



**PUBLIC LEGAL INFORMATION**  
Association of NL

## **Family Violence Information**

Family violence is any type of abuse or violence that occurs within a family. Family violence is always unacceptable and is often also illegal activity. Any of the following forms of abuse are examples of family violence:

**Physical:** hitting, kicking, pushing, and other forms of unwanted physical contact

**Sexual:** unwanted sexual activity including touching, fondling and sexual intercourse without consent, sexual harassment, sending or posting intimate images without consent, and other unwanted acts of a sexual nature

**Emotional or Psychological:** isolating, threatening, coercing, calling names, and other forms of harassment

If you are the victim of family violence, there are several legal and non-legal resources available to help you. Options include:

- Calling the police and pursuing criminal charges
- Going to a shelter
- Applying for a **peace bond**
- Applying for an **emergency protection order (EPO)**
- Consulting a lawyer

**Victims might want to consider doing all the above. It might be useful to consider keeping important things together in case it is necessary to leave your shared space quickly. Some things to consider include:**

- **MCP card**
- **Insurance information**
- **Bank and credit cards**
- **Medication and mobility aids (canes, walkers, etc.)**
- **Identification**
- **Any court papers**
- **Money**

Contact information for services that provide assistance to victims of family violence can be found at the end of this publication.

## **How do I apply for a Peace Bond?**

A peace bond is a court order that places specific conditions on a person's behaviour. These conditions may include: to keep the peace; not to communicate with you in any manner; or not to possess a firearm.

There are two types of peace bond applications that can be made:

- 1) Applications because you fear another person **may do you or your family some personal injury**; and
- 2) Applications because you fear another person **may damage your property**.

Normally, all peace bond applications are made to the Provincial Court (Criminal Division). If you make an application to the court for a peace bond because of a family violence situation, the court may refer you to the police. **Make sure to apply for the peace bond in the court closest to where the threatening events are happening.**

**Application forms are available at any Provincial Court location or on the Provincial Court website** (<http://www.court.nl.ca/provincial/>). The telephone number and address for the Provincial Court serving your region can be found on the Provincial Court website under the "Contact" tab.

Once an application is filled out and provided to the court, a **summons** must be served on the person named in your application. A summons is a document that tells a person when they must appear in court. You must also appear in court on that date. At that time, if the person named does not agree to the terms of a peace bond, then the matter will be scheduled for a hearing at a later date.

At the peace bond hearing, you and your witnesses will testify. Make sure you bring any evidence you have which will support your case. The accused and his/her witnesses will also have an opportunity to testify. The Judge will decide, based on the evidence presented, whether a peace bond should be put in place.

**There is no fee to apply for a peace bond and the order can be put in place for up to twelve months.** If the person ordered to follow the peace bond breaks a condition, you should immediately report it to the police. They may decide to lay a criminal charge. If the charge is proven in court, the punishment may include jail time.

## **What do I do if someone is trying to obtain a Peace Bond against me?**

If someone has summoned you to appear at a peace bond hearing, you should begin to prepare for your day in court. You **must** appear in court at the time stated in the summons. If you do not appear in court at the time on the summons, a warrant could be issued for your arrest. If no agreement is reached at the first hearing, you will need to make arguments to support your case at the next court date. You have the right to have a lawyer represent you at these hearings if you wish, but a lawyer is not required.

It is important for both parties to know that a judge will only grant a peace bond if the person applying for the bond has a *reasonable* belief that you will harm them, their property, or another person as stated in the bond application. You may want to present evidence that shows that you are unlikely to carry out the harm. It may also be helpful to summon witnesses who could testify in court in a way that supports your case.

If a peace bond is granted by a judge, you **must** sign it and obey its terms. While being ordered to sign a peace bond is **not** a criminal offence (and will not be added to a criminal record), **failing to sign the peace bond is a criminal offence, punishable by up to twelve months imprisonment.** Breaking the terms of a peace bond is also a criminal offence, punishable by imprisonment.

## **How do I apply for an Emergency Protection Order (EPO)?**

To get an EPO you need to live or have lived in a conjugal relationship (meaning married or living together in a similar way to being married), or have a child with the other person. This includes married, common law, and same sex couples. If an EPO is granted, it can allow police **to remove that person from the home, take away any firearms or weapons, give you temporary custody of the home and the children, and any other conditions the court thinks necessary.**

The police can make an application for an EPO for you at any time, 24 hours a day. **The police need your consent to make the application.**

**If you apply for the EPO yourself, or have it done by a lawyer, you can only apply during regular court hours at Provincial Court.** Application forms are available from the Provincial Court or online at the Provincial Court website.

Normally, the judge will decide if an EPO will be granted within 24 hours of receiving the application. An EPO is temporary and will not last for more than ninety days. An EPO is a court order – breaching the order can result in criminal charges and imprisonment.

# Resources for Victims of Family Violence

## Police and Community Services

**In case of emergency, call 911**

### **Royal Newfoundland Constabulary**

Phone:

729-8000 (Northeast Avalon)

637-4100 (Corner Brook)

944-7602 (Labrador City)

925-3524 (Churchill Falls)

1-800-363-4334 (Deaf/Hard of Hearing)

### **Newfoundland and Labrador Sexual Assault Crisis Line**

Phone: 1-800-726-2743 or 726-1411

### **Mental Health Crisis Line**

Phone: 1-888-737-4668 or 737-4668

### **Legal Aid**

Phone: 1-800-563-9911

### **Seniors NL**

**(Seniors Resource Centre)**

Phone: 1-800-563-5599

### **Royal Canadian Mounted Police**

Phone: 1-800-709-7267

### **St. John's Women's Centre**

Phone: 753-0220

### **Victim Services**

Phone:

729-0900 (St. John's)

896-0446 or 896-3251

(Happy Valley – Goose Bay)

292-4544 or 292-4548 or 292-4508

(Grand Falls – Windsor)

466-5808 (Clareville)

922-2360 (Nain)

256-1028 or 256-1070 (Gander)

637-2614 (Corner Brook)

945-3019 or 945-3046 (Carbonear)

643-6588 or 643-6618 (Stephenville)

861-2147 (Port Saunders)

## **Shelters in St. John's**

### **Iris Kirby House**

[For women and children]

Phone: 753-1492

Crisis line: 1-877-753-1492

Address: 196 Waterford Bridge Rd.

### **Naomi Centre**

[For women aged 16-30]

Phone: 579-8432

Crisis line: 579-8641

Address: 4 Patrick St.

### **Tommy Sexton Centre**

[For women and men aged 15-65 with priority given to people living with HIV/AIDS]

Phone: 579-8348

Address: 47 Janeway Pl.

### **Choices for Youth**

[For men aged 16-29]

Phone: 757-3050

Address: 12-16 Carter's Hill Pl.

### **Shanawdithit Shelter**

[For adults and families]

Phone: 726-5970

Address: 716 Water St.

### **Wiseman Centre**

[For men aged 30-64]

Phone: 739-8355

Address: 714 Water St.

## **Shelters outside of St. John's**

### **O'Shaughnessy House (Carbonear)**

[For women and children]

Phone: 596-8709

Crisis line: 1-888-596-8709

Address: P.O. Box 497, St. Clair Ave.

### **Cara House (Gander)**

[For women and children]

Phone: 256-7707

Crisis line: 1-877-800-2272

### **Grace Sparkes House (Marystown)**

[For women and children]

Phone: 279-3560

Crisis line: 1-877-774-4957 or 279-3562

Address: 133 Marine Dr.

### **Willow Transition House (Corner Brook)**

[For women and children]

Phone: 634-4199

Crisis line: 1-866-634-4198

### **Hope Haven Shelter (Labrador City)**

[For women and children]

Phone: 944-7124

Crisis line: 944-6900 or 1-888-332-0000

Address: 350 Booth Ave.

### **Libra House**

#### **(Happy Valley – Goose Bay)**

[For women and children]

Phone: 896-3014

Crisis line: 1-877-896-3014

### **Nain Safe House**

[For women and children]

Phone: 922-1230 or 1-866-922-1230

### **Natuashish Safe House**

[For women and children]

Phone: 478-2390

### **Nukum Munik Shelter (Sheshatshiu)**

[For women and children]

Phone: 497-8869

### **Selma Onalik Safe House (Hopedale)**

[For women and children]

Phone: 933-3420

### **Kirkina House (Rigolet)**

[For women and children]

Phone: 947-3334

Crisis line: 947-3333