

'When police walk out the door, it starts again.'

TALES OF VIOLENCE

JODIE'S STORY:

For about three weeks, Jodie's husband lived in fear of being seen.

He stayed out of sight of the neighbours and jumped when there was a knock at the front door of the couple's Markham home.

As a bail condition, he wasn't supposed to be there or anywhere else within Markham's boundaries. Contact with his wife was forbidden by the courts.

But he was back at home two weeks later. Jodie needed him, their children needed him and the couple couldn't financially afford to be apart.

More importantly, Jodie insisted her husband didn't abuse her and never has.

Sitting in The Liberal offices in a neat, dark business suit, Jodie exuded an air of calm and self-confidence.

She pushed aside any suggestion she is in denial of domestic abuse.

"I'm not a timid person," she said. "If someone starts beating me, I'm not going to put up with it."

"We have some problems, we fight, but we've been together 20 years."

"He's lost his temper before but he's never hit me."

Her problems began with an argument Sept. 15.

As the argument escalated, her husband overturned his dinner plate and some of the food splattered onto Jodie.

When he became more agitated and began smashing things, Jodie called 911.

"I regret making that call," said Jodie. "I just didn't want to see my house wrecked."

She said police saw the food particles on her clothing and told her "they had no choice but to charge him."

"I was devastated," Jodie said, noting that her spouse was the primary care-giver for their five-year-old son and eight-year-old daughter.

Jodie said finding alternative accommodation for her husband would have been financially impossible.

At his pre-trial hearing Oct. 18, on his lawyer's advice, Jodie's husband signed a peace bond for a lesser charge of uttering a threat.

Jodie said the judge had no interest in speaking to her about what had transpired.

She also claimed the crown attorney's office refused to take phone calls from her and did not respond to letters she wrote insisting her husband was innocent.

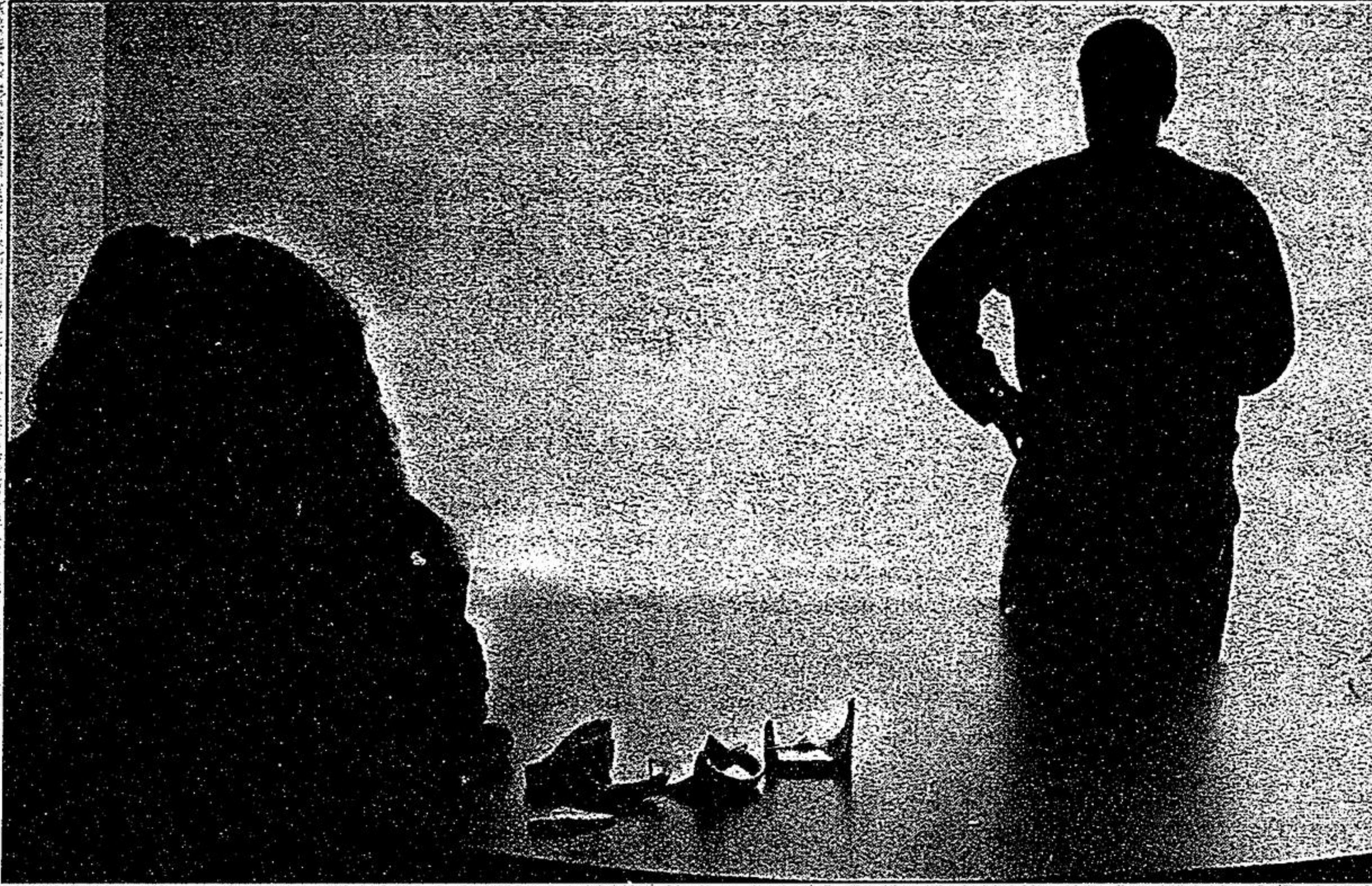


PHOTO ILLUSTRATION/VERIN RILEY

After several high-profile cases of domestic violence that ended in murder-suicides, the Ontario government introduced strict measures to make abusive partners take responsibility for their actions.

CRACKDOWN ON ABUSE

Have scales of justice shifted too far to protect victims of domestic violence?

BY ROGER VARLEY
Staff Writer

Calling 911 in the heat of a domestic dispute can prevent a spouse from suffering violence at the hands of an abusive partner.

But many couples are learning such a call can also result in a family being thrown unwillingly and unwittingly into months of turmoil, anguish and financial problems.

Following the high-profile 1996 case of Arlene May, who was shot to death by her abusive ex-boyfriend Randy Iles before he turned the gun on himself, the Ontario government introduced measures to better protect victims of domestic violence.

They included special courts, more effective investigations and prosecutions, improved support for victims and programs to make offenders take responsibility for their actions.

The scales of justice have shifted to protect victims of domestic violence. But have they shifted too far in some cases, snaring unsuspecting couples in a legal web they never imagined?

Det. Karen Noakes, York Regional Police domestic violence co-ordinator, agrees horrific cases such as May's and that of Gillian Hadley, currently the subject of a

coroner's inquest, have made police less forgiving at domestic scenes.

Gillian, like May, was gunned down by an obsessive spouse neither the police nor the justice system could control.

"If police attend as a result of a 911 call, they have to investigate. If they have reasonable grounds, they must — I emphasize 'must' — lay a charge. They don't have discretion."

Now the system is designed to err on the side of caution, a premise police know may cause difficulties for unsuspecting families caught up in arguments that have simply become too boisterous.

"I think it puts officers in a difficult position," Noakes added.

On the other side, Newmarket Crown attorney Robert McCreary said he was troubled by the implication the system is indifferent.

"The system is not perfect, but if people make reasonable efforts to learn, the system should work for them."

McCreary said just because a charge is laid doesn't mean a case will go to court, the Crown has discretion whether to follow it through.

"The Crown makes an assessment on whether there is a reasonable prospect of conviction," McCreary said.

"But that's not a static event. The assessment continues all the way through the case."

Although Noakes couldn't speak to specific cases, "there could be other evidence that an offence did occur", she said.

"It's so different from any other police investigation... Often it's difficult for victims to tell their story."

Noakes pointed to the possibility of denial in many cases. Experts in the field say many abused women deny they are victims of violence.

She said some people often call 911, hoping police will come to stop an outburst of anger.

"But that just doesn't work a lot of times," she said. "When police walk out the door, it starts again."

Noakes said there are no easy answers to how police respond to domestic violence cases.

She said officers take ongoing training to deal with domestic situations, with mandatory courses for police supervisors, who are encouraged to respond to calls.

"We review a lot of cases to ensure proper procedures are followed," she said. "A lot of people are not aware of how the system works and it can really throw them. One thing we're improving on is educating ourselves on the dynamics of domestic violence."

Info Box

• inBRIEF •

Defence minister visits

Canada's Minister of Defence, Art Eggleton, will be at Newmarket's town hall Saturday to discuss security issues during a seminar hosted by Access Support Assistance Prevention.

ASAP's Living Outside the Fear seminar will feature a panel of experts addressing issues in personal lives in relation to the devastating events of Sept. 11.

Emergency response and how to explain to children what has happened will also be discussed.

Mirella Iacobelli, team leader of the adult crisis intervention centre at Southlake Regional Health Centre, will discuss crisis response health issues.

The event is from 7 to 10 p.m. at 395 Mulock Dr., Newmarket. Tickets are \$15 per person, or \$20 per family of four.

• beenTHERE •

Slip, sliding away

"I teetered, I tottered, my arms flailed like a windmill and oomph! I was down. A hand appeared to hoist me up and I brushed off my spandex with my dainty gloves. At least I looked good."

Catch more action as staff writer Anne Howland attempts precision skating in *Been There, Done That* on page 14.

• upCOMING •

Scores are in

Why do you think some schools in York Region do better in the provincewide performance tests than others? If you have theories to be included in an upcoming article, e-mail staff writer Stefania Rizzi at srizzi@erabanner.com or call her at (416) 798-7284, ext. 238.

• surfin' CITY •

www.netaid.org

The Sept. 11 tragedy in the United States has prompted many of us to volunteer our time to help others. This United Nations-sponsored site has more than 2,600 virtual volunteer positions and menus to tell you what causes are taking place in which countries. You can volunteer from your computer by doing research.

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