

Bullen, Jane; Cortis, Natasha
Building effective policies and services to promote women's economic security following domestic violence: State of knowledge paper
2015
http://media.aomx.com/anrows.org.au/s3fs-public/4.6%20Cortis%20&%20Bullen%20150821.pdf
Australia aims to reduce domestic violence, as part of its National Plan to Reduce Violence against Women and their Children 2010-2015 (Council of Australian Governments, 2011). As part of this agenda, policy makers, domestic violence researchers, advocates and service providers, and unions and employers are paying increasing attention to the nature of domestic violence and abuse, and the diverse tactics it can involve. This has led to recognition of the financial or economic dimensions of domestic violence, and the adverse impact violence has on women's economic wellbeing (Franzway, 2008; Franzway, Zufferey, & Chung, 2007). This report outlines the state of knowledge about the economic tactics and financial impact of domestic violence, and ways to promote women's economic security during and following violence.

Crinall, Karen; Hurley, Jenny; Healy, Lucy
'Safe at home' programs in the context of the Victorian Integrated Family Violence Service System Reforms: A review of the literature
2014
http://apo.org.au/system/files/41467/apo-nid41467-86356.pdf
Enabling women to have the choice to remain safely within their own homes, rather than believing they must leave and seek refuge, is a key component in this reform program. Referred to here as 'safe at home', the strategy signifies a new direction in the way the family violence service system supports women and their children to escape family violence. This literature review was undertaken to develop a more complete understanding of 'safe at home' as a service system response, with a particular focus on its capacity to contribute to the Victorian reform goals of ensuring the safety of women and children and holding men who use violence against women accountable.

Daly, Kathleen
Restorative Justice and Sexual Assault: An Archival Study of Court and Conference Cases
2006
<i>The British Journal of Criminology</i> Vol. 46, No. 2 (March 2006), pp. 334-356
As restorative justice (RJ) has grown in popularity worldwide, mainly in the response to youth crime, controversy surrounds its use for sexual, partner, and family violence cases. With some exceptions, all jurisdictions have put these offences beyond the reach of RJ for both youth and adult offenders, and thus, empirical evidence is lacking. This paper presents findings from an archival study of nearly 400 cases of youth sexual assault, which were finalized in court and by conference or formal caution over a 6 ½ year period in South Australia, to address these questions: (1) What differentiates a court from a conference case? (2) What happens once a case goes to court, e.g., what share of cases is dismissed and how do penalties vary for court and conference cases? (3) From a victim's point of view, what appears to be the better option, having one's case go to court or conference? Contrary to the concerns raised by critics of conferencing, from a victim's advocacy perspective, the conference process may be less victimizing than the court process and its penalty regime may produce more effective outcomes.

Literature Review on Alternative Program Options for Women who Have Experienced Violence

Doolittle, Robyn
“How do you fix a broken system?”
10 February 2017
The Globe and Mail https://www.theglobeandmail.com/news/investigations/unfounded-one-us-city-offers-a-model-for-handling-sex-assault-cases/article33982423/
In Philadelphia, advocates are invited to review police sex assault files alongside high-ranking officers in search of deficiencies. Unfounded rates have plummeted and lawyers and advocates want to bring the model to Canada.

Gondolf, Edward W.
The Future of Batterer Programs: Reassessing Evidence-based Practice
2012
University Press of New England
A critical assessment of the research related to batterer programs with recommendations for heightened engagement of men, ongoing risk management, and better coordination of courts and services. Dr. Gondolf provides three alternatives to court-ordered batterer’s programs: leave offenders on probation without batterers programming, modify current programs to increase effectiveness, and to scrap batterer intervention entirely and re-cast it as a gender neutral problem of dysfunctional and pathological couples.

Hydén, Margareta; Wade, Allan; Gadd, David
Response-Based Approaches to Interpersonal Violence
2016
Palgrave MacMillan http://www.palgrave.com/la/book/9781137409539
Chapter 10- ‘We’re in the 21st Century After All’: Analysis of Social Responses in Individual Support and Institutional Reform - Coates, Linda (et al.) Interpersonal violence has been the focus of research within the social sciences for some considerable time. Yet inquiries about the causes of interpersonal violence and the effects on the victims have dominated the field of research and clinical practice. Central to the contributions in this volume is the idea that interpersonal violence is a social action embedded in responses from various actors. These include actions, words and behaviour from friends and family, ordinary citizens, social workers and criminal justice professionals. These responses, as the contributors to this volume all show, make a difference in terms of how violence is understood, resisted and come to terms with in its immediate aftermath and over the longer term. Bringing together an international network of scholars and practitioners from a range of disciplines and fields of practice, this book maps and expands research on interpersonal violence. In doing so, it opens an important new terrain on which social responses to violence can be fully interrogated in terms of their intentions, meanings and outcomes.

Jane Doe Legal Network
Imagining Courts that Work for Women Survivors of Violence
2012
Pivot Foundation https://d3n8a8pro7vhmx.cloudfront.net/pivotlegal/pages/196/attachments/original/1353968413/Imagining_Courts_Web.pdf?1353968413
British Columbia's justice system is at as critical juncture on the path to developing an effective system response to violence against women. With the exception of a small pilot program in Duncan, British Columbia is one of the few jurisdictions in Canada without specialized courts mandated to hear cases involving violence against women in relationships. Vulnerable women in BC have been disproportionately impacted by cuts to legal aid, and BC has been without a Minister for Women's Equality since that position was eliminated ten years ago. This report ... offers a timely critique of the current justice system response to violence against women. It also offers an extensive look at programs from other jurisdictions and raises key questions that must be considered if BC is to move toward specialized courts for cases involving violence against women. Finally, this report offers recommendations for achievable reforms and effective program development, grounded in the perspectives of women who have been through the justice system as survivors of violence and the agencies that work with women every day.

Kari, Shannon
"The trouble with sex assault trials"
May 2016
Canadian Lawyer Magazine http://www.canadianlawyermag.com/6014/the-trouble-with-sex-assault-trials.html
In an overview of the law of sexual assault and the need both to encourage reporting of this crime and to ensure that myths about complainants are not part of the analysis conducted by a trier of fact, Chief Justice Beverley McLachlin made these comments: "[T]he reality is that evidence of sexual conduct and reputation in itself cannot be regarded as logically probative of either the complainant's credibility or consent . . . the old rules which permitted evidence of sexual conduct and condoned invalid inferences from it solely for these purposes have no place in our law." The statements are not recent; they were made in 1991 and form part of her majority judgment for the Supreme Court of Canada in R v. Seaboyer.

Hasham, Alyshah
"Four ways the courts could better handle sexual assault cases"
November 2014
The Toronto Star https://www.thestar.com/news/crime/2014/11/10/four_ways_the_courts_could_better_handle_sexual_assault_cases.html As the Jian Ghomeshi case has highlighted — and the statistics, the experts and the victims have been saying for a long time — the criminal justice system is failing sexual assault cases. Sexual assaults are vastly under-reported and conviction rates notoriously low. Short of a complete overhaul, experts suggest four ways to alter the current court system to better handle sexual assault cases.

Law Commission of New Zealand
Alternative Models for Prosecuting and Trying Criminal Cases
February 2012
http://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC-R136-The-Justice-Response-to-Victims-of-Sexual-Violence.pdf
This project arose from the Commission's recommendation in their Report, Disclosure to Court of Defendants' Previous Convictions, Similar Offending, and Bad Character (R103, 2008). The Commission recommended that Government should undertake an inquiry into whether the present adversarial trial process should be modified or replaced with an alternative model, with particular reference to cases involving sexual violence. In 2012, the Commission completed a preliminary review of the use of alternative pre-trial and trial processes for criminal offending, with a specific focus on sex offences. The Commission published Issues Paper 30 and received a large number of submissions from the public. The project was then put on hold by the Minister Responsible for the Law Commission at the time. In late 2014, the project was reactivated on request of the current Minister of Justice. The terms of reference for the project have not changed.

Law Commission of New Zealand
The Justice Response to Victims of Sexual Violence
December 2015
http://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC-R136-The-Justice-Response-to-Victims-of-Sexual-Violence.pdf
Sexual violence is a blight on New Zealand society. It has serious effects on victims and for society at large. It is also marked by a distinct concern for the rule of law. As a potential offence, it is badly under reported. In the view of some, as much as 80 per cent of offences go unreported. This latter characteristic is a matter of the greatest concern for the formal criminal justice system. Whatever the figure is – and no-one doubts it is a high percentage – a significant number of complainants are “opting out” of the very system that is supposed to recognise their rights and support their needs. They are doing so largely because they perceive the formal criminal justice system to be alienating, traumatising, and unresponsive to their legitimate concerns. The fundamental task for the Law Commission in this Report has been to assess and make recommendations on how the position of complainants might be improved, but without compromising the trial rights of defendants. It has to be said that this is no easy task. Indeed, it is one of the more challenging law reform exercises that can be posed today.

MacLennan, Catriona
“Specialised sexual violence courts needed in NZ”
15 December 2015
New Zealand Herald http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11561227
The Law Commission yesterday released its proposals for improving the way in which New Zealand deals with sexual violence. The 252-page report titled The justice response to victims of sexual violence: criminal trials and alternatives processes proposes two key changes: 1) The piloting of a specialist sexual violence court and 2) The creation of an alternative justice process for victims who do not wish to go through the criminal law system.

Mental Health Commission of Canada
Canadian Housing First Toolkit
2014
http://www.housingfirsttoolkit.ca/key-questions1
Housing First is a consumer-driven approach that provides immediate access to permanent housing for people experiencing homelessness, <i>without requiring psychiatric treatment or sobriety as determinants of "housing readiness"</i> . Additionally, the Housing First approach is guided by the idea that housing is a basic human right. Consumer choice is central to the Housing First model and guides both housing and service delivery. Housing First is a specific program approach, but it can also be looked at as a philosophy of service, and as a systems approach for addressing homelessness.

Wergens, Anna
<i>The role and standing of the victim in the face of criminal procedure in Sweden</i>
2002
Revue internationale de droit penal 2002/1 (Vol. 73)
In the late 1970s, the fact that being a crime victim in the legal system could be a harrowing experience was increasingly being recognised by politicians and the media. A number of governmental committees were established to examine ways of improving the position of victims. From the mid 1980s and onwards a number of important reforms were set forth. One of the most significant reforms was the legislation on counsel for the injured party which put the victim in a position more equal to that of the offender in the procedure. Amendments of the Code of Judicial Procedure aimed to make it easier for victims to pursue their claims for damages in connection with the trial. A new form of immaterial compensation, "violation through crime for mental suffering" which aimed to compensate the psychological aspects of a crime was introduced in the Criminal Injuries Compensation Act.

Wright, Laura
"Alternatives to Sexual Assault Trials"
CBC News
http://www.cbc.ca/news/canada/alternatives-to-sexual-assault-trials-1.3451140
18 February 2016
Jian Ghomeshi's high-profile trial has laid bare the way the legal system handles sexual assault trials. Several experts agree the system is flawed at best, for both the complainants and the accused. Separate courts for sex assault trials, restorative justice and more education touted as options.