

## Introduction

The St. John's Family Violence Intervention Court is a specialized criminal court, using a treatment-based approach, intended to address the complex issue of family violence. The Court is held in courtroom #8 at the Provincial Court in St. John's and sits at 2:00 p.m. every second Wednesday.

The goal of the Family Violence Intervention Court is to prevent and reduce incidents of family violence through collaboration with key community partners. This collaborative process accelerates access to support services and intervention programs. The Court will focus on enhancing victim safety as well as emphasizing offender accountability and treatment.

*For more information regarding the Family Violence Intervention Court, please contact:*

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Provincial Court of Newfoundland and Labrador

## Family Violence Intervention Court St. John's



## General Information

*This brochure is meant to give general information only. It is not intended as, nor should it be taken or understood as, legal advice. Please consult with a lawyer to obtain legal advice.*

## How Is This Court Different?

- Dedicated Judiciary, Crown Prosecutors and Legal Aid counsel are assigned to the Family Violence Intervention Court.
- The Risk Assessment Officer will assess all potential candidates for the Court.
- The Victim Services Regional Coordinator will provide enhanced support to interested victims.
- Support may be provided to any children involved through various programs, including those offered by Child, Youth and Family Services and Eastern Health.
- Family violence programming will be offered to the accused by the Learning Resources Program of the John Howard Society.
- Supervision of offenders on bail will be provided by the Bail Supervisor with Adult Corrections.
- The team approach uses information sharing to ensure victim safety and offender accountability.

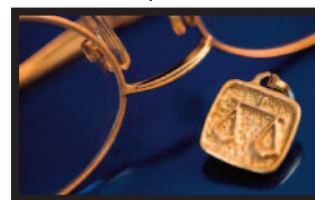


## How Does The Court Operate?

- Family violence refers to *Criminal Code* offences committed by the accused arising from or related to his or her relationship with a significant partner.
- After being charged with a family violence offence, the accused will first appear in courtroom #7 (first appearance court). If a bail hearing is required, it will proceed in this court in the usual manner. At this time, the accused may be identified as a potential candidate for Family Violence Intervention Court.
- If a matter is transferred to another criminal court and the accused later decides that they would like to participate in the Family Violence Intervention Court, they may make an application for their case to be transferred. However, this application must be made within a reasonable time. As well, the application may not be granted if the accused previously declined an opportunity to be referred to the Family Violence Intervention Court.



- After the accused has been identified as a potential candidate or after an application to transfer their case has been granted, and the accused wants to participate in the Family Violence Intervention Court, then the accused will be referred for a risk assessment. The case will be adjourned pending the results of the risk assessment.
- If the accused decides that they are no longer interested or if the risk assessment indicates that they are not a suitable candidate, then their case will be referred back to regular criminal court.
- Once the accused has been assessed as eligible for the Court and has had an opportunity to speak with their lawyer, they will again appear in the Family Violence Intervention Court and enter a guilty plea. An agreed statement of facts will be read to the Court. Following the guilty plea and a finding of guilt by the Judge, the case will be adjourned for sentencing.



- The accused will be released on conditions as recommended by counsel and determined by the Judge, including a condition that they participate in family violence programming offered by the Learning Resources Program of the John Howard Society. This programming will include both individual and group counseling.
- Throughout the adjournment period, the accused will be required to meet with the Bail Supervisor who will provide the Family Violence Intervention Court with updates on the progress of the accused.
- The accused will also be required to return to the Court for periodic updates.
- Upon completion of the programming, the accused will return to the Court for sentencing. The Judge will consider the efforts of the accused and successful completion of the programming when determining the sentence.