

**ORAL QUESTION—JULIE GREEN, MLA YELLOWKNIFE CENTRE**

**QUESTION 566-18(2): SUPPORT FOR FAMILY VIOLENCE VICTIMS**

**February 14, 2017**

**MS. GREEN:** Mahsi, Mr. Speaker. My questions are for the Minister of Justice. My Member's statement outlined a recent catalog of judgmental inaction suffered by a woman who has asked repeatedly for protection from intimidation by a person who is accused of having sexually and physically assaulted her. In holding these experiences up against the findings and recommendations of the Hush-Hush Report, I must conclude that safeguards for victims are lacking or nonexistent. Can the Minister tell us what victims should do when they feel threatened by a person who is supposed to be restrained by an emergency protection order or conditions of reconnaissance? Mahsi, Mr. Speaker.

**MR. SPEAKER:** Masi. Minister of Justice.

**HON. LOUIS SEBERT:** Thank you, Mr. Speaker. I can advise that the Crown attorney's office and the RCMP do treat these breaches of undertakings, in particular, very seriously. If a person feels threatened or there has been a breach of conditions, they can go to the RCMP. My experience over five different decades in the court system is that these breaches are treated very seriously, often leading to a hearing in which the accused person who is charged or accused of a violation of his undertaking, that is the conditions of his release, then has to establish, the onus is on that person then to establish why they should be released.

So these are treated very seriously by the RCMP and the Crown attorney's office. In addition, we have victims' assistance workers in, I think, six of the communities, and they can be of great assistance in these types of matters. Thank you.

**MS. GREEN:** Thank you to the Minister for that answer. I think that he has had a more positive experience, or his clients have, of this court system than the woman I have been working with. In this instance that I cited in my Member's statement, the victim had to visit the RCMP three successive times to report just one instance of intimidation, each time requesting interviews with more senior RCMP members and then finally getting the support of the Status of Women. Only then did the police take action to enforce the conditions of release. My question for the Minister is: why should it be so hard?

**HON. LOUIS SEBERT:** I of course cannot speak about individual cases, but, again speaking from my only experiences, the police and Crown attorneys do treat these matters very seriously. In fact, if I recall, approximately 40 per cent of those in custody are on remand, often for violating terms of their release and being held in custody.

If a person, an individual, is not satisfied with an RCMP investigation into their complaint, they can make a complaint to the local detachment, which usually then goes to the senior RCMP officer in G Division.

**MS. GREEN:** Thank you to the Minister for that response and for talking about the complaint process. I want to repeat one of the dismal remarks from this account that I have given:

"I now wish I hadn't gone to the police because the system's gross insensitivity towards the victim now makes me feel more vulnerable than ever. I am never going to encourage any woman to go to the police due to domestic violence."

What can the Minister say in response to that?

**HON. LOUIS SEBERT:** Of course, I can't address the individual complaint. As I mentioned, there is a process. If a person does not feel that a matter has been properly investigated by the RCMP, they can go to the local detachment head and that matter would likely be passed on to the senior RCMP officer within G Division. However, if a person is not satisfied with the results of the RCMP investigation, they can ask for an independent review by the Civilian Review and Complaints Commission, the CRCC, so there are avenues to deal with complaints about the way in which a case has been handled by the RCMP.

**MR. SPEAKER:** Masi. Oral questions. Member for Yellowknife Centre.

**MS. GREEN:** Mahsi, Mr. Speaker. Thank you to the Minister for his response. I recognize that there is a process in place to try to get better service from the RCMP if we feel that the service we are getting is not adequate. The fact is, Mr. Speaker, that fewer than 10 per cent of women who have been sexually and physically assaulted report, just exactly because of the onerous nature of trying to follow up the conditions of recognizance that are placed on the accused. I didn't hear from the Minister that he acknowledges that this may be a problem or what he might do to fix it. Masi. Mr. Speaker.

**HON. LOUIS SEBERT:** Yes, Mr. Speaker. Clearly, the Member opposite has raised an important issue. I just repeat that we do have victim's assistance workers who are of great assistance to those in these types of very difficult situations. I can advise again, in my many decades before the court, that a lot of these supports were not available 30 or 40 years ago, so we are getting better at assisting those who are victims of crime, as I mentioned, the victim's assistance workers. Also within the Crown Attorney's office, they have those who assist witnesses in preparing for the trial. Everybody knows these types of trials, domestic violence or sexual assault trials, are particularly difficult. All I can say is that our support is mostly from the federal government in the PPSA and our government in the form of victim's assistance workers.