

Ministry of Community Safety and Correctional Services Probation and Parole

“The Ministry of Community Safety and Correctional Services is committed to ensuring that Ontario's communities are supported and protected by law enforcement and public safety systems that are safe, secure, effective, efficient and accountable....”

Address:	210 Broadway, Suite 201 Orangeville, ON L9W 1K3
Area served:	County of Dufferin and Town of Caledon residents.
Accessibility:	Accessible to wheelchairs.
Hours:	Business hours: 8:30 am – 4:45 pm M-F
Telephone:	(519) 941-4622

Services

Probation and Parole Officers¹ will provide the following correctional services:²

1. In general, supervise adult offenders (over 18) who are under community supervision by court order, i.e. conditional sentences, probation orders or parole certificates - as granted by the Ontario Parole and Earned Release Board (OPERB).
2. More specifically, supervise partner abuse offenders, defined as adults who are currently on probation, parole or conditional sentence for:
 - An offence related to abusive behaviour,
 - An unrelated offence, but has prior convictions for offences related to abusive behaviour and in the opinion of the Probation Officer continues to present a risk for partner abuse (see risk assessment below) OR
 - An unrelated offence but collateral contacts have disclosed that the offender is abusive of their partner.
3. Assess offender risk and needs.
4. Plan strategies for intervention with the offender, victim, Police, courts, spousal abuse programs and the community at large.
5. Prepare court ordered pre-sentence or pre-parole reports for OPERB.
6. Develop community linkages with other stakeholders, including victims, to enhance the awareness of respective roles and responsibilities and facilitate the development of information sharing processes.

¹ For the sake of brevity, Probation and Parole Officers will be called Probation Officers throughout the Protocol.

² Adapted from the Ministry of Community Safety and Correctional Services, Probation, Parole and Conditional Sentence Policy and Procedures Manual, with continual electronic updating.

Probation and Parole Officers will provide the following accountability measures in regard to partner abuse cases:**1. The primacy of victim safety**

Probation Officers will observe the overriding principle of victim safety. Probation Officers will engage the victim, past victims and current partner as possible to effectively assess and supervise offenders or prepare court reports regarding the offender.

2. The limits of confidentiality

Early in the contact, Probation Officers will advise both victims and offenders of the limits of confidentiality.

The victim will be advised that information provided may be disclosed in reports to the court and by extension to the offender.

The victim will also be advised that information provided to her/him about the offender will be limited to the following:

- Whether or not the offender is in custody and, if so, the release date.
- Whether or not the offender is on probation, parole or conditional sentence.
- The parole eligibility date.
- The standard conditions of a probation, parole or conditional sentence order.
- Additional conditions, which specifically name the victim, e.g., non-association.
- The general geographic area of release from custody.

3. Complaints resolution

The process for resolving concerns regarding the quality or nature of service will be explained at intake. Concerns can be directed to the Area Manager, Orangeville Area Probation Office at 210 Broadway or to the Ontario Ombudsman Office.

Responsibilities Re: DART Agencies³**Victim Contact**

1. At intake, the offender will be advised that the Probation Officer will be contacting the victim, the current partner and any other potential victims intermittently throughout the period of supervision.
2. Victim contact will give the Probation Officer the opportunity to:
 - Corroborate offender-provided information for case supervision.

³ *Idem.*

- Corroborate offence information in conducting the risk assessment.
 - Develop a link with the victim in the case of future partner abuse offences.
3. The Probation Officer will advise the victim of the:
- Role of the Probation Officer.
 - Limits of confidentiality to the information that s/he provides.
 - Offender-related information that can be released.
 - Processes of enforcement.
 - Options for victim involvement throughout the perpetrator's criminal justice and supervision processes.
 - Options available if a condition of non-association is breached.
 - Needed community resources.

All contacts with the victim and her/his responses will be clearly documented in the case notes, including unsuccessful efforts to make contact.

Case Supervision

1. In domestic assault cases, the Probation Officer will make every reasonable attempt to contact the victim as a source of information for pre-sentence reports.
 - The Probation Officer will caution the victim that the information and source may be disclosed to the offender. If the victim is apprehensive, her/his information will not be included.
 - Unless s/he gives permission, the victim's address and telephone number, as well as identifying information of family members, will not be recorded in the pre-sentence report.
2. Upon assignment of a domestic assault case, the Probation Officer will be responsible for the following within the next six-week period:
 - An intake interview with the offender.
 - Mandatory contact with collateral sources: the Police Service that brought charges, the victim, the offender's current partner and - with permission - school or employment.
 - Completion of a risk and need assessment, including a comprehensive personal and criminal history.
 - Inclusion of a CPIC check, family court order (if applicable) and statement of facts or Police occurrence report on abuse-related offences.
 - Completion of a supervision plan, as set out in the Case Supervision Standards⁴ provided by the Ministry.
3. Whenever possible, the Probation Officer will refer the offender as early as possible to a PAR or other partner abuse program if it is a condition of the supervision order. If there is a wait list, the Probation Officer will monitor the offender's status. If there is no counselling condition on the order, the Probation Officer will encourage the offender to attend a partner abuse program.

⁴ *Idem.*

- Regarding attendance at PAR, the Condition of Adult Probation should state: “Attend, actively participate in and complete the PAR Program to the satisfaction of your Probation Officer. This is in addition to any other counselling that may be recommended by your Probation Officer. You are to attend PAR in sober condition and your participation is to be at your own expense.”
4. Contact with the victim during case supervision will assist the Probation Officer in:
 - Obtaining the victim’s version of the offence and its impact.
 - Determining the victim’s ongoing involvement with the offender and/or his case.
 - Identifying specific concerns (e.g. child visitation).
 - Assessing the offender’s risk level.
 - Developing the goals and counselling needs of the offender.
 - Providing the victim with the name and telephone number of the Probation Officer in the event that s/he wishes to establish contact during the period of supervision.

The Supervision of Enforcement

1. Where there is sufficient evidence to support a breach of probation, a Fail to Comply charge will be laid. Individual circumstances will determine whether this action is taken by the Probation Officer or the Police.
2. The Probation Officer will regularly monitor all collateral contacts such as victim, current partner, Police, PAR or other services to eliminate partner abuse. If the Probation Officer learns of on-going violence by the offender, the Police and, where applicable, the Children’s Aid Society will be notified. As complainant, the victim will be advised to report abusive incidents to the Police.
3. The Probation Officer will ensure that the victim has access to emergency telephone numbers of shelters or other support services.
4. In cases where a probationer re-offends and is charged with an offence of the same or similar nature, the Probation Officer will alert the Crown Attorney in charge of the case.

Variations

When the offender requests a variation to a non-association or a boundary/radius condition, the Probation Officer will recommend an “open court” hearing.

Whenever possible, the Probation Officer will contact the victim to inform her/him of the probationer’s request and to explain the process, including the likelihood of being required as a witness at the hearing. If the victim is opposed to the variation, the Probation Officer will notify the Crown Attorney in writing.

Parole

When a parole applicant submits a release plan indicating an intention to reunite with the victim for the period of parole, the Probation Officer will:

- Assist the victim in understanding the parole process, including suspension and post-suspension hearings.
- Advise the victim of the inmate's ability to access the Parole Report under the Freedom of Information and Protection of Privacy Act.
- Advise the victim of the right to submit a Victim Impact Statement to the Ontario Parole and Earned Release Board (OPERB), with a caution about the limits of confidentiality.
- Inform the victim that s/he may request attendance at the parole hearing.
- Suggest a similar phrasing as to that of the PAR condition (above) when recommending a counselling condition on parole releases.

**We are committed to collaboration within the
Domestic Assault Review Team.**