

Restraining Orders

A restraining order is an order of the court that prohibits the person named from molesting, annoying or harassing you and your children (if applicable). Other conditions may also be imposed. To obtain a restraining order, visit either the Marathon Provincial Court or the Manitowadge Provincial Court both located at your Town Hall and ask to speak with the Justice of the Peace. You may need help from a lawyer in filling out your application. If a restraining order is obtained it is necessary to carry a copy of it with you at all times. If the order is breached, call the police immediately.

Peace Bonds

A peace bond is a court order that requires the person named to keep the peace and obey specific conditions. It is not necessary to prove that an offence has been committed - if you fear for your safety or the safety of your children you can apply for a peace bond.

A court date will be set. You will be able to tell the Judge what happened. The person named will be served with a summons to attend the court, and the hearings will take place with the person against whom you wish the peace bond issued.

A peace bond will be issued. If the Judge believes that you have reasons to fear for safety, the other person can be bound over to keep the peace and be of good behaviour for up to one year.

Custody Issues

Often when police are called to enforce orders dealing with parents' rights of access to their children. Even though there may be an order in place allowing for visitation, the law does not give the police the power to intervene and enforce the order. If one party refuses to grant access to the child(ren), the other party will need to go back to the court that issued the order. The court may then direct the police to locate, apprehend and deliver the child to the person named in the order. Unless an order is obtained containing that specific information, the police are only able to respond to incidents where access is denied in an attempt to resolve the dispute and keep the peace. Non-compliance with an order must be dealt with by the originating court and under the provisions of the Family Law Act or the Children's Law Reform Act.

POLICE OFFICER'S INFORMATION

Name _____ Badge _____
Name _____ Badge _____
Phone _____ Ext. _____
Occurrence Number _____
Date _____
Non Emergency (888) 310-1122
Emergency 9-1-1



Funded by the Ministry of
Attorney General

Domestic Violence



Superior North Victim Services

Phone: (807) 229-8877 or
(807) 826-4171

Fax: (807) 229-8894

Email: info@snvs.ca

Website: www.snvs.ca

Note: Superior North Victim Services can help develop a safety plan with anyone who is planning to leave or has left an abusive relationship. We also provide sexual assault counseling for victims of recent and historical assaults.

What is Domestic Violence?

Domestic violence is any use of physical or sexual force, actual or threatened, in an intimate or family relationship, including emotional/psychological abuse or harassing behaviour. This includes the use of threats, intimidation, coercion and the limitation of individual freedom.

Whether violence is between husband and wife, same sex partners, former spouses, parent and child or other family members, all forms of domestic violence need to be addressed. Violence is often learned through observation, and child victims/witnesses risk becoming offenders as adults.

Domestic violence often involves the use of intentionally violent and controlling behaviour. Violent acts can include acts such as homicide, assault, sexual assault, threatening death or bodily harm, forcible confinement, criminal harassment and/or stalking, breaches of court order and property related offences. It can also involve abusive behaviours such as psychological and/or progressive social isolation.

If the Police are Involved...

* After being called, police will respond on-site, investigate the call thoroughly and submit a report.

* If the officer has reasonable grounds to believe that an offence has been committed, they will lay charges against the accused, and arrest them.

* After the arrest the accused may be released. Generally, there will be conditions to their release outlined in an Undertaking or a Recognizance Order. The accused may also be held in custody pending a bail hearing.

* If you are in need of a safe place to stay, a police officer or Superior North Victim Services Teams will provide you with assistance.

* You will be asked to make a statement about the incident for the police.

* If you have suffered any injuries, with your permission photographs will be taken to document them.

* If the case goes to trial you may need to attend court, and may have to give evidence, if necessary.

* Any charges laid by the police will be prosecuted by a lawyer from the Crown Attorney's Office. There will be no cost to you for this service.

Victim Impact Statements

A victim impact statement is a written statement that describes the harm or loss suffered by the victim of an offence. The court considers the statement when the offender is sentenced.

Victim impact statements are intended to give victims of crime a voice in the criminal justice system; it allows victims to participate in the sentencing of the offender by explaining to the court and the offender, in their own words, how the crime has affected them.

The victim impact statement is usually not prepared until later in the criminal justice process, when the victim better understands the impact of the offense and given to the Crown Attorney at time of sentencing.

Making Private Complaints against the Accused

When police have not found reasonable grounds that an offence has been committed and no charges have been laid, the victim can make a complaint against the accused. Victims can go before a Justice of the Peace in either the Marathon or Manitowadge Provincial Court both located at the Town Hall to request that a charge be laid on their behalf. Bring documentation stating the police occurrence number, if the incident was reported to the police and charges were not laid.