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| Alberta Police Services and Women’s SheltersWorking Relationship Guidelines |
| A shared reference that provides information *(guidelines/best practices)* on the roles and responsibilities of Alberta Police Services and Women’s Shelter staff when working with individuals and families requiring the services of a women’s emergency shelter. |
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September 2013

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| *A joint initiative of Alberta Royal Canadian Mounted Police, Municipal and First Nations Police Services, Alberta Council of Women’s Shelters, Alberta Human Services and Alberta Justice and Solicitor General.* |

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Note: This document is in a format that recognizes women as the individuals primarily served by women’s emergency shelters. In those situations and communities where services are made available to male clients, the language in the template may be adjusted to best reflect the services offered and population served in that community.

# PREAMBLE

In the interest of victim safety, police and shelters should consider the following details contained in these guidelines.

## Vision:

Client-centred services that meet the needs of those requiring services from a women’s or seniors’ shelter.

## Purpose:

To create a template communities can use to build and enhance collaboration between police services and shelters for abused women and seniors.[[1]](#footnote-1)

## Principles:

* Consistency (Province-wide)
* Safety and Security
* Accountability
* Trust
* Partnerships
* Mutual Respect
* Communication
* Flexibility (creativity) – adaptable

## History:

In 2002, a number of widespread issues were identified in regards to the relationship of women’s shelters in the province with the Royal Canadian Mounted Police (RCMP). As a result, a Memorandum of Understanding (MOU) between the RCMP, the Alberta Council of Women’s Shelters (ACWS) and Alberta Children’s Services[[2]](#footnote-2) was developed. The MOU was designed to “promote a positive, co-operative working relationship, to clarify roles and expectations and to facilitate communication in order to better meet the needs of victims of family violence.”[[3]](#footnote-3)

This framework encouraged the creation of local committees, stronger working relationships and resulted in creative local solutions and initiatives. Many shelters and detachments established Local Working Agreements. “One on one” local relationships were built with increased open communication and clear expectations of each partner. The MOU did not include municipal or other police services, some of which had developed protocols with their local shelter(s).

The MOU expired in March 2009 and a series of discussions occurred with respect to how to best support strong working relationships between all police services and members of the Alberta Council of Women’s Shelters. This document is the result of a collaborative effort to develop guidelines for police services and shelters in order to understand the roles, working relationships and expectations within each of those roles

##  Definitions:

* *Victim/Client: These terms, used interchangeably throughout this document, refers to those harmed by family violence (including children). Other words that police services and shelters use may include woman, survivor, shelter resident, etc.*

## Players and Description of Services:

* **Alberta Supports:** refers to supports for Albertans fleeing abuse. Albertans can receive help
24 hours a day, 7 days per week through Alberta Works, if the program’s eligibility criteria are met.
<http://www.employment.alberta.ca/documents/RRM/RRM-PUB_fs_supports_fleeing_abuse.pdf>.
* **Policing Services:** refers to RCMP, First Nations’ Police and Municipal Police services, in Alberta.
* **Victim Services:** refers to fully trained local coordinators and volunteer victim advocates who provide frontline service to victims of crime. Victim Services Units (co-located within police services across Alberta) provide practical emotional support, information about a victim's case and criminal justice proceedings, information about medical, legal and social services available, referrals to other community agencies, as well as court room orientation and accompaniment. These programs also provide victims with information about the Victims of Crime Protocol, the Victim Impact Statements Program, the Request for Restitution Program, and applying for the Victims of Crime Financial Benefits Program.
* **Women’s Shelter:** refers to any shelter (including emergency, second-stage and seniors) in Alberta that offers a safe and supportive place for people to stay when fleeing domestic violence. Each shelter is unique and offers a wide range of services, such as safety planning, risk assessment, crisis lines, outreach, advocacy, children’s programming, court support, and community referrals. Women do not have to stay in the shelter to receive shelter services. A directory of Women’s Shelters in the province and the services they offer can be found at <http://www.acws.ca/shelters>.

**Note:** No one in need is turned away from a women’s shelter without help, and there are other resources that may be available for those who are unable to, or choose not to, stay in a shelter.

# A. REFERRAL AND ADMISSION TO SHELTERS

**POLICE SERVICE**

* Is medical attention required? If so, police should encourage the individual to seek medical attention and may request an ambulance, if required.
* Ask “Do you want support from a shelter?”
* Provide information on what a shelter is and answer any questions, as necessary. Encourage contact with a shelter to determine desired support. Police may reference the information sheet provided by the local women’s shelter, the ACWS web-based map of shelters in Alberta <http://www.acws.ca/shelters>, or the ACWS Compendium of Services, which can be provided to police by the shelter.
* Is an interpreter required?
* Police member will call the shelter, identify him/herself and provide their name, badge number, and Division, along with name of the victim. Police member may ask shelter staff to speak briefly with victim, subject to the availability of a phone at the scene.
* Police member explains he/she has just attended a domestic violence call; briefly describes the circumstances, gender and ages of children, etc., and asks if there is space.
	+ Information that is helpful to the shelter regarding the circumstances include:
		- any elevated risk factors (firearms, current status of abuser, level of impairment, if the person is the victim or the abuser, etc.);
		- health-related factors; and
		- provide information on any conflict of interest *(small town/potential of relationships).*
* Police shall offer Victim Services (using the Victims of Crime Protocol: Roles and Responsibilities, section A).
* Police Dispatch or Victim Services may be directed to contact the shelter. In these cases, they may have limited information about the circumstances of the incident, but the first and last names will always be provided to the shelter.
* Police identify need for transportation and work with community resources to address it.

**SHELTER**

* Shelter provides information to the police (information sheet) of services provided to assist police in explaining supports available through a women’s shelter.
* Shelter staff should immediately be able to determine if there is adequate space. If no space is available, the shelter will work with police to identify other options and community services (Alberta Works 1-866-644-5135 may be an option). There may be special circumstances/reasons to deny entry.
* Develop a local protocol to address admitting process to the shelter when there is police involvement.

Shelter staff will work with police to keep accurate records, providing the police member their name and note the time of the call.

* There are situations in which a shelter may be unable to accept an individual. These situations include, but are not limited to:
* medical issues: quarantine within shelter due to specific disease or, specific medical condition of individual or children;
* lack of space;
* previous history with that particular individual;
* close proximity of abuser’s home;
* compromised safety of existing client; or
* proximity of incident to shelter’s location.

# B. CHANGE OF CONTACT INFORMATION

**POLICE SERVICE**

* Understand that the victim may or may not be in the shelter when they need to contact them. Keeping police informed of any change in address or phone number is the responsibility of the victim and shelter staff cannot force a victim to call the police.

SHELTER

* Strongly encourage the victim to inform the police of any change in address or phone number.
* Cooperate to the extent possible in assisting the police to contact the victim.

# C. RETRIEVING BELONGINGS

**POLICE SERVICE**

* Be prepared to attend a residence to ensure a peaceful entry, if either the offender or the victim returns to take possession of personal belongings and concerns for safety exist. When peaceful entry of the residence cannot be achieved or either party contests the removal of certain property, the attending officer will advise those involved of the necessity to seek a civil remedy.
* Attempt to accommodate the request within a reasonable amount of time.

**SHELTER**

* Explain the process, including:
* a key to the dwelling is beneficial;
* children will not be taken to the residence. The shelter will assist with arranging childcare;
* only personal belongings such as identification, medication, clothing or photographs will be retrieved;
* a list of belongings can expedite the process;
* there may be a delay until there are police resources available; and
* if the partner or designate refuses entry, police will mediate as part of keeping peace, but will not force the entry as this becomes a civil issue.
* Whenever possible, shelter and/or client will make arrangements for transportation of woman and belongings.
* Shelter to advise of the address to the police station nearest to the residence. Arrangements can then be made regarding retrieval.
* Shelter staff should call Police Dispatch prior to leaving in order to get an approximate time before police arrive.
* It is recommended the retrieval of belongings be done in the morning, as police tend to be less busy during this time period.

# D. INTERVIEWING

**POLICE SERVICE**

* Ensure that an unbiased interpreter is present for the interview, when required.
* Attempt to schedule the interview, at a mutually agreeable and comfortable location (e.g., in a police facility, in the shelter, or another community resource). In most cases; however, the interviews will take place at a police facility.
* Police will initiate contact to make arrangements for the interview.

**SHELTER**

* Shelter staff requires advance notice, when possible, to plan for the interview within the shelter facility.
* Shelter staff will inform client of the interview, as well as the staff person who will be on shift at the time of the interview.
* Make private meeting space available.
* If, under exceptional circumstances, the police are unable to speak with the client directly, the shelter will relay the suggested time and date of interview. Shelter staff should encourage the client to call back and confirm. In these cases, in a follow-up telephone call by the police, the location and availability of the client will be confirmed.
* Shelter staff may accompany the client to the interview, if requested. If shelter staff attends a police interview, they must be aware that their attendance may be required at court (i.e., they could be subpoenaed as a witness). It is generally recommended that shelter staff do not sit in on the interview.

# E. POLICE PROCEDURES

## *i. Serving Documents*

**POLICE SERVICE**

* A Police Officer/Peace Officer may be required to deliver or "serve" a subpoena or summons to someone in a shelter.
* A Police Officer/Peace Officer shall identify herself/himself in an appropriate manner when requested.
* Not all Peace Officers will necessarily have badges; however, all Police Officers/Peace Officers will have identification cards, confirming their position and employer, which can be provided upon request.
* It is recommended that the police call the shelter first (stating the process, ID/badge number, Station number and file number) to determine that the individual(s) named in the document is residing at the shelter. This is preferable as a Police Officer/Peace Officer arriving unannounced can cause panic as the clients do not know what to expect.
* If an interpreter is required, one will be provided by an independent source, other than the parties involved. Children, relatives or neighbours will not be used as interpreters.

**SHELTER**

* While shelter staff may not be able to confirm the location of a client, they will not willfully interfere with police serving a legal document.
* The shelter will provide a safe haven to support, protect and advocate, as well as assist women with appropriate services and institutions.
* The shelter staff will understand that the police member serving documents may or may not know the details of the case.
* The shelter develops a policy for handling police contact and for advising the woman about the subpoena/summons.
* Shelter staff assist in explaining the documents and work with Victim Services to explain how the Criminal Justice System works.
* Advise client of the name and phone number of the police member trying to serve documents. The client will be instructed to phone the police member to make arrangements for service. The shelter staff will then confirm with the police member that the message was relayed. A warrant may be issued (Section 698, Criminal Code of Canada) for evading service or non-attendance, once served.
* Shelter staff will encourage the woman to provide a forwarding address to the police.

## *ii. Laying Charges*

**POLICE SERVICE**

* In order to conduct a thorough investigation, police should endeavor to collect all available evidence.
* The absence of visible external injury does not mean that the victim has not been assaulted (more detail on police role is available in the Alberta Domestic Violence Police Guidelines).
* Police will arrest/charge when sufficient evidence exists to indicate that an offence has been committed and should proceed according to the Alberta Domestic Violence Police Guidelines.

## *iii. Photographing Victims*

**POLICE SERVICE**

* It is the responsibility of police to obtain initial photos in a timely manner. For follow-up on injuries, shelter staff will encourage the client to contact police.
* If the injuries of the victim are under clothing, and in or near a sensitive area, it is recognized by the police service that photos should be taken by a police member of the same gender as the victim. The victim can also express their gender preference.

**SHELTER**

* Shelter staff should, if at all possible, call police to take photographs of injuries. In the event that police are not immediately available and shelter staff choose to take pictures of the victim’s injuries, please consider the following:
	+ a record should be kept of who took the photograph;
	+ the date, time and location of the photograph should be noted;
	+ as soon as is possible, shelter staff should obtain consent from the victim to turn photographs directly over to police. Staff should ensure that any information that is extraneous to the investigation, or which would provide the offender with information about the victim, is vetted to ensure safety; and
	+ although rare, there may be instances where the shelter staff is required to testify as to the identity of the victim.

# F. MISSING PERSONS REPORTS

**POLICE SERVICE**

* Priority for the police is to follow up on a missing persons report and confirm that the individual is safe.
* Suggested wording for police response on supplementary reports should be wording to the effect that the "…missing person is a victim of domestic violence, was found and is safe."
* If the police report has to include the specific location or name of the shelter, the report will be vetted by the *Freedom of Information and Protection of Privacy Act* (FOIP) department to ensure that the information is kept confidential.
* Police will call the shelter and explain that they are following up on a missing persons report. The officer will leave a phone number where they can be reached for follow-up by the victim or the shelter staff (to confirm that this is a legitimate phone call).

**SHELTER**

* Priority for shelter staff is safety, confidentiality and providing a safe haven for victims of abuse.
* Shelter will notify the client if they receive a related missing persons report from the police.
* Shelter and/or the client will call the police member back as soon as possible to respond to the report.
* Shelter and/or the client may confirm over the phone that the call is regarding a domestic violence victim in the shelter.
* Face-to-face contact with the client may be required by the police in order to verify that they are safe.
* In cases where provincial fan out of information is required, the shelter director may contact ACWS for assistance.

# G. SHELTER INCIDENTS

## *i. If a Client/Victim Does Not Return to the Shelter*

* Concern for safety is paramount.
* Shelter may attempt to first make contact with the emergency contact person, provided on admission by the client, prior to calling the police.
* Where there is an immediate threat to the client’s safety, staff should call 911 and explain the situation.
* For non-emergency situations, shelter staff should contact the local police service non-emergency number, giving the home address, explaining the situation and the safety concern.
* An individual does not need to be missing for a certain length of time before the filing of a missing person report.
* Staff should inform police that this is a domestic violence situation and that the victim may be in danger.

## *ii. Critical Incidents while at the Shelter*

* Shelter to call 911 if there is an immediate threat to client or other resident’s safety.
* Police and shelter are encouraged to discuss the different types of critical incidents that may occur and are of particular concern as well as the response that can be expected. Collaborative development of protocols in terms of a critical incident response may be of value in coordinating these responses.

# H. SAFETY CONCERNS AT COURT APPEARANCES

If there are safety concerns in advance of a court appearance, the victim and/or the shelter staff and police will discuss concerns and possible strategies.

If there are safety concerns at the court on the day of appearance, the victim or shelter staff should notify the Sheriff in the Court Room.

# I. CUSTODY AND ACCESS ISSUES: APPREHENSION OF CHILDREN

**Police/Shelter Collaboration**:

* When enforcing Court Orders, police and shelter staff work together in order to cause as little disruption as possible to the mother, child(ren) and other residents.
* If there is a language barrier, have an objective interpreter available.

**POLICE SERVICE**

* Must see a certified copy of the original Custody Order in order to be able to enforce it.
* Attempt to notify the shelter of the need for apprehension*.*
* Under no circumstance should the police allow the partner to accompany them to the shelter.

**SHELTER**

* Certain court orders may give the police and the Child Intervention Worker permission to enter and search for the children. If police have such an order, they will inform the shelter staff that they must gain access to the children and have the legal right to use force, if necessary.
* The shelter, upon receiving notice of the need for apprehension, should hold the apprehension confidential and not disclose to the client. The shelter will make the necessary arrangements for an appropriate space to facilitate the apprehension.

# J. INCIDENTS INVOLVING POLICE OFFICERS

In developing the procedures and steps to be followed when a domestic violence occurrence involves a member of a police service, any procedure should, in addition to the general procedures involved in non-member incidents, reflect:

* victim safety;
* objectivity;
* accountability;
* confidentiality; and
* lack of bias towards the member.

Each agency should consider the involvement, whether it be as primary or supportive, of the respective Professional Standards Branch when investigating police members involved domestic violence incidents.

Investigations into domestic violence incidents involving members of a police service should restrict access to information about the investigation to appropriate upper police management on a “need to know” basis to protect the privacy of the victim.

The Alberta Serious Incident Response Team (ASIRT) is an independent investigative agency whose mandate is to investigate police misconduct and incidents that come within the scope of Section 46.1, *Police Act* – specifically incidents where the actions of a Police Officer cause serious injury or death or incidents of a serious or sensitive nature.

# K. SHELTER AND POLICE ONGOING RELATIONSHIPS AND COLLABORATION

Police and shelter staff are encouraged to identify designated contacts to facilitate the development of area specific protocols and ongoing relationship building. These designated contacts can also be the point of contact for non-emergency situations, information gathering, complaints and invitations to meetings that support collaboration.

This document will be reviewed through the Family Violence Police Advisory Committee on an annual basis to ensure it continues to meet the needs of Police Services and shelters, in determining responses for victims with high needs and who may be at high-risk. Ongoing issues will be reviewed on a continual basis. A provincial meeting with shelter staff and police representatives is encouraged every two years. It is recognized that often, when strong relationships are in place, less formal approaches may be taken.

The following suggestions/actions may be helpful to consider in ongoing discussions:

* Increase familiarity with each other’s staff, encourage visits at staff meetings, exchange of information on issues, etc.
* Meet semi-annually to review and enhance agreements and provide further opportunities for collaboration.
* Establish a process where shelter staff and police meet informally to discuss emerging issues, successes and challenges.
* Develop a straightforward process to bring forward situations where there are problems or serious concerns. It is important to attempt to utilize all avenues to come to a negotiated resolution.
* In the event that more formality is required to address an issue or concern, consideration of the following should be given:
	+ - * To make a formal complaint against a shelter staff member, the appropriate police members should contact the shelter staff to determine the appropriate procedures.
			* To make a formal complaint against a police member, a formal complaints procedure is in place and can be initiated at any division or police headquarters or through the Public Complaints Commission.
1. ACWS is comprised of 43 member organizations; two which provide residential services to abused seniors (male and female), 40 which provide residential services to abused women, and one which provides residential services to abused women and men. [↑](#footnote-ref-1)
2. This department is now known as Human Services. [↑](#footnote-ref-2)
3. From the Purpose and Objective of the MOU. [↑](#footnote-ref-3)