



Calgary's Specialized Domestic Violence Court

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Overview of Presentation

- Describe unique features of Calgary's specialized domestic court:
 - in 2000 specialized docket
 - in 2005 added specialized trial court process.
- Comparison of court models
 - CURA four-city court comparison
- Research on the Calgary court outcomes.
 - Comparing Calgary's docket plus specialized trial court process to baseline data

Calgary Pre-DV Specialization

■ Already in Place

- Specialized DV police team
- DV Treatment
- Probation Partner Support program (volunteers)
- Calgary Legal Guidance (Victim court support & orders)

■ Added

- Specialized DV Crown prosecutors
- HomeFront agency: court case workers
- Specialized probation officers
- Pre-docket court team conferences

Calgary's First Model (2000)

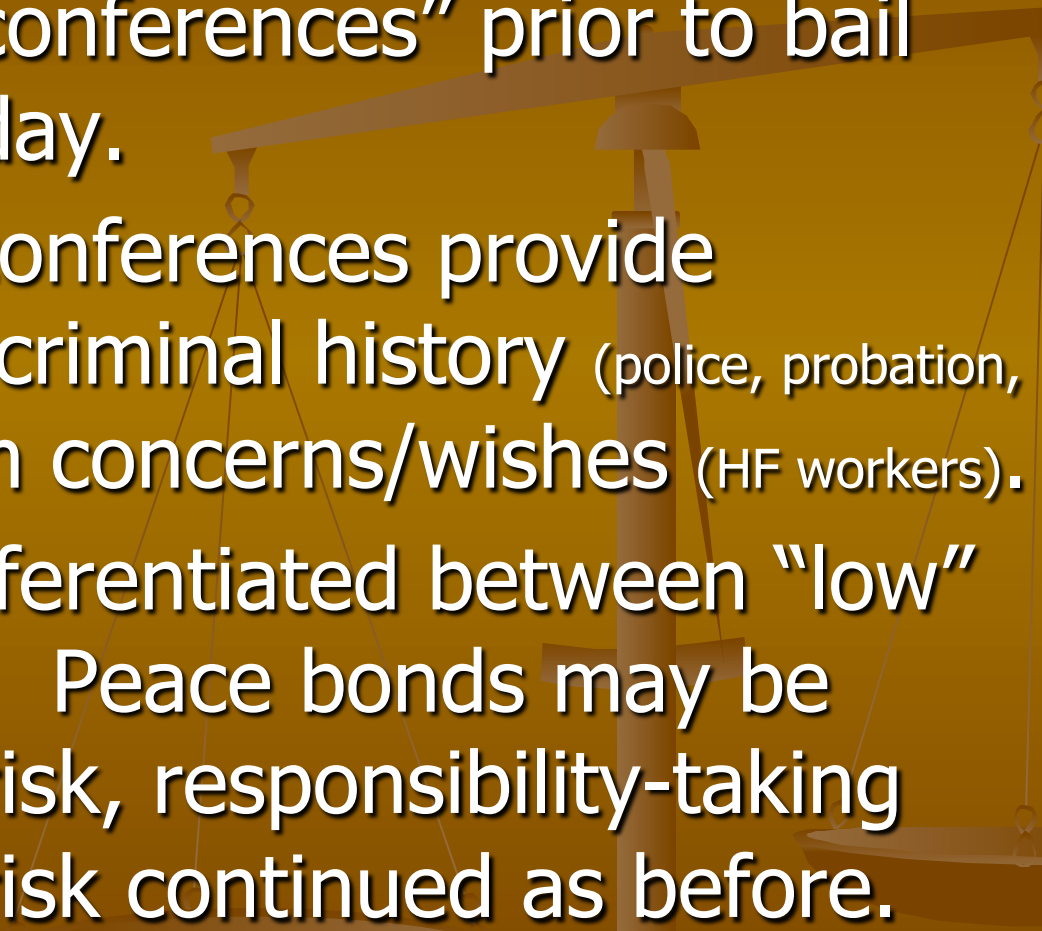
- Docket court is the first opportunity for an accused to enter a plea.
- The specialized first appearance docket sees accused very early after police charges.
- The court team meets before docket court:
 - specialist Crown prosecutors
 - Specialized probation
 - Domestic Conflict Unit of Calgary Police Services
 - HomeFront DV court caseworkers.

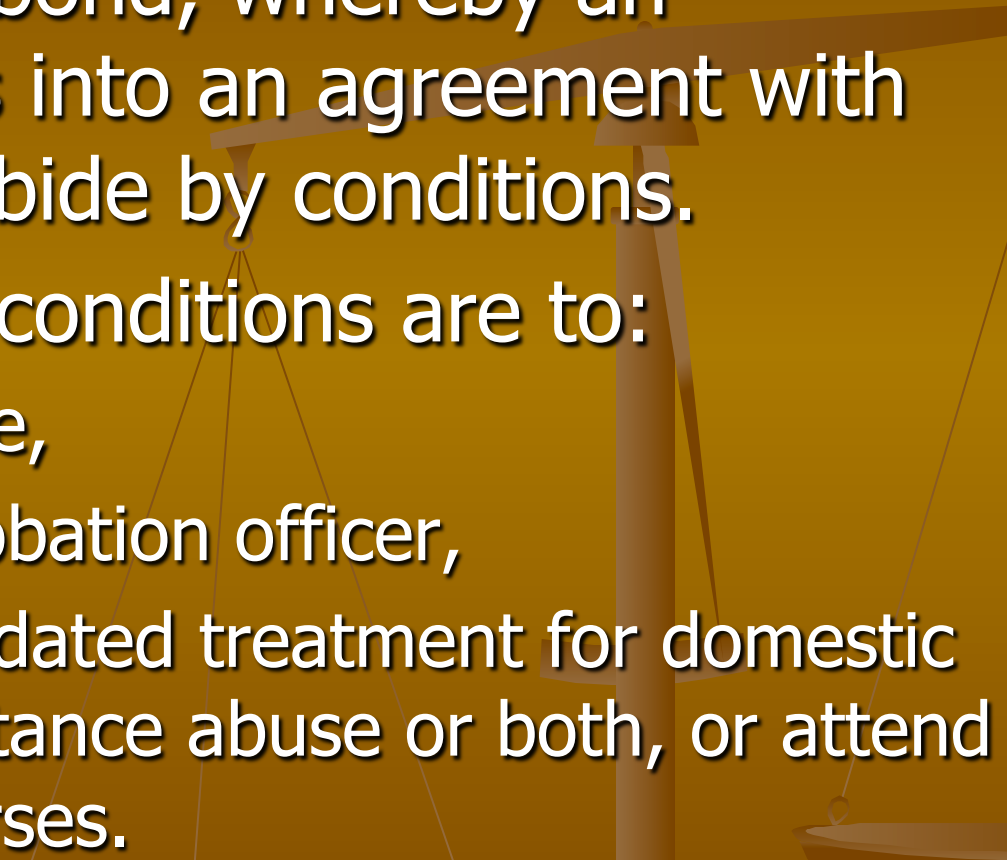
HomeFront DV Court Caseworkers

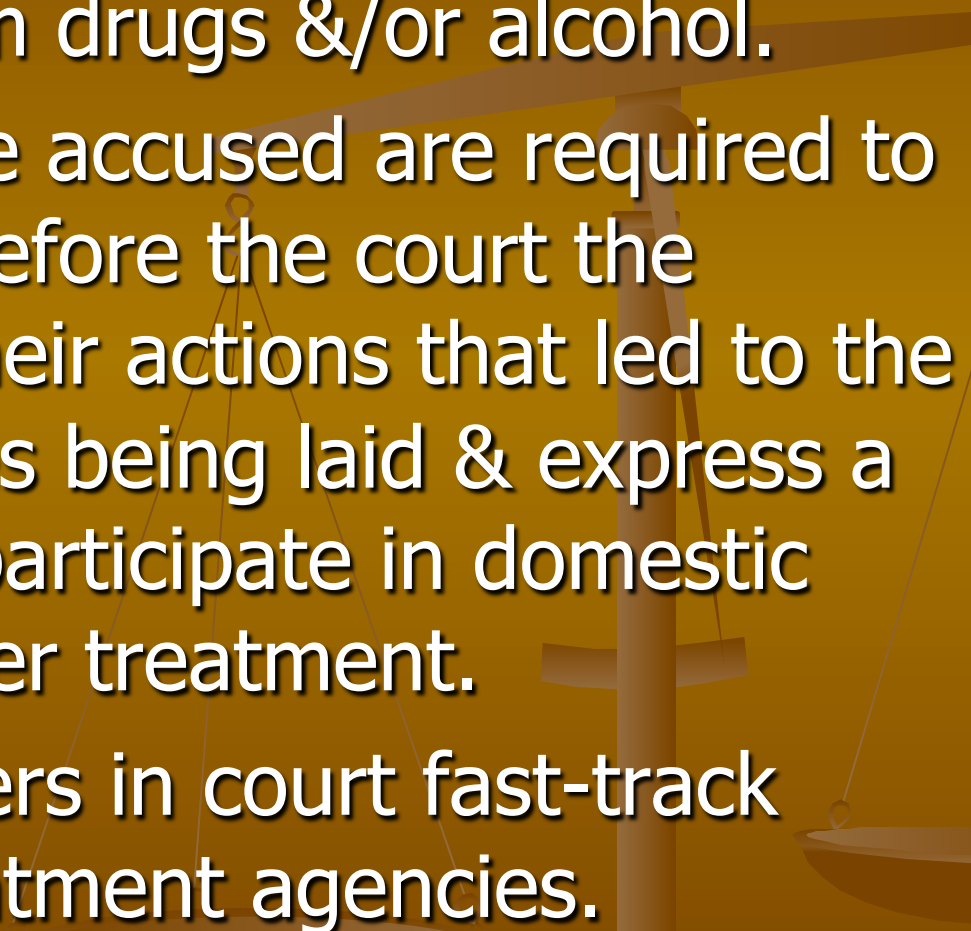
- Victim support: each morning review police 24 hour incident reports for new offence information & to begin contacting victims within a day of charges.
- They review cases before every court appearance to:
 - ensure that victims' wishes are up to date
 - ensure victims are aware of the status of the case against their partners.
- Workers inquire about past history of abuse, current relationship status, perceived danger.

The DV Docket Court Process

- Docket court is in session 9 a.m. daily, Monday to Friday and runs until the cases on the 'docket' are heard, usually ending at noon or 1 pm.
- The judiciary was initially specialized in domestic violence, though now all Calgary Provincial Criminal Court Judges rotate through the specialized court.

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- Crown prosecutors assess risk & recommend the most appropriate action in the “pre court conferences” prior to bail hearings each day.
 - The pre-court conferences provide information on criminal history (police, probation, Crowns) and victim concerns/wishes (HF workers).
 - Accused are differentiated between “low” and “high” risk. Peace bonds may be offered to low risk, responsibility-taking accused. High risk continued as before.

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- About 1/3 cases (deemed low risk) are given a peace bond, whereby an accused enters into an agreement with the courts to abide by conditions.
 - Most common conditions are to:
 - keep the peace,
 - report to a probation officer,
 - complete mandated treatment for domestic violence, substance abuse or both, or attend parenting courses.

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- Peace bonds often include conditions of no contact, geographic restrictions & abstinence from drugs &/or alcohol.
 - In all cases, the accused are required to acknowledge before the court the substance of their actions that led to the criminal charges being laid & express a willingness to participate in domestic violence or other treatment.
 - Probation officers in court fast-track accused to treatment agencies.

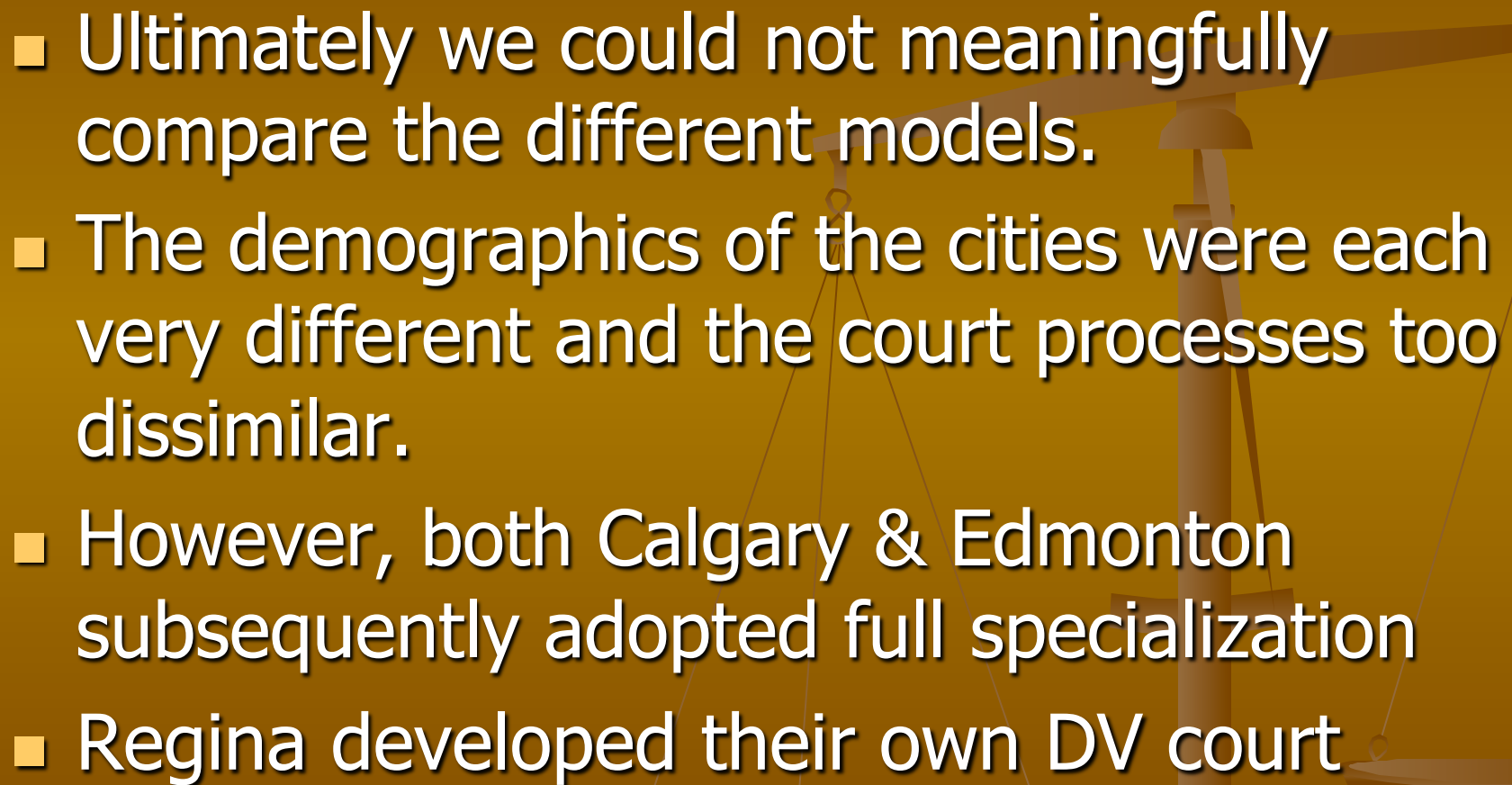
Summary of Specialized Docket



- Hoffart & Clark's 2004 evaluation concluded that the court had speeded up the justice system process
- with lower recidivism rates new charges/breaches within 2 years (38.8% at baseline compared to 21.1% at specialized docket court).
- Concern remained about high-risk accused...

CURA comparison research

- SSHRC funding (2001-2004) to compare DV specialized court models:
- Winnipeg: Full court (n=3163)
- Calgary: Specialized docket only (n=920)
- Edmonton: Specialized trial process only (n= 320)
- Regina: No specialization then (n=798)

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- Ultimately we could not meaningfully compare the different models.
 - The demographics of the cities were each very different and the court processes too dissimilar.
 - However, both Calgary & Edmonton subsequently adopted full specialization
 - Regina developed their own DV court

Calgary's full DV Court (2005)

- In 2005 the specialized DV trial court process was implemented.
- One reason was HF domestic court case workers were not available to support victims in trial cases. Cases are often withdrawn/dismitted at trial because victims recant. The hope was to speed up trials so as to not lose victims
- The number of specialized Crown prosecutors increased.

Further Research

- The Alberta Law Foundation and National Crime Prevention (Justice Canada) funded a further evaluation of Calgary's courts, comparing dispositions before specialization (baseline) to adding the specialized docket, to adding the specialized trial processes in 2005.
- Selected outcomes are below:

Outcome Evaluation

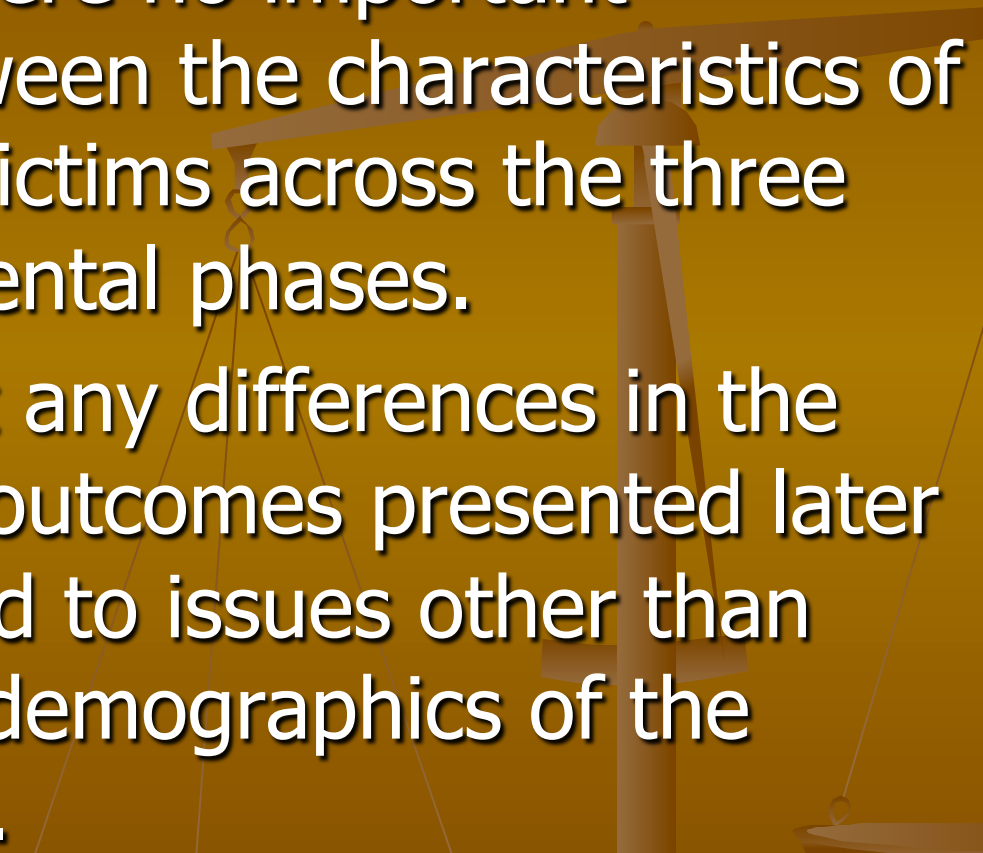
Court Developmental Phase	# Individuals Charged in sample
Baseline 2000 and before	1663 (26.0%)
DV Docket (2001-2004)	3319 (51.8%)
DV Full Court (2005-2008)	1425 (22.2%)
Totals	6407

- Final sample in each of the developmental phases

Sex of the Accused by Court Development Phase

	Baseline	DV Docket	Full DV Court	Total
Men	1440 (86.6%)	2792 (84.3%)	1226 (86.0%)	5458 (85.3%)
Women	222 (13.4%)	521 (15.7%)	199 (14.0%)	942 (14.7%)
Total	1662	3313	1425	6400

- An example of types of demographic data collected.
- No differences on gender of accused.

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- Overall, there were no important differences between the characteristics of the accused & victims across the three court developmental phases.
 - This means that any differences in the criminal justice outcomes presented later can be attributed to issues other than changes to the demographics of the accused/victims.

Summary of Criminal Characteristic comparisons

- No differences in the majority of criminal justice characteristics of the incident: most serious police charge; weapons use; dual charges; alcohol present.
- More reporting by “others” later on: could be a documentation issue, or indicate that more people recognize the serious nature of domestic violence.

Comparison of Cases Resolved at Docket versus Trial

	Baseline	Docket DV	Full DV Court	Total
Concluded at docket	706 (42.6%)***	2303 (70.2%)***	966 (67.9%)*	3975 (62.5%)
Concluded at trial	944 (56.9%)***	962 (29.3%)***	454 (31.9%)***	2360 (37.1%)
Other	9 (0.5%)	14 (0.4%)	2 (0.1%)	25 (0.4%)
Total	1659	3279	1422	6360

Pearson's chi-square = 385.8, $p > .000$); Cramer's V of .17, a "small" effect

One gross measure of improvement is a comparison of how many cases were resolved quickly without the need for costly trials.

Note significant reductions from baseline to docket, maintained with trial.

Victim Appear at Trial by Court Developmental Phase

	Baseline	Docket DV	Full DV	Total
No	59 (79.7%)	407* (74.4%)	179** (50.7%)	645 (66.2%)
Yes	15* (20.3%)	140** (25.6%)	174*** (49.3%)	329 (33.8%)
Total	74	547	353	974

Pearson's chi-square = 60.4, $p < .000$.

Cramer's V = .25 is a moderately strong effect

- Many more victims appeared in court with the addition of the specialized trial court process (with HF court-caseworker support)

New Incident within 2 years

Type of Recidivism	Baseline	Docket DV Court	Full DV Court	Total
New Charges/Breaches	534*** (33.9%)	616*** (18.9%)	368 (26.0%)	1598 (24.3%)
No New Charges/Breaches	1043*** (66.1%)	2643*** (81.1%)	1050 (74.0%)	4736 (75.7%)
Total	1577	3259	1418	6254

Pearson's chi-square = 132.2 ($p < .000$);
Cramer's V of .15 indicates a "small" effect.

- The highest recidivism was during baseline.
- Significantly fewer new incidents at docket; maintained with DV trial court process.

Nature of Recidivism

	Baseline	Docket DV Court	Full DV Court	Total
Breaches of orders	185** (35.2%)	294 (47.7%)	193* (52.9%)	672 (44.6%)
New criminal charges	86 (16.3%)	149* (24.2%)	64 (17.5%)	299 (19.8%)
Both	255*** (48.5%)	173** (28.1%)	108 (29.6%)	536 (35.6%)
Total	526	616	365	1507

Pearson's chi-square = 65.5 ($p < .000$); Cramer's V of .15 shows a "small" effect

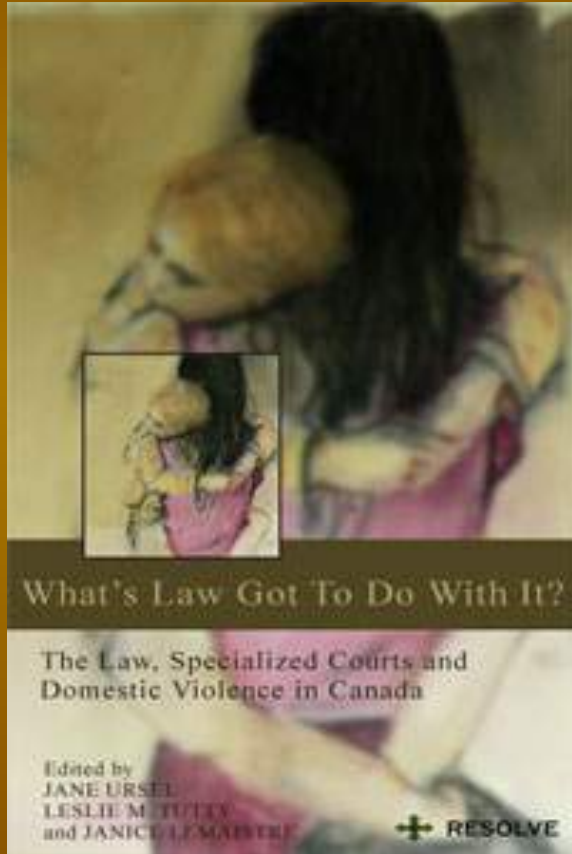
- By the specialized docket court phase, the most common form of recidivism was breaches of orders.
- Receiving both new criminal charges & breaches declined from baseline to docket.
- These gains were maintained with new DV trial process.

Conclusions



- Calgary's specialized court is a unique model.
- The court has focused on creating a speedier response to assaults in domestic violence cases & having treatment available much more quickly than before.
- Support for victims added throughout.
- With the DV specializations, recidivism has been reduced substantially.

For more information



- tutty@ucalgary.ca
- Ursel, J. Tutty, L. & LeMaistre, J. (Eds.) (2008), *What's law got to do with it? The law, specialized courts and domestic violence in Canada*. Toronto, ON: Cormorant Press