

Legal Information Workshop for NWT Women Experiencing Family Violence

EMERGENCY PROTECTION ORDERS : TUESDAY, FEBRUARY 19, 2013

CASE SCENARIO #1: MARY & JOHN

Based on Mary's statements, you give her information about emergency protection orders and she agrees to take this step.

Discussion Questions:

- What legal information does Mary need about Emergency Protection Orders?
- What kinds of relief can she ask for?

Role Play Exercises:

- (1) Role play applying for an EPO for Mary. You are the shelter worker. Describe Mary's injuries and the risk of harm.
- (2) You are the shelter worker. Prepare Mary for giving evidence to obtain an EPO.

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CRIMINAL LAW: WEDNESDAY, FEBRUARY 20, 2013

CASE SCENARIO #1: MARY & JOHN

As Mary is getting in the taxi, the RCMP are taking John away into custody and he's yelling: 'you'll pay for this...I'm not done with you yet!!' He kicks and screams as the paranoia caused by his state of intoxication and drugs is agitating him. It takes four RCMP officers to control him and get him into the cruiser. He is taken to cells to sober up and will be read his rights and charged as soon as he is sober. It's 2 a.m.

At 8 a.m., John is charged. He is brought before a JP at 9 a.m. He is released on Bail with conditions, including that he have no direct or indirect contact with Mary and that any visitation with the child only be in accordance with an order from the Supreme Court –Family Division. At 9:30 a.m., as John leaves the court house, an RCMP officer is waiting to serve him with the EPO that was granted at 3 a.m.

Mary is settled into Allison McAteer House and she has trouble opening her left eye, it's swollen shut. The worker calls her supervisor to make arrangements to take Mary to Emergency. As Mary is prepping the toddler to take with her, she tells you (the worker) that she feels guilty about John being charged and she confesses that she doesn't want him to be prosecuted. She says she doesn't want to testify against him. She wishes the charges would be dropped. She sends a text to John telling him that she's sorry. John sends a text back asking her to get the bail conditions changed so that he can see her and Mikey.

Questions:

- What criminal offences do you think John might be charged with?
- What information would you give Mary about the criminal justice process?
- What particular risk factor(s) for escalated violence are present in this case? What other concerns would you raise with Mary?
- Who would you refer Mary to, for further information and /or advice?

Mary has been subpoenaed as a witness against John -- Questions:

- How can you help Mary prepare?
- Who can you refer her to?

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FAMILY LAW: THURSDAY, FEBRUARY 21, 2013

CASE SCENARIO #1: MARY & JOHN

Mary goes to family court

Mary decides that she is leaving John. She makes an appointment to speak with the court worker about applying for legal aid to get a family lawyer.

Questions:

- What information can you provide to Mary about the family court process?
- What family law orders might Mary be seeking?
- What information might you give Mary about presenting evidence of abuse in family court?
- Who can you refer Mary to for more information or advice?
- How do you help Mary prepare for her meeting with her family lawyer?