

**THE DOMESTIC VIOLENCE COURT (DV COURT)
PILOT PROJECT
MONCTON, NEW BRUNSWICK**

***AN ANALYSIS OF THREE YEARS OF DATA RELATING TO
VICTIMS AND OFFENDERS***

NEW BRUNSWICK DEPARTMENT OF PUBLIC SAFETY

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Disclaimer:

The analyses set forth in this report are based on
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While the researchers are not responsible for the quality
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those of the Department of Public Safety.

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EXECUTIVE SUMMARY

Introduction - In April 2007, the Government of New Brunswick (NB) established a pilot project in the Moncton Provincial Court for the purpose of determining if a specialized court model could effectively respond to crimes related to domestic violence. Initially the Court, known as the Domestic Violence Court or DV Court, was to operate for three years; but, it was subsequently extended for an additional year in order for a comprehensive evaluation to take place. This report is the fourth component of the evaluation of this pilot.

The Department of Public Safety has provided significant resources over the past four years for this pilot project. Under the model, the Department has assigned 2.25 FTEs of victim service coordinators time to the Court. The victim service coordinators are the case managers for the victims of domestic violence who voluntarily seek the support and assistance provided by Public Safety. The goal is to ensure the safety and security of the victims.

On the Corrections side, the Department assigned 2 FTE's of probation officers time exclusively to the Court. The probation officers function as case managers for the offenders and it is their responsibility is to oversee the community-related sentences by arranging for and monitoring a range of interventions/treatments provided to the offender, and reporting back to the DV Court in accordance with the operating standards set out for the model.

Throughout the pilot project, victim service coordinators and probation officers have been tracking their program outputs and entering those data in the Department of Public Safety's Community and Correctional Services electronic Client Information System. As the pilot is nearing completion, there is a need to analyse the data in the files in order to provide decision-makers with complementary information to the evaluation on which to determine the future of the Court. The report provides a profile of victims who accessed Victim Services and offenders who were under provincial correctional supervision.

Methodology and Limitations- The data for these analyses were extracted from the Community and Correctional Services electronic Client Information System and provided to the researchers, with the period of data collection beginning April 1, 2007 and ending March 31, 2010.

Several databases were analysed. For matched victims/offenders, data were extracted from victim files based on the caseload(s) of the victim services coordinator(s) assigned to the Court for the Moncton area only, and matched to the Corrections data base using the victim/offender relationship. In this manner, *repeat victims* with the same or different offenders, *multiple victims* in the same family (primary-victims, i.e., those who were on the receiving end of the offense and secondary victims, i.e., those who witnessed the offense occurring); and/or the same offender with *different primary victims* could be identified.

In addition, a second database was provided based on offenders with community sentences only (probation or conditional sentences) who were referred to the Domestic Violence Intervention Program(s) but whose victims did not seek services from Public Safety. (Note that victims access services on a voluntary basis.)

The data files were sorted according to a variety of variables such as year when first offense was reported, age of the victim, gender of the victim, referral source, relationship to offender, age and gender of offender, types of criminal charges laid, court decisions, and interventions provided to victims and to offenders. Recidivism was also examined, i.e., the number of times that an offender re-offended, the court sentences and whether the same victim or different victims were offended against. Once the data set for each variable was developed, the information was described by the use of descriptive statistics: frequencies and measures of central tendency such as averages, medians and ranges. Data tables were presented to show results for each of the three years in order to uncover trends in the data, and also to show results when all years were combined.

Findings – The following information summarizes key findings from the analyses of these data:

VICTIMS:

A total of 411 victims were associated with domestic violence crimes in the three-years, beginning 2007/08 to 2009/10;

By year, beginning with 2007/08, the numbers of victims were: 92,127 and 192, respectively;

Police were an important source of referrals to Victim Services, accounting for almost 50% of referrals in the third year;

The highest percentage of female victims in any age category was found in the 21-30 age range (42%);

The highest percentage of male victims was found in the 26-40 year range;

The highest percentage of primary victims (52%) was in boyfriend or ex-boyfriend relationships;

About 30 secondary victims were identified, primarily children with ages ranging from 3-17 years of age;

The most common offense against victims was common assault (34%) followed by uttering threats (18%);

For each of the three years, between 53% to 57% (half the victims) experienced more than one offense at the time the crime was committed;

About 70% of victims for which data were available accessed the services of Victim Services, and about 78% of these accessed one or two services;

About 32% of victims accessing services were awarded compensation; and, about 26% of victims accessed some type of counselling. *Children in particular required trauma counselling.*

OFFENDERS:

A total of 380 offenders were identified in the matched victim data file, and an additional 98 offenders (unmatched) were provided, bringing the total number of offenders to 478 offenders over the three years;

By year, beginning with 2007/08, the number of offenders was: 121,151 and 206, respectively;

Ages of offenders ranged from 19 to 76 years, with the highest percentage (36%) found in the 21 to 30 age group;

The highest level of education attained by most offenders for whom data were available was high school (56%), followed by college/university (10%) and community college (10%);

There were 187 remands (some multiple) associated with offenders of victims in 2007-2010; Offenders remanded to custody constituted a significant pressure on the correctional system, with the number of remand days ranging from 2 to 228 days, with an average of 31 remand days;

Community sentences (probation, conditional sentences or a combination to these) accounted for the majority of sentences handed out to offenders;

There were 59 offenders sentenced to custody in a provincial jail. Including terms of multiple custodies, there were 67 terms of custody for these offenders, with the length of days spent in custody ranging from 2 to 364 days and an average of 94 days per custody term;

There were 194 referrals of 164 offenders to Domestic Violence Intervention program(s). Four referrals were female offenders;

Of offenders referred for intervention, 47% from 2007/08 and 72% from 2008/09 completed treatment. Just over 30% of offenders from 2009/10 have completed treatment as of this date.

RE-OFFENDERS:

Four criteria were used to identify offenders who re-offended. With one exception, the re-offender committed the repeat crime against the same victim. All re-offenders were male with a median age of 34 years;

The percent of offenders who re-offended was **33% in 2007/08, 30% in 2008/09** and 11% in 2009/10. Of 478 total offenders, **107 re-offended** giving a 22% rate of re-offending over the three years. *Note: Compared with the third year, the first year and possibly the second year yield a more accurate statistic on re-offending as re-offending usually occurred in a 12-18 month period following the first offense. Thus, the 22% statistic should be treated cautiously as it is probably understated;*

69% of offenders re-offended once again in the three year period, but some re-offended multiple times with 24% committing three offenses, and 9% committing four or more offenses;

Most Serious Offenses (MSO) frequencies were assault level 1(43%), criminal harassment (26%) and assault with a weapon causing bodily harm (13%);

About a third (32%) of re-offenders for which remand data were available, spent 1441 total days remanded in jail; and, about a third of re-offenders spend 3015 days in custody;

Including multiple terms, there were 42 terms of custody for the 33 re-offenders, with an average of 72 days per term of custody;

Re-offenders accounted for 25% of the total remand days of all offenders, and they also accounted for 48% of the total days spent in custody by all offenders;

Over the three years, the LSI risk/needs assessment scores followed a normal distribution, with 62% in the range of high (22%), medium (20%) and low (20%);

73% of re-offenders were referred to the Domestic Violence Intervention program(s).

VICTIMS OF RE-OFFENDERS:

115 victims of re-offenders (both primary and secondary) received support services from Victim Services; but, not all victims accessed services immediately following the first offense. Only 44% of victims of re-offenders who were referred to Victim Services in 2007/08 accessed services that year. Victims of some of the worse re-offenders from 2007/08 did not access services until the third year, following multiple re-offenses;

63% of victims of re-offenders accessed some type of service from Victim Services in the three year period. In the same three years, 37% chose not to access a service, although they had been referred to Victim Services;

31% of victims of re-offenders accessing services, accessed compensation; and, 27% accessed counselling. Secondary victims, mostly children, accessed trauma counselling;

In total, 72 victims of re-offenders accessed 190 services, for an average of 2.6 services per victim.

Conclusions and Future Considerations - The question has been raised: “Based on these findings, is the Court working?” This analysis did not set out to answer that question, but it does, however, provide some information which may assist in providing a partial answer. For example, the analysis showed that victims of domestic violence appear to be more willing now to be referred to Victim Services, and the police have increasingly become the significant referral agent. This points to the team working as intended in this pilot. As well, we now know some characteristics of offenders and of the re-offenders, and have some idea of the time span for re-offending.

The findings also reveal that the secondary victims of domestic violence, mostly children, are vulnerable with the majority of these victims requiring trauma counselling in order to deal with what they had witnessed.

The ages of victims and the types of relationships in which victims and offenders are found constitute additional findings; and whether it is a first time offense or a repeated offense, the relationship with a boyfriend and/or ex-boyfriend is important. Most victims are often young females, between 19 and 30 years of age, and the offenders are slightly older, but still mostly young males, most of whom have attained a high school diploma. The most common crimes are assault and uttering threats, although in many instances, several offenses occur at any the given point in time. That is to say, it is usually never just one crime committed at the time. By year, about 30% of offenders re-offended in a 12-18 month period.

The real test as to whether the DV Court is having an impact is to determine if the offenders, when referred to treatment, complete that treatment and do not re-offend. Findings showed that information on completion of treatment –and in fact, on a number of important variables - was not complete in the data file, which highlights specific considerations for future evaluations of this project:

1. Data collection be monitored on a scheduled basis to ensure complete entries on all variables;

2. Field staff be given continued support in this task so that they understand the importance of complete and accurate data entry in order to determine effectiveness of the model;
3. Where ever assessment tools are being used, new staff be monitored for a period of time to ensure that the tools are being applied as intended;
4. Specific to offenders, program attendance and status of completion be monitored closely and that information entered in the data file be updated as the offender completes his/her intervention programs; and,
5. A longitudinal study be considered that will follow re-offenders over years to determine re-offending patterns and the impact –efficacy and effectiveness - of interventions.

1.0 BACKGROUND

In April 2007, the Government of New Brunswick (NB) established a pilot project in the Moncton Provincial Court for the purpose of determining if a specialized court model could effectively respond to crimes related to domestic violence. The concept of this specialized court, called the Domestic Violence Court or DV Court, emanated from the work of the Minister's Working Group on Violence against Women.¹ The goal of the court was stated as follows:

To improve the Criminal Justice System's response to victims' needs and safety planning while promoting offender accountability and early intervention that may help stop the cycle of violence.

The Women's Issues Branch of the New Brunswick Executive Council was assigned the responsibility to lead a Steering Committee made up of representatives from the NB Department of Justice, the NB Department of Public Safety and university experts in the area of family violence research. Their work resulted in a "blue print" document² that became the guide for the implementation of the court. Key partners in the Moncton Court assumed subsequent responsibilities to develop the written procedures and guidelines, and implement the model.

Initially, the Court was to operate for three years, but it has been extended for one year in order for a comprehensive evaluation to take place. This report will be the fourth component of the evaluation, the others being a comparative process analysis of court functions with a non-specialized site in the Province; an operational review³ of the Court documenting the level of understanding of roles and responsibilities, strength of linkages between partners, practices in relationship to the original strategic blueprint and adherence to operational standards; and an on-going local collection of court case information.

The Department of Public Safety has provided significant resources over the past four years to the pilot project. While it is recognized that other partners have also contributed on-site resources, a significant amount of service delivery falls on the shoulders of regional and central office staff in the Public Safety particularly victim services coordinators and probation officers.

Under the pilot project model, victim service coordinators serve as the case managers for victims. It is their responsibility to provide support and assistance in accessing services for the victim, and for developing a case plan that focuses on the safety of the victim. Acceptance of these services by the victim is strictly voluntary and victims can choose to accept services and at any time they can withdraw.

¹ Province of New Brunswick. *A Better World for Women: Moving Forward*, 2005-2010.

² *Implementing A "Domestic Violence Court" in New Brunswick*. Draft discussion paper. July, 2006.

³ Saintonge A. and C. Dilworth. *Operational Review Moncton Domestic Violence Court Pilot Project*. Province of New Brunswick. Executive Council Office Women's Issues Branch. 2009.

When the project commenced, one full-time equivalent (FTE) of a victim services coordinator's position was dedicated by Public Safety to the Court. As the workload increased, additional resources for were needed, with the result that another FTE position was added in 2009. More recently, an additional 0.25 FTE of service coordinator's time has been assigned, bringing the total victim services coordinators' time to 2.25 FTE's dedicated to the DV Court.

On the Corrections side, probation officers are the case managers for the offenders given community-based sentences, i.e. probation and conditional sentences. Their key responsibilities include assisting the DV Court in making sentencing decisions, assessing offenders' service needs, determining the level (low, medium, high) of risk to re-offend and monitoring treatment outcomes, with subsequent reporting back to the Court as per the operational standards for this pilot project.

Similar to the victim service coordinator positions, one FTE of a probation officer's time was dedicated to the DV Court at the outset of the pilot, but workload pressures again intervened, resulting in the addition of a second full-time position. The result is that currently, two full-time FTEs of probation officer's time are dedicated to the Court.

2.0 PURPOSE for the ANALYSIS

Victim service coordinators and probation officers have been tracking their program outputs over the years of the pilot project by entering those data into the Department of Public Safety's Community and Correctional Services electronic Client Information System. The pilot is nearing completion, and decisions will have to be made with regard to the future of the DV Court. Consequently, there is a need to analyse the data in the files in order to provide decision-makers with the necessary information on which to base their decisions. As already mentioned, this analysis will augment other components completed as part of the three-year evaluation by providing a profile of victims who accessed victim services and offenders who were under provincial correctional supervision.

3.0 METHODOLOGY and LIMITATIONS

The data for these analyses were provided by the Public Safety. They were extracted by the Department's data analyst from the Community and Correctional Services electronic Client Information System, and covered a period from April 1, 2007 to March 31, 2010.

Several databases were analysed. For matched victims/offenders data, data were extracted from victim files based on the caseload(s) of the dedicated victim services coordinator(s) assigned to the court for the Moncton area only, and matched to the Corrections data base using the victim/offender relationship. In this manner, *repeat victims* with the same or different offenders, *multiple victims* in the same family (primary-victims, i.e., those who were on the receiving end

of the offense and secondary victims, i.e., those who witnessed the offense occurring); and/or the same offender with *different primary victims* could be identified.

In addition, a second database was provided based on offenders with community sentences only (probation or conditional sentences) who were referred to the Domestic Violence Intervention Program(s) but whose victims did not seek services from Public Safety.

Note that the resulting databases did not include all cases going through the DV Court, but did include the following instances where the Public Safety provided direct services such as:

- where there had been a referral to victim services;
- where an identified offender was remanded to custody by the DV Court;
- where there was probation supervision;
- where there was a conditional sentence supervision; or,
- where the offender received a provincial term of custody (maximum of two years less a day).

The data files were sorted according to a variety of variables such as year when first offense was reported, age of the victim, gender of the victim, referral source, relationship to offender, age and gender of offender, types of criminal charge laid, court action, and interventions provided to victims and to offenders. Recidivism was also examined, i.e., the number of times that an offender re-offended, the dispositions(s) and whether the same victim or a different victim were involved. Where questions arose with regard to interpretation and/or inclusion, these were referred by email or in person to Public Safety for resolution or clarification.

Once the data set for each variable was developed, the information was graphed and described by descriptive statistics of frequencies and measures of central tendency such as medians and ranges. Medians rather than means (averages) were calculated because of the extreme values in data associated with most variables. These extreme values would skew the mean and give a false result associated with a given variable.

Notations, numbers and percentages were rounded to the nearest whole number for ease of making simple comparisons. The conventional use of the notations of N and n were used with the upper case N denoting the total number of files in a data set, and lower case n denoting reference to a group of files within that total. In both instances, i.e., rounding and notation, conventions in scientific writing was followed.

With regard to the physical lay-out of this report, the information on all variables is presented - mostly in table format - for each of the three fiscal years (2007-08 to 2009-10) in order to uncover emerging trends; and in addition, composite information for the three years combined is also presented. When examining the information the reader will note that while effort was made to ensure data integrity and completeness, some variables did not have complete data entered in

the file, and therefore, the total values for some variables will not be the same as for other variables throughout the report.

Noteworthy also is that this report does not cover extensively the treatment outcomes of the offenders. While some treatment data were provided and is included, complete data on all referrals to treatment were unavailable in time to be included in this report.

Finally, it should be noted that this is an analysis of **operational** databases in contrast to research databases that are specifically constructed to explain how the activities of the program impact outcome. In this report, only in a few instances have the researchers used the analyses to explain how the findings correlate or impact on the actual activities in the pilot project: That interpretation is left to the Steering Committee and program managers who have that knowledge. What the report provides is a quantification of program data associated with defined variables, and as such, should be a useful management tool as well as providing quantitative data for monitoring and evaluation purposes.

4.0 FINDINGS

4.1 Victim Information

4.1.1 Referral Source

The sequence of events for victims entering the DV Court begins when an offense takes place that results in the reporting of the incident to authorities. In cases of domestic-related altercations, police are the first responders. They are trained in the use of standardized assessment tools that allow them to assess the immediate situation and determine whether it is a criminal offense. As part of the process, police usually are the first ones to inform the victim about the supports and assistance available to them and any secondary victims through Victim Services, and offer a referral. The decision to be referred is entirely voluntary on the part of the victim. If the referral goes ahead, the victim services coordinator contacts the victim, usually within 24 hours of the incident.

Chart 1 shows that over the three years, the percentage of police referrals has increased noticeably so that in the third year almost half (49%) of all referrals to Victim Services were by the police. This is encouraging as it suggests that police are increasingly recognizing the scope of domestic violence and are ready to help victims access the appropriate support services.

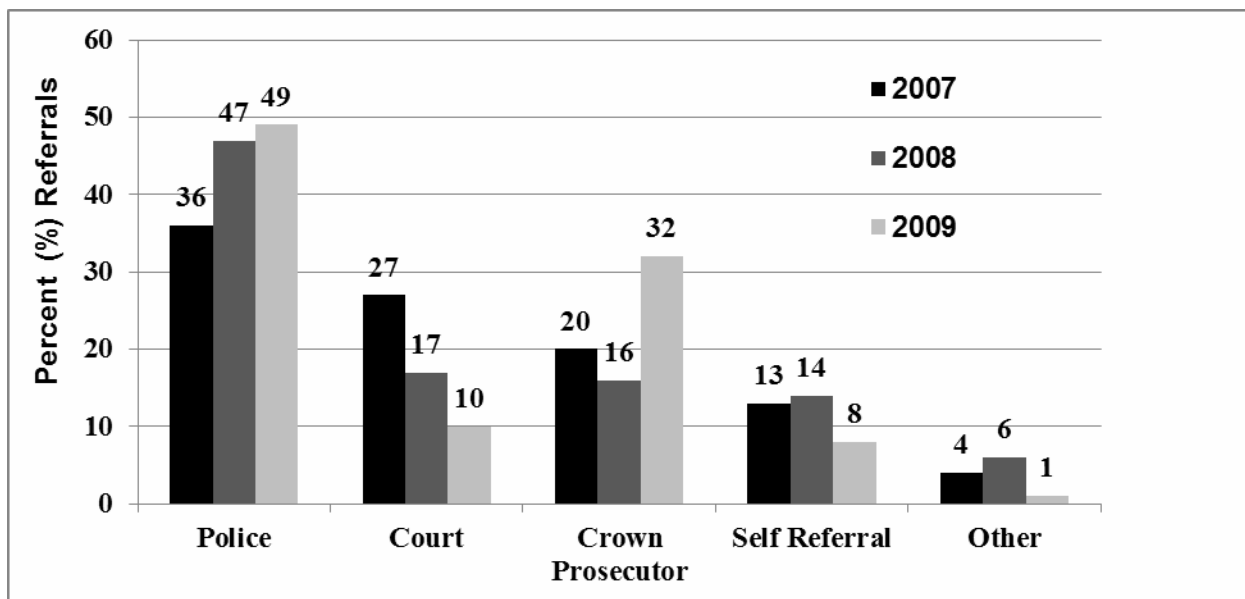
Although police are usually the first referral agent, others can also refer the victims to Victim Services. For example the judge or the crown prosecutor, upon examining charges laid by police, may determine that the victim should contact Victim Services in order to expedite the process of bringing the offender to Court. For example, the victim may require support with

preparation for testifying in Court, or to prepare a Victim Impact Statement and or perhaps to access financial assistance.

In 2007/08, 27% of referrals originated with the Court, although referrals from this source decreased over time, perhaps in response to the Crown and police effectively encouraging victims to accept the assistance available to them. In the third year of the pilot, 81% of all referrals were from police and the Crown compared to 56% in the first year.

Far fewer victims were identified as “self-referrals” or referred by “other”, usually another family member, an acquaintance or a social service agency. A number of these were secondary victims, i.e., those who were not directly offended against, but who witnessed an offense/the offenses. This generally applied to children where the mother was referred by police and the children came along with her and were identified as being “self-referred”.

Chart 1. Percentage Referrals by Referral Agent to Victim Services, 2007-2010.



2007/08 N=83; 2008/09 N=125; 2009/10 N=170.

4.1.2 Ages of Adult Victims

Results with regard to the number of referrals of adult **female victims** and their ages are given in **Table 1a**. These data show that the number of victims referred to Victim Services increased from 74 victims in 2007/08 to 109 the following year (47%) and increasing another 50% to 164 in the year 2009/10. Over the three years, there were 347 adult female victims from the DV Court seeking assistance from Victim Services.

Of these adult female victims, 42% were found in the age categories of 21 to 30 years, while a further 26% were in the range of 31 to 40 years of age. About 23% were in age groups between 41 and 66 years, and 9% were under 20 years of age. The ages ranged from 16 to 69 years.

Note that in the 21 to 30 age categories (the highest percentage of victims), the percentage *by year* of victims referred increased from 38% for 2007/08 and 2008/09 to 46% in 2009/10. This suggests that awareness of the services offered by Victim Services is increasing in this age group, and consequently, more are agreeing to be referred.

Table 1a. Age Ranges of Adult Female Victims by Year, 2007-2010.

Age Category Females (yrs.)	2007/08	2008/09	2009/10	2007-2010 Total	2007-2010 % Total
16-20	5	11	16	32	9
21-25	14	20	38	72	21
26-30	14	21	37	72	21
31-35	9	18	19	46	13
36-40	15	12	18	45	13
41-45	5	12	11	28	8
46-50	2	7	11	20	6
51-55	6	5	7	18	5
56-60	1	2	4	7	2
61-65	1	-	2	3	1
>66	2	1	1	3	1
Total	74	109	164	347	100%
Range (yrs.)	16-68	17-69	18-67	16-69	
Median (yrs.)	32	31	28	30 (avg.)	

With regard to the referred adult **male victims**, the results (**Table 1b**) indicate that a total of 33 male victims were referred to Victim Services, with the numbers increasing substantially from 3 in 2007/08 to 7 the next year and then to 23 in 2009/10.

Of these victims, almost half (48%) were between the ages of 26 to 40 years. A further 24 % were in the 41 to 50 year range. About 18% were under 25 years and 9% were over 50 years old,

The ages of referred adult male victims ranged from 18 to 59 years.

Table 1b. Age Ranges of Adult Male Victims by Year, 2007-2010.

Age Category Males (yrs.)	2007/08	2008/09	2009/10	2007-2010 Total No.	2007-2010 % Total
16-20	-	1	2	3	9
21-25	-	-	3	3	9
26-30	2	2	2	6	18
31-35	-	-	4	4	12
36-40	-	1	5	6	18
41-45	-	1	3	4	12
46-50	-	1	3	4	12
51-55	-	-	1	1	3
56-60	1	1	-	2	6
Total	3	7	23	33	100%
Age Range (yrs.)	26-59	20-56	18-53	18-59	
Median Age (yrs.)	39	39	34		

In total, taking into account both genders, 380 **primary** adult victims agreed to be referred to Victim Services under the DV Court pilot project.

4.1.3 Victim/Accused Relationships

The next three tables provide information on the nature of the relationship between the referred victims, both primary and secondary, and the accused. Note that *primary* victims are those who directly experienced the abuse, while *secondary* victims were witnesses to the abuse. Both types of victims were referred to and received services from Victim Services.

Table 2a identifies the relationship of the *primary female adult victim* to the accused. These data serve to highlight the importance of the boyfriend and ex-boyfriend relationships in domestic violence cases. For each of the three years, the abuse occurred most often with victims (52% of victims) in one or the other of these two types of relationships. Casual acquaintances (5%) could also be included with these two categories in that casual acquaintances are coded in the database as a boyfriend relationship of short duration such as found in dating relationships.

Marital and ex-marital relationships were next in terms of number of referrals, with 39% of female victims over the three years in these types of relationships (27% and 12%, respectively). Other types of relationships were found, but they accounted for less than 1% of the total over the three years.

An examination of the data file for the age of the female victim relative to relationship showed that the median age (i.e., where 50% of victims are either less than or more than the given age), for female victims in the boyfriend relationship was 28 years, and for the ex-boyfriend

relationship, the median age of the victims was 30 years. For spousal relationships, the median age of the woman was 36 years.

Table 2a. Primary Female Victims/Accused Relationships.

Relationship	2007/08	2008/09	2009/10	Total	
				2007-2010	% Total
Adult/ Boyfriend	27	33	35	95	27
Adult/Ex- boyfriend	20	17	50	87	25
Woman /Spouse	12	41	42	96	27
Separated/Divorced	10	10	24	44	12
Adult/Casual Acquaintance	4	5	8	17	5
Daughter/Father		2	1	3	<1
Mother/Daughter			1	1	<1
Adult/Family Member			1		<1
Female/Unknown	4			4	<1
Total	77	108	162	347	100%

Table 2b provides information on the relationship of *primary male adult victim* to the accused. These data show that for the three years, 32% (n=10) of referred male victims were victimized by a casual acquaintance, i.e., a dating situation. Men in marital relationships accounted for 26% of males who were referred to Victim Services and about 20% were referred because of abuse in a boyfriend (homosexual) or girlfriend relationship.

Albeit the referred number of males is relatively small compared with females, nevertheless it is notable that more male victims agreed to be referred in 2009/10 than in the two previous years. This suggests that there may be a growing awareness among men of the support and services available also to them through Victim Services.

Table 2b. Primary Male Victims/Accused Relationships

Relationship	2007/08	2008/09	2009/10	Total	
				2007-2010	% Total
Adult/Casual Acquaintance	4	2	4	10	32
Man/Spouse	1		7	8	26
Adult/Ex-girlfriend			3	3	10
Adult/Boyfriend			3	3	10
Adult/Girlfriend			2	2	6
Separated/Divorced			2	2	6
Adult/Friend	1			1	3
Male/Unknown			2	2	6
Total	6	2	23	31	100%

Table 2c shows the data for *secondary victims*, of which there were 30 identified in the three years. Of these, 90 (n=27) were children who were 17 years of age or younger. The youngest victim was three years of age, and the oldest secondary victim was an adult, 49 years old.

Table 2c. Secondary Victims/Accused Relationships

Relationship	2007/08	Age range (yrs.)	2008/09	Age range (yrs.)	2009/10	Age range (yrs.)	Total
Child/person in position of trust	2	11-12	2	10-11	-	-	4
Child daughter /father	1	16	6	10-17	5	10-16	12
Child son/father	1	16	8	3-16	2	5-12	11
Adult	2	28-30	1	49		-	3
Total	6		17		7		30

Altogether, taking into account the secondary victims as well as the primary victims found in the data file of victims matched with offenders, there were 18 instances where offenders could be matched with more than one victim, i.e., had multiple victims.

4.1.4 Offense Distribution, 2007-2010

A list of the offenses recorded by year associated with the primary victims is given in **Table 3**. A total of 159 offenses were recorded for 88% (n=68) of victims referred to Victim Services in 2007/08. In 2008/09, 244 total offenses were reported for 86% (n=100) of referred victims; and in 2009/10, 442 offenses were reported for 97% (n=181) of referred victims.

The percentages listed for all three years combined show that for the total of 845 reported offenses recorded over the three years, the most frequently identified offenses were common assault (34%), followed by uttering threats (18%), breach of a court order (13%) and property offenses(11%). All other offenses, including murder and sexual assault, occurred less frequently with all categories at 5% of the referred victims or less. Note that property offenses were often not single offenses, but rather often associated with other violent offenses.

Table 3a. Offense Distribution, 2007-2010.

OFFENSE	2007/08	2008/09	2009/10	Total	% Total
Common Assault	42	89	157	288	34%
Uttering threats	41	58	92	151	18%
Breach of Court order ⁴	7	35	65	107	13%
Property offenses ⁵	23	16	51	90	11%
Assault with weapon	15	-	22	37	5%
Criminal harassment	8	10	21	39	4%
Abduction/kidnapping	4	8	6	18	2%
Crimes against admin. of justice	8	1	4	13	1%
Aggravated assault	1	-	6	7	< 1%
Sexual assault	3	-	8	11	< 1%
Attempted murder	-	1	1	1	< 1%
Murder	-	-	1	1	< 1%
False messages	1	4	1	6	<1%
Weapon offenses	-	-	4	4	< 0.5%
Peace bond	6	4	3	13	
Total offenses recorded	159	244	442	845	100%
Victims for which the offense was not recorded	3	18	6	27	

⁴ Includes failure to comply with a recognizance, failure to appear and breach of probation.

⁵ Includes forcible entry, break and enter, theft, mischief, attempted break and enter, false pretences and extortion.

Table 3b gives the number of referred victims who, at the time of the crime, had multiple offenses committed by the accused. The data show that about half of all victims referred to Victim Services in each year had more than one offense recorded.

Table 3b. Multiple Offenses by Number of Referred Primary Victims

Year	Total # victims with at least one recorded offense	Total # victims with more than one offense	% victims associated with multiple offenses
2007/08	68	36	53%
2008/09	100	54	54%
2009/2010	181	103	57%

4.1.5 SERVICES PROVIDED TO VICTIMS

The following three tables provide information on access to and utilization of Victim Services by both primary and secondary victims. **Tables 4a** and **4b**, respectively, describe the number of services accessed by year, and also describe in what year victims chose to access services. **Table 4c** provides a description of the types of services accessed and the intensity of that access.

Statistics in **Table 4a** show the proportion (%) of victims accessing services from Victim Services for each referral year. Results indicate that the percentage of victims accessing services in the referral year increased over the three years, with 58% (n=52) accessing service in 2007/08, 62% (n=79) accessing service in 2008/09 and by 2009/10, 80% (n=153) accessed services. In the three years combined, 70% (n=284) of 408 victims accessed at least one service.

Table 4a. Number Services Accessed by Primary and Secondary Victims (N) by Referral Year.

No. of Services Accessed	2007/08 N=89	2008/09 N=127	2009/10 N=192	Total Victims N=408
1	22	42	62	126
2	17	29	49	95
3	10	8	21	39
4	2	-	8	10
5	1	-	7	8
6			6	6
Total	52	79	153	284
Percent	(58%)	(62%)	(80%)	(70%)

The data also show that for each year, most victims accessed one or two services. In 2007/08, 39 of the 52 victims (75%) from that year accessed one or two services. In the second year, 71 of 79 (90%) from that year accessed one or two services. In 2009/10, 73% victims of that year accessed one or two services. Moreover, in this third year, more victims than in previous years accessed more than two services with 27% (n=42) of victims that year accessing three or more services.

Table 4b shows data available for the remaining 30% of referred victims with regard to if and when they received services from Victim Services. Of these 30%, about 7% did not access services in their referral year, but did access service in a subsequent year. A further 23% did not access any services in the time period of this study, although it is noted that some of the 39 victims from 2009/10 could have accessed services in a year beyond the timeframe of this analysis.

Table 4b. Victims Accessing/Not Accessing Services, 2007-2010.

Category	2007/08	2008/09	2009/10	Total	Total % victims 2007-2010
Victims accessing services in referral year	52 (58%)	79 (62%)	153 (80%)	284 (70%)	70%
Victims who <i>did not</i> access services in referral year but did so in a subsequent year(s).	13	15	Unknown*	28	7%
# Victims with no indication of ever accessing services in 2007-2010.	24	33	39*	94	23%
Total # victims	89	127	192	408	100%

*Unknown whether these received services in later years as those years were beyond the time period of this analysis.

Table 4c gives information on the types of services accessed by victims by year of referral. Note that, as previously indicated in the tables above, multiple services were accessed by individual victims.

As shown in this table, services receiving the highest use were compensation which was accessed by 32% of victims, and counselling which was accessed by 26% of victims. Broken down into its components, counselling was of two types: Trauma counselling, given pre-trial, was particularly evident for secondary victims, although other victims also received this service;

and, Short-term counselling that was provided at the time of the trial. Since counselling is often provided by outside expertise, it constitutes a significant budgetary item for the Department. .

With regard to compensation, this financial service includes, for example, assistance with medical expenses directly related to the crime but not covered under Medicare such as dental services and physiotherapy, childcare expenses, expenses associated with relocation, etc. During the three years, compensation was available to victims up to a maximum of \$5000.

Support in preparing a victim impact statement was accessed by 21% of victims. This service was particularly in evident when the crime was a re-offense and the victim had delayed beyond the referral year in seeking assistance from Victim Services. The victim impact statement is prepared for the Court in the event the offender is found guilty, and it describes the victim’s physical, emotional and financial state as the result of the crime.

Table 4c. Types of Services Accessed by Victims, 2007-2010.

Service Type	2007/08	2008/09	2009/10	2007-2010	Total Services (%)
Compensation	35	56	104	195	32%
Counselling*	30	48	86	163	26%
<i>Trauma Counselling</i>	21	36	56	113	18%
<i>Short-term Counselling</i>	8	12	30	50	8%
Victim Impact Statement	23	12	96	131	21%
Court Preparation	7	6	58	71	12%
Court Support	7	2	29	38	6%
Notification	6	5	5	16	3%
Total Services	107	129	378	614	100%

- *Includes both trauma counselling and short-term counselling*

Other services were less utilized. Notable is the under-utilization of the service of notification, where only 3% used this service in the three years. Notification refers to the instance where a victim is notified when the offender is released from custody or from a psychiatric hospital. The victim must be registered with Victim Services to receive this service,

In summary, over the three years, the percentage of victims accessing service in their referral year increased from 58% in the first year, to 62% in the second year and 80% in the third year. In addition the amount of service accessed also increased over this time, with 107 services accessed in 2007/08, 129 accessed in 2008/09 and 378 accessed in 2009/10 for a total of 614 services accessed by 408 victims from 2007-2010.

4.2 Offender Information

The data presented in this **Section** were taken from two different data sets, and for selected variables, combined to give overall totals for each variable. One data set was strictly for those offenders who could be matched with the victims who chose to contact Victim Services (as profiled in **Section 4.1**) and for whom court outcomes included both community sentences and/or custody in a provincial jail. This will be referred to as the *matched offender data*.

The second set of data was of offenders who were sentenced to community sentences only (e.g., probation or conditional sentences or combination of both), and for whom there were no matching victims, i.e., their victims did not seek services from Victim Services. This will be referred to as the *unmatched offender data*.

A caveat to interpreting these data is that for some variables such as, for example, age, education and level of service inventory ratings (LSIs), information in the files was not complete for all offenders. Therefore, the final number (N) values for each variable will not necessarily be the same.

4.2.1 Gender and Age

There were in total 371 offenders over the three fiscal years, 2007 to 2010 for which age and gender data were available in the data files (**Table 5**). With the exception of 18 offenders, all other offenders were males. Compared with the preceding two years, more offenders were identified in the third year than previously found. This was true for both male and female offenders.

With regard to age, offenders were distributed over a wide range of ages, 19-76 years, although most were concentrated in the 21 to 45 range. For any one age group, the highest percent of offenders was found in the 21 to 25 and the 26-30 age categories. For females, about half of the offenders were under 30 years of age. The median age for all offenders was 34.

Table 5. Gender and Age Categories of Offenders, 2007-2010.

Age Categories of Offenders	2007/08		2008/09		2009/10		2007/10	2007/10
	Male	Female	Male	Female	Male	Female	Total	%Total
16-20	2		5		10	2	19	5
21-25	17	1	20	2	23	3	66	18
26-30	16	1	19	1	28	2	67	18
31-35	16		6		24	1	47	13
36-40	20		20		17	2	59	16
41-45	14		15		16	1	46	13
46-50	9		10		11		30	7

51-55	5		8		5	1	19	5
56-60	3		3		4		10	3
61-65	1		2		2		5	1
>66	1		1		1		3	1
Total	104	2	109	3	141	12	371	100%
Range	19-68		19-76		19-69		19-76	
Median	35		34		33		34	

4.2.2 Level of Education

Examining the data on this variable for the three years combined showed that the highest level of education achieved for slightly over one-half (56%) of 294 offenders was a high school diploma (**Table 6**). A further 20% (n=56) had some college/university or community college education. The remaining offenders had middle school (9%), secondary school (7%), alternate education programs (4%), elementary school (2%) or trade school (2%). These data further support the notion that domestic violence occurs across all demographic groups regardless of age, gender and education.

Table 6. Highest Education Level Achieved by Offenders*, 2007-2010.

Education Level of Offenders	2007-08	2008-09	2009-10	2007-10	% Total
High School (completed diploma)	48	52	69	169	56
College/University	6	8	14	28	10
Community College	10	10	8	28	10
Middle School	13	7	6	26	9
Secondary School (some high school)	5	9	8	22	7
Alternate Education Program	1	5	5	11	4
Elementary School	2	1	2	5	2
Trade School	1	3	1	5	2
Totals	86	95	113	294	100%
Unknown	34	57	101	192	

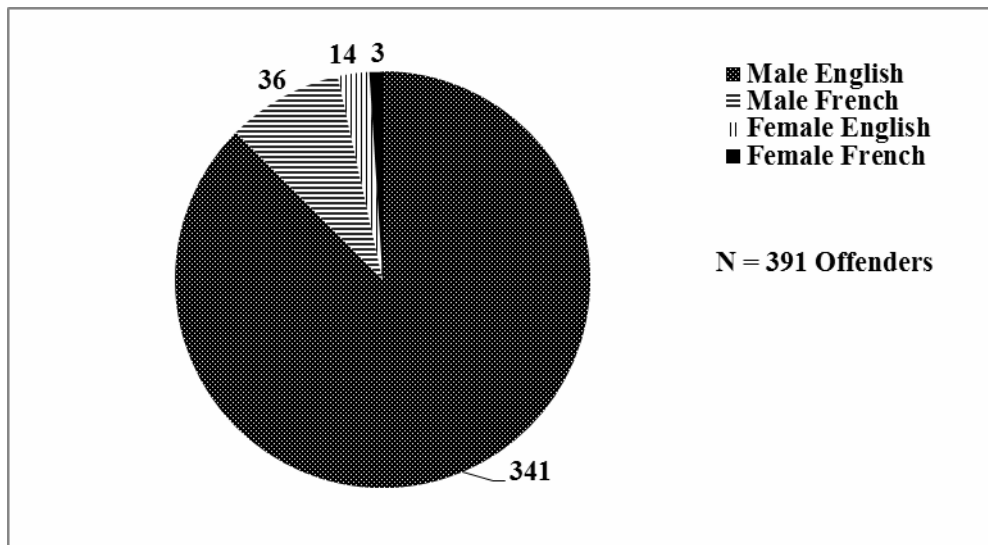
**Data reflects both offenders matched with victims and offenders unmatched. Also, information on this variable was missing in the data file for 192 offenders.*

4.2.3 Language Preference by Gender

The language preference for offenders is shown below (**Chart 2**). This variable refers to the language in which the offender chose to communicate with the Court and does not necessarily reflect language spoken at home or cultural preference. Irrespective of gender, the data show

that of 391 offenders for which data were provided for this variable, 354 (91%) indicated a preference to communicate with the Court in English. The remaining offenders opted to communicate in French. Since the catchment area covered by this report is primarily in the urban Moncton area, and since English (70%)⁶ is the predominant language in this area, these findings are consistent with that language demographic.

Chart 2. Language Preference of Offenders* Appearing in the DV Court, 2007-2010.



*Data reflects both offenders matched with victims and offenders unmatched

4.2.4 Remand Data for the Accused

Data in this section refers specifically to the accused who were remanded to custody pending trial⁷. From the original data matched with victims, 150 accused were identified who received at least one remand over the three-year period. **Table 7** shows that of the accused, some re-offended and consequently were remanded multiple times. Thus, over the three years, there were 187 remands with the average remand days, i.e., total days per number of remands, of 31.

When the results in **Table 7** are examined by year, the *average* number of remand days for 2007/08 was 36. Days ranged from 2 to 228 days in jail. A comparable average number of days, i.e., 36 days, was found similarly for 2009/10. In that year, the days in jail ranged from 2 to 201.

Compared to the other two years, an unaccountable dip in the range of remand days spent in custody (2-184 days) was found in the year 2008/09. In that year, the average number of remand

⁶ <http://www.living-in-canada.com/living-in-new-brunswick.html>

⁷ Accused are remanded when there is a concern that he/she will not appear in Court as ordered, or that the victim may be in danger if the accused is left in the community following the offense but before the trial takes place.

days was equal to 22. Interestingly, when the average remand days per offender were examined, however, the average of 65 was higher than found for the other two years, 52 and 39 days respectively. It may be that the longer jail times for some of the more serious offenders coupled with the number of available beds in the provincial jails may explain some of these differences.

Table 7. Accused * Held on Remand Pending Trial, 2007-2010.

Category	2007/08	2008/09	2009/10	Total 2007-2010
No. accused with remand	43	51	56	150
Total no. remands (including multiples)	61	65	61	187
Total no. remand days	2223	1436	2207	5866
Average remand days	36	22	36	31
Average remand days per accused	52	65	39	52
Range of remand days	2-228	2-184	2-201	-

**Numbers reflect accused/offenders in matched database only*

The following three charts further illustrate the characteristics of these particular remands. **Chart 3a** shows that 75% of remands in 2007/08 were 50 days or less in duration. For 2008/09, **Chart 3b** shows that not only was the range of days shorter than the previous year, but 75% of those remanded spent almost half as much time in jail (about 25 days) as those incarcerated in the first year of the pilot. Data represented in **Chart 3c** show that the year 2009/10 is comparable to the first year with 75% of accused remanded that year spending about 52 days incarcerated.

Chart 3a. Graphic Representation of Days Held on Remand, 2007/08.

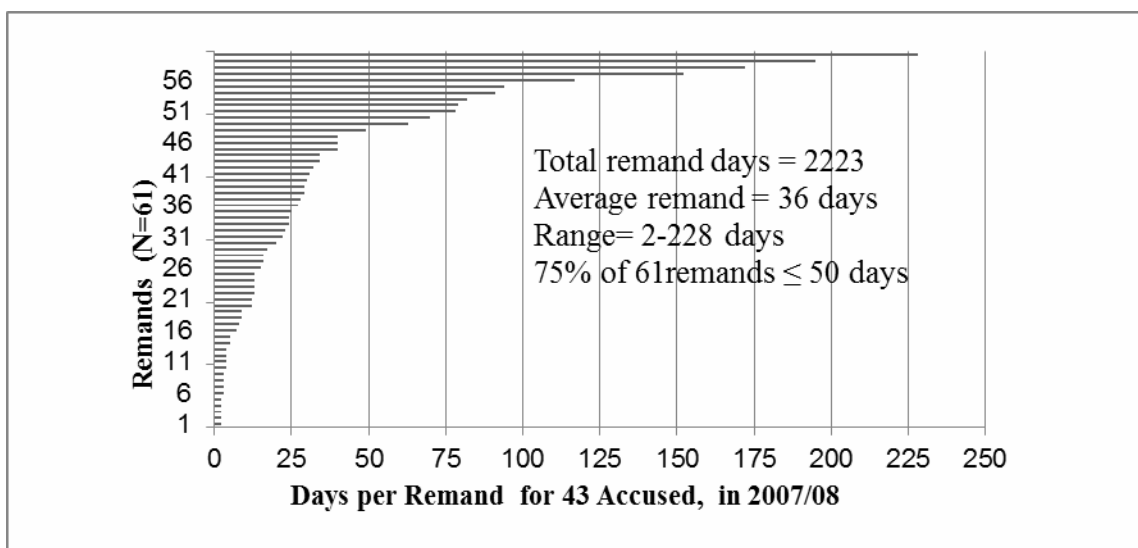


Chart 3b. Graphic Representation of Length of Days Held on Remand, 2008/09.

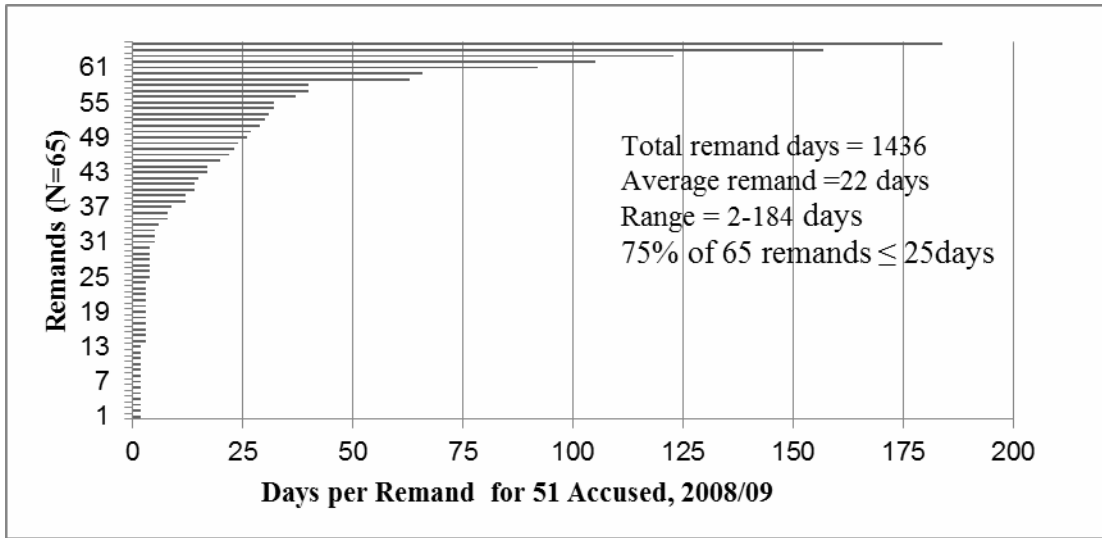
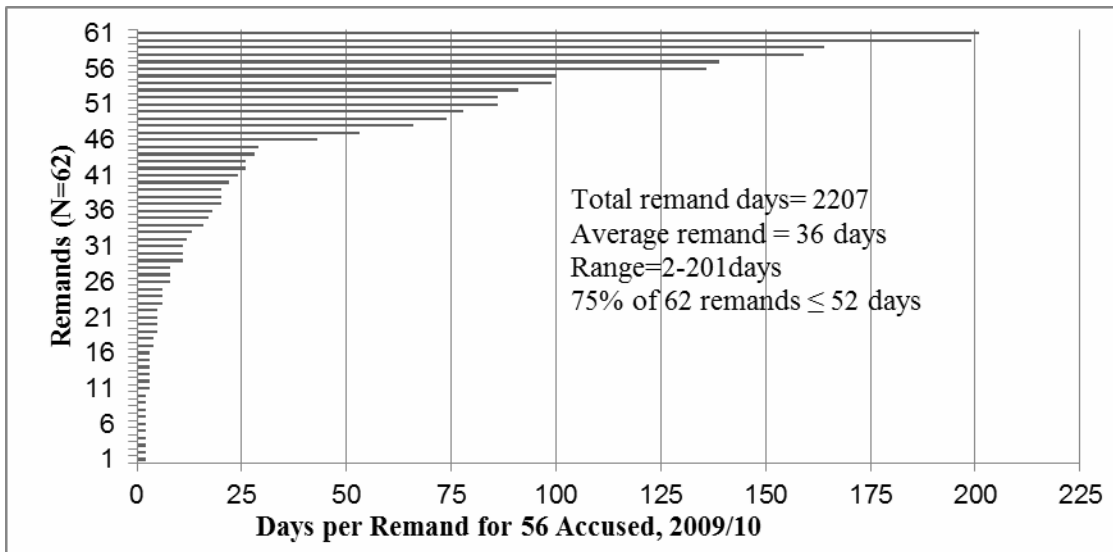


Chart 3c. Graphic Representation of Length of Days Held on Remand, 2009/10.



4.2.5 Court Outcome Distribution - With and Without Remand

Table 8a is a description of the court outcome distribution for the accused who were remanded (some multiple times) over the three year period. These data were provided only in the *matched*

victim and offender database, and supplemented with additional information⁸ provided by Public Safety following the presentation of preliminary results to the DV Court Steering Committee.⁹

Results show that for the accused who were remanded, court outcomes ranged from not guilty, to community sentences such as probation or conditional sentences or a combination of both; to a custody term either provincially or federally. Of all accused with remands over the three year period who received a sentence, the highest number received some form of community sentence, with probation alone accounting for 26% (n=44) of the 170 accused. About 13% (n=21) of the accused were given a sentence of custody while almost an equal number (n=22; 13%) had charges withdrawn. Still others have their trial pending or are awaiting sentencing. Some were found not guilty and still others were released on a peace bond. Altogether, there were 15 categories of court outcomes.

Table 8a. Court Outcome Distribution for Accused with Remand.*

Court Outcome	2007/08	2008/09	2009/10	2007-2010
Probation	12	14	18	44
Conditional Sentence	-	5	3	8
Conditional Sentence and Probation	3	2	3	8
Conditional Sentence, Sentenced Custody and Probation	3	-	-	3
Sentenced Custody and Probation	1	5	2	8
Provincial Custody	9	3	9	21
Federal Custody	2	2	5	9
Charge Withdrawn	4	4	14	22
Pending Sentence	-	-	12	12
Peace Bond	3	5	7	15
Pending Trial	-	2	6	8
Not Guilty	-	1	3	4
Outstanding Warrant	1		2	3
Fine	-	1	-	1
NCR	-	-	1	1
No Charges Laid/Not Approved	-	-	3	3
Total offenders with remands	38	44	88	170

*Numbers reflect offenders in matched database only and supplemented with additional data provided by Public Safety following presentation to Steering Committee, Nov.30,2010.

⁸ Such as peace bonds, federal custody, charges withdrawn, pending trial or sentencing, etc.

⁹ November 30, 2010.

Table 8b shows the court outcome distribution for accused not remanded in the three-year period. These data were taken from the *matched offender and victim database* and the *offenders unmatched with victims*, and supplemented with additional data from Public Safety.

Results show that in relation to all court outcomes for these accused, the largest percentage (70%) were given probation (n=294). Furthermore, compared with accused described above (**Table 8a**) with time spent in remand and sentenced to some form of custody (n=41) either provincial or federal, fewer of these accused (n=28) were sentenced to custody or any combination thereof.

Table 8b. Court Outcome Distribution for Accused without Remand.*

Court Outcome	2007/08	2008/09	2009/10	2007-2010
Probation	105	85	104	294
Conditional sentence	3	7	8	18
Conditional sentence and Probation	3	5	6	14
Conditional sentence, Custody and Probation	-	1	-	1
Custody and Probation	2	5	2	9
Custody	3	2	4	9
Federal custody	2	2	5	9
Pending sentence	-	-	12	12
Peace bond	3	5	7	15
Charge withdrawn	4	4	14	22
Pending trial	-	2	6	8
Not guilty	-	1	3	4
Outstanding warrant	1	-	2	3
No charges laid/not approved	-	-	3	3
Fine	-	1	-	1
NCR	-	-	1	1
Total offenders <i>without</i> remands	126	120	177	423

**Numbers reflect additional data provided by Public Safety following presentation to Steering Committee, Nov.30,2010.*

4.2.6 Custody Data

Results given in **Table 9** below describe the variables associated with the sentencing of offenders to custody in provincial jails. Data relative to these variables were available to the researchers only from the database of *matched offender data*. Of these offenders, 59 were found to have received a sentence of custody. In the first year in particular, there were 7 multiple custody sentences associated with re-offenders. Overall, the total number of custody days for these

offenders was 6326 days, with an average of 94 days of jail time. The average days in custody have decreased over the three years, starting with an average of 100 days in 2007/08, to 98 days the following year and 76 days in 2009/10. It should be noted that results for the last year in particular may be understated as it was shown above in **Tables 8a** and **8b** that there were offenders awaiting trial and sentencing.

Table 9. Offenders Who Were Sentenced to Provincial Custody*, 2007-2010.

Category	2007/08	2008/09	2009/10	Total 2007-2010
No. offenders sentenced custody	25	20	14	59
Total no. custodies (including multiple terms)	32	21	14	67
Total sentenced custody days	3209	2054	1063	6326
Average no. custody days	100	98	76	94
Range of days in custody	2-346	2-346	5-244	

***Numbers reflect offenders in matched database only*

4.2.7 Risk/Needs Assessment (LSI)

Once the Court has delivered the sentence, the DV Court probation officer(s) is tasked with supervising the offender’s compliance with the sentence. As the case manager for the offender, the probation officer administers three assessment tools. The tools described elsewhere¹⁰ are as follows: the Spousal Assault Risk Appraisal Guide (SARA) which identifies risk factors that may contribute to re-offending; the Ontario Domestic Assault Risk Assessment (ODARA) which is an actuarial tool that is predictive for re-offending and the Level of Service/Case Management Inventory (LS/CMI) which gives an indication of risk in certain situations. Probation Officers use all three assessment tools and where necessary, the LS/CMI score can be over-ridden as it alone underrates domestic violence offenses. The combined results from the three assessments provide a rating of the Level of Service Inventory (LSI) which is used to determine the type and level of treatment the offender is to receive.

Data that show the results of these assessments with both the matched offenders (i.e., with victims) and unmatched offenders are given in **Table 10**, and again, graphically presented as percentages of the totals for purposes of detecting trends in **Chart 4**. While the LSI assessment rating results were found in both data files for a total of 281 offenders, assessment data were missing, i.e., not recorded in the file, for almost 50% of the total offenders for the three years.

¹⁰ Government of New Brunswick. Implementing a “Domestic Violence Court” in New Brunswick. Draft discussion paper. July 2006, p.23.

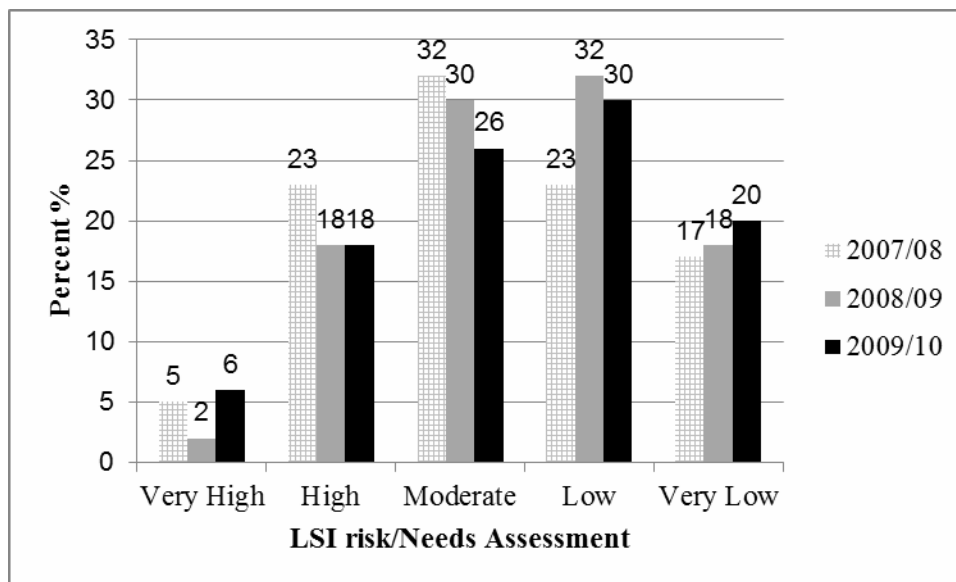
Results show that in the first year of the pilot, the LSI ratings followed an expected normal distribution of scores when taken from a random population of offenders—some scores being high and some being low, and most in the middle to give the bell-shaped curve as seen in **Chart 4** for the year 2007/08. The second year scores still suggest a near-normal distribution, but the trend is showing signs of skewing to the right where the highest scores are in the moderate and low ranges. By the third year, the trend is toward scoring in the low and very low, and in fact, 50% of scores fall in these two categories. This shift in scoring raises the question as to whether the method used to score risk assessment of offenders changed in the third year of the pilot, or whether the probation officers were underscoring for other reasons.

Table 10. LSI Risk Assessments of Offenders*, 2007-10.

LSI	2007/08	%	2008/09	%	2009/10	%	2007-10	% Total
Very High	4	5	2	2	6	6	12	4
High	20	23	17	18	18	18	55	20
Moderate	28	32	29	30	26	26	83	29
Low	20	23	31	32	30	30	81	28
Very low	15	17	17	18	21	20	53	19
Total	87	100%	96	100%	101	100%	284	100%
Unknown LSI	33		52		113		231	

**Data reflects both offenders matched with victims and offenders unmatched*

Chart 4. Graphic Presentation of LSI Risk/Needs Assessment (%), 2007-2010.



**Data reflects both offenders matched with victims and offenders unmatched*

4.2.8 Referrals to the Domestic Violence Intervention Program(s)

Depending on individual service needs and level of risk, offenders are assigned to a variety of programs that include drug and alcohol addiction, mental health services and domestic violence intervention and prevention programs. The Department of Public Safety funds the Domestic Violence Intervention program(s) through Family Services Moncton, Inc.; and consequently, data are coded only for this service in the Department’s database.

Programs are available in both official languages, but are only delivered when the minimum number of participants become available. (As an aside to this analysis, it has been reported that this policy has resulted in delays in treatment schedules, creation of a waiting list and has had an impact on the timely reporting back to the DV Court as per Operational Standards for the project.¹¹)

Table 11 shows that for the three year period, 58% (N = 164) of the 284 offenders with recorded LSI’s were referred to the Domestic Violence Intervention program(s). A number of these offenders were referred more than once, usually starting when they were assessed with a “Low” LSI and returning later, after they had re-offended. When they returned to the programs as re-offenders, often the LSI rating was often higher than before. Still other offenders also were referred a second time, but in these instances these offenders were referred to the “Maintenance” program. Consequently, there were overall 194 referrals in the three-year period.

Note that “Option” was a program offered prior to the Domestic Violence Intervention program(s) for male offenders. “Worth” is the program for women offenders delivered through the Provincial Elizabeth Fry Society in Moncton.

Table 11. Number of Referrals to Domestic Violence Intervention Program(s).

Treatment Intensity	2007/08 N = 52	2008/09 N = 56	2009-10 N = 56	2007-10 N = 164
High	27	22	5	54
Moderate/High	6	9	26	42
Low	28	36	26	89
Maintenance	3	0	0	3
Option	2	0	0	2
Worth (female offenders)	0	0	4	4
Total	66	67	61	194**

**Data reflects both offenders matched with victims and offenders unmatched*

*** Some offenders were referred to programs more than once.*

¹¹ Saintonge, A. and C. Dilworth, 2009. Ibid. pp. 26 and 27.

4.2.9 Preliminary Data on the Completion of Intervention Programs

Although complete data on the status of treatment were not available in time for this report, preliminary data on referrals to the Domestic Violence Treatment program(s) were provided to researchers by the Department of Public Safety following the November 30, 2010 presentation to the Steering Committee, and these findings are presented in the following tables.

Statistics presented in **Table 12a** indicate that with regard to these preliminary data, 47% (n=16) of offenders identified in 2007/08 and referred to treatment programs, completed the programs. In the second year, results in **Table 12b** show that almost 72% (n=42) of those referred that year completed the programs. **Table 12 c** gives the status of program completion for the third year. These data indicate that comparatively more offenders are still in the “incomplete” phase of the programs, with a fewer numbers proportion of 34% (n=16) having completed the intervention.

Table 12a. Status of Treatment Completion for Offenders, 2007/08.

2007-2008				
Program Name	Complete	Incomplete	Pending	Total
Domestic Violence Intervention (Low Intensity)	5	7	3	15
Domestic Violence Intervention (Moderate/High)	n/a	n/a	n/a	0
Domestic Violence Intervention(High Intensity)	7	5	2	14
Domestic Violence Intervention(Maintenance)	3	n/a	1	4
OPTION	1	n/a	n/a	1
WORTH (female offenders)	n/a	n/a	n/a	n/a
TOTAL	16 (47%)	12	6	34

Table 12b. Status of Treatment Completion for Offenders, 2008/09.

2008-2009				
Program Name	Complete	Incomplete	Pending	Total
Domestic Violence Intervention (Low Intensity)	32	7	2	41
Domestic Violence Intervention (Moderate/High)	n/a	n/a	n/a	0
Domestic Violence Intervention(High Intensity)	10	7	0	17
OPTION	n/a	n/a	n/a	n/a
WORTH (female offenders)	n/a	n/a	n/a	n/a
TOTAL	42 (72%)	14	2	58

Table 12c. Status of Treatment Completion for Offenders, 2009/10.

2009-2010				
Program Name	Complete	Incomplete	Pending	Total
Domestic Violence Intervention (Low Intensity)	8	6	1	15
Domestic Violence Intervention (Moderate/High)	4	8	3	15
Domestic Violence Intervention(High Intensity)	3	13	0	16
OPTION	n/a	n/a	n/a	n/a
WORTH (female offenders)	1	n/a	n/a	1
TOTAL	16 (34%)	27	4	47

Although offenders are expected to attend these treatment programs as part of their sentence, some offenders do not complete the programs due, in some instances to reasons outlined in the 2009 report¹² to the DV Court Steering Committee.

4.3 Re-Offender Information

Examination of the data files clearly showed that there were frequent instances where offenders re-offended again, some more often than once. Therefore, files were examined for evidence of this occurring over the three-year period with the following criteria were used to identify re-offenders:

- Offender had more than one remand in the three-year time period;
- More than one referral to treatment over the three-year period;
- A new case number was entered for a victim;
- A obvious break in time occurred between remands and between treatments

4.3.1 Gender and Age of Re-offenders

There was a total of 478 offenders, 380 of which were matched with victims referred to Victim Services, and 98 offenders in the unmatched data set. Using the criteria described above, the analyses showed that 107 of these offenders re-offended over the three years, giving a *tentative* rate (see important caveat below) of re-offending over this three year period of 22% of all offenders. With one exception, most offenders re-offended against the same victim.

¹² Ibid.p.24 (A. Saintonge and C. Dilworth, 2009.)

Table 13 gives the percentage of re-offenders by year, starting with 2007/08 where 33% of offenders re-offended; 2008/09 with 30% re-offending; and 2009/10 where 11% of offenders were found to have re-offended. *An important caveat to these data with regard to the 2009/10 offenders is that when taking into account that most re-offenses took place in a 12 to 18 month period, the results for 2009/10 will be understated for most variables associated with these offenders since the time interval for analysis is less than the time period within which offenders usually re-offended. This caveat holds true also when interpreting the 22% offense rate for three years as this statistic is undoubtedly understated for the same reason.*

The median age for re-offenders was 34 years and ages ranged from 18 to 67 years. All re-offenders were male, i.e., no women were found to have re-offended in this time period.

Table 13. Age of Re-Offenders by Year, 2007-2010.

YEAR	Total Offenders*	Total Re-offenders	Re-offenders % by year	Median Age	Age Range
2007/08	121	40	33%	34	19-61
2008/09	151	45	30%	36	19-49
2009/10	206	22	11%	31	18-67
2007-2010	478	107	22%	34	18-67

**Data reflects both offenders matched with victims (N=380) and offenders unmatched (N=98.)*

4.3.2 Relationship of Re-offender to the Victim

Table 14 provides information from the matched victim/offender database that describes the type of relationship the re-offender had with the primary victim. Results show a similarity with the relationships described for victims in **Section 4.1**: the boyfriend or ex-boyfriend relationships are predominate among re-offenders, with 52% of relationships in this category. Marital relations, both present and separated/divorced, accounted for a further 45% of the relationships. Casual relationships were the lowest percentage at 2%.

Table 14. Re-Offender */Victim Relationships.

YEAR	Marital		Boyfriend		Casual Acquaint.	Total
	Spouse	Separated/divorced	Boyfriend	Ex-boyfriend		
2007/08	6	6	9	8	1	30
2008/09	18	4	9	9	1	41
2009/10	4	4	8	5	-	21
2007-2010	28	14	26	22	2	92
%Total	30%	15%	28%	24%	2%	100%

**Numbers reflect offenders in matched database only*

4.3.3 Number of Times Re-Offenses Occurred

Table 15 gives the number of offenses committed by re-offenders, commencing with the initial offense. In the three years period, most re-offenders committed one more offense after the initial one against their primary victim. These re-offenders accounted for 69% of the total 107 reoffenders. A further 24% committed two more offenses beyond the first offense. Fewer (8%) committed four or five (1%) offenses.

Examining the number of offenses occurring with offenders from each year alone, the pattern of re-offending becomes crystal clear. A duration of time is needed for the cycle of violence to repeat itself. Thus, for offenders identified in 2007/08, three years were necessary in order to see the emergence of multiple re-offending, with some offenders re-offending three or four times over the 2007-2010 period. The pattern is emerging as well with offenders identified in 2008/09 where four offenders re-offended three times in two years. By the third year, there are fewer recorded instances of re-offending, but then again, there is only one year left in this study in which to observe this behaviour.

Table 15. Number of Offenses Committed by Re-Offenders*, 2007-2010.

YEAR	2 offenses	3 offenses	4 offenses	5 offenses	Total re-offenders
2007/08	26	10	4	1	41
2008/09	27	14	4	-	44
2009/10	20	2	-	-	22
2007-2010	73	26	8	1	107
	(69%)	(24%)	(8%)	(1%)	(100%)

**Data reflects both offenders matched with victims and offenders unmatched*

4.3.4 Most Serious Offense (MSO) Committed by the Re-offender

Table 16 below lists the MSO committed by re-offenders. This was determined and verified in consultation with Public Safety using the Criminal Code of Canada as reference. Results of the analysis show that the three most frequently occurring domestic violence crimes were assault (43%), criminal harassment (26%), which includes stalking; and assault with a weapon causing bodily harm (13%). Data on each of these re-offenders showed that in a majority of cases, there was not just a single offense but rather the offenders committed more than one offense at the time. Example might be a break and enter and an assault with/without forcible confinement occurring at the time.

Table 16. Most Serious Offence (MSO) for Individual Re-offenders*.

MSOs for Reoffenders	2007/08	2008/09	2009/10	Total 2007/2010	Total %**
Assault Level 1	13	21	12	46	43%
Criminal Harassment	15	10	3	28	26%
Assault with a Weapon/Causing Bodily Harm	7	4	3	14	13%
Break and Enter	0	3	1	4	4%
Forcible Confinement	1	1	2	4	4%
Sexual Assault Level I	1	1	0	2	2%
Harassing Telephone Calls	1	0	0	1	1%
Intimidation	1	0	0	1	1%
Utter Threats	1	1	0	2	1%
Breach of a Court Order	0	1	1	2	1%
Careless Use of Firearm	0	1	0	1	1%
Unknown	0	2	0	2	2%
Total	30	45	22	107	100%

**Data reflects both re-offenders matched with victims (N=92) and offenders unmatched (N=15).*

***Percentages are rounded to nearest whole number*

4.3.5 Re-offenders Remanded Pending Trial

Twenty-nine (29) of the 92 re-offenders (32%) matched with victims were remanded to custody prior to trial. (Data with regard to this variable were not available for the unmatched offenders.)

Table 17 provides a description of jail time spent by remanded re-offenders. The analysis shows that 32% (n=29) of the 92 re-offenders in this data set served a total of 1441 days in remand over the three-year period. Compared with remand days served by all offenders (N = 5866), the re-offenders accounted for 25% of all remand days. This percentage would be slightly different if it were known that some of the 15 re-offenders from the unmatched data file were also remanded.

Table 17. Length of Time Spent in Remand by Reoffenders*

Category	2007/08	2008/09	2009/10	Totals 2007-2010
Total no. re-offenders	30	41	21	92
No.re-offenders remanded	9	14	6	29
No. remand days served	732	374	335	1441
Total remand days for all offenders	2223	1436	2207	5866
Remand days for re-offenders as % total for all remand days	14%	26%	15%	25%

**Relates only to offenders matched with victims*

4.3.6 Re-offenders Sentenced to Custody

Table 18a a gives a comparison of the time spent in custody between all offenders versus re-offenders. Results show that of 59 offenders with a sentence of custody, 33 of these were re-offenders, and they represented 56% of the 59 offenders with custody. Moreover, these 33 re-offenders accounted for 3015 custody days, compared with 6326 custody days accounted for by all offenders. Thus, re-offenders accounted for 48% of total custody days. It would appear that in terms of the number of days served in custody, there is little or no difference between those initially sentenced to custody and those who re-offended.

Table 18a. Comparison of Offenders with Re-offenders – Time Spent in Custody.*

Category	2007/08	2008/09	2009/10	Totals 2007-2010
Total no. offenders sentenced to custody	25	20	14	59
No. custody days served by all offenders	3209	2054	1063	6326
Total no. re-offenders sentenced to custody	16	13	4	33
No. custody days served by re-offenders	1773	884	358	3015
Re-offenders as % total offenders with custody	64%	65%	28%	56%
% Total custody days spend by re-offenders	55%	43%	34%	48%

**Relates only to offenders matched with victims*

Table 18b gives the average number of days that re-offenders spent in custody over the three years. The highest number of re-offenders serving custody terms was found for 2007/08 re-offenders. The re-offenders spent 81 days on average in jail. In the following year, fewer re-offenders (n=13) spent time in custody and the length of time incarcerated (63 days) was

considerably shorter than the previous year. For 2009/10, four re-offenders spent on average 60 days in custody. Overall, the average number of days spent in custody was 72.

Table 18b. Average Number of Custody Days for Re-Offenders, 2007-2010.

Category	2007/08	2008/09	2009/10	Totals 2007-2010
No. re-offenders sentenced to custody	16	13	4	33
No. of custodies (includes multiple terms)	22	14	6	42
No. sentenced custody days	1773	884	358	3015
Average no. days per custody	81	63	60	72

4.3.7 Risk/Needs Assessment (LSI) and Preliminary Intervention Outcome

The LSI assessment has already been described earlier under the section dealing with all offenders. **Table 19** now gives the LSI assessments for 77% of the re-offenders as LSI scores were not recorded for 23% of others.

The results show that the combined scores for the three years were distributed in what appears to be a normal distribution, with 6-8% of scores in either the very low and the very high ranges, and a fairly even distribution across the other categories of high, moderate and low. When examined by year, the highest scores were recorded in the first year of the pilot, followed by a normal distribution of scores in the second year, and a tendency to lower LSI scores in the third year as was shown earlier in this report for all offenders.

Table 19. Risk Level Profile of Re-offenders* by Year.

Year	Very High	High	Moderate	Low	Very Low	Unknown	Total/yr
2007/08	4	12	6	5	2	11	40
2008/09	3	10	10	8	4	10	45
2009/10	2	2	5	8	1	4	22
2007-2010 (% Total)	9 (8%)	24 (22%)	21 (20%)	21 (20%)	7 (6%)	25 (23%)	107 (100%)

*Data reflects both re-offenders matched with victims (N=92) and offenders unmatched (N=15).

4.3.8 Referrals to Domestic Violence Intervention Program(s)

With regard to re-offenders and referral Domestic Violence Intervention Program(s), 73% (n=78) of the 107 re-offenders were expected to attend one or more of these programs. The results shown in **Table 20** indicate that of these 78, about half (47%) have either completed the program or are in process of completion. With the other half (52%), intervention is pending which could mean that re-offenders are waiting for the program to begin, or for the minimum number of participants to be achieved before the program is offered, or waiting to complete other programs to which they have been assigned such as mental health programs or programs on drug and addiction.

Table 20. Status of Referrals to Domestic Violence Intervention Program(s), 2007-10.

Year	No. Reoffenders	No. who were referred to one or more interventions	Interventions completed	Interventions incomplete	Intervention Pending/unknown
2007	40	29	7	9	13
2008	45	34	9	9	15
2009	22	15	2	1	13
Total	107	78	18 (23%)	19 (24%)	41(52%)

**Data reflects both re-offenders matched with victims (N=92) and offenders unmatched (N=15).*

4.4 Victims of Re-offenders

There is societal interest in the welfare of victims of domestic violence, and in particular, in victims of re-offenders. One of the questions that this report seeks to answer is when victims finally decide they need help, and what kind of help do they choose to access.

4.4.1 Year Victims Accessed Services

The data on re-offenders showed that there were 115 victims, both primary (N=92) and secondary (N=23), who were victims of re-offenders. **Table 21a.** gives statistics on when, in the cycle of violence, victims first accessed help from Victim Services.

Data show that, clearly, not all victims do not come forward immediately with requests for support. In the first year of the pilot, 44% (n=15) of the 34 victims asked for aid in that same year, but another 28% (n=10) did not seek help until another offense occurred in the following year/s. Interestingly, the victims of the most severe offenders, those that re-offended several times, did not seek help until almost two years after the first offense was recorded. There were, in addition, nine victims who did not access services at all.

In 2008/09, 34% (n=18) of 53 victims of that year asked for help in the first year of the offense, and a further 24% (n=13) asked for help the following year after a repeat offense. However, 42% (n=22) of victims identified in 2008/09 did not seek any services at all in the time frame for this analysis.

By the third year, a higher percentage (57%) of the 28 victims of that year asked for support following the first offense, while 43% (n=12) did not, although keeping in mind that data on the this variable may be understated due to time limitations for this analysis.

Over the three years, 63% of victims of re-offenders asked for support from Victim Services. The remaining 37% of victims were referred to Victim Services but there is no evidence in the data files that they had accessed a service.

Table 21a. Year Victims of Re-Offenders First Accessed Help from Victim Services.

Year	No. Victims	2007/08	2008/09	2009/10	2007-2010 Total victims accessing services	2007-10 Total victims who <u>did not</u> access services
2007/08	34	15	5	5	25	9
2008/09	53		18	13	31	22
2009/10	28			16	16	12
2007-10	115	15	23	34	72 (63%)	43 (37%)

4.4.2 Types of Services Accessed by Victims of Re-Offenders

A list of the types of services victims of re-offenders accessed from Victim Services is found below in **Table 21b**. Over the three years, the largest proportion of services accessed (31%) was for compensation, followed by counselling services that made up 27% of all services accessed. Support to prepare a victim impact statement accounted for 17% of service utilization and court preparation comprised 14% of the overall total of 190 services accessed over three years. Notification (6%) and court support (5%) accounted for the least amount of services accessed.

Table 21b. Services Accessed by Victims of Re-Offenders, 2007-2010.

Service Type (Victims)	2007/08 (N=15)	2008/09 (N=23)	2009/10 (N=34)	2007-2010 (N=72)	Total Services (%)
Compensation	23	26	9	58	31%
Counselling	21	20	10	51	27%
<i>Trauma Counselling</i>	13	10	9	32	17%
<i>Short-term Counselling</i>	8	10	1	19	10%
Victim Impact Statement	12	12	9	33	17%
Court Preparation	8	13	6	27	14%
Notification	5	5	2	12	6%
Court Support	1	5	3	9	5%
Total no. services accessed	70	81	39	190	100%
No. services access/victim	4.7	3.5	1.0	2.6	

5.0 SUMMARY

This report is based on three-years of program data collected by service providers in the NB Department of Public Safety who were assigned to work in the DV Court pilot project. These data were provided to the researchers in order that this analysis and report could be completed. The report presents a comprehensive examination of all data provided in order to arrive at the findings that describe the four major groups of “clients”: victims, offenders, re-offenders and victims of re-offenders. The following bullets provide highlights of the findings of each of these groups, beginning with the victims.

VICTIMS:

A total of 411 victims were associated with domestic violence crimes in the three-years, beginning 2007/08 to 2009/10;

By year, beginning with 2007/08, the numbers of victims were: 92,127 and 192, respectively;

Police were an important source of referrals to Victim Services, accounting for almost 50% of referrals in the third year;

The highest percentage of female victims in any age category was found in the 21-30 age range (42%);

The highest percentage of male victims was found in the 26-40 year range;

The highest percentage of primary victims (52%) was found for the boyfriend or ex-boyfriend relationships;

Relationships were primarily heterosexual, but some homosexual relationships were also found;

About 30 secondary victims were identified, primarily children with ages ranging from 3-17 years of age;

The most common offense against victims was common assault (34%) followed by uttering threats (18%);

For each of the three years, between 53% to 57% (half the victims) experienced more than one offense at the time the crime was committed;

About 70% of victims for which data were available accessed the services of Victim Services, and about 78% of these accessed one or two services;

About 32% of victims accessing services were awarded compensation; and, about 26% of victims accessed some type of counselling.

OFFENDERS:

380 offenders were identified who had matching victim information, and an additional 98 offenders (unmatched) were provided, bringing the total number of offenders to 478 offenders over the three years;

By year, beginning with 2007/08, the number of offenders was: 121,151 and 206, respectively;

Ages of offenders ranged from 19 to 76 years, with the highest percentage (36%) found in the 21 to 30 age group;

The highest level of education attained by most offenders for whom data were available was high school (56%), followed by college/university (10%) and community college (10%);

Most offenders (91%) chose to communicate with the DV Court in English;

There were 187 remands (some multiple) associated with offenders of victims in 2007-2010;

Offenders remanded to custody constituted a significant pressure on the correctional system, with the number of remand days ranging from 2 to 228 days, with an average of 31 remand days; Community sentences (probation, conditional sentences or a combination to these) accounted for the majority of sentences handed out to offenders;

There were 59 offenders sentenced to custody in a provincial jail. Including terms of multiple custodies, there were 67 terms of custody for these offenders, with the length of days spent in custody ranging from 2 to 364 days and an average of 94 days per custody term;

Level of Service Inventory (LSI) ratings were found for one-half of the total offenders. Of offenders with LSIs, the distribution of scores changed over time from an expected normal distribution of scores, to scores shifting in 2009/10 to where almost half of offenders that year were rated as Low or Very Low. This change raises the question as to whether the method used to score risk assessment of offenders changed in the last year;

There were 194 referrals of 164 offenders to Domestic Violence Intervention program(s). Four referrals of these were female offenders;

Of offenders referred for intervention, 47% from 2007/08 and 72% from 2008/09 have complete treatment. Just over 30% of offenders from 2009/10 have completed treatment as of this date.

RE-OFFENDERS:

Four criteria were used to identify offenders who re-offended. With one exception, the re-offender committed the repeat crime against the same victim. All re-offenders were male with a median age of 34 years

The percentage of offenders who re-offended was **33% in 2007/08, 30% in 2008/09** and 11% in 2009/10. Of 478 total offenders, 107 re-offended giving a 22% rate of re-offending over the three years. *Note: Compared between years, the first year and possibly the second year yield a more accurate statistic on re-offending as re-offending usually occurred in a 12-18 month period following the first offense. Thus, the 22% statistic as an average should be treated cautiously as it is probably understated;*

69% of offenders re-offended once again in the three year period, but some re-offended multiple times with 24% committing three offenses, and 9% committing four or more offenses;

Most Serious Offenses (MSO) frequencies were assault level 1(43%), criminal harassment (26%) and assault with a weapon causing bodily harm (13%);

29 (32%) of re-offenders for which remand data were available, spent 1441 total days remanded in jail (32%);

33 re-offenders for which data on custody were available, spend 3015 days in custody;

Including multiple terms, there were 42 terms of custody for the 33 re-offenders, with an average of 72 days per term of custody;

25% of the total remand days spent by all offenders was taken up by re-offenders, and 48% of total days spent in custody by all offenders was accounted for by re-offenders;

Over the three years, the LSI risk/needs assessment scores followed a normal distribution, with 62% in the range of high (22%), medium (20%) and low (20%). However, 23% of LSI scores were not recorded in the data files;

73% of re-offenders were referred to the Domestic Violence Intervention program(s). However, the status of program completion was unknown for at least 52% of referrals as this information was not in the data files.

VICTIMS OF RE-OFFENDERS:

115 victims of re-offenders (both primary and secondary) received support services from Victim Services; but, not all victims accessed services immediately following the first offense. Only 44% of victims of re-offenders who were referred to Victim Services in 2007/08 accessed services that year. Victims of some of the worse re-offenders from 2007/08 did not access services until the third year following multiple re-offenses;

63% of victims of re-offenders accessed some type of service from Victim Services in the three year period. In the same three years, 37% chose not to access a service, although they had been referred to Victim Services;

31% of victims of re-offenders accessing services, accessed compensation; and, 27% accessed counselling. The secondary victims, mostly children, accessed trauma counselling;

In total, 72 victims of re-offenders accessed 190 services, for an average of 2.6 services per victim.

6.0 CONCLUSIONS

This report is an analysis of the data collected over a three-year period by staff from the Department of Public Safety dedicated to the pilot project of the DV Court in Moncton. The findings arising from the analyses of the numerous variables from several databases included information on age, education, relationships, type of services received, offense patterns, etc. The report provides a record describing specific characters of the victims and the offenders seen by the Court over this period of time.

The question has been raised: “Based on these findings, is the Court working?” This analysis did not seek to answer that question, but it does, however, provide some information which may assist in partially answering that question. For example, the analysis showed that victims of domestic violence appear to be more willing now to be referred to Victim Services, and the police have increasingly become the significant referral agent. This points to the team working as intended in this pilot.

We now know some characteristics of offenders and of the re-offenders, and have some idea of the time span for re-offending.

The findings also reveal that secondary victims of domestic violence, mostly children, are vulnerable; and the majority of these victims require trauma counselling in order to deal with what they have witnessed.

The ages of victims and the types of relationships in which victims and offenders are found constitute an additional finding; and whether it is a first time offense or a repeated offense, the relationship of boyfriend and/or ex-boyfriend is important. Most victims are often young females, between 19 and 30 years of age, and the offenders are slightly older, but still mostly young males, most of whom have attained a high school diploma. The most common crimes are assault and uttering threats, although in many instances, several offenses occur at the given point in time. That is to say, it is usually never just one crime committed at the time.

About 22% of offenders re-offended in the three-year period (although as stated multiple times in this report, that may be an understated statistic due to more time needed for re-offense patterns to emerge). In most instances, the re-offense occurred within a 12-18 month period.

Offenders were assessed to determine the risk/needs score. Findings showed that the distribution of scores changed over the three years with more offenders receiving lower ratings in the third year. A graph of these results by year suggested that something had changed in the course of time, perhaps in how the assessments tools were administered?

The real test as to whether the Court is having an impact is to determine if the offenders, when referred to treatment, complete that treatment and do not re-offend. Findings showed that

information on completion of treatment was not complete in the data file. And in fact, it was particularly notable that even treatment outcome of offenders from the first year, 2007/08, was unknown for over 50% of those referred, which highlights a finding specific to the data collection itself.

Totals on the various variables reported in this study did not always agree. That was because with some variables, examples being age, education and particularly critical ones such as LSIs (risk/need risk assessment rating) and treatment status (completion, incomplete, unknown or pending), data were incomplete in the files. This leads to the suggestion that the following points be taken into consideration should further evaluation studies of this project occur:

1. That data collection be monitored on a scheduled basis to ensure complete entries on all variables;
2. That the field staff be given continued support in this task so that they understand the importance of complete and accurate data entry in order to determine effectiveness of the model;
3. That where ever assessment tools are being used, new staff be monitored for a period of time to ensure that the tools are being applied as intended;
4. That specific to offenders, program attendance and status of completion be monitored closely and that information entered in the data file be updated as the offender completes his/her intervention programs; and,
5. That a longitudinal study be considered that will follow re-offenders over a number of years in order to determine re-offending patterns and impact –efficacy and effectiveness - of interventions.