

Domestic Violence Court: An Overview

The Nova Scotia domestic violence pilot court program was developed to stop the cycle of domestic abuse, and make life better for victims and their families.

The court will serve individuals from the Cape Breton Regional Municipality and sit once a week at the Sydney Justice Centre. In order to be considered eligible, individuals must plead guilty to an offence and then attend designated programming before being sentenced.

Court supervisor Valerie Jewkes will oversee the domestic violence court and act as the liaison between the judiciary, justice partners (such as the Public Prosecution Service, Legal Aid and private bar), community-based providers and Nova Scotians affected by domestic violence.

Developing the court

Departments of Justice, Community Services, Health and Wellness, the Nova Scotia Advisory Council on the Status of Women, Office of Aboriginal Affairs, the Public Prosecution Service and Nova Scotia Legal Aid worked together to oversee the development of the court model.

A working group of justice and community service providers in Sydney, including Cape Breton Transition House, Every Woman's Centre, Second Chance Society Men's Intervention Program, Elizabeth Fry Society, Family Services of Eastern Nova Scotia, Mi'kmaw Family Services, Mi'kmaw Legal Support Network, Cape Breton Regional Police and RCMP, worked alongside the Public Prosecution Service and Nova Scotia Legal Aid Commission to ensure the model will meet the needs of the community.

Specialized domestic violence courts are successful in other jurisdictions across Canada. Approaches used in other jurisdictions were closely reviewed when determining the most appropriate approach for Nova Scotia – an early intervention, community-based domestic violence court program.

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How it works

- 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.
- The individual is then 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.