

Domestic Violence Court: FAQ

Here are some common questions around the Nova Scotia Domestic Violence Court Program.

What is the goal of this speciality court?

The domestic violence court is meant to improve the lives of families affected by domestic violence by offering early access to programs to those who commit abuse so they can change their behaviour and prevent future violence. Our goal is to stop the cycle of abuse.

Who will this help?

The domestic violence court program is about giving individuals a chance to change their behaviour. It requires a commitment to change on the part of the offender and will help them to move on with their lives in a meaningful way. It will also help keep victims and their children safe.

Why is there a need for a domestic violence court?

One of the key reasons that domestic violence is different from other crimes is because of the complex relationship between the victim and the perpetrator. The impact can be devastating and it can affect an entire family and community. Those relationships continue after there has been violence.

A domestic violence court program can help the criminal justice system respond to domestic violence with a more collaborative approach. Specialized courts allow for the input of people and programming options to help resolve the problem.

What are the requirements to take part in this program?

The domestic violence court is a post-charge court meaning the person has been charged with an offence that is eligible for a community-based sentence. This means that a charge that carries a mandatory sentence to be served in a correctional facility would not be considered for the domestic violence court program.

How is someone referred to the domestic violence court?

The decision to identify a case as a domestic violence case rests upon the relationship between the accused and the complainant, not necessarily the criminal code charge. Extensive risk, needs and readiness assessments will ensure that the appropriate interventions are used.

What are the eligibility criteria for a domestic violence court candidate?

The individual must be from the Cape Breton Regional Municipality, and accept responsibility for the offence by pleading guilty.

How will the court work?

- The individual is arraigned in provincial court.
- The accused will learn about the domestic violence court program from Legal Aid/duty counsel and can seek advice from private counsel if they choose.
- The individual then accepts responsibility for the offence by pleading guilty if he/she wants to proceed through the specialized court.
- A thorough risk and needs assessment is conducted by the police and community corrections to determine the most appropriate program. Program options range from five- and 10-week educational programs to a 25-week therapeutic program.
- The individual's progress is monitored by the court.
- A judge sentences the individual, taking into consideration the person's participation in the program.