

December 31, 2008

The Honourable Helena Guergis
Minister of State (Status of Women)
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister Guergis,

Thank you so much for meeting with us on Thursday, December 18th. We greatly appreciate your willingness to hear from front line service providers about the needs of women and children fleeing abuse and for being prepared to address violence against women head on.

The Alberta Council of Women's Shelters would like to follow up on our discussion by inviting you to our offices to review our second stage toolkit, **Second Stage Shelters: Closing the Gap, A Practical Guide for Communities**. We also hope that you would be willing to sign our *Helping Hands Banner* in acknowledgement of the support Status of Women Canada has provided to us for the first, ever World Conference of Women's Shelters and the resulting Shelter Best Practices Project. This project implements what was learned at the conference and will evaluate outcomes for women in shelters across Alberta. As mentioned, we are also looking at ways to support an international women's shelters network as a result of the conference.

You had also requested additional information on the custody and access issues raised at the meeting. Attached please find a short briefing note on the issue.

I am also providing you with short notes on two other issues we addressed. The need for

1. A national approach to Death Review Committees, as every domestic violence death is preventable.
2. A national survey on domestic violence in the workplace.

Again, thank you for the opportunity to meet. We are most anxious to collaborate with you to achieve our vision of a world free from violence and abuse. Please know that if you require background information on issues relating to violence against women, we would be most pleased to assist.

Finally, as a co-sponsor, we would be delighted if you were able to attend the first Annual Canadian Conference on the Prevention of Domestic Homicides, June 14-16.

Yours truly,

Jan Reimer
Provincial Co-ordinator

CUSTODY AND ACCESS

“Our society is currently giving mothers a powerful and crazy-making mixed message. First, it says to mothers, “If your children’s father is violent or abusive to you or to your children, you should leave him in order to keep your children from being exposed to his behavior.” But then, if the mother does leave, the society many times appears to do an abrupt about-face, and say, “Now that you are spilt up from your abusive partner, you must expose your children to him. Only now you must send them alone with him, without you even being around anymore to keep an eye on whether they are okay.”

What do we want? Do we want mothers to protect their children from abusers, or don’t we?

The sad result of this double-bind is that many mothers who take entirely appropriate steps to protect their children from exposure to abuse are being insulted by court personnel, harshly and unethically criticized and ridiculed in custody evaluations and psychological assessments, and required to send their children into unsupervised contact or even custody with their abusive fathers.”

from <http://www.lundybancroft.com/child-custody-justice.html#b>. Lundy Bancroft, author of “Why Does He Do That ?”

Every day shelters see how the courts schedule abuse through required visits and access to children, sometimes with tragic consequences. Here are some Alberta examples:

- Two-year old Cole Harder, was killed by his father who had been charged with assaulting his mother, but still had custody of his son for an unsupervised three-day visit, after the court ruled he posed no threat (Dec. 2002). See Page 23, *I am Cole’s Voice*, by Naomi Janke Manuel from our book, *Standing Together* and Attachment 1, a related story from the Calgary Sun.
- Josef Fekete killed his three-year old son, Alex, upon returning him to his mother after a court ordered visit. In spite of more than 80 complaints to the police (including possession of fire arms and uttering death threats), the only complaint followed-up upon by the RCMP was a complaint by Josef that his wife was not using the car seat (she mainly took the bus and sometimes taxis). The courts had ruled, even when Betty was in a woman’s shelter, that Joseph could have unsupervised visits with his son (Sept 2003). See Attachment 2 for further information.
- Just recently (October, 2008), Colton Dale, was killed by his father during a court ordered visit in spite of his mother’s protests. “The police and the court system worked in bureaucratic harmony to destroy Colton,” said McIntosh's father John (Colton’s grandfather). See Attachment 3.

CUSTODY AND ACCESS

The lack of communication between the two court systems has been well documented in Alberta. *A Coherent and Principled Response to Family Violence in Alberta*,¹ by William Hurlburt and Judge Walder White, recommended a Unified Family Court, changes in terminology and legal representation for children. The Premier's Roundtable on Family Violence also addressed the need for children's voices to be heard as part of custody and access disputes.

ACWS supports changes to the custody and access provisions in both federal and provincial legislation and practice that will

1. Acknowledge and recognize the significance of domestic violence in custody issues and give priority to the protection and safety of women and children in cases of violence in families when separation and divorce occur,
2. Increase awareness for those employed in the criminal justice system (e.g., police, probation officers, judges, lawyers, custody/access evaluators, forensic clinicians, etc.), and those involved in related helping professions (e.g., mental health professionals, family doctors, CPS, teachers, religious leaders, family counselors, etc.) that some children living with domestic violence are at risk for homicide. Many children are exposed to horrific acts of violence. Others may not have witnessed the tragedies, but are nonetheless profoundly affected by the loss of one or both parents. Both criminal and family courts need to be aware of these findings in their daily work with families in crisis.
3. Provide children with their own representation in court.
4. Require the implementation of comprehensive risk assessments,
5. Include a statutory presumption that it is not in the best interests of a child to be placed in the custody or have unsupervised visits with a parent who has perpetrated acts of violence against the child, the child's siblings or parent.
6. Require perpetrator accountability.
7. Require mandatory training on the dynamics of violence for all lawyers, judges and family court personnel. In particular, further training and enhanced policy development for those that provide risk management during custody/access disputes of children is a necessity.
8. Include a requirement for supervised access and monitored exchange in cases where there has been a finding of violence in the family.

¹ <http://www.assembly.ab.ca/lao/library/egovdocs/alchs/2003/144396.pdf>

NEWS COLUMNISTS

Michael Platt, Calgary Sun

http://calsun.canoe.ca/News/Columnists/Platt_Michael/2008/04/08/5225196-sun.php

Tue, April 8, 2008

It's a horrific crime that fills virtually every parent with dismay -- killing your own child. Yet, it happens

UPDATED: 2008-04-08 02:22:41 MST

The manhunt for Cole Harder's father lasted less than 24 hours.

Just south of the central Alberta village of Bittern Lake, someone spotted a pickup truck, apparently abandoned on a section of remote oil-lease property.

Police rushed to the scene, but for Cole, it was too late.

Grant Harder had done what no rational father could ever fathom, even in his darkest depths of despair and anger -- he'd pulled the trigger of a shotgun, and murdered his two-year-old son.

He then turned the gun on himself.

The date was Dec. 3, 2002, and Cole Harder was dead because his own dad wanted to make his estranged wife suffer as much as possible.

It was their son she valued most.

Grant Harder, who'd previously been charged with assaulting his wife, had custody of his son for an unsupervised three-day visit, after the court ruled he posed no threat.

He'd taken Cole to see grandpa in Camrose, joyfully celebrating an early Christmas and then Grant left, saying he was headed back to Calgary to return the boy.

They were late returning when the alarm was raised by Cole's frantic mom -- she'd received a call from Grant, in which he said he "just couldn't do this anymore," and that someone should come and pick them up.

Police immediately treated the case as an abduction, but those who knew the young father feared the worst.

"I knew I was afraid of him, afraid for my life -- but could I fathom such a thing? Deep inside, yes, but to actually believe it..."

Naomi Manuel is Cole's mother, and her anger remains razor sharp to this day, as she questions how the justice system can act in favour of the parent, rather than focusing on protecting the children.

Attachment 1

She spoke to the Sun yesterday, as police in three provinces were scouring the highways and wilderness for another father, the prime suspect in the murders of his three young children.

Police say Allan Dwayne Schoenborn fled from Merritt, B.C., before the bodies of his three children -- aged 10, eight and five -- were found by their mother inside their trailer home, located in the town 270 km northeast of Vancouver.

Neighbours say Schoenborn was the subject of a restraining order, and had only recently arrived in the town, but police have not confirmed this.

Manuel has been following the horrific story one province over, her mind flooding with nightmarish memories.

"It's so very, very sad -- it makes me extremely sick," said Manuel.

"It brings everything right back."

Manuel has worked since Cole died to prevent what happened to her son from happening again, winning an award in 2006 for her role as a public speaker on the subject of domestic violence.

Her key message is the onus shouldn't be on the victim to prove an abuser is a risk to a child or former partner, and Manuel has spoken on the subject at length over the past five years.

But the Merritt case has left Manuel struggling for words, as she wonders if the man being hunted was feared by his family, or if anyone had tried to intervene on the family's behalf.

"A child's safety gets lost in the shuffle, because no one thinks a person is capable of doing that," she said.

Indeed, infanticide is a crime that fills virtually every parent with dismay and an impotent rage, that someone so innocent could be killed as an act of selfish vengeance.

It doesn't matter if that parent happens to be a veteran police officer.

Det. Gord Robertson worked on Calgary's Domestic Violence Unit from 1999 until 2003, and was directly involved in the Cole Harder case.

The Merritt manhunt has him revisiting Cole's death, and wondering how a father could turn on his child.

"It's hard to fathom, that the anger and hatred for an ex-wife can override the parental instinct," said Robertson.

"It's still surprising and shocking -- it's about as extreme as it gets.

"It's such an act of hatred and vindictiveness against another person," said Robertson.

RCMP sued over family slayings

Gwendolyn Richards, Calgary Herald

Published: Wednesday, March 15, 2006

The surviving members of a family devastated by a murder-suicide 21/2 years ago are suing the RCMP, alleging wrongful death.

Jozef Fekete and Angela Berbic say negligence led to the death of their mother and three-year-old brother at the hands of their father in September 2003.

Their lawsuit names two individual police officers, the attorneys general of Canada and Alberta, and the national solicitor general.



[View Larger Image](#)

Angela Berbic holds a picture of her brother, who was shot dead by her father in 2003.

It claims the defendants were negligent in their duty to protect the plaintiffs' mother, Blagica Fekete, and her toddler, Alex, from her estranged husband, Josif Fekete.

Josif Fekete used a sawed-off shotgun to kill Blagica, Alex and then himself Sept. 28, 2003, after returning the child from a court ordered access visit.

The murders came after Blagica made several complaints to the Red Deer RCMP detachment, claiming Josif had made death threats.

The surviving children, both in their 20s, filed their lawsuit in September 2005, and they are still waiting for the defendants to file a statement of defence with the court.

Berbic said the lawsuit is about asking the court to acknowledge the RCMP failed to protect her mother and brother.

"It's not just for the money," she said from her home in Penhold, 13 kilometres south of Red Deer. "We just want them to realize what they did."

Fekete and Berbic are asking for \$150,000 in total damages for pain and suffering, plus the court costs.

In addition to the numerous calls Blagica made, Jozef Fekete and Berbic "had repeatedly warned the Royal Canadian Mounted Police that their father was dangerous and that they feared for the safety of their younger sibling, Alex Fekete, and mother, Blagica Fekete," the suit says.

"The Royal Canadian Mounted Police overlooked the warnings through improper record keeping and communication errors," the suit continues.

Attachment 2

The claim also contends the RCMP failed to "make reasonable efforts to investigate, apprehend and recommend charges after Josif Fekete's reported threats."

RCMP spokesman Cpl. Al Fraser said it's not unusual for the RCMP to be named in a lawsuit, but he wouldn't say anything specifically about the case because it's before the courts.

Josif and Blagica moved from Serbia to Canada with Jozef and Angela in 1994. They had been married for 22 years when they separated in October 2002, launching an acrimonious battle over custody of Alex.

Both parents called the RCMP over the following 11 months.

Josif complained about his estranged wife's failure to provide a car seat for Alex. Her complaints revolved around Josif's increasingly threatening comments -- including "I'm going to kill you, me and Alex" -- and the fact he had unregistered guns at his home.

The two officers listed in the suit are Const. Pierre Morel and Sgt. Gordon Glasgow of the Red Deer detachment.

During a weeklong fatality inquiry examining the murder-suicide, held last May in Red Deer, Morel testified he believed Blagica made her complaints to the RCMP to "gain the upper hand" in the couple's custody battle.

Morel also told the court Glasgow had sent an e-mail to officers asking that all paperwork related to the detachment's dealings with the Feketes be forwarded to him because he had created a "master file."

Glasgow testified he was only interested in the complaints related to child custody and access and that, in many cases, he was unaware that officers were sending him files about threats and weapons allegations.

grichards@theherald.canwest.com

© The Calgary Herald 2006

Colton Dale Saunders Will Be Buried In His Halloween Costume

October 2, 2008 , Canada.com

Colton Dale will be buried in his favorite Halloween whale costume. His mother will bury her three-year-old son who was killed by his father. She had fought the courts trying to keep her son safe, the courts ordered her to let him visit his father.

Friday Meara McIntosh took her little boy to his father's home like the courts had ordered her to. Less than two days later the mother was mourning little Colton Dale. His father had murdered the child and killed himself with carbon monoxide fumes from a backyard barbecue brought indoors.

Ms. McIntosh had wanted to make a fresh start in Ottawa. The courts said no, she needed to stay in Alberta so that her estranged husband could visit the child. McIntosh told the courts that he was threatening her and had irrational behavior. The courts didn't care.

Are you going to wait until one of us is dead before you open an investigation?" she says she asked RCMP.

For eighteen months the couple battled it out in family court disputing the child custody agreement. The couple had to go to the local RCMP detachment to pass their child back and forth for those visitations.

Two and a half months ago McIntosh thought she finally had the proof that her husband was dangerous. She has a tape-recorded conversation where he admitted harassing her. The police told her that they could arrest her for making false complaints.

The end result is a 27-year-old mother burying her son in his favorite little whale costume.

"He loved it; he's been wearing it for weeks," said McIntosh, clutching her son's favourite egg-sized stuffed purple monkey in her hands for comfort during an interview.

"I grabbed this on the way out the door Sunday so he'd have something to play with on the way home," she said. "It's been in my pocket ever since."

This week mother and child would have been settling in Ottawa had the judge allowed the move.

Instead she buries her son.

THE NEED FOR DOMESTIC VIOLENCE DEATH REVIEW COMMITTEES IN CANADA

In the Fekete case in Red Deer (murder/suicide 2003) and the Cole Harder case in Camrose (murder/suicide 2003), primary risk factors for homicide were present. In 2004, domestic violence murder/suicides occurred in Sundre, Airdrie, and Bonnyville. Again, primary risk factors were present. Friends, family, and the police were aware that each of these situations was potentially explosive, but may not have had the proper tools to assess risk and prevent harm. **There is a growing recognition that these deaths are preventable.**

- Domestic Violence Handbook: for Police and Crown Prosecutors in Alberta, Alberta Justice 2008

“Over the last fifteen years, domestic violence fatality review teams have emerged in North America as an innovative and promising means of understanding and preventing domestic violence deaths, homicides and suicides resulting from domestic violence (Websdale, 2003)². “ With the development of a comprehensive and inclusive process, the Alberta Council of Women’s Shelters sees the following advantages of domestic violence death review committees as they:

1. Inform and motivate both the public and decision makers to find solutions to end domestic violence
2. Clearly identify systemic changes required within all organizations and agencies involved in responding to domestic violence.
3. Enhance systems accountability of domestic violence responders and service providers through a collaborative review of domestic violence deaths designed to improve systems rather than cast individual blame.
4. Help to overcome the failure of the current system to hold public inquiries into domestic violence deaths, unless these deaths receive significant media attention.³

² Domestic Violence Fatality Review Teams: Critical Tensions and Promising Practices. Kelly A. Watt and Nicole E. Allen (Page 1)

³ Even with significant media attention, fatality reviews into domestic violence deaths may not be held. For instance, ACWS requested a fatality review into the death of Brenda Moreside. We received confirmation from the Chair of the Review Committee that this would occur following the court proceedings. However, the court found Stanley Willier not guilty of second-degree murder in the death of his common-law wife, Brenda Moreside, who had called 911 on Feb. 13, 2005 to report that her intoxicated common-law husband (and previously convicted murderer) was trying to break into a window of their home. She was told that police could not charge him with damaging his own property, and the RCMP did not dispatch a car to respond to her call. Moreside's body was found in the house 12 days later. She had been stabbed several times. The Court ruled the RCMP hadn't given Willier enough opportunity to have a lawyer present while he was being questioned. Almost four years have passed since this incident without a public inquiry.

THE NEED FOR DOMESTIC VIOLENCE DEATH REVIEW COMMITTEES IN CANADA

5. Provide an opportunity for a more accurate count and understanding of domestic violence homicides. Some committees are able to launch investigations to identify intimate partner violence that have been missed by police, prosecutors and coroners (i.e., investigations that are closed too soon, triangulation, murder-suicide).
6. Offer the potential to enhance safety of children exposed to domestic violence through an examination of risk factors present for children and through collaboration with Children's Fatality Review processes. Currently, in most provinces, children's deaths are reviewed through an internal, publicly invisible fatality review.
7. Identify promising practices in interventions and danger/risk assessment. Offer the potential to enhance safety of children exposed to domestic violence through an examination of risk factors present for children and through collaboration with Children's Fatality Review processes. Currently, in most provinces, children's deaths are reviewed through an internal, publicly invisible fatality review.

In 2009, New Zealand will be the first country to establish a national approach to family violence death reviews. The National Domestic Violence Fatality Review Initiative is a clearing house and resource centre dedicated to domestic violence death reviews, with local committees initially investigating family violence deaths in their area.

Approximately 20 American states have legislation providing for family violence death reviews, with around 25 states having family violence death review processes. In the United Kingdom, the Domestic Violence, Crime and Victims Act 2004 provides for domestic violence homicide reviews with the aim of learning lessons from previous fatalities so that risk factors can be recognized and preventative steps can be taken.

Here in Canada, the Province of Ontario's Death Review Committee has been operating for the last five years. Both New Brunswick and Manitoba have announced that they will soon be following Ontario's lead.

The Minister may wish to consider the following actions:

1. Attend, assist, facilitate and support the 1st Annual Canadian Conference on the Prevention Of Domestic Homicides: *A Conference to Enhance Research and Practice Collaboration to Review & Prevent Domestic Homicides* in London, Ontario, June 14-16, 2009.
2. Support an annual, national forum on the Prevention of Domestic Homicides.

“The establishment of domestic violence fatality review teams under legislative or statutory authority and executive orders is one very important promising practice that has emerged to allow teams to both share information and maintain the confidentiality of information shared.

Domestic violence fatality review teams involve collaboration among stakeholders from a variety of agencies (e.g., law enforcement, health care, social services, education) to identify and review cases of domestic violence deaths and to develop strategies to prevent or reduce future fatalities.”⁴

THE NEED FOR DOMESTIC VIOLENCE DEATH REVIEW COMMITTEES IN CANADA

⁴ Domestic Violence Fatality Review Teams: Critical Tensions and Promising Practices, a discussion paper by Kelly A. Watt and Nicole E. Allen (2008)

3. Use the conference as a platform to develop a national strategy on Death Review Committees. Inevitably, the findings of provincial death review committees will identify systemic barriers in areas of federal jurisdiction; i.e., immigration, Divorce Law, First Nations women and children living on reserve, RCMP training and response, public education programs, etc.. A coherent, collaborative national framework to share information will save lives.
4. Work to provide statutory authority within the RCMP to enable community collaboration and participation on their internal reviews of domestic violence deaths.
5. Work with the provinces to share promising practices in the prevention of domestic violence and domestic homicides such as innovative risk assessment and risk reduction strategies and public/professional awareness programs across Canada.

The attached article, Children as Victims and Witnesses of Domestic Homicide: Lessons Learned from Domestic Violence Death Review Committees, by Peter G. Jaffe and Marcus Juodis is instructive in how lessons learned from Death Reviews can inform custody and access decisions.

DOMESTIC VIOLENCE IN THE WORKPLACE

The Occupational Health Office for Ontario Workers recently identified domestic violence as the fastest growing type of workplace violence in Canada.

In the United States, domestic homicide is the leading cause of workplace death for women.

Failure to take all reasonable care for the protection of workers is defined as criminal negligence.
Criminal Code of Canada Bill C-45 amendment

The statistics are startling:

- The International Labour Organization ranks Canada fourth in numbers of women reporting assault and sexual assault in their workplace (of 32 countries, 1998).
- Wage-loss claims by hospital workers from acts of violence and force have increased by 88% since 1985. (BC Workers Compensation Board, 2000).
- Less than 50% of Canadian workplaces have policies to manage this risk (Conference Board of Canada 2001).

With respect to victims we know that:

- 70% of individuals experiencing domestic violence are victimized at work.
- There were 84 critical events and missed opportunities prior to Lori DuPont's murder. (*Peter Jaffe, PhD Ontario Fatality Inquiry*). See Attachment 4 for a further article on the Lori DuPont murder.

We also know that for Alberta victims her partner:

- Interfered with her work: **68%**
- Harassed her at work: **50%**
- Refused to let her work: **47% and**
- **76%** had a partner with an arrest history:
- **64%** their partner was convicted:

The Employers Against Domestic Violence Study (USA 2001) tells us that

- Several abusers made costly and dangerous mistakes on the job as a result of perpetrating domestic violence.
- Most abusers used company phones, e-mail and vehicles in order to perpetrate domestic violence.
- Most abusers used paid work time in order to attend court for matters relating to their perpetration of domestic violence.
- 10% of employers posted bail for abusers or granted them paid leaves of absences for court dates related to domestic violence.

And the Maine Department of Labor: 2004 provides the following information:

- Over 75% of perpetrators who have been charged used workplace resources.

DOMESTIC VIOLENCE IN THE WORKPLACE

The Alberta Council of Women's Shelters is embarking on a 5-year project to provide resources, training and interventions for employers and unions in Alberta, thanks to funding from the Health Sciences Association. See Attachment 5 for a recent article on this initiative. We are seeking to augment this investment to do some groundbreaking work.

Currently, there is no snapshot on domestic violence in the Alberta workplace. We are seeking additional financial support to conduct a prevalence survey across Alberta on the extent to which domestic violence is present in the workplace. Ideally, the Alberta data would be supplemented by a cross Canada study of this issue. The Alberta Faculty of Business has already agreed to contribute to the Alberta study.

Murder victim was preparing for a new beginning

Brother says victim planned to get married

Doug Schmidt, Windsor Star

Published: Friday, November 18, 2005

AMHERSTBURG -- Lori Dupont and her young daughter Taylor were preparing for a happy new stage in their lives when the 36-year-old nurse was brutally murdered at Hotel-Dieu Grace Hospital in Windsor last week.

Dupont and her boyfriend, a Windsor firefighter, were keeping the plans quiet, but they were studying their busy work schedules and trying to arrange a time in December to escape on a Disney cruise out of Florida with Taylor, 8, said Lori's brother Stan.

RELATED STORIES:

- [Accused tried to extort money](#)
- [Dupont once saved accused](#)
- [Legislation demands renewed](#)
- [Nurse sought restraining order](#)
- [Victim was devoted mother](#)
- [Hospital workers shaken](#)
- [Nurse stabbed to death](#)

"I didn't know this, but they were planning to get married," he said Thursday after his sister was buried at St. John the Baptist cemetery in Amherstburg.



Cousin Genna Lumsden, left, stands with Lori Dupont's daughter, Taylor, 8, at the slain nurse's funeral in Amherstburg Thursday. Taylor's dad, Rob Giegrich, rear, was with his daughter at St. John the Baptist Church along with Joanne Dupont, right, wife of Lori's brother, Stan.

Nick Brancaccio/Windsor Star

 [View Larger Image](#)

Forgiveness and hope were the main themes at a moving and tear-filled funeral service for Dupont attended by almost 600 family, friends and co-workers at a crammed St. John the Baptist church.

Lori Dupont was "a lovely woman, too young to die," said Rev. Michael Brand, describing the Amherstburg native as a generous and caring woman who always reached out to others.

Attachment 4

"When somebody like that dies, it's always so much more hurtful, tragic ... and painful," he said.

"We come with anger and frustration.

"I think we come with all kinds of emotions."

Dupont was stabbed to death with a military-style dagger at Hotel-Dieu by Dr. Marc Daniel, an anesthesiologist with whom she had a relationship until it ended acrimoniously last spring.

Daniel was under police guard when he died in a London hospital room Tuesday, three days after he was found unconscious and suspected of having taken a drug overdose shortly after the stabbing.

Brand described as "useless speculation" questions over why such a tragedy would occur or what someone could or should have done to avoid it.

Brand reminded the mourners, among them nurses in scrubs, doctors, firefighters, paramedics, police officers, politicians and children, of the Christian command "to do good to those who hate you."

"How do you arrive at forgiveness in a case like this? I'm not sure. I'm not sure, but somehow we need to do it," said the priest, who was joined in the mass by Rev. John Kelly.

As Dupont's casket was being ushered into the church before the mass, 24 Hotel-Dieu nurses in capes and uniforms formed two rows behind a blue Ontario Nurses' Association banner, each co-worker holding aloft a single long-stemmed rose.

"The honour guard was a real nice touch ... it was very appreciated by my mother," said Stan Dupont, whose mother Barbara is a registered nurse.

Daniel, one of a group of medical specialists in short supply at Hotel-Dieu, "should have been cut loose from the hospital," said Dupont.

But he added that his sister was bright enough that, "if she felt reason to genuinely fear for her safety, she would have brought it to the attention of the police."

According to senior hospital administrators and court documents obtained by The Star, Daniel was under psychiatric care during the past year, had attempted suicide on one occasion and had his hospital privileges withdrawn briefly.

Affidavits filed in a civil suit -- not yet argued in court -- also suggest Daniel was blackmailing Dupont with "compromising" photographs of the nurse.

"I do genuinely feel sorry for his family," Stan Dupont said of the doctor's family, including two teenage children.

Attachment 4

Funeral arrangements for Daniel were being made through Marcotte Funeral Home in Tecumseh, but details will not be made public. A spokesman for the funeral home said Wednesday the doctor's funeral will be "totally private."

Among those investigating the murder-suicide are two coroners, the Ministry of Labour, the Ontario Attorney General's office and the hospital.

Dupont's death has already sparked calls in the provincial legislature for changes to laws to protect women in the workplace.

"The whole town grieves with this family," said Amherstburg Mayor Wayne Hurst, describing as "devastating" the murder's impact on his municipality. Hurst, who was joined at the funeral mass by Windsor Mayor Eddie Francis, said he attended high school with both of Lori's parents.

In lieu of flowers at the funeral, the family requested donations by made in Lori's name to the World Wildlife Fund.

The devoted animal lover and outdoors enthusiast is also survived by two dogs -- Bermuda, a mixed breed she rescued as a pup from under an abandoned building in the Yukon capital of Whitehorse, and Lily, a retired racing greyhound retrieved from a foster home just a few weeks ago.

dschmidt@thestar.canwest.com or 255-5586

Never Saw It Coming , Alberta Venture

November 01, 2008 Category: [Human Resources](#), [Management](#) Tags: [employment standards](#)

Three human resource landmines that could cripple your business if you don't invest the time, energy and dollars to defuse them

by Shannon Sutherland

There is nothing more volatile or potentially explosive than angry, frustrated or disenfranchised people. In the office or at the job site, they can be the detonators of three human resource landmines that, as a manager or business owner, you should strive to avoid. A wrong step, after all, could trigger costly legal action that might leave you without a leg to stand on. Domestic violence, unpaid overtime and infringements on religious freedoms are in the news, in the courts and quite possibly going unaddressed in your workplace. As an employer, are your current human resource policies defensible?

Hidden Landmine #1: Domestic Violence in the Workplace

The door swings open and the office goes suddenly silent. The tapping of keys, the low chatter of co-workers and whisper-scratches of pen on paper all stop. Then the first notes of a song, strong and clear, ring through the room. It's *Ain't Too Proud to Beg* by The Temptations, a loud and utterly desperate rendition sung by the young man now striding slowly but purposefully through the office.

I know you wanna leave me, But I refuse to let you go....

He's carrying flowers. The pretty, dark-haired woman he is walking towards, the ex he wants back, begins to weep but doesn't move. With the exception of the very few who gape and giggle, all other employees virtually disappear. They turn away, duck into offices, slide down into their seats. Nobody does anything until the man and the object of his attention collapse into each other's arms. Only then do people slowly and warily begin to move about again.

Upon hearing this anecdote, related third-hand via one of that unfortunate woman's co-workers, Kate Woodman seems familiar with the scenario. Even if it ended without incident, "it's awful," says the researcher with the Alberta Council of Women's Shelters. "But not unexpected. This is what happens when people don't know how to respond to a potentially violent situation. They simply don't respond at all. Domestic violence is largely about intimidation, and unfortunately it even intimidates those who are bystanders."

With the help of the Health Sciences Association of Alberta, which is providing \$250,000 over five years, Woodman is developing a tool kit to train managers and staff about their responsibilities to address workplace violence. It may be overdue. The Occupational Health Office for Ontario Workers recently identified domestic violence as the fastest growing type of workplace violence in Canada. In the United States, domestic homicide is the leading cause of workplace death for women.

Overall, according to a 2007 study by Prairie-based RESOLVE (Research and Education for Solutions to Violence and Abuse), almost 70% of victims of family violence say their partners interfered with their work. Half say they were harassed by them at work, with nearly as many claiming their partners refused to even let them work. The fact is that developing a workplace violence policy in Alberta, just as it is in British Columbia, Saskatchewan and Quebec, is a legal necessity. The Alberta Occupational Health and Safety Code (Article 27) requires employers to develop policies and procedures around potential workplace violence which must then be made available, in writing, to workers. Under the code, employers must develop appropriate responses to workplace violence, as well as procedures for reporting, investigating and documenting incidents, and train workers to recognize when those incidents are occurring. Failure could result in legal action under the Criminal Code of Canada and provincial legislation such as the Human Rights, Citizenship and Multiculturalism, or Occupational Health and Safety acts.

Beyond legal concerns, domestic violence spillover in the workplace can have a significant emotional and psychological impact. “Being involved in a highly publicized murder case has not only been very trying on my family life, but in my work life as well,” says a former colleague of medical clerk Liana White. White, pregnant with her second child, was killed in a domestic dispute at her Edmonton home in 2005. Her husband was later convicted of second-degree murder. “Everyone at work knew what I was going through – and continue to go through to this day – and they all felt it. They could see it on my face.”

Liz Claiborne Inc. developed its first domestic violence policy in 1991. The company’s Employee Assistance Program offers counselling, support and referrals for victims. It’s also a resource for associates wanting to learn more about domestic violence or wanting to find out how to help a friend, family or co-worker. Human resources and corporate security personnel at the company have the ability to assist victims as well by, for example, assigning special parking spots, escorting people to and from cars, screening telephone calls and removing an employee’s name from automated telephone directories. They also allow time off for victimized employees to seek safety and protection, attend court appearances and arrange for new housing.

Dennis Butler, vice-president of workplace solutions for Liz Claiborne, was part of the team that developed the company’s policies on domestic violence in the workplace, and since 2002, he has managed its responses to more than 120 reported cases. “People know it’s wrong, but they don’t think it’s their business and they don’t know what to do about it,” says Butler. “For example, with the case where the man came in singing and acting in a threatening manner, in our workplace that would trigger a risk assessment.”

The provincial government does provide businesses a sample risk assessment questionnaire with which to address potential violence. One of the questions is, “What was the relationship of the abuser to you?” But among the listed options, “other” is the closest one to “partner” or “spouse.” “I would call that a missed opportunity,” says Butler. He says domestic violence needs to be formally acknowledged. While companies are morally or sometimes legally bound to protect their workers from violence, they need to do so to protect their bottom line as well. “We’re not asking business people to act as counsellors, but we can address issues of performance, productivity and workplace safety,” he says.

Attachment 5

A family friend of White says there is no way that something as traumatic as a violent death can happen and not affect all aspects of one's life. "I was physically at work, but mentally I was everywhere but there," she says. In other words, domestic violence is bad for business, and business owners who fail to pay attention to potential risks may live to regret it. Their employees, sadly, may not.