

Domestic Violence:

How the Police Can Help

Calling the police and making a criminal complaint is an important way for a person experiencing abuse to be protected and one way to prevent future occurrences.

Making a Criminal Complaint

The police may:

- investigate the complaint
- interview the abused person and possibly family members, caregivers, and neighbours who have evidence about the incident
- interview the alleged abuser
- gather evidence that is relevant to the complaint
- lay charges against the alleged abuser

Even if it is not for a criminal matter, the police can be very helpful in connecting victims of abuse to various supports in the community - making referrals to other agencies as needed.

Victims' Services

Victims of crime can ask for help from local victims' services units which can:

- provide information
- offer practical assistance
- extend emotional support
- help communicate the victim's needs and concerns to the police or Crown Counsel

You can ask the police officer you speak to about getting help from victims' services.

Laying charges

- After the statement is completed, police will investigate the complaint
- If it is deemed a crime, police prepare a "Report to Crown Counsel"
- Crown counsel reviews the Report to Crown Counsel and decides whether to charge the accused with a crime
- If there is sufficient evidence, charges will be laid and the police will arrest the suspected offender

The Accused

When an accused is arrested, the police will either:

- keep that person in custody, or
- let the person go free on bail

The Process

There are three types of criminal offences:

- summary offences
- indictable offences, and
- hybrid offences



Summary and indictable offences differ in the process that is used to move the offender through the court system. They also differ in the possible severity of the penalty.

Summary Conviction Offences

These kinds of offences are tried in Provincial Court and include most minor criminal offences, for example, harassing telephone calls.

Indictable Offences

These kinds of offences carry more severe penalties than summary offences. Examples include murder, manslaughter, and aggravated assault. The court process for indictable offences is more complicated than the process for summary conviction offences.

Summary or Indictable (“Hybrid”) Offences

For these offences, the Crown will choose whether the offence is tried summarily or on indictment. Most offences in the *Criminal Code* are hybrid offences.

Additional Resources

More information about domestic violence can be found on WillowNet at:

www.willownet.ca

Centre for
Public
cplea
Legal Education
Alberta

Centre for Public Legal
Education Alberta
800, 10050 112 Street
Edmonton, Alberta T5K 2J1
Tel 780 451 8764
www.cplea.ca
www.willownet.ca

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