	<ul style="list-style-type: none"> <li>• Crown counsel is unable to provide any form of legal advice to prospective sureties. That includes information that might be seen as discouraging someone from acting as a surety.</li> </ul>
<p>12. Adoption of a leadership role by the government of British Columbia in identifying and piloting civil and family law processes to achieve a more coordinated approach. This includes measures to help ensure the following:  a. Appropriate information sharing between family law practitioners and Crown counsel and, in the circumstance where a victim has no legal representation in a family</p>	<p>Attorney General</p>	<ul style="list-style-type: none"> <li>• As a priority, the Ministry of Attorney General has undertaken a comprehensive review of the <i>Family Relations Act</i>. As part of this review, the ministry is assessing how family law can better address family violence and protect families. The ministry is consulting widely, including with Ending Violence Association BC, Community Coordination for Women's Safety, family law lawyers, family violence experts and police. Proposals to amend and update family law are being developed for an upcoming legislative session.</li> </ul>

Recommendations	Ministry Responsible	Response
<p>law proceeding, sharing of criminal information between Crown counsel and family court;</p> <p>b. Appropriate legal aid be provided to victims of domestic violence where there is also a pending or an active family law proceeding;</p> <p>c. Integrated approaches to enforcing protective conditions included in civil and criminal orders; and</p> <p>d. Appropriate referrals to specialized community based support services.</p>		
<p>13. The development of a practical step-by-step guide for the Continuing Legal Education Branch and Legal Services Society that outlines domestic violence risk factors, coordination and case management protocols and referral guidelines. This guide to be made available on-line to members of the bar.</p>	<p>Attorney General</p>	<ul style="list-style-type: none"> <li>• The Ministry of Attorney General will assess this recommendation.</li> </ul>
<p>14. Examination of the effectiveness of recognized assaultive men's treatment programs for voluntary, low risk, or self-referred men in order to seek to change abusive behaviour before the abuser is charged or convicted of a criminal offence. Strategic partnerships with other ministries should be explored in order to ensure a coordinated response and appropriate allocation of resources.</p>	<p>Public Safety &amp; Solicitor Gen</p> <p>Ministry of Health Services</p> <p>Children and Family Development</p>	<ul style="list-style-type: none"> <li>• The Province does deliver Respectful Relationships and Relationship Violence programs to sentenced individuals within the BC Corrections system.</li> <li>• Community-based programs for voluntary and self-referred men are not structured or delivered by the Province. Programs run independently of government are not subject to review or evaluation by the Province.</li> </ul>
<p>15. Enhancement of current investigative protocols for all cases of suspected domestic violence homicide to reflect consistency with the policy and practice directives described in recommendation #1, above.</p>	<p>Chief Coroner of BC</p>	
<p>16. The Chief Coroner will convene recurring death review panels comprised of diverse stakeholders from a range of relevant social service, health care and criminal justice agencies, as well as affected private citizens. These panels will be tasked with examining the circumstances related to one or more deaths of</p>	<p>Chief Coroner of BC</p>	

Recommendations	Ministry Responsible	Response
<p>specific cases chosen to reflect issues that are of particular interest or concern (e.g. cultural, religious, socioeconomic) and provide recommendations to the Chief Coroner.</p>		
<p>17. The development of a public education campaign that raises awareness of the serious risks associated with family distress including risks for suicide and homicide. Evaluation and implementation of the strategies necessary for appropriate inclusion of this education campaign in provincial school system curricula. The campaign should encourage citizens to seek assistance from appropriate social service, health care and criminal justice agencies and be available in all major languages represented in the provincial population. A model for this program may be found in the Ontario Neighbours, Friends &amp; Families public education campaign <a href="http://www.neighboursfriendsandfamilies.ca">www.neighboursfriendsandfamilies.ca</a>.</p>	<p>Public Safety &amp; Solicitor Gen</p> <p>Ministry of Health Services</p> <p>Ministry of Education</p>	<ul style="list-style-type: none"> <li>• The Lee/Park coroner's inquest similarly called for an enhanced "community based educational advertising program surrounding domestic violence," and work is underway.</li> <li>• This summer, the Province will launch a new public website that brings together its information related to domestic violence. This will include a section for youth and use social media to maximize their engagement.</li> <li>• B.C.'s K-12 school curriculum includes courses that address healthy relationships, including family relationships, and are important for domestic violence prevention.</li> <li>• Educators are receiving information now to increase their awareness of this curriculum and its importance in helping students to develop healthy relationship skills and take personal responsibility for their actions with others.</li> <li>• A Health and Career Education curriculum is mandatory for all students from Kindergarten to Grade 9. Beginning in Kindergarten, students learn about healthy behaviours in families and relationships. These lessons expand to explore healthy boundaries and interpersonal relationships in later grades.</li> <li>• A course called Planning 10 is also mandatory. It provides students with more opportunities to understand skills needed to build and maintain healthy relationships.</li> </ul>
<p>18. The collaborative development of practice guidelines for assessing risk for domestic and other forms of violence that include a focus on the assessment of homicidal ideation and intent. The guidelines should be facilitated by a brief on-line (1-2 hour) training program and a simple decision support tool. Adoption of the guidelines, training and supports tool should be mandated and published in an</p>	<p>Ministry of Health Services</p> <p>Advanced Education and Labour Market Development</p>	<ul style="list-style-type: none"> <li>• By 2011, all B.C. police officers and supervisors will have received training that covers, among other things, the Domestic Violence Investigation Guide.</li> <li>• The Ministry of Health Services will consult with PSSG on the development of similar practice guidelines for healthcare professionals.</li> <li>• The Ministry of Health Services will work with other ministries (PSSG and MAELMD) to incorporate</li> </ul>

Recommendations	Ministry Responsible	Response
<p>electronic format accessible to:</p> <p>a. Healthcare professionals throughout the province, including those working in hospitals, community agencies or private practice settings; and</p> <p>b. Post-secondary educational institutions that offer health care professional programs.</p>		<p>guidelines into post-secondary curriculums for the training of health care professionals.</p> <ul style="list-style-type: none"> <li>• The Ministry of Advanced Education and Labour Market Development fully supports making domestic violence guidelines, training and decision support tools available electronically to health care professionals throughout B.C.</li> <li>• A number of ministries (ALMD, HS and MCFD) collaborate with post-secondary institutions to ensure health care and human services graduates have the skills they need to meet the needs of all British Columbians.</li> </ul>
<p>19. The development of a model, in collaboration with WorkSafe BC, for use by employers to provide protection to employees from domestic violence in the workplace. The model will enhance safety and ensure compliance with occupational health and safety regulations. The model should be facilitated by a brief (1-2 hour) on-line self-training program and a simple decision support tool accessible in an electronic format.</p>	<p>Ministry of Labour</p>	<ul style="list-style-type: none"> <li>• The Ministry of Labour will work with WorkSafeBC to review its violence prevention resources. They will review further prevention options, including a model employers can use to help protect employees against domestic violence brought into the workplace.</li> <li>• WorkSafeBC has many publications and videos on its website (<a href="http://www.worksafebc.com">www.worksafebc.com</a>) that address preventing violence against workers, including requirements for employers to provide safe workplaces.</li> <li>• Printed resources include A Workbook for Employers and Workers, Preventing Violence in Healthcare: Five Steps to an Effective Program, and Working Alone: A Handbook for Small Business. Videos include the Forever Changed violence prevention series for health care workers, the Working with Dementia: Safe Practices for Caregivers series, and Leave When it's Unsafe, violence prevention strategies for home care workers.</li> </ul>



June 30, 2010

Dr. Diane A. Rothern  
Chief Coroner, BC Coroners Service  
Metrotower II, 800 – 4720 Kingsway  
Burnaby BC V5H 4N2

Dear Dr. Rothern:

**RE: Domestic Violence Action Plan  
Violence Against Women in Relationships (VAWIR) Policy Consultation**

A key part of the Domestic Violence Action Plan is a commitment of cross-agency, integrated domestic violence policies that set out the obligations and commitments for service providers who respond to domestic violence. This includes a new protocol for high risk cases and a provincial standard risk assessment tool for police.

To meet this commitment, a cross-ministry working group was formed to review and update the existing VAWIR policy. The working group consists of representatives from the Ministry of Public Safety and Solicitor General, the Ministry of Attorney General, and the Ministry of Children and Family Development.

I am writing to advise that the draft policy and consultation questions will be posted on the Government Consultation website ([www.pssg.gov.bc.ca/legislation/current.htm](http://www.pssg.gov.bc.ca/legislation/current.htm)) from June 30, 2010 to July 21, 2010. Stakeholders are being advised of the consultation and every response will be considered by the working group when finalizing the VAWIR policy for fall 2010.

Further details, including the consultation questions and how to send in a response are posted on the consultation site.

Sincerely,

Rob Kroeker  
Executive Director



June 30, 2010

Mr. Norm Leibel  
Deputy Chief Coroner  
BC Coroners Service  
Suite 800 – 4720 Kingsway  
Burnaby BC V5H 4N2

Dear Mr. Leibel:

**Re: Domestic Violence Death Review Panel**

I am writing in response to recommendations 15 and 16 in the report to the chief coroner of British Columbia by the domestic violence death review panel.

The British Columbia Coroners Service is committed to making our communities safer in partnership with police, crown counsel, medical professionals and social services providers. It is our mandate to learn from and prevent tragedies such as those resulting from domestic violence and families in distress.

**Recommendation #15:**

**Enhancement of current investigative protocols for all cases of suspected domestic violence homicide to reflect consistency with the policy and practice directives described in recommendation #1, above.\***

The *Coroners Act* (2007) authorizes a coroner to conduct an investigation into deaths that may have occurred unexpectedly, such as those resulting from acts of domestic violence. A coroner may inspect and seize anything relating to the deceased person or the circumstances of the death that is believed to be relevant to the investigation. This includes, but is not limited to, police investigative files, court documents, medical history and Ministry of Children and Family Development (MCFD) records. All coroner investigations are carried out according to the Coroners Service Investigative Services Polices.

**\* Recommendation #1:**

A single set of domestic violence policy and practice directives for both police investigations and crown counsel prosecution that unifies both systems regardless of the role, experience or location of the staff involved, including but not limited to:

- a. A domestic violence investigation guide (Guide), supported by a quality assurance program (QA);
- b. The Guide and QA are embedded into the police records information management environment (PRIME) to allow access across jurisdictions; and

The Guide comprises part of the report to crown counsel, thereby standardizing the information presented to crown counsel for charge and bail considerations.

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The Coroners Service has a very positive working relationship with police and social service agencies across British Columbia. Information sharing is further facilitated by the memoranda of understanding the Coroners Service has signed with the RCMP, municipal police departments and MCFD.

The Coroners Service regularly reviews and enhances its policies and protocols to ensure that coroners are applying best practices when conducting investigations. In February 2009 the Coroners Service implemented its protocol for suspected homicide deaths which guides the recording of key information and identification of risk factors in every case. In doing so, coroners capitalize on every opportunity to advance prevention efforts and improve public health and safety.

The protocol requires that all homicides committed by a current or former partner are classified as 'domestic homicides'. In every case of suspected domestic homicide the coroner is required to record all relevant information including:

- Apparent circumstances of the homicide (e.g. domestic violence);
- Relationship of the deceased to his/her assailant (e.g. spouse, ex-spouse, ex-boy/girlfriend);
- Marital status of the deceased;
- Ethnicity of the deceased;
- The existence of a no-contact or restraining order;
- Type of weapon used (e.g. registered or unregistered firearm); and,
- Apparent motivation for the homicide.

At the conclusion of the protocol, the coroner is asked to identify any recommendation that may prevent a similar death from occurring. There is also a section for the coroner to make suggestions or provide feedback for improving the homicide protocol.

As part of his or her investigation, the coroner examines the relevant information generated by the police investigation of the incident and crown prosecution of the perpetrator. In cases where the perpetrator is also deceased and there will be no trial, the police and coroner have a continued responsibility to conduct a thorough investigation of the circumstances surrounding the death(s). This includes cases where an individual has died at their own hand as a result of being a victim or perpetrator of domestic violence.

The Coroners Service protocol for suspected suicide deaths was developed in January 2008 and guides the recording of key information and identification of risk factors in every case of suspected suicide. In cases where the suicide followed an act of domestic violence, or was the result of a distressed family situation, the coroner is required to examine and record all relevant information including:

- Personal information of the deceased;
- Circumstances of the death;
- Risk factors including domestic violence or family distress;
- Alcohol and/or drug use;
- Mental health history;
- Recommendations for prevention; and
- Feedback for improving the protocol.

The Coroners Service is committed to working collaboratively with the police and crown counsel to continuously enhance our investigative policies and practices. Coroner investigative protocols provide the foundation for thorough and efficient domestic violence investigations across British Columbia. The consistency of the information captured by the investigative protocols allows for accurate statistical reporting, thereby identifying opportunities for the prevention and overall reduction of domestic violence.

**Recommendation #16:**

**The chief coroner will convene recurring death review panels comprised of diverse stakeholders from a range of relevant social service, health care and criminal justice agencies, as well as affected private citizens. These panels will be tasked with examining the circumstances related to one or more deaths in specific cases chosen to reflect issues that are of particular interest or concern (e.g. cultural, religious, socioeconomic) and provide recommendations to the chief coroner.**

Under the *Coroners Act* (2007) the chief coroner may establish a multidisciplinary panel to review the facts and circumstances relating to one or more deaths in British Columbia. Following a death review panel the chair must report to the chief coroner any findings respecting the circumstances surrounding the deaths and any recommendations respecting matters affecting public health and safety and the prevention of future deaths.

Any coroner who is aware of a domestic violence death is required to bring the circumstances of that death to the attention of the Inquest Review Committee at the Office of the Chief Coroner. The committee will conduct an investigative, medical and legal review of the facts and circumstances of the death to determine if it meets the criteria for either a public inquest or a death review panel. The committee will then make a recommendation to the chief coroner who may direct that an inquest or death review panel be convened.

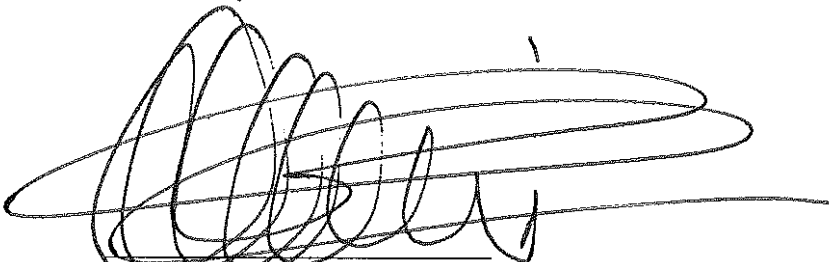
The cases selected for the multidisciplinary review determine the most appropriate participants and terms of reference. Participants are selected for their expertise and professional experience in the areas of interest or concern to be reviewed.

Mr. Norm Leibel  
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British Columbia is a growing and diverse province. To ensure that all of the relevant cultural, religious, socioeconomic and all other circumstances relating to domestic violence are examined, I intend to convene recurring death review panels comprised of diverse stakeholders from a range of relevant social service, health care and criminal justice agencies, as well as affected private citizens.

Prior to September 1, 2010 BC Coroners Service representatives will be meeting with police and crown counsel to review and discuss current investigative standards.

Yours truly,

A handwritten signature in black ink, appearing to read "Diane Rothon", written over a horizontal line. The signature is highly stylized and somewhat illegible due to overlapping loops and flourishes.

Dr. Diane A. Rothon MD  
Chief Coroner  
Province of British Columbia

RECEIVED

JUN 17 2010

MINISTRY OF SOLICITOR GENERAL  
OFFICE OF THE CHIEF CORONER



BRITISH  
COLUMBIA

June 16, 2010

Ref: 193438

Diane A. Rothern, MD  
Chief Coroner  
Office of the Chief Coroner  
Emergency Management BC  
Ministry of Public Safety and Solicitor General  
Metrotower II  
800 – 4720 Kingsway  
Burnaby BC V5H 4N2

Dear Dr. Rothern:

Thank you for your letter of May 21, 2010, along with a copy of the BC Coroners Service Domestic Violence Death Review Panel Report. The report is timely given the current momentum and commitment by government and partners in addressing the issue of domestic violence collaboratively and as a shared responsibility.

I am pleased to inform you that the Ministry of Children and Family Development (MCFD) Senior Executive are working closely with our partner ministries and will ensure you receive a response to the report and recommendations contained in them, by June 30, 2010.

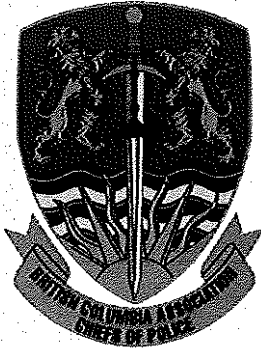
I appreciate the work done by your office in examining the issue of domestic violence and I am pleased that MCFD had an opportunity to work with your office to support your review.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mary Polak'.

Mary Polak  
Minister

pc: Mark Sieben, Chief Operating Officer, MCFD  
Sandra Griffin, Assistant Deputy Minister, MCFD



BC Association of Chiefs of Police  
PO Box 42529  
New Westminster, BC  
V3M 6L7

June 2, 2010

**RECEIVED**

JUN 07 2010

MINISTRY OF SOLICITOR GENERAL  
OFFICE OF THE CHIEF CORONER

Dr. Diane A. Rothern, MD  
Chief Coroner  
Province of British Columbia  
Suite 800 – 4720 Kingsway  
Burnaby, BC V5H 4N2

Dear Dr. Rothern:

Thank you for your letter of May 21, 2010 and the report from the Domestic Violence Death Review Panel.

On behalf of the British Columbia Association of Chiefs of Police (BCACP) please accept my thanks for the work of the Panel and the comprehensive recommendations. We would wholly agree with the statement in the report at page 4 that states "in order for the systemic and community response to domestic violence to succeed, the collective focus must remain on the safety of the victim and the accountability of the offender."

The report and recommendations will be tabled with the BCACP Membership at our upcoming meeting June 23 & 24, 2010. A more detailed response will follow.

Once again, thank you for the opportunity to comment.

Yours truly,

Clayton Pecknold, M.O.M, LL.B  
Deputy Chief Constable  
President, BCACP

DR. D.A. ROTHON MD

JUL 22 2010

**CHIEF CORONER**

BC Association of Chiefs of Police  
PO Box 42529  
New Westminster, BC  
V3M 6L7

July 13, 2010



Dr. Diane A. Rothern, MD  
Chief Coroner  
Province of British Columbia  
Suite 800 – 4720 Kingsway  
Burnaby, BC V5H 4N2

**Re: BC Coroners Service Domestic Violence Death Review  
Panel Report and Recommendations**

Dear Dr. Rothern:

Further to my letter to you of June 2, 2010 please be informed that the recommendations contained in the May 2010, *Findings and Recommendations of the Domestic Violence Death Review Panel* were tabled to the general membership at the BC Association of Chiefs of Police (BCACP) meeting on June 16, 2010. By unanimous motion, the BCACP struck a Special Purpose Committee on Domestic Violence with a mandate to facilitate cross-agency collaboration, policy and training implementation, and information sharing on best practices in matters of domestic violence.

With respect to the specific recommendations, the Report has been forwarded to each of our constituent agencies for their individual review and response. As the Review Panel noted, there are existing collaborative multi-disciplinary units such as the Vancouver Police Domestic Violence Unit, presently in operation in British Columbia. You may also be aware that a similar unit in the Capital Regional District will be operational in the near term. In addition, through our Special Purpose Committee on Domestic Violence we will be working closely with the Province of British Columbia to assist in the implementation of enhanced training for front-line police officers and the application of standardized threat and risk assessment tools. Our members are also actively involved in the provincial working group ensuring the provincial VAWIR Policy remains current.

I would invite you or a member of your staff to participate in our Special Purpose Committee on Domestic Violence. The chair, Superintendent Tonia Enger of the North Vancouver RCMP may be contacted at 604-990-7474 or I may be contacted at 250-652-4441.

Yours truly,

Clayton Pecknold, M.O.M, LL.B  
Deputy Chief Constable  
President, BCACP

cc: Mr. David Morhart, Deputy Solicitor General  
Mr. Kevin Begg, Assistant Deputy Minister, Policing and Community Safety Branch  
Supt. Tonia Enger, Vice-President BCACP



July 19, 2010

VIA EMAIL: [BC.CorSer@gov.bc.ca](mailto:BC.CorSer@gov.bc.ca)

Dr. Diane A. Rothern MD  
Chief Coroner  
Province of British Columbia  
Metrotower II  
Suite 800 - 4720 Kingsway  
Burnaby, B.C. V5H 4N2

Dear Dr. Rothern:

**Re: BC Coroners Service Domestic Violence Death Review Panel Report and Recommendations**

This is further to our letter of June 16, 2010. Since then, we have had discussions with Rod MacKenzie regarding the expected involvement of the Law Society in relation to Recommendations 12 and 13 of the Domestic Violence Death Review Panel Report and Recommendations. Mr. Dolan has confirmed that your office considers that Recommendations 12 and 13 were properly directed to the Law Society.

We therefore provide our responses to Recommendations 12 and 13 below.

Recommendations	Responsible Entities	Response
12. Adoption of a leadership role by the government of British Columbia in identifying and piloting civil and family law processes to achieve a more coordinated approach. This includes measures to help ensure the following: a. Appropriate information sharing between family law practitioners and Crown counsel and, in the circumstance where a victim has no legal representation in a family law proceeding, sharing of criminal	The Attorney General of British Columbia  The Law Society of British Columbia	The Law Society will work cooperatively with the Ministry of Attorney General to ensure that appropriate information sharing between family law practitioners and Crown Counsel is consistent with their professional obligations.

Recommendations	Responsible Entities	Response
<p>information between Crown counsel and family court;  b. Appropriate legal aid be provided to victims of domestic violence where there is also a pending or an active family law proceeding;  c. Integrated approaches to enforcing protective conditions included in civil and criminal orders; and  d. Appropriate referrals to specialized community based support services</p>		
<p>13. The development of a practical step-by-step guide for the Continuing Legal Education Branch and Legal Services Society that outlines domestic violence risk factors, coordination and case management protocols and referral guidelines. This guide to be made available on-line to members of the bar.</p>	<p>The Attorney General of British Columbia   The Law Society of British Columbia</p>	<p>The Law Society will assess this recommendation in relation to the programs for which it is responsible.</p>

Yours very truly



/jac

c: G. Glen Ridgway, QC, President, Law Society of British Columbia  
Michael Lucas, Manager, Policy and Legal Services, Law Society of British Columbia



WORKING TO MAKE A DIFFERENCE

**Roberta Ellis**  
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March 5<sup>th</sup>, 2012

Lisa Lapointe  
Chief Coroner  
Office of the Chief Coroner  
Metrotower II  
Suite 800 – 4720 Kingsway  
Burnaby, BC V5H 4N2

**RECEIVED**

MAR 09 2012

MINISTRY OF SOLICITOR GENERAL  
OFFICE OF THE CHIEF CORONER

Dear Ms. Lapointe

In May 2010 the Domestic Violence Death Review Panel issued a report to the Chief Coroner of British Columbia. The report contained 19 recommendations, the final of which was that the Ministry of Labour, in collaboration with WorkSafeBC

“develop a model ... for use by employers to provide protection to employees from domestic violence in the workplace. The model will enhance safety and ensure compliance with occupational health and safety regulations. The model should be facilitated by a brief (1-2 hour) on-line self training program and a simple decision support tool accessible in an electronic format.”

In response to that recommendation, WorkSafeBC has developed an online tool kit for employers. The tool kit contains resources that assist employers in understanding their legal obligations to address risks of violence under the Occupational Health and Safety (“OHS”) Regulation and the *Workers Compensation Act*. It provides information on the signs and effects of domestic violence in the workplace. It gives practical advice on preventing and addressing issues before they become violent incidents. The tool kit also includes advice on how to talk to employees about this difficult issue and contains illustrative scenarios that will assist employers in making decisions on this topic. Resources are provided to help employers raise awareness in their workplaces and encourage employees to ask for help.

In developing the tool kit WorkSafeBC reviewed domestic violence resources for employers available in other jurisdictions; reviewed research articles on domestic violence; and consulted with and received feedback from a wide range of

individuals and organizations from across B.C. and Canada representing subject matter experts, labour and employers. The subject matter experts included police officers, health authorities, anti-violence organizations and women's shelters, academic researchers, and threat assessment professionals.

We also consulted with our Policy and Practice Consultative Committee, which is an external committee comprised of representatives from the worker and employer communities. In conducting our research and consultation we received positive feedback from the worker and employer communities about the draft materials. We identified that a clear need exists for resources in the workplace.

There is often stigma around domestic violence and many victims are afraid or ashamed of their situation. Therefore a key message in the tool kit is that employers should aim to create a supportive work environment where employees feel safe coming forward to disclose risks. Employers can do this by encouraging dialogue, raising awareness about the topic, providing resources, and having sensitive conversations with workers who they suspect might be suffering from domestic violence.

The tool kit contains the following elements:

1. **A Handbook** that provides information about what domestic violence is and how to recognize the signs; sets out the legal requirement to address domestic violence in the workplace if it puts workers and the workplace at risk; and offers practical advice and suggestions on the specific actions to take when dealing with employees who may be suffering from domestic violence.
2. **Factsheets** which employers can post in the workplace to raise awareness and also use in safety meetings to encourage understanding and discussion of the topic. The four factsheets cover the following topics:
  - a. What is domestic violence?
  - b. Why employers should care about domestic violence
  - c. How to create a supportive workplace
  - d. Employers' legal obligations
3. **A guide** to creating a workplace domestic violence policy for the workplace.
4. **A sample risk assessment tool** to illustrate how to conduct a risk assessment for domestic violence in the workplace.
5. **Awareness materials** for display and distribution by employers such as posters, bookmarks, and discrete wallet-sized information cards.

6. **A list of resources** and places to find additional help and information for employers, victims, and perpetrators of violence.
7. **Animations** that demonstrate to employers how to start a conversation with an employee who might be experiencing domestic violence, and how to create a personal safety plan for the victim's time at work.
8. **A video interview** with Allen Sawkins, the surviving spouse of Tony McNaughton who was killed when intervening in a domestic violence incident at a Starbucks store in 2000.

These will be published online on March 22, 2012. They will be available to employers and the general public free of charge on the new WorkSafeBC domestic violence webpage at [www.worksafebc.com/domesticviolence](http://www.worksafebc.com/domesticviolence). I will send you a copy of the paper-based resources in the tool kit in advance of the tool kit's launch.

WorkSafeBC will host a launch event on March 22, 2012 to introduce the tool kit. The Minister of Labour, Citizens' Services and Open Government will speak at the event, along with myself and Michele McKnight from the Domestic Violence and Criminal Harassment Unit of the Vancouver Police Department. I will contact you shortly with an invitation.

Following the launch, WorkSafeBC's next steps will be to finalize the online training tool as recommended in the Coroner's report. The aim is to put the contents of the handbook into a user-friendly, interactive, multimedia format that employers can access online.

Please feel free to contact me should you have any questions, concerns, or feedback about the resources we intend to publish.

Yours sincerely,



Roberta Ellis  
Senior Vice President  
Human Resources and Corporate Services  
WorkSafeBC

Cc: David Anderson, President and CEO, WorkSafeBC  
Kim Henderson, Deputy Minister, Ministry of Labour, Citizens' Services and Open Government