

Legal Information Workshop for NWT Women Experiencing Family Violence

TUESDAY, FEBRUARY 19, 2013

EMERGENCY PROTECTION ORDERS

CASE SCENARIO #2: JACK & JILL

Group Exercise:

- What information would you give Jill about EPOs?
- What kinds of EPO conditions might Jill ask for?
- What are the advantages and disadvantages of EPOs for women in remote fly-in communities?
- Role play exercise:
 - You are the community wellness worker – prepare Jill for giving evidence in support of an EPO.
 - You are the community wellness worker – mock role play of you giving evidence in support of an EPO.

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CRIMINAL LAW: WEDNESDAY, FEBRUARY 20, 2013

CASE SCENARIO #2: JACK & JILL

As the wellness worker you call the RCMP and Jack is charged. He is released on bail on condition that he lives with his mother and he not communicate with Jill except to arrange visits with the children. The bail condition also provides that visits to the children by Jack must be at the band office and supervised by John's mother.

Following Jack's release, Jill tries to stay away from the band office and other places where she might see Jack, but they run into each other at the Northern Store. Jill is terrified of Jack and wants the relationship over. She tells Jack this. She is surrounded by people in the Northern Store so she feels safe enough to say this to him. Jack yells at Jill that she's a terrible mother and says that he'll tell children's aid that she's mentally unstable, violent and abuses drugs and alcohol. He tells her that she'll lose the kids and he'll get custody. He says he's a respected man in the community and he will be believed. No one will believe her. He also tells Jill that if she gets the charges against him dropped he won't make these allegations to CAS.

Group Exercise Questions:

- What criminal offences do you think Jack might be charged with?
- What information would you give Jill 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 Jill?
- Who would you refer Jill to for further information and /or advice?

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CHILD WELFARE: WEDNESDAY, FEBURARY 20, 2013

CASE SCENARIO #2: JACK & JILL

Scenario #1: Jill decides she wants the relationship over and she wants to stay in the home. CAS has been contacted because of concerns that the children are not safe in the home due to Jack's violence. Jill agrees to meet with CAS to develop and sign a plan of care agreement with social services.

Questions:

- What can you tell Jill about signing a plan of care agreement?
- How can you help her prepare for her meeting with social services? How can you assist her during that meeting?

Scenario #2: After a week or two, Jill calms down and decides that she wants to stay with Jack. She says she can handle him. You explain to her that it is not safe. She indicates that she will be fine. You know that is not true, you are the wellness worker and you call Child welfare services. The social worker says that she has had too many complaints and that if Jill does not do something and get Jack out of the house, she will be apprehending the children. Jill decides to stay in the community and stay with Jack, but she moves herself and her children out of the home to live temporarily with her sister and brother-in-law.

Questions:

- How can you help Jill develop a safety plan in the community?
- How can you assist her in preparing for her discussions with CAS?
- Living with family is short term plan, how can you help Jill with her longer term plans?
- Where can you refer Jill for more information and advice?

Scenario #3:

Jill decides to leave the children at home and fly south to Yellowknife temporarily until she can make arrangements to have the children brought down. Jack has threatened that if she ever leaves, he will try to use her "abandoning" her children against her.

Questions:

- What are the family law and child welfare implications if Jill leaves her children temporarily? Will she be perceived as abandoning them?
- What planning should Jill do if she plans on leaving without the children?



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FAMILY LAW: THURSDAY, FEBRUARY 21, 2013

CASE SCENARIO #2: JACK & JILL

Jill wants relationship over and she wants Jack out of the house.

Questions:

- What legal information would you give Jill about the family law orders she could seek?
- Does it matter if she is married or living common law with Jack?
- What would you tell her about how to get a family law lawyer?
- How would help her prepare for her first meeting with that lawyer?

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HOUSING and EVICTION: FRIDAY, FEBRUARY 22, 2013

CASE SCENARIO #2: JACK & JILL

Jill has now signed a plan of care agreement and wants to finalize her right to stay in her home with her children. She wants Jack to leave but he is the principal leaseholder with housing and they have arrears that she can't pay.

Questions:

- What legal options are available to her?

Eviction

As Jill is making her plans to stay in the home without Jack, she gets served with an application from the local Housing Authority to the rental officer for termination of the tenancy and eviction. She has no place to go and no money to pay for the arrears. Jack is and has always been the breadwinner.

Questions

- What can you tell Jill about the hearing before the rental officer?
- Who can you refer Jill to for information and advice?