

**CASE REVIEW PREPARED FOR THE INQUEST INTO THE DEATHS OF NATHALIE
WARMERDAM, ANASTASIA KUZYK, AND CAROL CULLETON**

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MANDATE

I was retained by Mr. Prabhu D. Rajan, Chief Counsel for the Office of the Chief Coroner, to review background information on the deaths of Nathalie Warmerdam, Anastasia Kuzyk, and Carol Culleton to prepare an expert report for the Inquest. I was asked to opine on potential areas for intervention with perpetrators, victims, the community, and identify primary risk factors, points for potential interventions and identify possible areas of recommendations directed at preventing future deaths in similar circumstances. I was asked to discuss risk assessment generally, provide an overview of the various risk assessment tools used in intimate partner violence (IPV) cases and recommend effective intervention strategies.

I have an extensive background in working in this area and developing recommendations while sitting on the Domestic Violence Death Review Committee (DVDRC) since 2003 and testifying at previous domestic homicide inquests and inquiries in Canada. I was asked for any insights into how this Inquest could build on or improve responses to IPV by encouraging robust responses to recommendations arising from inquests and inquiries – such as the Domestic Violence Abuse Commissioner in the UK, which is an independent appointment with statutory powers.

In preparation for this report, I reviewed documents prepared by the Inquest team, namely a summary of salient aspects of the Crown Brief and the criminal history background of the perpetrator. I also reviewed risk assessment reports prepared by probation and the police in this matter and related documents.

QUALIFICATIONS OF AUTHOR

I am a registered psychologist in Ontario, Professor Emeritus in the Faculty of Education, and the former Academic Director (2005-21) of the Centre for Research and Education on Violence against Women & Children at Western University in London, Ontario. I am the Director Emeritus for the London Family Court Clinic. For over 45 years, most of my research and clinical work involves adults and children who have been victims of abuse and involved with the criminal, family, and civil court systems. I have co-authored eleven books, 40 chapters and over 90 articles related to children, families and the justice system including Children of Battered Women, Working Together to End Domestic Violence and Preventing Domestic Homicides: Lessons Learned from Tragedies.

I have presented workshops across the United States and Canada, as well as Australia, New Zealand, Costa Rica, and Europe to various groups including judges, lawyers, mental health professionals and educators. Since 1997, I have been a faculty member for the US National Council of Juvenile and Family Court Judges' program on “enhancing judicial skills in domestic violence cases”. I have been an expert witness in three Ontario inquests into domestic homicides as well as ones in PEI, Nova Scotia, and Alberta. I am a founding member of Canada's first Domestic Violence Death Review Committee through the Office of Ontario's Chief Coroner. Together with my colleague Professor Myrna Dawson from Guelph University, I recently completed a national study funded by the Social Science & Humanities Research Council, on domestic homicide in vulnerable populations together with over 60 academic and community

partners across Canada. The study involved an examination of all domestic homicides in Canada over a decade (2010-2020) as well as risk assessment, safety planning and risk management strategies in domestic violence cases. My curriculum vitae is attached (Attachment A).

I was assisted in preparing this report and reviewing the background information about the DVDRC, prior recommendations made and response to the recommendations by Dr. Michael Saxton, a consulting psychologist and Dr. Ashley Bildfell, a psychologist (supervised practice) with the London Family Court Clinic.

CASE SYNOPSIS

The perpetrator was convicted of assaulting his former partner when he was 20 years of age. He continued a pattern of extreme violence with intimate partners over the following four decades. For at least two decades, the perpetrator terrorized five women before killing three of them on September 22, 2015. Nathalie Warmerdam, Anastasia Kuzyk, and Carol Culleton¹ all reportedly had intimate relationships with the perpetrator. The women had been abused and told multiple people that they were frightened by him. They had told either friends, family, or justice professionals about the depth of their fears. The perpetrator had been involved in the family and criminal justice system for 40 years with repeatedly documented concerns about domestic violence and threats to harm others including a teenage child of one of the victims. His involvement with the family and criminal justice system increased in the five years before the homicides. A file review suggests as many as 120 opportunities for intervention between 2010 and 2015 by friends, family or professionals involved in his life who became aware of his violence, threats of violence and/or rationalizing his thoughts of murder as justified.

Attempts to hold him accountable and change his behaviour by the justice system and professionals such as probation officers had been documented as largely unsuccessful prior to the homicides. He represented an extreme challenge because of his violence, threats of violence, lack of remorse or acknowledgement in the face of overwhelming information about his abuse, mental health disorders such as depression, anxiety, and addictions and his projection of responsibility onto others such as the police and the victims themselves. Prior to the homicides, there was an overwhelming number of risk factors (30) known to friends, family, community members and criminal justice professionals dealing with the perpetrator.

The homicides appear predictable and preventable with hindsight. It may have been hard to predict all three homicides, but each one of the victims were in grave danger prior to the homicides and continued to fear him. His ongoing behaviours and attitudes were extremely worrisome to his victims and professionals working in the justice system. The perpetrator was a domestic violence terrorist² given his history of extreme violence directed at intimate partners.

¹ The exact nature of the relationship between the perpetrator and Carol Culleton is not clear. However, the perpetrator saw her as his partner, stalked her, and was jealous of her relationship with another man. This pattern is consistent with a definition of femicide and domestic violence.

² The use of the word terror and terrorist are used as part of accepted label for extreme IPV. Professor Michael Johnson from Penn State University first coined this term as part of a typology of IPV that includes the following:

It should be noted that despite this pattern of worrisome behaviour, he was still able to present a positive side of himself to new partners. He would blame former partners and the police to make himself appear to be the victim rather than the perpetrator. He was able to charm and manipulate several victims in this manner with his hard-luck stories as well as offer his skills in home repairs and protecting them from another violent partner in one case.

THE EXTENT OF INTIMATE PARTNER VIOLENCE

Other experts testifying at the Inquest will be providing background information about the nature of intimate partner violence (or domestic violence or femicide related to the killing of women who are the primary victims in these matters).

I want to highlight definitions and then provide a summary of the extreme abuse perpetrated across multiple intimate relationships.

Intimate Partner Violence (IPV) or Domestic Violence (DV): or Femicide in reference to the killing of women – most often refers to violence and abuse that occurs in the context of an intimate relationship. This abuse can take multiple forms such as **physical violence** (may include a range of behaviours from pushing and shoving, to kicking, punching, strangling, and the use of weapons); **sexual abuse** (any unwanted, nonconsensual activity that can range from touching to forced vaginal or anal penetration); **psychological and emotional abuse** (any gestures, words or activities that serve to threaten, intimidate, undermine, humiliate, and isolate the victim, stalking and harassing behavior and threats to commit suicide if the victim leaves the relationship, misuses of technology to harass and stalk); **economic abuse** (any activity that deprives a woman of the ability to provide for her basic needs and/or those of her children).

Another form of domestic violence is **coercive control** which describes a pattern of behaviours to assert control over a person by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour. Examples of this conduct are summarized in the chart below which provides a framework for the overall patterns of behaviours (Power & Control Wheel – see <https://www.theduluthmodel.org/wheels/understanding-power-control-wheel/>)

Intimate Terrorism – patterns of violent coercive control, perpetrated predominantly by men; **Violent Resistance** – perpetrated while resisting violence, perpetrated more by women in self-defense; Situation **Couple Violence** – escalates from argument to physical aggression, occurs between couples.



The perpetrator enacted almost every form of domestic violence described above. Table 1 provides a summary of the extreme forms of abuse he perpetrated across various intimate relationships. These incidents are documented by justice system reports and disclosed by victims but are likely the tip of the iceberg of abuse of what they experienced. We don't know the full extent of the abuse because we can no longer interview these victims.

Table 1: Summary Table of Type of Abuse, Number of Abusive Incidents and Examples from Police Reports

Type of Abuse	Number of Abusive Incidents	Example
Physical Abuse	14	The perpetrator committed three femicides on September 22, 2015.
Sexual Abuse	1	One former partner reported to police that she was sexually assaulted by the perpetrator.
Psychological Abuse	2	The perpetrator called a victim and left her messages calling her, "Evil One."
Economic/Resource Abuse	2	One former partner believed that the perpetrator was responsible for setting a house fire as he had threatened to do.
Using Intimidation	12	The perpetrator told a former partner he was having dreams about choking and drowning former partners.

Using Coercion and Threats	12	One former partner reported that the perpetrator intimidated her into non-consensual sexual acts by threatening if he did not get what he wanted he would, “get loud.” She felt forced to give him what he wanted to prevent him from waking others in the home.
Using Privilege	4	The perpetrator blocked the one former partner’s car from leaving the driveway at her cottage.
Using Children or Another 3 rd Party	4	The perpetrator recorded one former partner fighting back against his physical abuse and showed her child.
Minimizing, Denying and Blaming	5	He never took responsibility for his violence. The perpetrator stated that a former partner was abusive towards him in the document he wrote titled, “My Entire Life.”

THE EXTENT OF RISK FACTORS FOR INTIMATE PARTNER HOMICIDE

There has been a fair amount of research that has looked at risk factors associated with domestic homicide. The most common risk factors identified are a history of domestic violence and a separation. The Domestic Violence Death Review Committee of Ontario has identified 41 risk factors associated with domestic homicide, with the most prevalent being a history of domestic violence, followed by an actual or pending separation, obsessive behaviour (i.e., stalking, harassing) displayed by the perpetrator, and the perpetrator being depressed.

Over 70% of the cases reviewed in Ontario had seven or more known risk factors (see Attachment B and Table 2 on page 10 for a review of all the factors which were present in this case).

From 2003-2019, the Ontario DVDRC has reviewed 351 cases, involving 496 deaths. Of the cases reviewed, 67% were homicides and 33% were homicide-suicides. Approximately 70% of all cases reviewed from 2003-2019 involved a couple where there was a history of domestic violence and 66% of the cases involved a couple with an actual or pending separation. The other top risk factors were:

- A perpetrator who was depressed (48%)
- Obsessive behaviour by the perpetrator (45%)
- Prior threats or attempts to commit suicide (42%)
- A victim who had an intuitive sense of fear about the perpetrator (42%)
- Victim vulnerability (44%)
- Perpetrator displayed sexual jealousy (39%)
- Prior threats to kill the victim (35%)
- Excessive alcohol and/or drug use (40%)
- A perpetrator who was unemployed (40%)

- History of violence outside the family (34%)

Some of the original research on identifying risk factors originated over three decades ago from the work of Dr. Jacquelyn Campbell and her colleagues from Johns Hopkins University in Baltimore Maryland. They compared approximately 1,000 cases of domestic homicide to 1,000 cases of domestic violence and found certain factors were significantly associated with the homicides. These factors include prior domestic violence, separation, controlling behaviour, strangulation, stalking, access to guns and perpetrator unemployment amongst many others. Her research led to one of the first risk assessment tools, commonly used by advocates for abuse victims called the Danger Assessment Scale (DA). The DA identifies the risk for lethality for victims of domestic violence by assessing the severity and frequency of the past or current abuse and the number of risk factors present that are directly associated with the risk of domestic homicide.

Risk Assessment Tools

The primary purpose of conducting domestic violence risk assessment is to prevent repeat or lethal violence. Risk assessment helps to prioritize cases for intervention and identify monitoring and supervision strategies, safety plans for victims, and management and rehabilitative options for offenders. A secondary purpose of domestic violence risk assessment is to improve the accountability, transparency, and consistency of decision-making.

Police and probation officers must complete a formal IPV assessment as part of their work. Services for abused women and abusive men commonly use risk assessment tools. Other front-line professionals such as physicians and social service worker may or may not assess risk and often base their assessments on experience and intuition. This informal approach, referred to as unstructured clinical decision making has been criticized as being highly subjective and lacking reliability, validity, and accountability. Unstructured clinical decision making may also miss important factors found in research that inform appropriate and effective interventions. This approach allows for personal preferences, biases, and specific specialized trainings of the professional to influence intervention and prevention strategies rather than relying on empirically studied risk factors and strategies widely accepted and used in the field.

There are two structured approaches to risk assessment utilized in the domestic violence field: 1) actuarial assessment and 2) structured professional judgment approach. The actuarial approach to risk assessment involves using a tool that contains risk factors selected through empirical research to obtain a score that indicates a perpetrator's risk of reoffending. An actuarial tool is distinguished from other assessment methods by how the items are selected, combined, and interpreted, rather than which items are used or whether they are measured at one point (i.e., static) or used to measure change (i.e., dynamic). It allows an assessor to see how an individual perpetrator's risk compares with that of other known perpetrators. It also provides an estimate of the probability of reoffending (i.e., according to a specified outcome and time frame) based on follow-up research with many individuals.

The structured professional judgment approach to risk assessment involves assessing risk according to guidelines that reflect theoretical, professional, and evidence-based knowledge

about domestic violence. The guidelines include the minimum number of risk factors that must be considered for each case, recommendations for gathering information that will be needed for the assessment (e.g., using multiple sources and methods), proposed strategies for communicating opinions about risk, and suggestions for implementing risk management plans. The structured professional judgment approach to risk assessment differs from the actuarial approach by allowing some professional discretion in the determination of risk.

Any risk assessment needs to be considered through the lens of the unique vulnerabilities of each victim. This can only be determined by having the victim, or a victim's advocate inform the process. Subsequently, she needs to be advised of relevant information from risk management plans. Common tools used in Canada by the police and domestic violence services include the Ontario Domestic Assault Risk Assessment Guide (ODARA), Spousal Assault Risk Assessment Guide (SARA), Brief Spousal Assault Form for the Evaluation of Risk (B-SAFER), and the Danger Assessment (DA)³. Practices vary widely across Canada. In Ontario, only police and probation officers have a mandate to complete risk assessments as a standard of their practice and use the ODARA; some are moving to include the B-SAFER because it explicitly connects to safety planning and risk management. Based on the concerning IPV incidents and reports outlined above from family and friends as well as police and probation, there were multiple risk factors in this case (30). There are few reported risk assessment findings that were clearly linked to ongoing safety planning and risk management.

In reviewing the summary evidence provided by the Inquest team, across all his victims, the perpetrator presented with 30 risk factors associated with domestic homicide based on the 41 factors outlined in the field and utilized by the Ontario Domestic Violence Death Review Committee. The Ontario committee considers seven factors or more for a case to be classified as a homicide that appears to be predictable and preventable with hindsight. In the perpetrator's case, the factors are summarized in Table 2. If anyone considering entering into a relationship with the perpetrator had contacted the OPP – ***and if policies and legislation were in place that allowed the OPP to share information with her*** – she would have been advised on the grave risk, she faced in any relationship with him.

Table 2: Risk Factors Identified Prior to the Femicides of Carol Culleton, Anastasia Kuzyk, and Nathalie Warmerdam

<p><u>Perpetrator History</u></p> <ul style="list-style-type: none"> • Perpetrator was abused and/or witnessed DV as a child • Age disparity for one of the victims • New partner in the victim's life (for two victims) • Presence of stepchildren (for one victim)
<p><u>Family/Economic Status</u></p>

³ The ODARA was designed to predict the likelihood of re-assault rather than homicide and is most often used by police. The DA was designed to predict lethal violence and is most frequently used by shelters for abuse victims.

- Actual or pending separation
- Perpetrator unemployed
- Potential child custody and access dispute

Perpetrator Mental Health

- Excessive alcohol and/or drug use by perpetrator
- Depression – in the opinion of family/friend/acquaintance and/or professionally diagnosed
- Other mental health or psychiatric problems – perpetrator (anxiety)
- Prior threats to commit suicide by perpetrator
- Suicide attempts in the past

Perpetrator Attitudes/Harassment/Violence

- Obsessive behavior displayed by perpetrator
- Failure to comply with authority
- Sexual jealousy
- Misogynistic attitudes
- Prior destruction or deprivation of victim's property
- History of violence outside of the family by perpetrator
- History of violence previous partners
- History of domestic violence - Current partner/victim
- Escalation of violence
- Prior threats to kill victim
- Prior threats with a weapon
- Controlled most or all of victim's daily activities
- Choked/strangled victim in past
- Threatened and/or harmed children
- Extreme minimization and/or denial of spousal assault history

Access

- Access to or possession of any firearms
- After risk assessment, perpetrator had access to victim

Victim's Disposition

- Victim's intuitive sense of fear of perpetrator
- Victim vulnerability due to rural community

Other Factors

- Perpetrator had serious physical problems related to pain from a back injury, financial and employment concerns

WHO KNEW OF THE RISK FACTORS?

Many of the risk factors described above were known to some of the victims, friends and family members of the victim and perpetrator as well as community professionals. There were many threats that were made directly and indirectly or implied such as justifications of homicides. Table 3 and 4 below summarize the direct and indirect threats made by the perpetrator against his former partners, and Figures 1 and 2 reflect the frequency of these threats.

Table 3: Summary Table of Direct Threats made by the Perpetrator and who the Threat was Reported to

Threat Reported To	Number of Direct Threats	Example
Victim	9	The perpetrator told one former partner that if he was found guilty, she should not wait for him because, "all I'll be thinking about is killing [a former partner]." He furthered, "When I get out, I'll kill her and go back to jail but that will be okay because justice will have been done."
Family or Friend	3	The perpetrator told his brother that he was going to bury a gun and ammo in a PVC pipe with end caps to avoid registering his weapon.
Police	9	One former partner told police that the perpetrator got angry with her and threatened to kill her by shooting her and then burying her with a backhoe in a swamp on the property so no one would find her. On another occasion, when she was no longer living with him, he threatened to burn her house down and kill her in her sleep.
Other	3	The perpetrator's neighbor stated the night before the murders he said, "I could go tomorrow morning and kill my [former partner] and still go to heaven."

Table 4: Summary Table of Implied Threats made by the Perpetrator and who the Threat was Reported to

Threat Reported To	Number of Implied threats	Example
Victim	11	In December of 2013, one former partner indicated there was a change in the perpetrator's behaviour. He told her he was having dreams about choking and drowning other former partners.
Family or Friend	3	One former partner's children told police they had always feared something like their mother's murder would happen.
Other	5	The perpetrator told police that he had spoken to a neighbour on the Monday night before the murders and explained the reasons to kill. He explained, "when you kill a murderer, it's killing something, murdering is killing something innocent."

Figure 1: Direct and Implied Threats by Report Source

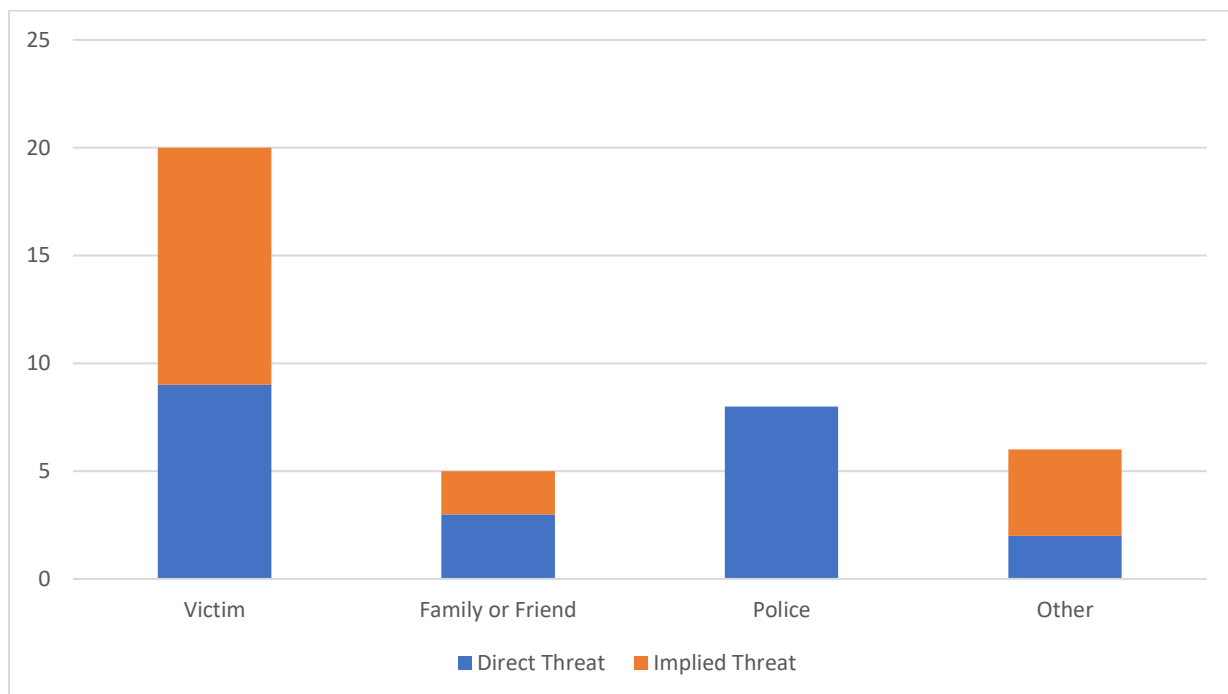
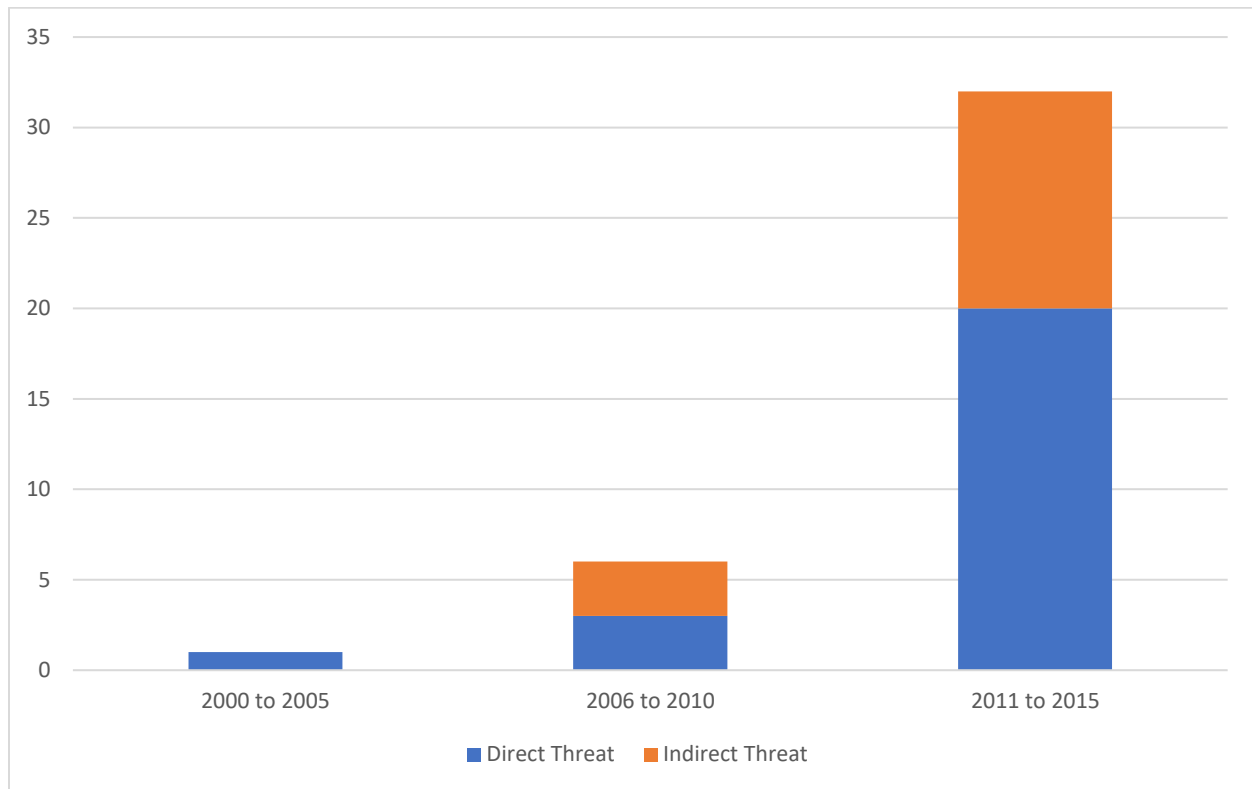


Figure 2: Direct and Indirect Threats by Estimated Timeframe

SYSTEM INTERVENTIONS

There were multiple professionals who tried to address the perpetrator's violence. They also tried to support the women he abused and/or threatened to abuse.

There were very serious concerns in the criminal justice system by 2011 that the perpetrator was engaged in a pattern of significant IPV with multiple victims and he might escalate based on the outcome of family court hearings. The perpetrator's level of risk was known by Probation through multiple risk assessments between the spring of 2013, through to the fall of 2013 and into the spring of 2015. The risk was escalating over time. The major recommendation was attendance at a Partner Assault Program (PAR) which he managed to avoid. It would have been a challenge for the PAR program since he was in complete denial about having done anything wrong and having a need to change. Even when he was incarcerated, he applied to enter an anger management program but at the intake interview he said he had no problem with anger and was only agreeing to register because his lawyer said it was a good idea and might help him avoid doing a program upon his release.

The police reports indicated growing concern about the perpetrator. He was deemed to be high risk by the fall of 2013 and these reports continued into the spring of 2015. By the spring of 2015, there seemed to be agreement among the reports from probation, the police, and the crown that the perpetrator posed a serious risk to one of the victims as well as to any future

intimate partners. Incarceration had no impact on his conduct, and he seemed to leave jail even angrier and justifying killing the victims based on his own reports, writings and statements made to others. Nobody in the community seemed to have any positive influence on him and he appeared to be becoming more paranoid and estranged from family and friends. He had a family doctor who was treating long term back pain from a car accident and mental health problems, but it is unclear how much he was engaged with a collaborative community response and the justice system. Successful interventions would have had to start much earlier with the perpetrator for any opportunity for change. By the fall of 2014 and the spring of 2015, it is impossible to conceive of a successful intervention short of longer incarceration and close monitoring and compliance with treatment upon his release as well as relocation and enhanced security for the victims.

The review of the history highlights several critical issues. It would have been critical to have recognized that each subsequent event and each failure to comply should have escalated concern about risk. If the perpetrator was breached after each time he failed to comply with an ordered intervention and re-charged, or breached, the level of monitoring and containment of risk (through jail and escalated protection) would have gone up accordingly. The red flags would have been brighter. The perpetrator needed a strong risk management approach that linked enhance security for the victims with much better monitoring for him. The victims were left having to manage their own risk for the most part. Who could they call, and what actions would be taken, when they felt that their risk was escalating? Importantly, the possibility of 'successful intervention' would have needed to happen when he was a young man. The perpetrator reported that he was a victim of abuse as a child. We don't know what interventions he received. He was convicted as a perpetrator of IPV at 20 – what opportunities were missed to intervene at that point? He had mental health problems, but it is unclear if he ever received treatment and if health service providers were part of a community plan to address his needs and reduce the risk he was presenting.

RECOMMENDATIONS

To help structure my recommendations, I think it would be helpful to think of a public health model that considers how to prevent a problem before it happens (primary or universal prevention), early identification and intervention at early warning signs of a problem (secondary or targeted prevention), and more intensive treatment of a problem when it is persistent with serious and life-threatening presentation (tertiary prevention). The diagrams below show how I apply this model to IPV (see Figure 3) and then to the perpetrator at different stages of his life from a child to an extremely dangerous adult (see Figure 4).

Figure 3: Framework for Inquest Recommendations

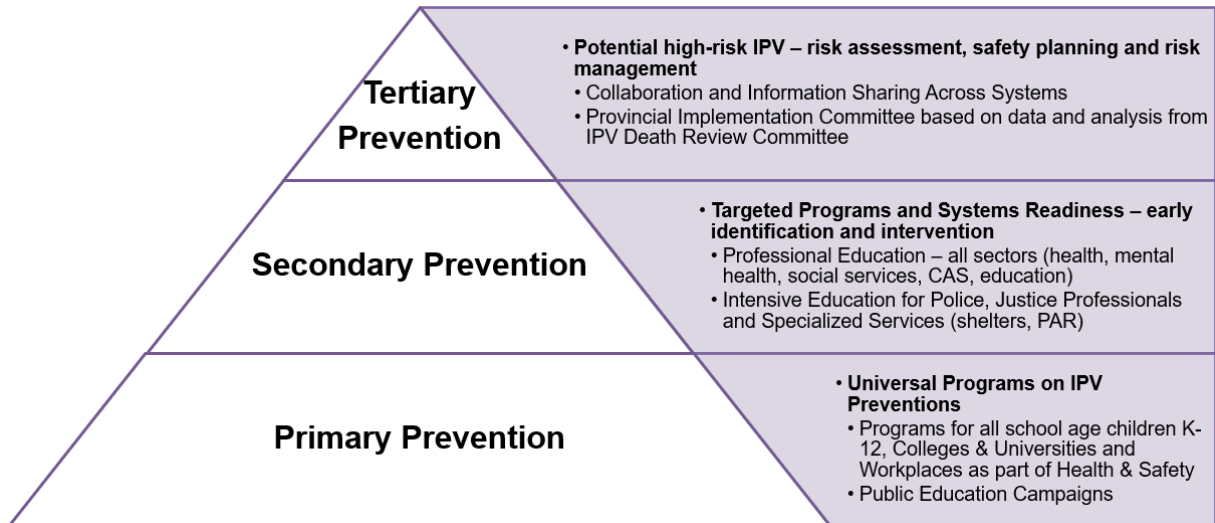
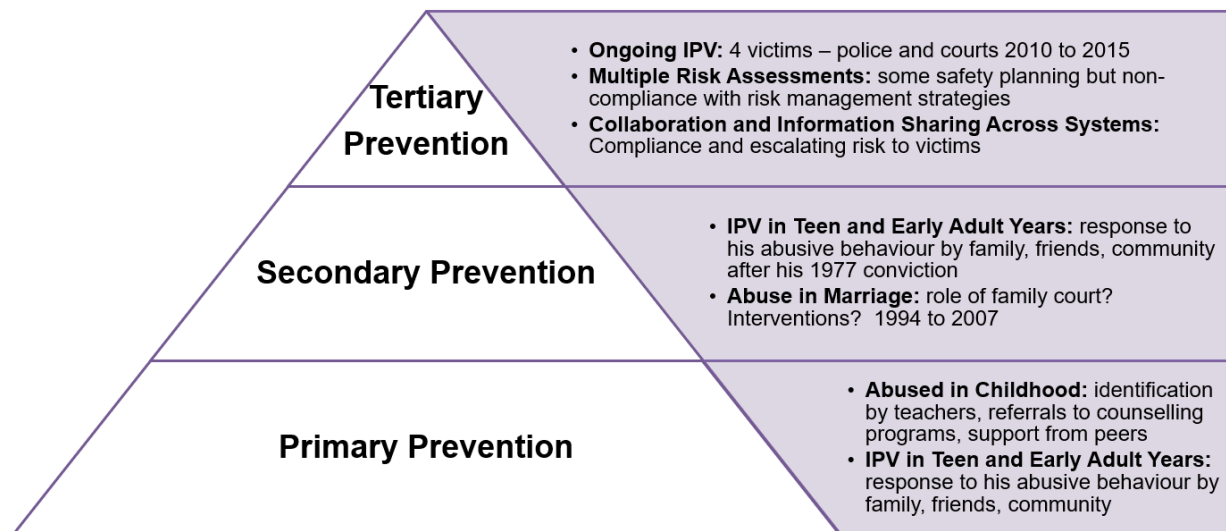


Figure 4: The Femicide Perpetrator – From Childhood to High-Risk Offender and Homicide Potential Missed Opportunities & Escalating Risks. What could we do in 2022?



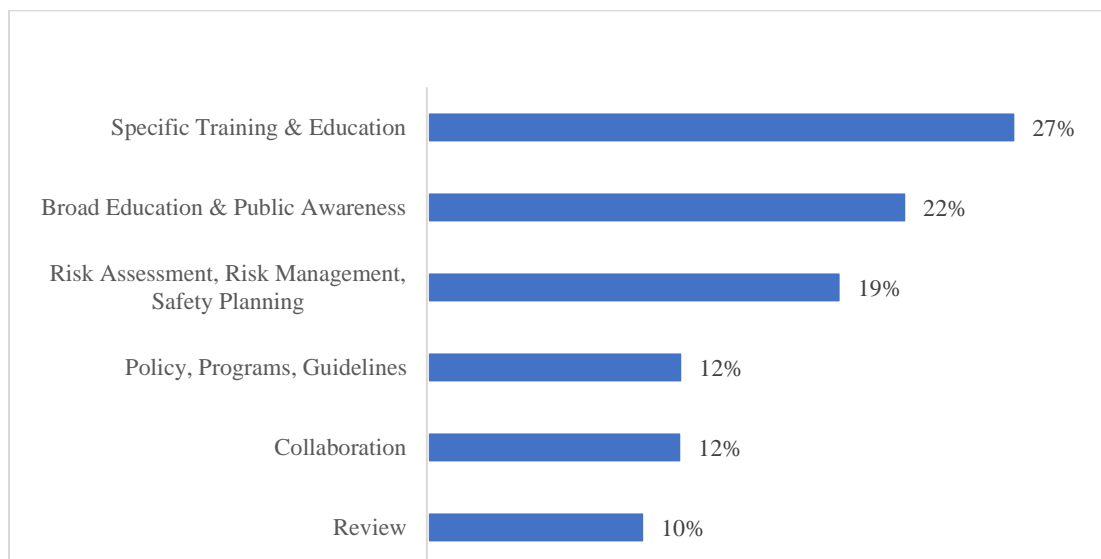
Before offering recommendations to the Inquest, it is important to review past recommendations made by the Domestic Violence Death Review Committee (DVDRC). The DVDRC has been in existence since 2003. It was established from prior inquests' jury recommendations to review every domestic homicide in Ontario for risk factors, missed opportunities to intervene and recommendations to address gaps in service and training. The DVDRC is an expert panel that completes a paper review of each domestic homicide after criminal court proceedings have been completed. The DVDRC tracks risk factors for each case, involvement of formal (professionals, agencies) and informal (friends, family, co-workers) supports and make recommendations for changes to prevent homicides in similar circumstances in the future. The recommendations are directed to various government ministries or professional organizations responsible for implementation. The recommendations

like Inquest recommendations are advisory in nature and not mandated changes. An overview of past recommendations and responses received are outlined below.

Past Recommendations Ontario DVDRC 2010-2020

Approximately 219 homicide cases reviewed by the Ontario Domestic Violence Death Committee were evaluated to gain a better understanding of previous recommendations. These cases all took place between the years 2010-2020. Approximately 300 recommendations were provided within the case reviews which were coded thematically (see Table 5). What follows are descriptions of the themes and examples of recommendations that illustrate each category.

Figure 5: Overall Categories of DVDRC Recommendations



Broad Education and Public Awareness

A large portion of the total recommendations focused on training and education related to domestic violence. Many of these recommendations highlighted the broad need for increasing awareness about DV dynamics, including the importance of universal education about DV and healthy relationships. These awareness recommendations also provided specific programs to increase public awareness as well as specific aspects to consider, for instance:

- Public education campaigns (e.g., Neighbours, Friends, and Families) should address the increased risk for domestic homicide when there co-exists a history of domestic violence and the presence of mental illness in a potential perpetrator. The campaign should stress the seriousness of the risk posed by a mentally ill individual who is threatening to harm his/her partner and/or is threatening self-harm. Specifically, the campaign should outline*

the steps to be taken when attempting to obtain help for a mentally ill family member, including treatment options and referrals to support services.

Other education recommendations discussed the role that the public can have in proactively responding to victims of DV:

- *Friends, family and neighbours of victims, or potential victims, should be encouraged to reach out to police and victim services agencies whenever they observe warning signs of domestic violence in a relationship. Public information should include ways to contact police or victim services for advice and support in non-emergency situations, and could be communicated through online sources, brochures, and public presentations.*

Specific Training and Education

Several recommendations discussed specific training and education programs and/or sectors/topics (risk assessment, risk management, safety planning) that should be considered to enhance responses to DV. Examples of these specific training recommendations include:

- *All police services should receive annual training/education on programs and services offered by Victim Services in order to assist officers in responding more effectively to the criminal and non-criminal issues victims face following an incident of domestic violence.*
- *It is recommended that the Ontario Court of Justice consider annual education and training sessions for Justices of the Peace to enhance their understanding and skills in risk assessment and risk management on issues surrounding high-risk domestic cases. This education and training is especially important when these cases involve accused individuals who have demonstrated mental instability, actual or pending separation, and failure to comply with supervision orders, suicidal ideation and a history of domestic violence. In particular, it is recommended that Ontario Court of Justice consider using some of the high-risk cases reviewed by the Domestic Violence Death Review Committee (DVDRC) where judicial interim release was granted in high-risk domestic cases, and a homicide subsequently ensued.*
- *It is recommended that Crown Attorneys receive enhanced training and education about why victims of domestic violence may recant and/or fail to appear for trials against their abusers and to review policies laid out in Ontario's Domestic Violence Court Program that recognize special procedures are to be followed in these cases, where possible, so that they may proceed with charges against an accused even when a victim does not subsequently cooperate with the proceedings.*

Review

Additionally, education related recommendations discussed the need for reviews that aid in identifying and addressing challenges/gaps in services. Within the review recommendations, there is an overall call for organizations and services to work toward developing policies and procedures to ensure that a “lessons learned approach” is undertaken from these tragedies, for example:

- *It is recommended that an internal review should be conducted of all domestic violence homicide cases supervised since the implementation of these policies, where the offender reoffend while under supervision of the MCSCS (Ministry of Community Safety and Correctional Services). Lessons learned from these reviews could be incorporated into staff training and further policy reform, has undertaken recent policy reforms to address issues related to high risk (intensive) case supervision for domestic violence perpetrators. It is recommended that an internal review should be conducted of all domestic violence homicide cases supervised since the implementation of these policies, where the offender reoffend while under supervision of the MCSCS. Lessons learned from these reviews could be incorporated into staff training and further policy reform.*

Review recommendations were also provided to specific service providers, including police and probation services:

- *The police service involved should organize a community review of the homicide with appropriate professionals and community members to examine strategies to prevent a death in similar circumstances in the future including enhanced collaboration with friends, family, neighbours as well as professionals in social service, health, and corrections.*
- *Probation services should review this case as part of an examination of community corrections' strategies in dealing with chronic offenders with problems related to domestic violence, addictions, and poverty.*

Policy, Programs and Guidelines

Many of the policy, program, and guidelines recommendations emphasized the need for further developing policies and programs related to ensuring safety planning, risk assessment, and/or management strategies. Specific areas and concerns have also been consistently identified by the Ontario DVDRC, including recommendations around firearm policies, for instance:

- *Screening of individuals applying for, or renewing, Possession and Acquisition Licenses (PALs) should be improved to include: (1) Interviewing of applicants and their references, particularly those applicants who have been previously convicted of a crime against a person or convicted of a firearms offence, (2) More comprehensive assessment of applicants with a history of mental illness, and (3) Identification and "flagging" of applicants who have been convicted of multiple alcohol and/or drug-related offences.*

Broader legislative recommendations have also been recognized by the Ontario DVDRC. For example, the Ontario DVDRC has discussed the need for further policies around public access of pertinent information regarding perpetrator history of DV:

- *The Ministry of the Attorney General should consider developing legislation that would allow potential domestic violence victims and their family members to apply for access to information about intimate partners where there is a concern that they may have a history of violence and abuse in other relationships and present a serious risk. Alberta*

and Saskatchewan have enacted similar legislation that is known as Clare's Law named after a domestic homicide victim in the UK whose family advocated for this reform after their daughter was killed by a serial offender.

Policy recommendations highlighted the importance of developing protocols and procedures to handle high risk cases, including the release of offenders:

- *The MCSCS should develop a policy that in all cases where an offender is being released from custody after a domestic offence (even if the domestic violence protocol does not yet apply), probation and parole officers be required to contact the domestic violence victim to inform of release, offer supports, discuss safety planning, and collect risk assessment information.*

Policy recommendations also included accounting for factors related to perpetrators release, including protocols around ensuring surety's responsibilities:

- *Establishing a protocol between police and crown counsel to ensure that persons proposed as surety: (1) Be properly investigated as to their suitability to act as surety, (2) Be fully informed about their responsibilities as surety both in writing and on the court record, and (3) Be warned, in writing and on the court record, as to their potential liability in the event they breach their duty.*

Collaboration

While recommendations for working in collaboration with other service providers were wide ranging, they frequently identified the need for making appropriate referrals and information sharing between services, for instance:

- *If mental health issues are suspected or identified during intimate partner violence investigations, police officers and/or judicial partners (e.g., probation and parole) should make a mental health referral requesting follow up.*

Collaboration recommendations also emphasized the need for further coordination between services:

- *Justice partners (including police, Crown, probation, and parole), together with shelter and victim services workers, are encouraged to develop a systems-approach to managing cases involving victims who are at high risk for intimate partner violence.*
- *Probation and Parole Officers should also notify local law enforcement of any concerns in relation to offender compliance so that formal monitoring programs, (e.g., Crime Abatement Strategy, Bail Enforcement Program, etc.) or informal monitoring of offender compliance, can be conducted by law enforcement. This is particularly important in relation to any orders prohibiting or restricting contact between the offender and the victim.*

Risk Assessment, Risk Management, & Safety Planning

The recommendations that discussed risk assessment provided suggestions around enhancing risk assessment implementation, procedures, and strategies/tools. Many recommendations identified specific services and actions, for example:

- *Probation officers should utilize a common risk assessment tool as it relates to woman abuse and lethality. Although probations officers routinely use the LSI tool, often the dynamics and issues related to abusive relationships are not identified or dealt with, in any involvement. The explanation for this is that the focus of the intervention is on 'criminal behaviour'.*

Many risk assessment recommendations also highlighted the importance of identifying and responding to high-risk cases, for instance:

- *It is recommended that for similar cases of very high risk, MCSCS should put in place a mandatory referral to local police services for assessment of the appropriateness of placing the offender under High-Risk police supervision. This would allow for enhanced safety planning strategies for the potential victim, as well as more aggressive monitoring and potential interventions with the offender when probation and/or parole violations occur.*
- *The Ministry of the Attorney General, Crown Law Office, should have enhanced vigilance in identifying serial domestic violence offenders and should seek an application to the court to have the offender declared a long-term or dangerous offender, when appropriate.*

Most of these recommendations emphasized that risk assessment should be seen as the first step in an ongoing response:

- *Police services across Ontario should be reminded that domestic violence risk assessment is only the first step of a longer process that should include safety planning and risk management.*

Some recommendations specifically discussed aspects to address perpetrators (i.e., risk management) including programs, resources, monitoring, and/or services to address perpetrator needs:

- *It is recommended that conditions of probation should include regular monitoring of the domestic violence offender's compliance with conditions, specifically reporting requirements and counseling conditions. Supervision would benefit from ongoing collateral contacts to confirm the status of the offender's situation and the credibility of self-reported information.*

Risk management recommendations also highlight suggestions around compliance more broadly:

- *When the offender has failed to meet the terms, progressive enforcement must align with level of risk. When repeated verbal or written cautions fail to bring about change, a fail-to-comply charge should be pursued.*

As well as specifically:

- *When domestic violence offenders have a condition to attend a Partner Assault Response (PARs) program, they should be directed and expected to complete the required counselling. When the offender offers numerous excuses and fails to attend the program, enforcement action should be swift and certain. Repeated warnings without follow through are ineffective.*

Some recommendations discussed safety planning strategies as a critical step in the response to DV. Many recommendations discussed the importance of ongoing contact with victims as well as coordinating responses with service providers:

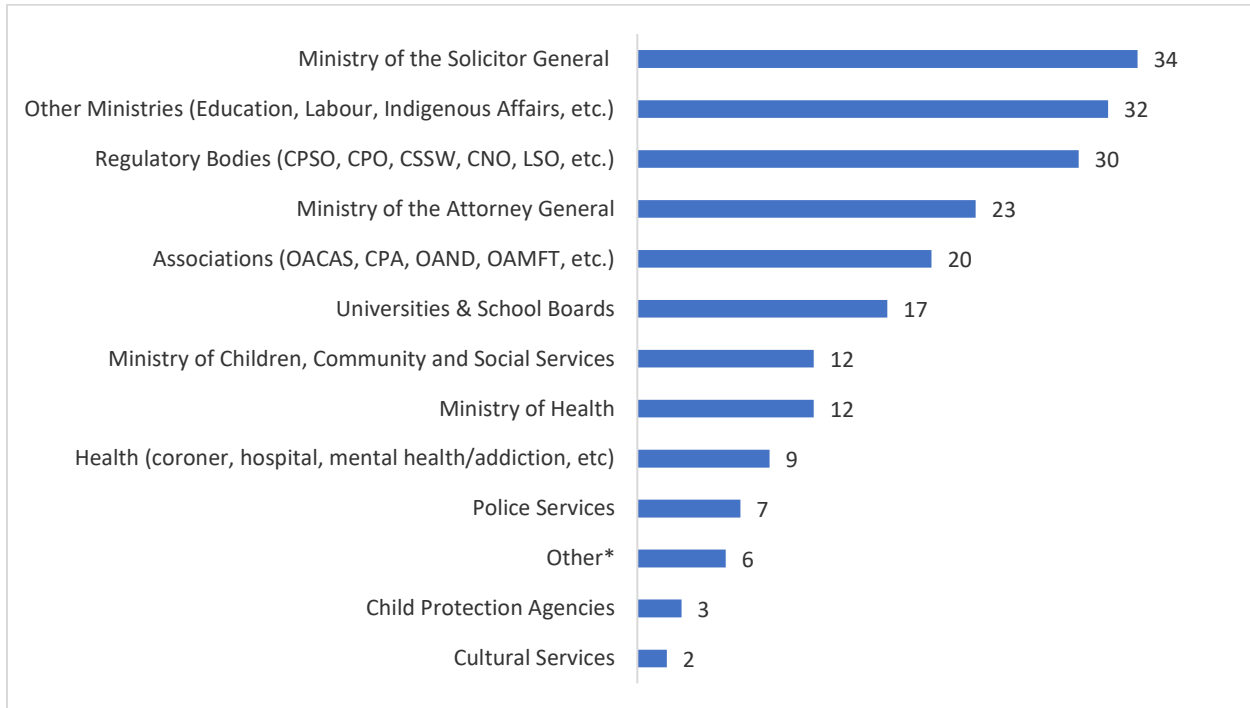
- *Coordinated safety plans should be developed with the victim and with partner agencies in the community. In cases where the victim is not linked to any community services, the probation officer should do a safety assessment of the victim's potential risk for violence and refer them to the appropriate community services, paying particular attention to any special needs of the victim.*

The intersectional nature of safety planning and risk management was also highlighted frequently, for instance:

- *Ongoing contact with the victim should occur in order to assess safety concerns and the abuser's compliance with the probation conditions. This should occur on a regular basis throughout the probation period. The probation officer should not rely solely on the abuser's self-report of compliance. Annual audits by area managers, as per established performance measures, should be conducted to ensure that PPOs are supervising the case in accordance with the Partner Abuse Protocol."*

RESPONSES TO ONTARIO DVDRC RECOMMENDATIONS

Slightly more than 200 responses were provided to the Ontario DVDRC recommendations between 2010 to 2020. Most of these responses came from various Ontario Ministries (see Figure 6), with the most frequent response being from the Ministry of the Solicitor General (formally the MCSCS). The next most frequent response came from regulatory bodies that govern various professional fields. In half of the responses, there was an indication that the recommendations were "already in place" or would be implemented. There is not enough detailed information provided to know if that was the case across the province. Further evaluation is needed to completely understand if these recommendations have been implemented.

Figure 6: Frequency of Respondents by Area

* Other: Federal respondents, other respondents outside of Ontario, social organizations.

Problems with Implementation of Recommendations

The review of the responses to DVDRC recommendations are positive on a superficial level. The good news is that the government and various professional bodies do respond to the recommendations and overall, there are indications that the recommendations are being put into action. However, many of the recommendations are repeated suggesting that the recommendations have not been fully implemented on a consistent and comprehensive manner across the province. There is no system to audit the recommendations and hold different sectors accountable in any public fashion. I am not suggesting a blaming and shaming exercise, but rather a process to recognize any progress made and the need for sustained efforts. The devil is often in the details of implementation. For example, recommendations on public education may lead to helpful materials being developed, but there is no way of knowing if the budget for dissemination is large enough to penetrate the awareness needed for all Ontario residents. In various sectors, there may be professional education provided and useful online resources, but there is no measure of uptake on these resources and what is done to orient new professionals, mid-level career professionals and senior leaders. I will return to these issues in my recommendations for the Inquest.

RECOMMENDATIONS FOR INQUEST CONSIDERATIONS

1. Public Education - Unique Issues for Rural Communities

That the Office of Women's Issues (formerly the Ministry of the Status of Women and Ontario Women's Directorate), within the Ministry of Children, Community and Social Services enhance funding for dissemination of public education material on intimate partner violence across Ontario, complete an annual review of public attitudes, and ensure that rural Ontario can identify itself in these materials. Some issues in this matter aside from the rural environment would be the role of firearms, understanding coercive control, risk factors including stalking, strangulation and threats to kill, fear generated by intimate partner violence, and the need for safety planning and risk management.

Rationale: As documented earlier in this report, the perpetrator's threats – both direct and indirect or implied, were made to friends, family member or neighbours. Many people were concerned about the level of risk that he represented aside from the victims themselves living in fear. Ontario has excellent campaigns to promote awareness about intimate partner violence through programs developed for Indigenous peoples, Francophones, Immigrant populations (14 languages) and Anglophones (see <http://www.neighboursfriendsandfamilies.ca/>, <http://www.kanawayhitowin.ca/>, <https://voisinsamisefamilles.ca/>, <https://www.immigrantandrefugeenff.ca/>). Public awareness is one of the most common recommendations over the past 19 years of the DVDRC. Clearly this recommendation needs to be enhanced to ensure deeper penetration and profile of the issue as well as tailoring it for rural Ontario. The Office of Women's Issues needs to find opportunities to reach the most people – as a current example, running ads during the Stanley Cup Playoffs to reach a broader audience including engaging men on their roles and responsibilities as neighbours, friends, family and co-workers. It is important to get more men to acknowledge that reducing woman abuse is “men's work”.

Rural Ontarians would be surprised to learn that domestic homicides in general and domestic homicides involving firearms are more common on a per capita basis in rural communities.

There are many factors that underly some of the challenges in rural communities. There is the prevalence of firearms as a normal part of rural life in hunting and protecting property as well as geographic isolation, poverty, unemployment, lack of housing, acceptance of woman abuse, and community norms prohibiting women from seeking social support, inadequate (if any) public transportation, and the absence of effective social support services. Rural abused women face *“many barriers to service is due in large part to the lower levels of funding in rural communities compared to urban areas and to the greater efficiency required of rural service providers in using the limited government funds they receive. Linked to these hurdles is that rural areas have far fewer shelter services and far fewer shelter beds than do more densely populated places. What is more, rural women must travel long distances to obtain services. This is one key reason why they are more likely to delay or refrain from seeking medical and other types of help.”* (DeKeseredy, W. (2022). *Woman Abuse in Rural Places*. New York NY: Routledge.)

Some statistics as part of the rationale for this recommendation:

- 34% of women and girls were murdered in rural areas, but only 16% of the Canadian population lives in these places.
- When small towns are included in a definition of rural areas, 41% of women and girls were murdered in non-urban communities compared to 59% in urban places where slightly more than 80% of Canadians live.
- 68% of rural citizens, compared to 38% of urban dwellers, believe that the right to bear arms is more important than controlling gun ownership. This belief creates added barriers to implementing firearm policy related to strong rural gun culture. Protective actions should consider looking beyond the exclusive focus on guns and gun control and emphasize the protection of families and community safety.

2. Firearms – Public and Professional Education & Reporting Responsibilities

That the Ministry of the Solicitor General and Chief Firearms Officer of Ontario enhance measures for public and professional education on the links between firearm ownership and domestic homicide, especially in rural communities.

The public awareness campaign should educate the public on the lawful requirements for acquiring, possessing, carrying, and storing of restricted and non-restricted firearms, as well, provide further clarity about the appropriate channels to raise concerns regarding gun ownership and / or the potential for violence. The current public safety line for firearms should be profiled in this campaign and accompanied by the development of a website that is easily accessible by the public for information and options. Although the public would understand the need to call 911 in a life-threatening circumstance, it is not clear who call other than local police service.

Parallel to public education should be a professional awareness campaign to educate professionals in health and social services (e.g., physicians, psychologists, social workers, child protection) about the options to raise concerns regarding acquisition and / or ownership of firearms. Where there are concerns about the propensity for violence, the ability to responsibly make decisions, or health impacts that affect the gun owner, the professional needs to have information and resources to action their concerns with the appropriate body. Ideally, this body will have the authority and resources to respond to these concerns in a timely manner.

These campaigns should create a positive bystander obligation to report potential illegal firearm possession, so citizens see this role as their responsibility in the prevention of serious injury and homicides.

Rationale: The perpetrator had access to weapons and had discussions with others on how to hide weapons. One of his community contacts suggested the need to have multiple guns, so one could be hidden from registration and potential removal. The perpetrator was clearly seen as a danger to multiple intimate partners and community members. The recommendation aligns with multiple cases reviewed by the Domestic Violence Death Review Committee, there is a notable lack of public awareness about who and how to raise concerns about individuals

who are in possession of firearms. These concerns often relate to mental health, medical issues, addictions, and intimate partner violence where the impact of gun ownership is a critical consideration. Oftentimes, family members, victims, adult children, neighbours were concerned about an individual and they were uncertain of where to turn to for information, and how to act on their concerns.

3. Professional Education/Training Across Sectors

3a. That the Ministry of the Attorney General and the Ministry of the Solicitor General enhance training on intimate partner violence for all police officers, crown attorneys and probation officers. Intimate partner violence represents a significant proportion of the work of the professionals working within the criminal justice system. This training needs to cover all aspects of intimate partner violence including risk assessment, safety planning and risk management. Essential elements in this training have to include the fact that risk assessment is an ongoing process and has to lead to: (1) Safety planning for the victim, (2) Risk management with the perpetrator, and (3) Collaboration with justice and community partners. Dealing with reluctant victims is a reality and needs to be addressed. The training needs to be developed for professionals at different stages of their career and responsibility. New staff would receive training at orientation and then refresher training every three years and managers would require annual refreshers.

Rationale: The criminal justice partners played an active role in the identification of the risks that the perpetrator presented – police officers, crowns and probation clearly identified him as high risk in the years prior to the homicides. There were times when the level of risk was not matched to the level of safety planning and risk management that were required in these very challenging circumstances.

3b. That the Ministry of Health and Ministry of Children, Community and Social Services mandate professional education on IPV for all front-line professionals.

Rationale: While the criminal justice partners are assumed to be specialists and play an active role in the identification of the risks that the perpetrator presented, other systems were also involved with him and his victims. The Inquest does not have access to his medical or social service records related to his health care and disability support. No information is available about services his former partners, or their families accessed. Professionals in these areas are not specialists but need basic information about IPV victims, perpetrators and children living with this violence. It is not clear what if any interventions were offered to the family members given the extreme forms of IPV that were taking place. The professionals working within agencies and organizations funded by the Ministry of Health and Ministry of Children, Community and Social Services need to know enough to recognize problems, warning signs of lethality and how to make reports or seek specialized services.

Part of the professional training across ministries should include working towards a common risk assessment tool. Police and probation use ODARA, shelters and advocates use the DA and there is a move in parts of the province to the B-Safer since it is tied more closely to safety

planning and risk management strategies. There should be inter-ministerial work towards a more common approach to improve communication and information sharing on IPV risk.

4. Probation

That the Ministry of the Solicitor General enhance their probation policies and practices as they relate to high-risk perpetrators of intimate partner violence in the following ways – more intense supervision including weekly reporting, frequent victim contact, and relevant collateral contacts to inform actions taken to mitigate risk, and policy that requires swift enforcement for non-compliance. Post PAR, probation and parole officers (PPOs) should deliver in-house or refer to high risk IPV programming to address the individual, dynamic and ongoing risks and needs of the IPV offender. Where indicated, PPOs need to connect with external consultants for complex mental health issues. PPOs need to ensure referrals to community resources for practical issues around housing, employment, and financial support. The challenges are enormous in rural communities with the scarcity of resources, especially housing and treatment services.

Rationale: Probation was the critical service for monitoring the perpetrator's compliance and identifying the level of escalating risk. He was a very complex and dangerous offender due to serious IPV offences, fear of multiple victims and community members, his extreme denial and projection of blame onto others (the victims and the police), repeated disregard and self-justification for non-compliance, and multiple mental health symptoms related to anxiety, depression, and paranoid thoughts. He represented an extremely dangerous offender that needed enhanced assessments and services as well as return to court for his non-compliance. more intense supervision (i.e., including weekly), use of mental health consultants for complex cases with multiple needs, social work consultants to deal with practical issues around housing, employment and financial support and immediate breaches for non-compliance.

5. Partner Assault Response Program (PAR)

That the Ministry of the Attorney General enhance funding for PAR programs to allow for the following: more sessions (increase from 12 sessions to 20-24 sessions), allow for differentiated programming for complex offenders with social and mental health needs and resistance to treatment and provide ongoing risk management in collaboration with Probation.

Rationale: The perpetrator never complied with his court order to attend the local PAR program. Even if he had, the PAR program would not have met his extensive needs as currently constituted across Ontario. Programs need to be enhanced to address the reality of most PAR referrals with more intense treatment and monitoring needed by most offenders – and especially those who are high risk and complex needs such as the perpetrator. The PAR program would need to work actively with Probation to identify these needs and broker for additional mental health, addictions, and social services. Rural PAR programs and offenders would need assistance for funding transportation for offenders who would not be able to access service otherwise.

6. Collaboration Across Agencies and Systems

That the Ministry of the Attorney General and the Ministry of the Solicitor General enhance policies and practices to allow for high-risk teams to work together across agencies and systems beyond the criminal justice system as needed (and with appropriate consents or no consent in the face of imminent risk of harm) and that there be detailed minutes kept on follow-up steps related to ongoing risk assessment, safety planning and risk management. Information available about IPV from the family court system should be sought and needs to be included to better inform risk, safety planning, and risk management.

Rationale: The perpetrator was deemed high risk in the years before the homicide according to the risk assessments being completed and opinions expressed by police, crown, and probation. From the records reviewed, there did not seem to be a clear action plan that identified the need for ongoing monitoring and potential collaboration with other courts (family court proceedings) and other systems (e.g., multiple references to family doctor and treatment for pain and mental health disorders). There was only limited reference to any collaboration among justice and community partners.

7. Enhancing the criminal court response to repeat domestic violence offenders through danger offender or long-term offender applications.

That the Ministry of the Attorney General develop regional core teams of expert Crowns who could be consulted to explore appropriateness of dangerous and long-term offender designation in high risk IPV cases with long standing pattern of violence and/or multiple victims. Information about these applications in IPV cases should be shared at annual Crown training sessions.

Rationale: From a psychological perspective, the perpetrator meets the criteria of a dangerous offender because of his serious pattern of intimate partner violence against at least five victims over a decade. He was a domestic (IPV) terrorist in terms of multiple acts of violence and serious risk factors in terms of threats to kill, assaults causing bodily harm, strangulation, stalking and lack of compliance with court orders. Well before the homicides, he made his victims fearful for their safety, impacted their freedom, and fostered profound trauma symptoms and psychological harm for his victims. While most offenders may benefit from early or minimal intervention or probation with a PAR intervention, extreme cases need extreme measures to keep victims and the community safe. In extreme cases, long-term incarceration is required, and the crowns may have to consider all evidence required for dangerous offender or long-term offender applications to the court. This recommendation has been made before at the DVDRRC in the face of reviewing cases with repeat offenders who create much physical and psychological harm for victims – often with a wanton disregard for the safety and suffering of victims and non-compliance with previous court and community interventions.

8. Warning Future Victims about a Potential Partner's History of IPV (Clare's Law)

That the Ministry of the Attorney General develop legislation to permit police disclosure of information about a perpetrator's documented history of IPV and potential risk to new (future) partners who request this information. Where appropriate, police services should have access to and disclose relevant safety-related information in family court files (e.g., restraining/protection orders, a finding of IPV by the family court judge).

Rationale: This recommendation has been made previously by the DVDRC and is based on legislation in the UK called Clare's Law which refers to a IPV homicide victim who could have been warned about her new partner's dangerousness and previous victims if provisions existed for this inquiry and the ability of the police to make this disclosure. This law has been implemented in Saskatchewan and Alberta. More information is included below:

- The Interpersonal Violence Disclosure Protocol (Clare's Law) Act authorizes a police service to disclose certain risk-related information to a current or former intimate partner in cases where such information can assist them in making informed decisions about their safety and relationship. In response to an application, police may disclose whether their review leads them to advise that the applicant is at high, medium or low risk from the subject of the application, as well as any relevant convictions. The disclosure must be accompanied by a safety plan tailored to the needs of the person at risk. Saskatchewan was the first province in Canada to implement Clare's Law. The Interpersonal Violence Disclosure Protocol (Clare's Law) Act came into force in the province on June 29, 2020. It was developed in partnership by the Ministry of Justice and Attorney General, the Ministry of Corrections, Policing and Public Safety, the Provincial Association of Transition Houses (PATHS) and the Saskatchewan Association of Chiefs of Police. This information was obtained from <https://www.saskatchewan.ca/residents/justice-crime-and-the-law/victims-of-crime-and-abuse/clares-law>.*
- The Disclosure to Protect Against Domestic Violence (Clare's Law) Act gives people who feel at risk of domestic violence a way to get information about their partners so they can make informed choices about their safety. Alberta's version of Clare's Law is named after a young woman killed by an ex-boyfriend with a history of violence against women. People at risk can find out if their partner has a history of domestic violence, stalking or harassment, breaches of no contact orders and other relevant acts. This information was obtained from <https://www.alberta.ca/clares-law.aspx>*

9. Enhanced information sharing between family and criminal Court and Enhancing the Family Law Act

That the Ministry of the Attorney General investigate creating a central registry or data management system for information on criminal court convictions and sentencing decisions and family court orders, endorsements or restraining orders dealing with domestic violence so judges can readily access background information on individuals appearing before them regarding a prior history of domestic violence. In this way, family court judges could access information to help make fully informed parenting decisions that support safety planning and risk management, and criminal court judges could access information related to sentencing (not

adjudication of guilt). Aside from creating the registry or data management system, there will need to be guidelines on appropriate access to this information.

Consideration should be given to enhancing the restraining order provisions of s. 46 of the Family Law Act. In particular, that 46 (1) which now requires an application to be made by the victim for a restraining order be amended to allow the Court to make such order on its own initiative and to make any order (under 46 (3)) it deems appropriate to address the safety of the victim and any involved children, including a course of treatment for the offender's violent behaviour.

Rationale: The case highlights the need for family and criminal courts to work together on risk assessment and risk management. In this case both the family court and the criminal court had extensive information about the perpetrator. Findings about this violence and the perpetrator's lack of credibility were made in family court. The family court had a record of extensive abuse. Information was shared between a prior partner dealing with family court matters and the criminal justice partners. Not all the partners (e.g., probation) considered this information in their risk assessment. Without blame or clear records in this matter, there may have been missed opportunities to intervene and share information. Family violence of all forms is now part of the amended Divorce Act and Children's Law Reform Act so there will likely be an increase in disclosures of abuse as well as an onus on the family court to find remedies other than to suggest criminal proceedings as the only venue for accountability and treatment interventions.

10. Enhancing the Work of Domestic Violence Death Review Committee (DVDRC)

That the Ministry of the Solicitor General enhance efforts for consistent reporting of intimate partner homicides in Ontario through the DVDRC annual reports as well as tracking the responses and outcomes of recommendations in terms of implementation. The DVDRC need research staffing to track cases and implementation efforts that highlight unique issues across the province. Implementation should be identified with more explicit measures of success including data and amended policies, protocols, and practices. Greater efforts should be made to engage local communities with reviews guided by the DVDRC leadership in consultation with the community professionals and family members who are closer to full context of the homicide. The Ministry can implement some of this work through the existing infrastructure of Coordinating Committees on Woman Abuse (also known as Violence Against Women Coordinating Committees) that exist in 48 Ontario counties and bring together service providers and justice professionals who work on these issues.

Rationale: The DVDRC has operated through the Office of the Chief Coroner since 2003 and represents the first such committee in Canada. The DVDRC has extensive experience in this area through diverse expertise from multiple professionals, agencies, and survivors. It is currently undergoing a renewal and reform process under a new chair. As part of that effort, it is essential that there are consistent and timely annual reports, increased publicity around the

key messages from the annual report (rather than a passive posting), and presentations to annual conferences of all the affected agencies and professionals.

11. Audit and Accountability Mechanisms for Change: A Provincial Implementation Committee on Intimate Partner Violence and Homicide Prevention

That the Government of Ontario institute a Provincial Implementation Committee on Intimate Partner Violence and Homicide Prevention to ensure that the recommendation from this Inquest bear fruit on a sustained and comprehensive manner. The committee should be struck with senior members of various ministries central to intimate partner violence (Attorney General, Solicitor General, Children and Community Service, Health, and Education) and an equal number community IPV experts with an independent chair such as a retired judge, advocate, or lawyer with expertise on intimate partner violence who could speak freely on progress made on implementation.

Rationale: One of the shortcomings with any Inquest is that when the public attention is gone from this hearing, the impetus for change may diminish over time. Many of the recommendations have been made before. Few of the recommendations can happen overnight. In fact, most of the recommendations being considered will take years to implement and require extensive collaboration across different government ministries working together. To ensure that recommendations are not lost with the passage of time, it would be helpful to have a formal implementation committee made up of senior government officials from different ministries involved with regular reporting and audits related to successful implementation. There needs to be an independent voice from the chair of this committee and community input. The reports from the DVDRC would help to inform necessary reforms to enhance province-wide response to intimate partner violence. I would see the chair of the implementation committee having the authority to not only speak publicly but have authority to direct needed changes in services, policies and practices similar to the Domestic Violence Abuse Commissioner in the UK (see <https://domesticabusecommissioner.uk/about/>).

12. Integrating Domestic Violence (IPV) Prevention into Schools, Colleges and Universities for Universal Access to Information for Children, Adolescents & Young Adults

That the Ministry of Education ensure that every elementary and secondary school have violence prevention programs directed at recognizing healthy relationships and abusive relationships as well as ensuring that students learn the skills and attitudes to prevent intimate partner violence in their dating and future adult relationships and That the Ministry of Colleges and Universities ensure that publicly funded colleges and universities include awareness programs on violence in intimate relationship together with current initiatives on sexual violence prevention.

Rationale: The perpetrator was first convicted of intimate partner violence at age 20. It is also reported that he grew up with emotional and physical abuse in his family of origin. This history together with the lack of knowledge and understanding about domestic violence in the public suggests the strong need for active prevention programs within the education system. This

finding has implications for how we better educate the next generation. One aspect of prevention is educating young people about this topic in childhood and adolescence as a normal part of their elementary and secondary school education and complementary community programs⁴. There is also a need to educate teachers and school staff about warning signs, the plight of children living with domestic violence, and potential reporting responsibilities (e.g., <https://www.learningtoendabuse.ca/our-work/pdfs/TeacherHandbook1.pdf>).

Many Ontario schools currently integrate this information in teacher professional development and lesson plans in the regular curriculum as part of provincial expectations⁵. There are no indicators of the actual implementation of this ideal. It should be noted that there are many existing programs that provide information about healthy relationships and the dangers of abuse within intimate relationships. This information is critical for both victims, perpetrators, teens living with violence as well as their peer group who may have opportunities to intervene and encourage help-seeking. These are lifelong lessons. This recommendation is not to simply create new programs as an add-on for educators but rather integrate these ideas into existing classes such as health and physical education as a requirement for all students. For examples including existing programs in ON, see <https://www.redcross.ca/how-we-help/violence-bullying-and-abuse-prevention/educators/healthy-youth-dating-relationships> <https://youthrelationships.org/>.

SUMMARY COMMENTS

The deaths of Nathalie Warmerdam, Anastasia Kuzyk, and Carol Culleton have had an enormous impact on their families and friends left behind as well as service providers who are also traumatized and left to wonder what they might have done differently. The Renfrew County communities involved have been shaken that these three homicides could have taken place after so many warning signs and efforts to intervene. There has been a devastating impact on these communities. Many future victims will hesitate to come forward if they lack confidence in the justice system or don't know any effective resources available to them.

This report is not intended to reinforce any survivor's or professional's guilt or self-blame but rather focus on how such a tragedy could be prevented in the future. Collectively, we owe a responsibility to the victims and survivors to enhance province-wide efforts to prevent intimate partner homicides. Whatever the final recommendations, it is critical to have an

⁴ https://www.learningtoendabuse.ca/our-work/pdfs/Report-Crooks_Jaffe-Primary_Prevention_VAW_Update.pdf; Crooks, C. V., Jaffe, P., Dunlop, C., Kerry, A., & Exner-Cortens, D. (2019). Preventing gender-based violence among adolescents and young adults: lessons from 25 years of program development and evaluation. *Violence against women*, 25(1), 29-55.

⁵ The new Ontario Health & Physical Education (HPE) Curriculum for Grades 1-8 was released in 2019, there was a section titled – Healthy Relationships and Health & Physical Education – excerpt p. 74: *In health education, the study of healthy relationships includes learning about the effects and the prevention of all types of violence and bullying/harassment, whether face-to-face or online. Learning focuses on the prevention of behaviours that reflect sexism, racism, classism, ableism, sizeism, heterosexism, and homophobia and transphobia.*

implementation plan to put words into action to ensure that these efforts lead to significant and sustainable changes.

I would be pleased to expand on my analysis and recommendations in my testimony.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'P. Jaffe', written in a cursive style.

Dr. Peter Jaffe Ph.D., C.Psych.
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Appendix A: The Perpetrator's Violence Across Intimate Partner Relationship

Type of Abuse	Details
Physical Abuse	The perpetrator grabbed the victim, pulled her out of the truck, and threw her onto a gravel walkway. The victim suffered injuries from the assault that were confirmed by witnesses.
	The perpetrator stepped on the victim's back after he threw her on the ground.
	When the victim tried to leave, the perpetrator lifted her up, threw her on the couch and choked her.
	The perpetrator climbed on top of the victim on the porch.
	The perpetrator pushed the victim down the stairs which caused her to worry about a head injury.
	The perpetrator attempted to strangle the victim.
	The perpetrator slapped the victim in the face.
	The perpetrator put his hands around the victim's throat when she was in bed.
	The perpetrator repeatedly hit the victim while she was in bed.
	The perpetrator murdered the victim on September 22, 2015. Cause of death was a shotgun wound to her chest and neck.
	The victim's father told police that the perpetrator pushed her child to the ground.
	The perpetrator murdered the victim on September 22, 2015. She was shot at close range.
	The perpetrator murdered the victim on September 22, 2015. She was strangled with a co-axial cable.
Sexual Abuse	The victim reported to police that she was sexually assaulted by the perpetrator.
Psychological Abuse	The perpetrator convinced the victim that the police detachment, former partners, lawyers, and judges were out to get him.
	The perpetrator called the victim and left her messages calling her, "Evil One."
Economic/Resource Abuse	The perpetrator locked her out of the matrimonial home.
	The victim believed that the perpetrator burned the matrimonial home down after she was awarded the home in family Court.
Using Intimidation	The perpetrator made faces through the window at the victim.
	The perpetrator took a beer mug and smashed the bedroom mirror when she refused to clean it.
	The perpetrator intimidated the victim by taking a jar of spaghetti sauce, raising it above his shoulder, and coming towards her.
	The perpetrator would bang on the victim's bedroom wall and tell her they needed to talk about division of assets.

	The perpetrator would keep the victim awake at night by playing loud music and slamming doors.
	The victim's father reported that the perpetrator destroyed items in the home.
	The victim reported that the perpetrator threw an "old wooden rocking horse" into a fire to "torment her."
	The perpetrator was reported to break into the victim's home and steal her cellphone.
	The perpetrator told the victim he was having dreams about choking and drowning former partners.
	The perpetrator would call the victim and leave her messages stating "bad karma" would happen to her.
Using Coercion and Threats	The perpetrator threatened to kick the victim out of their home.
	The victim reported that the perpetrator intimidated her into non-consensual sexual acts by threatening if he did not get what he wanted he would, "get loud." She felt forced to give him what he wanted to prevent him from waking the children.
	The perpetrator told the victim that he, "wanted to destroy her one way or another."
	The perpetrator threatened to burn the victim's house down.
	The perpetrator threatened to kill the victim in her sleep.
	The perpetrator threatened to kill the victim by shooting her with a firearm. He also threatened to bury her with a backhoe in a swamp on the property so no one would find her.
	The perpetrator threatened that the victim was, "not going to have anything, nothing."
	The perpetrator threatened the victim's son. He called him a "useless waste of skin" and yelled, "Where is that useless waste of skin? If I find him, I am going to string him up."
	The perpetrator threatened to kill the victim's dog.
	The perpetrator threatened that if he ever saw the dog or cat inside the house, he would kill them.
	The victim's father reported that the perpetrator threatened to kill farm animals.
	The victim's father reported that the perpetrator had threatened to kill the victim and her child.
	The perpetrator told the victim that if he was found guilty, she should not wait for him because, "all I'll be thinking about is killing my [former partner]." He furthered, "When I get out, I'll kill her and go back to jail but that will be okay because justice will have been done."
	The perpetrator told the victim and her partner, "Karma will get you," or "you both."

Using Privilege	The perpetrator refused to leave the victim's home despite being asked.
	After their breakup, the perpetrator stole the victim's mother's car.
	The perpetrator victim's car from leaving the driveway at her cottage.
	The perpetrator did work on the victim's cottage without her permission.
Using Children or Another 3 rd Party	The perpetrator recorded the victim fighting back against his physical abuse and showed her child.
Minimizing, Denying and Blaming	The perpetrator called the police and provided a list of people he thought might be responsible for the house fire including the victim.
	The perpetrator stated that his former partner was abusive towards him in the document he wrote titled, "My Entire Life."
	The perpetrator suggested in a video statement to police that the victim took advantage of the system
	The perpetrator suggested in a video statement to police that the victim took advantage of the system
	The perpetrator told his probation officer that he had never perpetrated domestic violence.

Appendix B: Expanded Table of Direct Threats made by the Perpetrator by who the Threat was Reported to

Threat Reported To	Intended Victim	Details
Victim	FP	The perpetrator threatened to kill the victim by shooting her with a firearm. He also threatened to bury her with a backhoe in a swamp on the property so no one would find her.
	FP	The perpetrator threatened to burn the victim's house down.
	FP	The perpetrator threatened to kill the victim in her sleep.
	FP	The perpetrator put a sign on his property with names of people he would shoot if they entered his property. The victim was listed as number 1.
	NW	The perpetrator threatened that if he ever saw the dog or cat inside the house, he would kill them.
	NW	The perpetrator told the victim that if he was found guilty, she should not wait for him because, "all I'll be thinking about is killing my [former partner]." He furthered, "When I get out, I'll kill her and go back to jail but that will be okay because justice will have been done."
	NW	The victim's father reported that the perpetrator had threatened to kill the victim.
	NW	The victim's father reported that the perpetrator threatened to kill farm animals.
Family or Friend	NW	The perpetrator threatened the victim's child.
	NW	The perpetrator threatened to kill the victim's dog.
	GEN	The perpetrator told his brother that was going to bury a gun and ammo in a PVC pipe with end caps to avoid registering his weapon.
Police	GEN	A police office sent an email to inquire if a threat assessment was required for Court because they were concerned for their safety.
	NM	The victim's sister told police that the perpetrator said if his ex-partner ever put him in jail, he would kill her once he got out which made the victim concerned for her safety.
	GEN	The perpetrator said something unintelligible to Ms. X and then said, "Oh, I guess I shouldn't say that, that's a death threat."

	GEN	In a video statement to police, the perpetrator said he had been telling everybody he was going to, “explode, it’s overload.”
	GEN	In a video statement to police, the perpetrator said he had told a crisis line he was going to go, “ape shit.”
	GEN	In a video statement to police, the perpetrator said he told a witness, “I’m going to explode. I can’t handle it anymore. Everything is too much. I never dreamed that, never dreamed that this would happen.”
	GEN	In a video statement to police, the perpetrator stated that nobody was listening, he felt like he was all alone, and nobody would help him.
	FP	His former partner told police that the perpetrator told anyone who would listen that if the victim got the house, he would burn it.
	GEN	The perpetrator stated that he intended to shoot policemen.
Other	GEN	The perpetrator’s neighbor stated the night before the murders he said, “I could go tomorrow morning and kill my [former partner] and still go to heaven.”
	GEN	In the document authored by the perpetrator titled, “My Entire Life,” he wrote, “I’m getting out and I’m taking as many that have abused me as possible with me.”
	GEN	The perpetrator posted a sign on his property that stated that he would shoot intruders.

Appendix C: Expanded Table of Implied Threats made by the Perpetrator by who the Threat was Reported to

Threat Reported To	Intended Victim	Details
Victim	FP	The perpetrator told the victim that he, “wanted to destroy her one way or another.”
	FP	The perpetrator threatened that the victim was, “not going to have anything, nothing.”
	FP	The victim agreed to a stay of proceedings because she feared for her safety and knew what the perpetrator was capable of.
	FP	The perpetrator told the victim he had a conspiracy theory about police.
	NW	The victim indicated the perpetrator had boxes of recorded tapes of conversations with police, crowns, lawyers and the victims. She stated he would focus on people he believed had done him wrong.
	AK	After the perpetrator physically assaulted her, the victim reported that he suggested, “they ought to have paid more attention to his dream where he was killing a former partner.”
	CC	The perpetrator called the victim and left her messages calling her, “Evil One.”
	CC	The perpetrator told the victim and her partner, “Karma will get you,” or “you both.”
	CC	The perpetrator called the victim and left her messages stating that bad karma would happen to her.
	CC	The perpetrator left a sign on the victim’s property which read, “Thanks for leavin... I was wondering how I was going to get rid of you so I could do this. Happy positive retirement. Sorry I’m such an asshole!”
	GEN	In December of 2013, one former partner indicated there was a change in the perpetrator’s behaviour. He told her he was having dreams about choking and drowning other former partners.
Family or Friend	NW	The victim’s children told police they had always feared something like their mother’s murder would happen.
	GEN	The perpetrator’s brother reported he was unable to handle rejection, had trouble with women, and had no respect for anyone. In his words, it was, “his way or no way.”
Other	FP	The perpetrator said, “I could go tomorrow morning and kill my [former partner] and still go to heaven. I’m a prophet. In the Old Testament it’s okay to murder but not kill.”

	GEN	The perpetrator told police that he had spoken to a neighbour on the Monday night before the murders and explained the reasons to kill. He explained, “when you kill a murderer, it’s killing something, murdering is killing something innocent.”
	GEN	The perpetrator made the following comment to an acquaintance on September 20, 2015, “I don’t know what is wrong with the world, I give out good karma, but I don’t get it back. I know that I’m going to Heaven, and these people are going to hell.”
	GEN	The perpetrator posted several signs on his property naming people who were to stay away, including family members and police.

Perpetrator History		
1	Perpetrator was abused and/or witnessed DV as a child	The doctor indicated there was a psychotherapy element to his treatment and that Basil Borutski had disclosed being physically abused by his mother as a child.
3	Youth of couple	
4	Age disparity of couple	Kuzyk was significantly younger than the perpetrator
6	Actual or pending separation	True for all three victims
7	New partner in victim's life	True for Warmerdam and Culleton
8	Child custody or access disputes	
9	Presence of step children in the home	True for Warmerdam and caused difficulties (charges were laid against B for threats to son)
10	Perpetrator unemployed	He had been unemployed - working odd jobs and being supported at some point with ODSP (changes during his incarceration)
Perpetrator Mental Health		
11	Excessive alcohol and/or drug use by perpetrator	His former girlfriend told police she that Basil Borutski abused alcohol and Oxycontin; Nathalie's father, Frank Hopkins told police he was aware of Basil Borutski's heavy use of alcohol and that he had been engaged in escalating demeaning and belligerent conduct towards Nathalie and her son.
12	Depression – in the opinion of family/friend/acquaintance *	On the Sunday before the murders a neighbor told police she saw Basil Borutski arguing with his daughter. He would not give her the keys to his truck which she had been using in a business. On Monday he told the neighbor he was depressed
14	Other mental health or psychiatric problems – perpetrator	anxiety disorder (unclear if this was professionally dx)
Perpetrator Attitude/ Harassment/ Violence		
17	Obsessive behavior displayed by perpetrator	Culleton would indicated that B would appear where she was or simply show up - she feared he was stalking her and worried about frequent txt messages
18	Failure to comply with authority	Not participating with PAR, He refused to sign the Acknowledgment of Court Order; charge- 2010-10-06 – Fail or Refuse to Provide Sample; probation breach including weapons: "A replacement information dated September 12, 2014 included new charges of theft of a motor vehicle, driving while disqualified and possession of a cross bow"
19	Sexual jealousy	Culleton BF @ time of homicide (Robin Craig) told police that he had dated Carol for over a year in 2014 and 2015 and that they had gotten back together on September 17, 2015. His truck had been in her driveway on the Friday and Saturday nights before her death. in interview B indicated he was at the Culleton cottage on the Monday night before the killings and he knew about another man she was with (p. 717).
20	Misogynistic attitudes – perpetrator	Mr. Borutski said the Bible was coming with him and he would show it to a judge if he was going to jail. He said the Old Testament was his favorite. He was talking about 'whores' and 'sluts'. He said, "I could go tomorrow morning and kill my ex-wife and still go to heaven. I'm a prophet. In the Old Testament it's okay to murder but not kill."
21	Prior destruction or deprivation of victim's property	Anastasia told another sister, ZouZou, that Basil Borutski had thrown an old wooden family rocking horse into a fire to torment her; Ms. Warmerdam wrote on the mirror in the master bedroom positive and negative points about herself. Basil Borutski requested that she clean the mirror three times. She refused. He took a beer mug and smashed the mirror three times then said, "Now wouldn't it have been easier to just clean the mirror?"
22	History of violence outside of the family by perpetrator	Charges:1977-03-17 – Assault Causing Bodily Harm; 2012-12-18 –Assault Peace Officer, Uttering Threats X 2, Mischief, Disobeying Order of Court. Other withdrawn
23	History of domestic violence - Previous partners	Hx of violence toward across 5 relationships and appears to be historic charges related to intimate partners
24	History of domestic violence - Current partner/victim	Hx of violence by all victims that was known to authorities, family and neighbours

25	Prior threats to kill victim	Mr. Borutski said to neighbour, "I could go tomorrow morning and kill my ex-wife and still go to heaven. I'm a prophet. In the Old Testament it's okay to murder but not kill." (Elizabeth Recoskie statement and comments to officer at Borutski's apartment OPP Brief, p. 2688; 3417); his former wife advised them that Basil Borutski had threatened to use firearms against her and threatened her life. She stated that, sometime in the years 2000 and 2001, he got angry with her and threatened to kill her by shooting her and then burying her with a backhoe in a swamp on the property so no one would find her. ; Ms. Warmerdam told police that leading up to the trial with his ex-wife Basil Borutski told her, if he was found guilty, she shouldn't wait for him. He stated, "All I'll be thinking about is killing my ex-wife. When I get out, I'll kill her and go back to jail but that will be okay because justice will have been done." (p. 511); Nathalie's children were interviewed by the police following the murder of their mother. They indicated that she had always feared something like the murder would happen. Valerie Warmerdam told the police that Basil Borutski had said if his ex ever put him in jail, he would kill her once he got out
26	Prior threats with a weapon	Basil Borutski posted several signs on his property naming people who were to stay away, including family members and police. A witness stated that one of the signs stated that he would shoot intruders
32	Choked/strangled victim in past	.In the spring of 2015 Anastasia told her sister, Larissa, that Basil Borutski had choked her and smashed her head on the floor. Charges from 2014-09-12 – Overcome Resistance by Attempting to Choke, Suffocate, or Strangle another Person.
33	Prior violence against family pets	Yes toward previous dogs of a partner
35	Escalation of violence	On January 15, 2015 Ms. Warmerdam wrote to the Probation office expressing concerns about her safety and Basil Borutski's presence in the community. She noted the escalating violence and his perception of being victimized and persecuted and stated that she was scared he would come after her to seek compensation for the perceived wrongs.
36	Perpetrator threatened and/or harmed children	Nathalie Warmerdam told Mr. Borutski to leave the home on July 27, 2012 but he did not leave. She told police he had been yelling at her son to vacuum the basement and said if he ever saw the dog or cat inside the house, he would kill them. He had been calling her son a useless waste of skin, and at one point he yelled, "Where is that useless waste of skin, if I find him, I'm going to string him up". She told police she believed if Basil Borutski found her son he would harm him.
37	Extreme minimization and/or denial of spousal assault history:	VWAP assisted Ms. Kuzyk throughout the court process. She told VWAP that Basil Borutski said his two exes were liars. He denied abusing them. She met with the Crown and was updated after court appearances; probation record review notes addressing DV issues was a challenge as Mr. Borutski was hostile towards women and justice officials and was in full denial. Mr. Borutski describes himself as a good person who had been wrongfully accused of assaulting women numerous times. He stated that he hated violence and indicated that the system was being used by women. He stated he was the one abused by his ex-wife
Access		
38	Access to or possession of any firearms	One of Basil Borutski's brothers told police that when everybody was registering their guns a lot of people were tucking one gun away just in case guns were taken in the future. At that time, many years before, there was talk that Basil had a gun hidden somewhere. Basil Borutski said he had found the gun two years ago in an old scrap yard in an old motorhome hidden under the floorboards; Despite probation order - a replacement information dated September 12, 2014 included new charges of possession of a cross bow.
39	After risk assessment, perpetrator had access to victim	Yes 3 risk assessments completed and he continued to be within access to the community of the victims including potentially attending (which he did not) PAR program in a building across from Warmerdam workplace
Victim's Disposition		

40	Victim's intuitive sense of fear of perpetrator	.Ms. Kuzyk expressed fear for her safety to the VWAP and safety planning information was provided. She said she was afraid to lay charges as she feared for her life. She told her sister Larissa many times she was afraid of Basil. When he was in jail she was not as afraid; Ms. Warmerdam left her home with her children to stay with her family in London, Ontario on August 18, 2012 because of fear for her safety and that of her son (p. 510; p. 1123); On January 15, 2015 Ms. Warmerdam wrote to the Probation office expressing concerns about her safety and Basil Boruski's presence in the community. She noted in the letter that due to her concern for her safety she travelled with a tracking device. She noted the escalating violence and his perception of being victimized and persecuted and stated that she was scared he would come after her to seek compensation for the perceived wrongs;
41	Victim vulnerabilty	Yes - rural remote locations