

Tool 3

Chercive charol

Predictor of Homicidal Risk

















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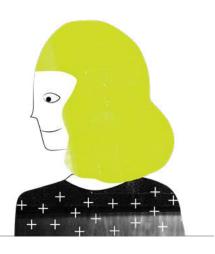


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In addition to this toolbox, the Regroupement provides training on coercive control for social/legal professionals. <u>Contact us</u> for more details on the proposed modules and modalities.



In Canada, as in other countries, women are murdered most often by a partner (current or former). This can be prevented. It means paying attention to the warning signs, and coercive control is a crucial one.

Intended for use by police, justice officials and correctional officers, the purpose of this checklist is to:

- Help identify risks related to the presence of coercive control when conducting and recording domestic violence investigations and release investigations;
- Direct them to the appropriate partners who can provide the necessary safety net for the victim and her family.



A – Paying attention to coercive control can save lives

Several studies, including one conducted in British Columbia in 2020,¹ confirm that the presence of coercive control is a significant risk factor for future serious or fatal violence, particularly if the victim is trying to leave or has recently separated from her partner. Unfortunately, warning signs (red flags) in the relationship are often not recognized as risk factors. Contrary to persistent beliefs, domestic homicides are not always preceded by incidents of physical violence.

By taking into account manifestations of coercive control, you will be helping to:

- Prevent recidivism and escalation of violence
- Quickly establish a safety net (physical and psychological) around the victim
- Facilitate decision-making on the conditions of the abuser's arrest and release
- Hold perpetrators of violence accountable for their actions

Since the person involved —police officer, probation officer—is never the same, mightn't it be possible that all the pieces of the puzzle never fall into place? The overall situation, the famous big picture, is not apparent, or only becomes so too late.²

— Coroner Jacques Ramsay

¹ Amanda McCormick (2020), The BC Summary of Domestic Violence Risk (SDVR) factors, Updated Review of the Literature, Blackbird Research & Consulting.

Valérie Gonthier, La victime d'un ex violent mal protégée par le système, Journal de Montréal, 17 January 2022 [https://www.qub.ca/article/une-victime-mal-protégée-par-le-systeme-1063885144.] [our translation]

Numbers that speak for themselves

Coercive control was present in

92% of 358

homicides studied in the United Kingdom.³

On average,

75% of domestic homicides

in Canada were committed when separation was imminent.4



the first incident of

physical violence for nearly one third of victims.⁵

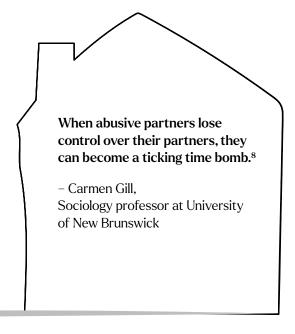
60%

of child and family homicides occur in the context of separation or custody disputes.⁶ 20%

of the victims were not current or former partners, but other family members, friends, colleagues, police officers, strangers, etc.⁷

- ³ Jane Monckton Smith et al. Exploring the Relationship between Stalking and Homicide. University of Gloucestershire and Suzy Lamplugh Trust, UK, 2017. [https://www.equallyours.org.uk/suzy-lamplugh-trust-report-exploring-relationshipstalking-homicide/].
- ⁴ Dubé M. and C. Drouin. (2014) "Démystifier le rôle de la planification dans l'homicide conjugal." In Violence envers les femmes: Réalités complexes et nouveaux enjeux dans un monde en transformation. Rinfret-Raynor, M.., Lesieux, É., Cousineau, M. M., Gauthier S. and E. Harper, eds. (p.135–147). Montréal: Presses de l'Université du Québec.
- 5 Lethality Assessment Program Maryland Model for First Responders (undated), Maryland Network Against Domestic Violence. [https://www.mnadv.org/wp-content/uploads/2021/02/LAP-Effectiveness-Position-Paper.pdf]; Nicolaidis, C., Curry, M.A., Ulrich, Y., Sharps, P., McFarlane, J., Campbell, D., Gary, F., Laughon, K., Glass, N., & Campbell, J.C. (2003). Could we have known? A qualitative analysis of data from women who survived an attempted homicide by an intimate partner. Journal of General Internal Medicine 18, 788-794.
- 6 Trousse Média sur la violence conjugale, INSPQ (undated).
- [https://www.inspq.qc.ca/violence-conjugale/comprendre/homicide-conjugal].
- Smith S. G. et al. "Intimate Partner Homicide and Corollary Victims in 16 States: National Violent Death Reporting System, 2003-2009." Am J Public Health, USA, 2014 March; 104(3):461-466. [https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3953789/].





^{8 &}quot;L'endroit le plus dangereux pour les femmes, c'est leur propre maison", Joëlle Girard, 3 March 2020, Radio-Canada [https://ici.radio-canada.ca/ohdio/premiere/emissions/boreale-138/segments/entrevue/157426/violence-femmes-domicile-securite-feminicide]. [our translation]

B - Coercive control at the heart of escalating violence

In her essay on nearly 400 domestic crimes, British criminologist Jane Monckton Smith explains that domestic femicides are among the "most predictable murders." According to Smith, the path that leads to the fatal act almost always follows the same trajectory. She identifies 8 stages in the escalation of violence leading to femicide. Coercive control is systematically present, and is at the heart of the dynamic of violence.



⁹ Jane Monckton Smith (2021). In Control: Dangerous Relationships and How They End in Murder. Bloomsbury Publishing, UK. [https://www.bloomsbury.com/ca/in-control-9781526642929/].

8 steps leading to femicide:10

 $1 \rightarrow 2 \rightarrow 3$

The abuser has a history of stalking and conjugal violence.

The relationship quickly becomes serious (formal commitment).

Little by little, the relationship becomes dominated by coercive control; the victim becomes aware of this and tries to break free.



The abuser senses that he is **losing** control over her.

Escalation

 An increase in the intensity or frequency of partner control tactics (stalking, suicide threats, assaults, promises of change, etc.). The abuser changes his mindset from trying to control his partner to trying to **destroy** her.



The abuser may purchase weapons and seek opportunities to be alone with the victim (Planning).

The abuser kills his partner and possibly injures or kills others such as the victim's children (Homicide).



C - Detecting red flags associated with coercive control

Seven red flags related to coercive control are identified in this tool. They should be documented in addition to the other homicidal risk factors usually recognized in the context of conjugal violence. The related questions should help professionals detect them earlier, so that they can refer the victim to the appropriate partners who can then set up a safety net.

Some homicidal risk assessment tools already incorporate the elements of coercive control. The Vigie VC grid used in Ouebec and developed by the Carrefour sécurité en violence conjugale (CSVC) is a good reference.¹¹



1. Presence of coercive control¹²

- Does the abuser exhibit jealousy, sexual jealousy, or signs of obsessive or possessive behaviour?
- Does he isolate the victim by controlling or limiting her activities or contact with others?
- Does he restrict or monitor the use of the vehicle, telephone, clothing, finances, medications or any other resources?
- Is the victim being monitored in person or through technological means (e.g. cameras, tracking apps, phone or social media, etc.)?
- Are there rules, curfews, schedules?
- Are there threatening consequences for not following these rules (e.g. violence, self-harm, harm to others, harm to pets, destruction of property, revenge porn, etc.)?

Carrefour sécurité en violence conjugale (CSVC): [http://csvc.ca].

¹² The questions presented here were drawn from different tools:

⁻ Intimate Partner Violence Risk Factor Summary (IPVRS) developed by the British Columbia police force.

⁻ Chart produced by the West Island Women's Shelter "Coercive ControlScreening Questionnaire and Evaluation Grid" [https://wiws.ca/wp-content/uploads/2022/09/Outils-Complementaires-English-v4.pdf].

- Does the victim have to report on where she goes?
- Is the victim repeatedly insulted, humiliated or degraded?
- Is the victim being followed, stalked or contacted without consent?
- Does the victim feel isolated or have no one to turn to for support?



2. Loss of control¹³

- Does the victim want to end the relationship while the partner wants to maintain it?
- Has there been a recent separation or threat of separation?
- Does the victim have a new partner?
- Is there a willingness to press charges against the abuser?
- Does the victim place limits on the abuser's control?



Note:

These situations are the ones that present the greatest risk of escalating conjugal violence: 49% of homicides occur within 2 months of separation, 32% within 2 to 6 months, 19% more than a year later. ¹⁴



B Drawn from the Intimate Partner Violence Risk Factor Summary (IPVRS) developed by the British Columbia police force.



3. Escalation of violence¹⁵

 Is there an escalation in the frequency or severity of the violence against the victim, family members, another person or family pet?



Note:

Escalation can manifest itself in a variety of ways, including incessant calling, stalking, graduating from verbal abuse to threats or physical violence.



4. Threats¹⁶

- Have there been any threats to kill or harm the partner (or ex-partner)?
- Have there been veiled threats?
- · Have there been any threats to kill or harm children, a family member, another person or a family pet?
- Have there been any threats of suicide?



Record the exact wording of the threat, the purpose of the threat, the name of the person to whom the threat was directed, the relationship between the abuser and the person who received the threat, and how the threat was made (e.g. whether it was an overt threat, a threat made during a strangulation incident, or an implied threat). Note how often threats have been made and pay attention to any recent escalations.



16 Ibid.



5. Rigidity of the perpetrator's behaviour¹⁷

- Does the abuser show a lack of regret or repentance for his abuse of power? Does he exhibit lack of empathy for what the victim is feeling?
- Is the abuser possessive, obsessive, contemptuous, nasty, perverse?
- Did the abuser's behaviour persist despite being charged or warned by the police?
- Does the abuser fail to respect the boundaries set by the victim or by civil protection orders, conditions of a peace bond, etc.?



6. Fear of the victim or her support network for her personal safety or that of her loved ones18

- Is the victim afraid for herself: fear of being assaulted, fear of dying, fear of being judged negatively (shame), fear of retaliation, fear of losing her children, etc.?
- Is she afraid for those close to her: fear for her children, her new partner, her parents, her friends, fear for her partner or ex-partner (risk of suicide) or fear that he will suffer negative consequences as a result of her reporting the facts (reputation)?
- Are her support workers afraid for the victim's safety?
- Is there a discrepancy between the victim's fear and that of her support network?

TEXCEPTED From the tool Vigie VC (2020) from the CSVC [Translation]. [https://csvc.ca]

Drawn from the Intimate Partner Violence Risk Factor Summary developed by the police in British Columbia.



7. Victim's perception of the likelihood of future violence¹⁹

- Does the victim believe that the violence is escalating?
- Does she fear violence in the future if her abuser is released?



It is not uncommon for a victim to minimize the risks to herself and her children, but she may be able to determine if there is an escalation in the level of risk. Trauma and cultural reasons may influence risk perception.

D - Establish a safety net around the victim and her family

Justice officials can play a key role in enhancing the safety net around the victim. Here are four positive actions you can take.

1. Verify there is no imminent danger

Focus on interventions that prioritize the safety of the victim and her loved ones. For example: "Do you feel safe to leave my office?", "Does your ex-partner know that you are here?", "Do you want someone to accompany you to the metro or bus?" ²⁰
Focus the investigation on identifying risk factors related to coercive control and refer to the list of risk factors to watch for (see Section C: Detecting Red Flags).
Gather statements from relatives, colleagues, neighbours, etc.
Act quickly on reports of broken conditions.
Plan for the victim's safety (e.g. find a more secure computer or mobile device that the partner does not have access to, change passwords and security questions for online accounts, etc.).

²⁰ HELP Toolkit: Identifying and Responding to Family Violence for Family Law Legal Advisers, Department of Justice Canada (undated) [https://www.justice.gc.ca/eng/fl-df/help-aide/tab16-onglet16.html].

2. Refer the victim to a network of helping resources

Refer the victim to the shelter network ²¹ ; shelters are best placed to assess the situation and support the woman while respecting her pace and, if necessary, putting a safety net in place.
The shelter closest to the victim's home will assess the need, if any, to engage other partners to provide a safety net.
Check to see if she has a support worker: CAVAC psychologist, social worker, etc.
If she does not want to use a resource, make sure she has a support person (family, friend, etc.) who can help her.
3. Take charge of the suspect
Identify and record all known risk factors on the abuser's side.
Determine if the suspect poses an imminent risk to another person.
Recommend release conditions appropriate to the assessed risk factors.

 $^{^{21}\ \} Women's\ shelters: [\underline{https://maisons-femmes.qc.ca/maisons-membres}]$ SOS violence conjugale: https://sosviolenceconjugale.ca/en]

²² À cœur d'homme: [https://www.acoeurdhomme.com/besoin-daide]

4. Collaborate proactively with all social and legal professionals

The climate of trust between partners is a social protection factor against conjugal violence and femicide: ☐ Ask the victim's permission to release personal information if the situation requires it. ☐ Work together with specialized conjugal violence resources to make decisions based on a detailed and comprehensive picture of the situation. ☐ Contact the nearest homicide prevention group (also known as a rapid response unit) if the situation requires it. ☐ In cases of imminent danger, disclose all relevant information if obtaining the person's consent is not possible. When lives are at risk, workers and police have the right to share confidential information. Recent changes to legal provisions regarding the disclosure of private information have relaxed the rules of confidentiality. Witnesses no longer need to fear "imminent danger," but "a serious risk . . . that generates a sense of urgency."23 ☐ Seek the help of shelter workers who can facilitate access to justice by acting as a bridge between victims and the justice system.

No single agency or practitioner can meet all the needs. The more integrated the services are, the more victims feel supported in the legal process.

Excerpt of the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (Section 20.1):
"... a designated resource person may initiate a concerted intervention process and communicate, to other designated resource persons, personal information that concerns a senior or a person in a vulnerable situation, without the person's consent ... in order to prevent an act of violence, including a suicide, where the resource person has reasonable cause to believe that there is a serious risk of death or of serious bodily injury threatening the senior or the person in a vulnerable situation and where the nature of the threat generates a sense of urgency..."serious bodily injury" means any physical or psychological injury that is significantly detrimental to the physical integrity or the health or well-being of a person or an identifiable group of persons...."



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