

Specialized Courts
of the Northwest Territories



Intimate Partner Violence Treatment Option Court Program Manual

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and updated by The Specialized Courts Steering Committee

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Table of Contents

- 1. GLOSSARY OF TERMS..... 4**

- 2. PROGRAM OVERVIEW 5**
 - 2.1. PROGRAM HISTORY..... 5
 - 2.2. OBJECTIVES..... 5
 - 2.3. PROCESS 5
 - 2.4. THE IPVTO COURT TEAM 8
 - 2.5. PRE-COURT MEETING 8

- 3. ROLES OF IPVTO COURT AND PARTNER PROFESSIONALS 8**
 - 3.1. IPVTO PROGRAM TEAM..... 8
 - 3.2. PROGRAM FACILITATORS 8
 - 3.3. THE JUDICIARY 8
 - 3.4. CROWN COUNSEL (PUBLIC PROSECUTION SERVICE OF CANADA) 9
 - 3.5. DEFENCE COUNSEL (LEGAL AID AND PRIVATE BAR) 9
 - 3.6. MANAGER, SPECIALIZED COURTS, DEPARTMENT OF JUSTICE 9
 - 3.7. IPVTO COURT AND PARTNER COMMITTEES/TEAMS..... 9

- 4. OPERATIONS: IPVTO COURT 10**
 - 4.1. REFERRALS TO THE IPVTO COURT PROCESS..... 10
 - 4.1.1. REFERRAL SOURCES..... 10
 - 4.2. REPORTING TO A CASE MANAGER/ BAIL SUPERVISOR 11
 - 4.2.1. HUB COMMUNITIES 11
 - 4.2.2. REMOTE COMMUNITIES 11
 - 4.3. CRITERIA TO PARTICIPATE IN THE IPVTO COURT STREAM AND PARTNER PROGRAM 11
 - 4.4. ELIGIBILITY FOR IPVTO COURT..... 12
 - 4.5. PROVISION OF CLIENT CONSENT..... 12

| | |
|---|-----------|
| 4.6. SUITABILITY CRITERIA FOR THE PARTNER PROGRAM | 12 |
| 4.6.1. IPVTO SUITABILITY ASSESSMENT TOOLS | 13 |
| 4.6.2. EXCLUSIONARY CRITERIA..... | 13 |
| 4.6.3. ACCUSED FOUND NOT SUITABLE BY CASE MANAGER..... | 13 |
| 4.6.4. ACCUSED FOUND SUITABLE BY CASE MANAGER | 14 |
| 4.6.5. ADMISSION INTO IPVTO COURT | 14 |
| 4.7. ADMISSION REQUIREMENTS..... | 14 |
| 4.7.1. GUILTY PLEA ADMISSION INTO IPVTO COURT | 14 |
| 4.7.2. AGREED STATEMENT OF FACTS | 14 |
| 4.5. SENTENCING PROVISIONS..... | 14 |
| 4.6. REMOVAL FROM IPVTO PROGRAM..... | 15 |
| 4.6.1. PARTICIPANT OPTS OUT | 15 |
| 4.6.2. PARTICIPANT ELIGIBILITY CHANGES..... | 15 |
| 5. THE PARTNER PROGRAM | 15 |
| 5.1. OVERVIEW..... | 15 |
| 5.2. PROGRAM PARAMETERS..... | 16 |
| 5.2.1. PROGRAM DEFERRAL | 16 |
| 5.2.2. MISSED SESSIONS/MAKE UP SESSIONS..... | 16 |
| 5.2.3. INTOXICATION | 16 |
| 5.2.4. ABUSIVE/INAPPROPRIATE BEHAVIOUR..... | 16 |
| 5.3. REMOTE PARAMETERS | 16 |
| 5.4. PROGRAM COMPLETION | 16 |

1. GLOSSARY OF TERMS

Accused:

A person who has incurred Charge(s) under the Criminal Code of Canada or the Prevention Against Family Violence Act and is in the preliminary stages of being admitted to the IPVTO Court Stream prior to entering a guilty plea.

Bail Supervisor:

In the context of IPVTO Court Bail Supervisor refers to a Case Manager who is assigned to supervise an Accused on a release order before the matter is disposed of by the Court or returned to Territorial Court stream. This order could be an Undertaking or a Release Order.

Case Manager:

Member of the Specialized Court Team who is assigned an IPVTO file. The Case Manager will have carriage of the file from referral until the IPVTO process is complete.

Eligibility:

Crown Counsel's determination whether to endorse an Accused undergo a suitability assessment for the Intimate Partner Violence Treatment Option Court Stream.

HUB Community:

A community in which there is a scheduled sitting of an IPVTO docket. In the NWT these communities are Yellowknife, Hay River and Inuvik.

Participant:

A person who has pleaded guilty to their charge(s) and is actively participating in the IPVTO Court Stream either in person or remote.

Specialized Courts:

Territorial Court that include the Intimate Partner Violence Treatment Option Court, Wellness Court and Drug Treatment Option Program.

Suitability:

The factors the Case Management Team takes into consideration when determining whether an Accused is suitable for the Intimate Partner Violence Treatment Option Program. Suitability is determined through suitability assessments and victim contact. Suitability is based on the Accused's criminogenic needs, willingness to take responsibility for their behaviour, level of motivation and ability to meaningfully participate in the PARTNER Program.

Intimate Partner Violence:

Intimate Partner Violence (IPV) is any behavior that causes physical, sexual, or psychological harm to a current or former partner or spouse or persons who are the parents of one or more children, regardless of their marital status or whether they have lived together at any time.

IPVTO Court:

Intimate Partner Violence Treatment Option (IPVTO) is one of the Specialized Court Streams.

IPVTO Court Team:

The IPVTO Court Team is comprised of the following: Manager of Specialized Courts; Case Manager; Crown Counsel; Defence Counsel; Participant Support Team and Territorial Court Judge, as required. The IPVTO Team meets prior to each IPVTO Court sitting to review the progress of participants.

PARTNER Program:

Planning Action Responsibly Toward Non-Violent Empowered Relationships (PARTNER). An 8-session psycho-educational program which requires the participant to create and adhere to a personalized self-control plan. Completion of the PARTNER program is generally required for successful participation in IPVTO Court

Remote IPVTO:

Refers to Accused or Participants that reside outside of the Hub Communities in the Northwest Territories and attend Court via telephone or video and are eligible to participate in PARTNER program virtually via web-based platform.

Participation Summary Report:

A report authored by a Case Manager for sentencing purposes in Territorial Court. The report details the participant's engagement in the IPVTO Program, as well as their ability to comprehend and apply the PARTNER program materials. The report may also include recommendations for further areas of focus

Originating Community:

The community in which the charge(s) were incurred

Suitability Screening Summary:

A document completed by the assigned Case Manager that outlines the suitability screening results. Provided to assigned Defence Counsel and Crown Counsel.

2. PROGRAM OVERVIEW

2.1. PROGRAM HISTORY

IPVTO is an alternative court process available for low to moderate risk offenders that allows individuals who have used violence against an intimate partner to take responsibility for their behaviour and receive support and counselling.

The Intimate Partner Violence Treatment Option Court (IPVTO) was the first Specialized Court in the Northwest Territories and has been hearing matters in Yellowknife and Hay River since 2011. In 2022, the Program underwent expansion and now has the capacity to serve all 33 communities in the Northwest Territories through a combination of virtual and in-person programming. In 2025 matters were heard for the first time at a scheduled IPVTO sitting in Inuvik. Regular IPVTO sittings are scheduled in three (3) NT communities; Yellowknife, Hay River and Inuvik.

All matters are reviewed for eligibility following a Court appearance. Once eligibility and suitability are established, in order to continue in IPVTO, the Accused must accept responsibility for the offending behaviour by pleading guilty to at least one charge before the Court.

IPVTO Court allows for a delay in sentencing under section 720 of the Criminal Code of Canada, to permit the participant to complete the IPVTO program which most often will include Planning Action Responsibly Toward Non-Violent Empowered Relationships (PARTNER) Program as an alternative to the traditional Court process. The PARTNER Program provides monitored treatment and support to participants as they engage in Court proceedings.

Participants in the Program complete eight (8) modules designed to address the emotional and psychological causes of intimate partner violence and may access additional counselling to work on other factors impacting their relationships such as substance use.

Upon completion of the Program, the Participant must still appear before the Court for sentencing. The program facilitators will complete a Participation Summary Report that will be filed with the Court prior to sentencing. The Report will speak to the Participant's engagement in the Program and may highlight other work done toward reducing risk of reoffending in a similar fashion. The sentencing judge will take into consideration meaningful progress made by the Participant through the Program. This may result in a reduced sentence being given.

2.2. OBJECTIVES

The primary objectives of the IPVTO Court are:

Increased use of alternative justice approaches (community-based justice and restorative justice) in the Northwest Territories;

Use of client-centred approaches and individualized tools to encourage Participants to make non-violent, prosocial choices;

Prioritization of the rehabilitative functions of the criminal justice system by providing immediately available self-control plans targeting a participant's specific needs based on their circumstances and the circumstances of the offence; and,

Reduce recidivism, in frequency and severity, for those individuals who participate in IPVTO Court.

2.3. PROCESS

The underlying premise of the IPVTO Court and the PARTNER program is that individuals will be less likely to reoffend if they accept responsibility for their offending behaviour and participate in a program that addresses the root causes of their offending behaviour in a positive, supportive way through the application of psycho-educational learning and restorative justice principles

Figure 1 illustrates the process that an individual will experience in a remote community for IPVTO Court.

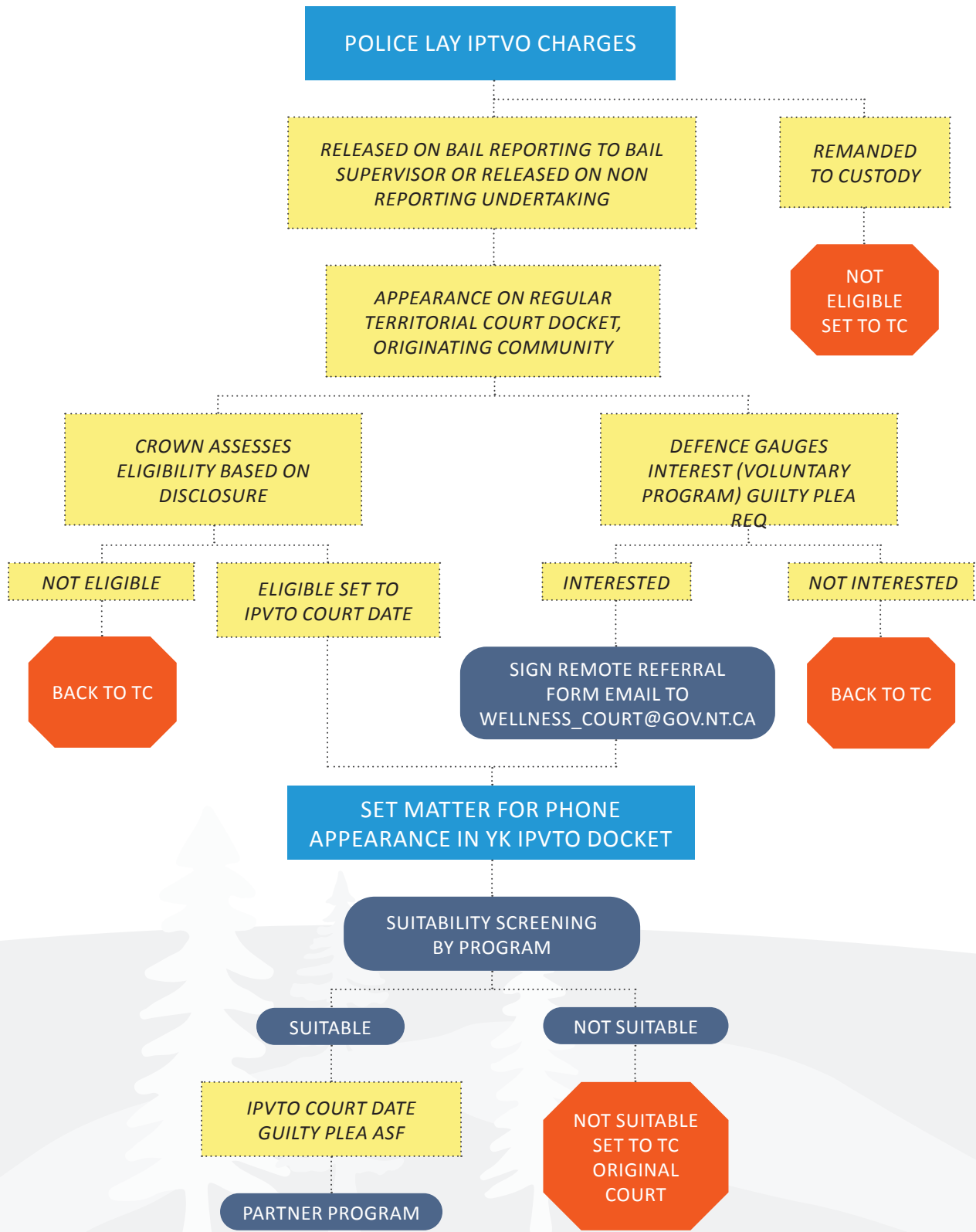
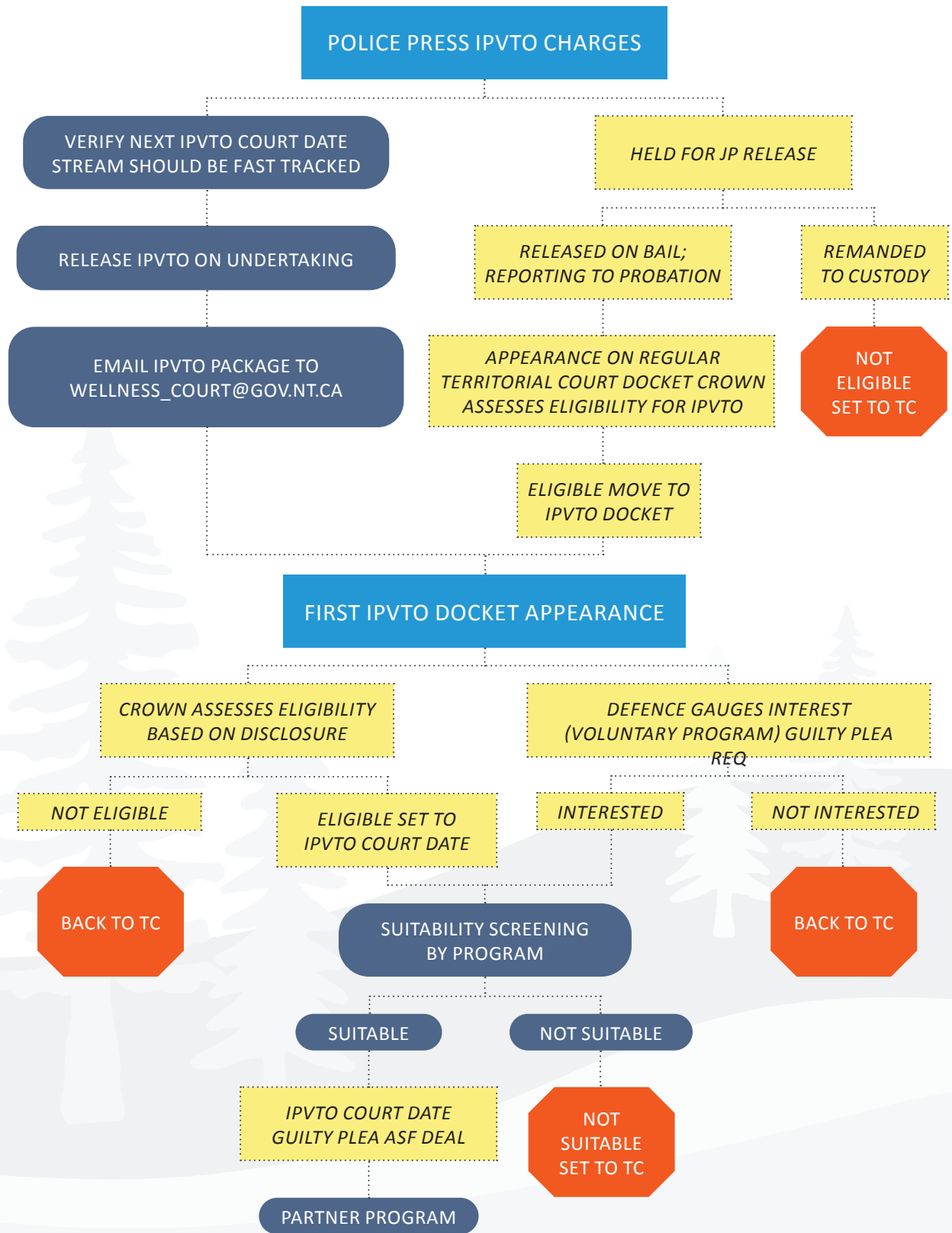


Figure 2 illustrates the process that an individual in a hub community will experience for IPVTO Court.



2.4. TIMELINES

One of the benefits of participation in the Intimate Partner Violence Court Stream is a fast tracked approach to Court Proceedings.

General Timelines:

- First appearance within six (6) weeks of the charge being laid
- Disclosure complete and Crown offer made at the time of first appearance
- Plea entered within 4 weeks of complete disclosure and Crown offer.
- Participation in the program is expected within 6 months of charges being laid (barring deferral or delay while waiting for a specific targeted needs group i.e. women's only).

2.5 PRE-COURT MEETING

All members of the IPVTO Court Team convene at the Pre- Court Meeting prior to each IPVTO sitting to review

the status of each case and the progress of the referrals and Participants. The Pre-Court Meeting is scheduled immediately before the IPVTO Court sits in all hub communities. The Case Manager will circulate, via email, IPVTO Court updates to Crown Counsel, Defence Counsel and the sitting Judge ahead of the Pre-Court Meeting. These updates will provide information about reporting behaviour, interest in the program and suitability screenings that have been completed. Members of the IPVTO Court team should attend the meeting in person, but if are unable to do so, may attend the meeting via MS teams. A link for the Pre-Court Meeting is sent out by the Specialized Courts office 2 business days in advance of any Pre-Court Meeting.

A representative of Specialized Courts chairs the Pre-Court Meetings. Participants waive their right to attend these meetings, their lawyer (or duty counsel) appears as their agent and they agree that their case and their participation and progress will be provided to, and discussed by, the IPVTO Court Team.

3. ROLES OF IPVTO COURT AND PARTNER PROFESSIONALS

3.1. IPVTO PROGRAM TEAM

The overall management, administration and coordination responsibilities for the IPVTO Court and the PARTNER Program rests with the Manager of Specialized Courts. The Case Managers administer assessments to determine the suitability of individuals for the IPVTO Court. The Case Managers are also responsible for meeting with clients, explaining parameters of Court Orders, attending Pre-Court Meetings, writing the interim and final reports for presentation to the Judge and for appearing in IPVTO Court to respond to the Judge's questions. Case Managers serve the dual role of bail supervisors and program facilitators. In this role they are responsible for tracking reporting, decision making on files (including amendments to no contact conditions) and explaining conditions of Court Orders to Accuseds.

clients who have a range of personal issues by engaging them in the process and by ensuring they benefit from the program according to their individual needs. Discussing,listening, encouraging, guiding, helping to change attitudes and helping with the development of self-control plans are all part of a facilitator's role. Various techniques are used, including role playing, viewing and discussing videos related to intimate partner violence and sharing experiences and thoughts among group members.

Facilitators must be able to manage the group dynamics unique to each group. The gender mix, cultural differences, psychological and trauma issues, and language differences are all factors that require the facilitators to be flexible and to modify the sessions in ways that accommodate both individuals and the entire group.

3.2. PROGRAM FACILITATORS

The PARTNER Program facilitators are highly qualified in their field. They must be adept at dealing with

3.3. THE JUDICIARY

Judges are key to IPVTO Court and the PARTNER program. Upon acceptance to the program, the Accused is subject to judicial monitoring through interim Court appearances and the Judge receives the participation summary prior to sentencing. The Judge may have direct interaction with Accused person or Participant by asking questions, listening to the answers and probing, if necessary. This accountability to the Judge is integral to the Participant's success.

The Judge retains all of their judicial powers and attributes, but is encouraged to adopt therapeutic practices, which could include:

- A flexible approach to problem-solving and encouragement of this approach with other partners; and,
- A less formal process, as required, to ensure the comprehension and involvement of an Accused person who frequently comes before the Court with multiple issues.

3.4. CROWN COUNSEL

(PUBLIC PROSECUTION SERVICE OF CANADA)

Crown Counsel is a member of the IPVTO Court Team and determines eligibility for participation in IPVTO Court by conducting an eligibility assessment (section 4.4). Crown Counsel also performs the following key duties:

- Maintains close working relationships with the other members of the IPVTO Court;
- Provides resolution offers and engages in relevant discussions with Defence Counsel;
- Drafts Agreed Statement of Facts, to be signed by the Accused or their Defence Counsel and filed with the IPVTO Court;
- Participates in the Pre-Court Meetings;
- Represents the Crown in the IPVTO Court proceedings; and
- Ensures a threshold for public interest and public safety.

3.5. DEFENCE COUNSEL

(LEGAL AID AND PRIVATE BAR)

Defence Counsel is a member of the IPVTO Court Team and advises the Accused on their legal rights, options, and potential sentencing outcomes. The Legal Aid Commission (Legal Aid) of the NWT provides

legal services in the NWT. Legal Aid services include representation by a lawyer, legal advice and legal information. Legal Aid assigns Defence Counsel to the IPVTO Court. Defence Counsel also performs the following key duties:

- Maintains close working relationships with the other members of the IPVTO Court;
- Conducts initial review of participation requirements with the Accused and completes a short questionnaire and consent form, if applicable, for a remote referral (See Appendix A);
- Conducts interviews with the Accused, if possible, prior to the opening of Court;
- Participates in the Pre-Court Meetings;
- Represents the Accused/Participant in the IPVTO Court proceedings.

3.6. MANAGER, SPECIALIZED COURTS, DEPARTMENT OF JUSTICE

The Manager of Specialized Courts is responsible for the overall operations of the IPVTO Court and the PARTNER Program. The Manager is primarily responsible for management of the services and activities that connect the IPVTO Court to the community. This includes facilitating entry into the Program and monitoring progress of Participants through the IPVTO process. The Manager is also responsible for scheduling and chairing meetings of the IPVTO Court and PARTNER professionals; ensuring data is maintained; and assisting in the development and revision of program materials (brochures, workbooks, etc.).

The Manager delivers presentations to law enforcement, the Public Prosecution Service of Canada, the Legal Aid Commission, government departments and other stakeholders and acts as a liaison between the IPVTO Court and other members of the team by actively promoting community relations.

3.7. IPVTO COURT AND PARTNER COMMITTEES/TEAMS

Three committees or teams are responsible for various aspects of the IPVTO/PARTNER process: the IPVTO Court Team; the Specialized Courts Steering Committee; and the PARTNER Program Team.

Table 3: Addresses the purpose and composition of each group

| Team | IPVTO Court Team Pre-Court Meetings | IPVTO Court Steering Committee | PARTNER Program Team |
|--------------------|---|--|--|
| Team Chair | Manager, Specialized Courts | Territorial Court Judge | Case Managers |
| Purpose | Information sharing and briefing prior to Court sittings | Decision making body | Create meaningful self-control and safety plans for clients |
| Composition | <ul style="list-style-type: none"> • Case Managers • Crown Counsel • Defence Counsel • Territorial Court Judge Treatment professionals/ program facilitators as necessary | <ul style="list-style-type: none"> • Territorial Court Judge(s) • Manager, Specialized Courts • Crown Counsel • Defence Counsel • Director of Court Services • Representative of the PARTNER Program Team • RCMP • Director of Corrections | <ul style="list-style-type: none"> • Program Facilitator(s) • Client • Client support person(s) as required |

4. OPERATIONS: IPVTO COURT

4.1. REFERRALS TO THE IPVTO COURT PROCESS

4.1.1. REFERRAL SOURCES

RCMP REFERRAL (HUB COMMUNITIES)

When the RCMP lay a charge(s) relating to intimate partner violence and are not seeking to detain the accused for a release hearing, the Accused will be released on an Undertaking compelling the Accused to report to a Specialized Courts Case Manager on one occasion within 48 hours of release and to attend a scheduled IPVTO Court Sitting.

DEFENCE REFERRAL (TERRITORY WIDE)

Defence Counsel can refer an accused to IPVTO Court any time after a first appearance, including at a bail hearing, by requesting Crown Counsel consent to move the matter to a scheduled sitting of IPVTO Court. If the matter originates in a Hub Community, they can be added to the next available scheduled IPVTO docket.

If the matter originates in a community with no scheduled IPVTO sitting Defence Counsel must provide a signed “Remote Referral Form” (Appendix A) to the Specialized Courts office via email and request the matter be moved to the next scheduled sitting of IPVTO Court in Yellowknife (appearance by telephone). In cases where logistically, an Accused cannot provide signatures, Defence Counsel may sign on their behalf, indicating they have discussed the parameters of the “Remote Referral Form” with the Accused.

Once the Case Manager receives the Remote Referral Form, they will contact Crown Counsel to obtain the Accused’s criminal record, the Prosecutor’s Information Sheet and Release Order/Undertaking necessary for the suitability assessment.

SELF REPRESENTED REFRRAL (TERRITORY WIDE)

An Accused can self-refer to the IPVTO program by speaking at their Court appearance or contacting Legal Aid and then following the processes outlined above based on the community of origin.

4.2.REPORTING TO A CASE MANAGER/ BAIL SUPERVISOR

4.2.1. HUB COMMUNITIES

Accused Persons referred to a scheduled IPVTO sitting directly through the RCMP are released on an IPVTO Undertaking with a condition to report to the Bail Supervisor, as well as other conditions that they must abide by while their charge(s) are outstanding.

The purpose of the first report with the Case Manager is to provide information about the IPVTO Court Stream to the Accused and to provide a community contact for questions that may arise regarding supervision and child access.

In some cases, an Accused will be held for a bail release hearing in Hub Communities. In cases that require an ongoing reporting condition as part of their release, an accused should be released to the local bail office for supervision and not to Specialized Courts.

A return Court date can be set for IPVTO Court. Reporting to a bail supervisor does not preclude an Accused person from participation in the Specialized Courts Stream.

4.2.2. REMOTE COMMUNITIES

If the referral originates outside of Yellowknife, Inuvik or Hay River, the individual remains bound by the original Release Order and conditions including those that may mandate them to report to a bail supervisor in their home community. Permissions to vary the no contact condition will be assessed by the bail supervisor in the community, not the IPVTO team.

4.3. CRITERIA TO PARTICIPATE IN THE IPVTO COURT STREAM AND PARTNER PROGRAM

| Requirement | Description |
|---|--|
| The Accused must be eligible for participation in the IPVTO Court Program. | The Crown determines eligibility. Sexual offenses are not eligible. Young Offenders are not eligible. |
| The Accused must consent to participating in the suitability assessment | The Accused must consent to take part in the suitability assessment process. |
| The Accused must be suitable for participation in the IPVTO/ PARTNER Court Program. | Suitability is determined by the Case Manager based on assessment tools which screen the Accused for: <ul style="list-style-type: none"> i. Motivation to change ii. Acceptance of responsibility iii. Mental health/cognitive issues iv. Other suitability considerations (see section 4.3.4) |
| The Accused must agree to the final admission requirements of the IPVTO/PARTNER Program. | The final admission requirements for entry into the IPVTO Court Program include: <ul style="list-style-type: none"> v. Entering a guilty plea vi. Signing and Filing of an Agreed Statement of Facts |

4.4. ELIGIBILITY FOR IPVTO COURT

Generally, Crown Counsel is the gatekeeper for referrals to the Program. Crown Counsel will review all disclosure and assess for reasonable prospect of conviction, public interest and public safety. Circumstances must be such that the Crown is prepared to agree to a community-based sentence upon successful completion of the treatment option.

Intimate Partner Violence Treatment Option (IPVTO) is not available to Young Offenders Accused persons who are facing sexual offences, offences with mandatory minimum penalties or offences for which the Crown will be seeking a custodial sentence even after program completion.

If Crown Counsel determines the matter is eligible for IPVTO and the Accused consents, the Accused will be referred to a Case Manager to complete a suitability assessment prior to the next Court appearance.

If Crown Counsel determines the matter is not eligible, the matter will be returned to Territorial Court.

4.5. PROVISION OF CLIENT CONSENT

Each Accused that undergoes an IPVTO suitability assessment is required to sign a consent form (see Appendix B) as part of the admission process. Doing so is mandatory because the required level of participation is considerably more involved than in the conventional Court process. The consent form includes provisions for sharing of information between justice professionals associated with the Court and data usage for evaluation reporting.

If the Accused is unwilling to sign the provision of consent they cannot continue with the suitability assessment and the matter will be returned to Territorial Court.

4.6. SUITABILITY CRITERIA FOR THE PARTNER PROGRAM

Suitability Assessment Requirements

As part of the suitability assessment process, the Accused is required to complete the following with the assigned Case Manager:

1. Risk Assessment:

Completion of the Brief Spousal Assault Form for the Evaluation of Risk (B-SAFER) – Civilian Version.

2. Group Therapy Questionnaire:

A questionnaire to assess readiness and appropriateness for participation in group therapy sessions.

3. Remote Access Screening (if applicable):

If the participant intends to attend the PARTNER program virtually, a Remote Access Screening form must also be completed to ensure appropriate technology access and a suitable confidential environment for virtual participation.

To conduct the suitability assessment screening, the Case Manager will require the following documents:

1. Accused's Criminal Record;

2. Prosecutor's Information Sheet;

3. IPV checklist (completed by the RCMP)

4. Release Order; and

5. Completed Referral Form (remote participants only) – Provided by defence Counsel.

These documents must be submitted in full before the assessment can proceed.

The purpose of the Suitability Assessment is to determine if the Accused is suitable for the PARTNER Program and it is not related to the specifics of the alleged offense.

Comprehensive assessment supports establishing a safe, healthy, therapeutic environment for all treatment groups. In order to participate meaningfully in the PARTNER program participants must be able to:

- Demonstrate an acceptance of responsibility for their part in conflict in intimate relationships;
- Demonstrate motivation to change their behaviour in their relationships; and
- Participate in the B-SAFER Risk Assessment without continued resistance, minimization or denial of the offending behaviour.

For example, if an Accused indicates that they do not have any role in relationship conflict, but they were advised to plead guilty to expedite the Court process, they will not be found suitable for the PARTNER Program.

The Suitability Assessment (see Appendix C) is instrumental in maintaining the integrity and safety of the remainder of the participants psycho- educational program.

4.6.1. IPVTO SUITABILITY ASSESSMENT TOOLS

| Target Assessment | Assessment Tool Used* | Assessment Facilitator |
|--|---|------------------------|
| Acceptance of Responsibility | B- SAFER | Case Manager |
| Motivation to Change | B- SAFER Group Therapy Questionnaire | Case Manager |
| Cognitive Function/Mental Health/ Substance Use | Group Therapy Questionnaire | Case Manager |
| Literacy | Group Therapy Questionnaire | Case Manager |
| Computer Literacy/ Availability (remote only) | Remote Access Screening Form | Case Manager |
| Suitability for Acceptance to Program | Suitability Assessment (SA) | Case Manager |

4.6.2. EXCLUSIONARY CRITERIA

Any one of the following circumstances will result in the applicant being found not suitable for the IPVTO program:

- A. The Accused’s grasp of the English language is such that an interpreter is needed for word for word translation;
- B. The Accused presents a risk to group members or safety that cannot be mitigated with available supports;
- C. Literacy/computer literacy levels are such that the Accused could not meaningfully participate in the programming;
- D. Cognitive delays are such that the Accused could not meaningfully participate in the programming;
- E. The Accused resides out of the jurisdiction; or
- F. The Accused has participated in or completed the PARTNER program within the last two years.

If the Accused presents with exclusionary criteria and the case manager determines the Accused could be supported to participate and not harm the progress of the group, it is possible to provide a conditional acceptance (see section 4.6.4).

4.6.3. ACCUSED FOUND NOT SUITABLE BY CASE MANAGER

If, after completing the Suitability Assessment, the Case Manager finds that the Accused is not suitable for IPVTO Court, the Case Manager will email both Crown Counsel and Defence Counsel the IPVTO Suitability Screening Summary (see Appendix E) which details why the Accused was not found suitable for PARTNER Programming. If defence Counsel would like to further discuss the Suitability Assessment, the matter will be discussed at the Pre-Court Meeting ahead of the next court date. The final decision of suitability for the program will remain with the Specialized Courts Program Manager.

If the Accused is not suitable for the IPVTO Court, the matter(s) will be set to a Territorial Court date in the community of origin.

4.6.4. ACCUSED FOUND SUITABLE BY CASE MANAGER

CONDITIONAL ACCEPTANCE

If an Accused is found to be conditionally suitable by the Case Manager, then conditional acceptance is discussed between the Case Manager, Defence Counsel and Crown Counsel where the conditions of acceptance are highlighted alongside the potential supports the program can offer to mitigate and manage any risk for the individual themselves or the therapeutic group. The Case Manager will create a Conditional Acceptance Contract (see Appendix D).. This Contract is provided to Defence Counsel and Crown Counsel and is discussed at the Pre-Court Meeting. If the Accused wants to participate under the conditional acceptance, the contract is signed by the Case Manager and the Accused.

If the Accused refuses to sign the Conditional Acceptance Contract, they cannot proceed in IPVTO Court and their matter will be returned to a Territorial Court date in the community of origin. Conditional acceptance may be used for individuals who have participated in the IPVTO stream in the last two years. Conditions imposed should be directed at ensuring the greatest chance of success through the programming. Conditions may include, but are not limited to, substance use counseling, and or readiness counseling.

UNCONDITIONAL ACCEPTANCE

If an Accused is found to be suitable by the Case Manager, then they proceed to the next steps of the process. Standard changes in eligibility for the program continue to apply. For example, if the accused moves out of jurisdiction, or incurs a new charge(s), their eligibility changes.

4.7. ADMISSION REQUIREMENTS

4.7.1. GUILTY PLEA ADMISSION INTO IPVTO COURT

A guilty plea must be entered on at least one charge, as per the Crown's resolution offer, to proceed through IPVTO Court. The guilty plea is an indicator of the accused's willingness to take responsibility for their own behaviour and allows the PARTNER Program facilitators to speak to the specifics of the offence in order to relate program content to the Accused's circumstances.

4.7.2. AGREED STATEMENT OF FACTS

An Agreed Statement of Facts will be signed by Crown Counsel and the accused or their counsel as agent. It will be filed and sealed on the Court file at the time of entry of the guilty plea. The filing of the Agreed Statement of Fact is a condition of acceptance into the PARTNER Program.

4.5. SENTENCING PROVISIONS

The IPVTO Courts Sentencing Judge retains all available sentencing options allowed by law. Crown Counsel may enter a stay of proceedings or withdraw the charges upon successful completion of the Program. Crown Counsel or Defence Counsel may, either jointly or individually, ask for an absolute or conditional discharge, a suspended or conditional sentence, or any other sentence. The Court will take into consideration the Participant's achievements when imposing sentence.

At the sentencing hearing, IPVTO Team members may speak about the Participant's time in the Program. Additionally, community representatives and/or the victim(s) will be offered the opportunity to speak (through the reading of a Victim Impact Statement), as they do in any other Territorial Court sentencing hearing.

A sentencing may be held in the community where the offence occurred, if requested by Defence Counsel or Crown Counsel and granted by the Court. The IPVTO Case Manager will appear via phone if a sentencing is held outside of Yellowknife.

4.6. REMOVAL FROM IPVTO PROGRAM

4.6.1. PARTICIPANT OPTS OUT

If a Participant chooses to opt out of the IPVTO stream Program, their removal is immediate. They cannot withdraw their guilty plea (unless they make application to the Court). The matter will be sent back to Territorial Court for sentencing. Any progress made in the client's Self-Control plan may be considered during sentencing. As with sentencing after completion of the PARTNER program, IPVTO Team members may speak to achievements. Additionally, community representatives and/or the victim(s) will be offered the opportunity to speak (through the reading of a Victim Impact Statement, support letters, etc.).

4.6.2. PARTICIPANT ELIGIBILITY CHANGES

If a Participant has entered a guilty plea and signed an Agreed Statement of Facts in order to participate in IPTVO, then the presumption is that they will proceed with IPVTO on those charges.

In the event new charges are laid, Crown Counsel will review all disclosure and eligibility determination with respect to the new charges. If Crown Counsel determines

that the new charges are eligible for IPVTO Court, the following outcomes are possible:

- A. If Crown Counsel determines a guilty plea is required, the participant can choose to enter a plea of guilty to bring the new charge(s) into IPVTO Stream and proceed on all charges;
- B. If Crown Counsel determines that a guilty plea is not necessary to deal with the new charges, the Participant may reserve plea and Crown Counsel will withdraw or stay the proceedings either immediately or at a later time at Crown Counsel's discretion and the participant will continue in IPVTO on their original charges;
- C. If Crown Counsel determines a guilty plea is required, the Participant can reject the Crown's offer of resolution on the new charges and return them to Territorial Court. The Participant can remain in IPVTO on their original charges;
- D. If Crown Counsel determines that the new charges are not eligible, Crown Counsel may apply to the Judge to have the Participant discharged from IPVTO Court and have all their matters return to Territorial Court.
- E. If a Participant has been detained on new charges, Crown Counsel may apply to the Judge to have the Participant discharged from IPVTO Court and have all their matters return to Territorial Court.

5. THE PARTNER PROGRAM

5.1. OVERVIEW

The PARTNER Program is a judicially sanctioned program that is administered by trained program facilitators. The Program can be facilitated in person, online, or as a hybrid with some Participants attending in person and others attending online.

The PARTNER Program consists of eight (8) sessions, which are approximately two hours each in length and which Participants attend sequentially. Two facilitators jointly direct the sessions during any particular eight-session period.

The Program challenges normalization of abusive behaviour and the belief systems that condone Intimate Partner Violence. This takes place through examination of role that social, cultural, familial and intergenerational factors play in upholding beliefs about violence.

Each Participant works over the eight (8) sessions to accept responsibility and accountability for their own violent choices and violent behaviour. Each participant is supported to create an individualized Self-Control Plan which identifies their specific triggers and ways they can manage conflict in their intimate relationships.

5.2. PROGRAM PARAMETERS

5.2.1. PROGRAM DEFERRAL

If there is a program starting but a Participant wishes to defer to the next program date, they can request to do so one time. In extenuating circumstances, a participant may request for an additional deferral. When a participant wishes to defer their program start date, they are to contact their Defence Counsel. Defence Counsel can then submit a formal request in writing (email is acceptable) to the IPVTO Case Manager and to Crown Counsel. The IPVTO Case Manager will bring the written request for deferral to next Pre-Court meeting for discussion. If there is disagreement on whether the deferral should be accepted, the matter will be discussed in Court and the Territorial Judge will decide.

5.2.2. MISSED SESSIONS/ MAKE UP SESSIONS

Participants are expected to attend all eight (8) PARTNER sessions in sequential order. Each session builds upon the lessons of the last session. When participants miss the scheduled group therapy sessions, they also lose therapeutic support offered by their peers. Participants often learn from others' insights in an accessible and relatable manner. Pre-existing conflicts related to Court dates, employment, and childcare can be discussed with the program facilitators ahead of program commencement.

In extenuating circumstances, if a Participant misses a session, they may be offered a one to one make up session ahead of the next group session. Make up sessions will only be offered in the case of unexpected medical or childcare emergencies and the program staff reserve the right to ask for confirmation of the emergency. Other make up sessions can be considered on a case-by-case basis with the approval of the Specialized Courts Manager. In total, a Participant can miss and make up a maximum of two (2) sessions and cannot miss more than two sessions in a row. Doing so will result in removal from the program.

5.2.3. INTOXICATION

Participants must attend programming whether in person or online in a sober state. Program facilitators reserve the right to ask any Participant suspected to be under the influence of drugs or alcohol to leave the program. The Participant may or may not be able to complete the program with their cohort.

5.2.4. ABUSIVE/INAPPROPRIATE BEHAVIOUR

Staff and Participants have the right to a safe group environment. Abusive and or aggressive behaviour will not be tolerated. This includes, yelling, swearing, belittling behaviour, racist or sexist statements. Participants who exhibit this behaviour will be removed from the Program.

5.3. REMOTE PARAMETERS

Remote Participants must participate using a laptop or tablet and may not participate via smart phones. A substantial amount of course material is covered using screen sharing which is not possible on a smart phone.

Participants must agree to and take part in a scheduled test call with the program facilitator ahead of commencement of their PARTNER Program. This allows the facilitator to focus on program facilitation rather than technological issues.

Participants must leave their cameras on for the duration of the program and have access to their microphones.

5.4. PROGRAM COMPLETION

To graduate from the PARTNER Program, a participant must complete all eight (8) sessions, either in person or remotely via video, complete their Self- Control Plan, all assigned homework and attended a one-to-one session. Once this is completed, the matter will be set for sentencing.

The facilitator will complete an IPVTO Participation Summary Report (see Appendix E) for each Participant of the Program. This summary details their participation and learning in the group, speaks to their individual strengths and weaknesses as well as the perceived ability to comprehend and apply the program materials. Specific note will be made of growth and progress over the period of supervision related to acceptance of responsibility, empathy demonstrated and remorse.

Participation Summary Reports will be filed with the court one week before the Participants' sentencing date and shared with Crown Counsel and Defence Counsel. Clarifying questions regarding the content of the Reports can be asked at the Pre- Court Meeting.





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