

CANADA

PROVINCE OF NOVA SCOTIA

IN THE MATTER OF THE
FATALITY INVESTIGATIONS ACT
S.N.S. 2001, c. 31

THE DESMOND FATALITY INQUIRY

TRANSCRIPT

HEARD BEFORE: The Honourable Judge Warren K. Zimmer

PLACE HEARD: Port Hawkesbury, Nova Scotia

DATE HEARD: September 14, 2021

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INDEX

<u>September 14, 2021</u>	<u>Page</u>
<u>STEPHANIE MACINNIS-LANGLEY</u>	
Direct Examination by Mr. Anderson	6
Cross-Examination by Mr. Russell	48
Examination by the Court	77
Cross-Examination by Mr. Russell (Cont'd.)	81
Cross-Examination by Ms. Grant	89
Cross-Examination by Mr. Rodgers	94
Examination by The Court	98
DISCUSSION	109
Cross-Examination by Mr. Russell	111

EXHIBIT LIST

<u>Exhibit</u>	<u>Description</u>	<u>Page</u>
P-000309	Neighbours, Friends, Families - How you can Identify and Help Women at Risk of AB	26
P-000308	Jacquelyn Campbell Danger Assessment	30
P-000310	Public Perceptions of Domestic Violence - Highlights	36

1 September 14, 2021

2 COURT OPENED (09:32 HRS)

3

4 THE COURT: Good morning.

5 COUNSEL: Good morning, Your Honour.

6 THE COURT: Mr. Anderson?

7 MR. ANDERSON: Thank you. Call Stephanie MacInnis-Langley
8 to the witness stand.

9 THE COURT: Thank you. Ms. MacInnis-Langley, please?

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STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **STEPHANIE MACINNIS-LANGLEY**, sworn, testified:

2

3 **THE COURT:** Ms. MacInnis-Langley, if you like, you could
4 remove your mask if you're comfortable doing that.

5 **MS. MACINNIS-LANGLEY:** Thank you. Yes, thank you.

6 **THE COURT:** The way this room is set up, it was set up
7 in accordance with all the public health protocols, and if
8 you're comfortable removing your mask, thank you very much.

9 **MS. MACINNIS-LANGLEY:** Thank you.

10 **THE COURT:** Could you spell your last name for us,
11 please?

12 **MS. MACINNIS-LANGLEY:** M-A-C-I-N-N-I-S-Langley, L-A-N-G-
13 L-E-Y.

14 **THE COURT:** Thank you very much.

15 **MS. MACINNIS-LANGLEY:** Yeah.

16 **THE COURT:** Mr. Anderson?

17

18 **DIRECT EXAMINATION**

19

20 **MR. ANDERSON:** Thank you, Your Honour. Good morning, Ms.
21 MacInnis-Langley.

22 **A.** Good morning.

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **Q.** You are the Executive Director of the Nova Scotia
2 Advisory Council on the Status of Women?

3 **A.** Yes, sir.

4 **Q.** And you've held that position since 2010?

5 **A.** Yes.

6 **Q.** And prior to that you were at the Nova Scotia
7 Department of Justice holding various positions including
8 Manager of Special Initiatives for Victims and Director of Crime
9 Prevention?

10 **A.** Yes.

11 **Q.** And what did you do before joining the Department of
12 Justice?

13 **A.** I was the Executive Director of Leaside Transition
14 House here in Port Hawkesbury.

15 **Q.** And what is Leaside Transition House?

16 **A.** Leaside Transition House is a shelter for abused women
17 and their children and it's central in Port Hawkesbury and it
18 provides support, counseling, safety planning. It provides
19 accompaniment to court; it provides accompaniment to, for
20 example, child welfare or to financial appointments or other
21 appointments; medical appointments for clients or victims using
22 that service.

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 Q. And you held that position from 1991 to 1998?

2 A. Yes.

3 Q. And you are a registered social worker?

4 A. Yes.

5 Q. And your education includes a Master of Adult
6 Education from St. FX University?

7 A. Yes.

8 Q. Now the Nova Scotia Advisory Council on the Status of
9 Women, that's an entity created by the **Advisory Council on the**
10 **Status of Women Act**?

11 A. Yes.

12 Q. And that was 1977?

13 A. Yes.

14 Q. All right. What is the Advisory Council?

15 A. The Advisory Council is a group of citizens, private
16 citizens, who are appointed. There can be up to 12 members of
17 the Advisory Council. They are appointed through the "ABC"
18 process by the government - the sitting government. They can
19 serve up to three years. Their job is to provide advice to
20 ministers and the government of the day. They bring information
21 to ministers and they bring information to the table from the
22 areas they represent and they look for policy solutions or they

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 look for ways to support the community in various ways. And
2 they don't have a role in terms of government. They don't work
3 directly with government; they are simply policy advice on the
4 fairness, the equity, the equality, and the dignity for all
5 women in Nova Scotia.

6 **Q.** And what is the Office of the Status of Women?

7 **A.** The Office of the Status of Women is primarily a
8 policy office. One of our primary functions is we fund
9 transition houses; women's centre; Alice House, which is the
10 largest second-stage housing units in the province; and we also
11 provide funding to Nova Scotia Native Women's Association. So
12 we provide policy advice on issues affecting the lives of women
13 and girls across government. We work across all government
14 mandates.

15 **Q.** And what does the Office of the Status of Women not
16 do?

17 **A.** We do not provide direct service. We do not provide
18 any direct service to any entity. So we don't do counseling
19 with people, we don't do court accompaniment with people, we
20 don't provide ... we simply provide referrals to agencies or
21 organizations that can be of support.

22 **Q.** Okay. And do you operate transition houses?

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **A.** We don't directly operate; we provide the funding for
2 transition houses and we're a resource for transition houses.
3 Should the transition houses need ... For example, in the
4 recent pandemic, they needed access to PPEs - protective
5 equipment. So we made sure that we were linked with the
6 Department of Health and they were able to provide the services
7 in a healthy and safe manner. And we also provide information
8 to them and link them to service providers.

9 **Q.** Now I'm going to ask you about domestic violence and
10 domestic violence intervention services, but perhaps we could
11 start, if you would explain what domestic violence is.

12 **A.** Domestic violence is an extremely complex problem and
13 it is any purposeful or deliberate violence that's perpetrated
14 by one person to another to cause them intimidation or cause
15 them fear or cause them to be fearful for their safety. Anytime
16 someone takes control of another person's life, it can result in
17 a domestic violence relationship.

18 **Q.** Okay. So does it have to be physical violence to fit
19 in the definition?

20 **A.** It does not. It can be emotional violence or
21 psychological. It can be physical; it can also be financial,
22 but it can include all aspects of that.

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **Q.** Now what has been developed in the Province of Nova
2 Scotia to respond to domestic violence?

3 **A.** There are multiple services that have been provided
4 starting with websites. There are 1-800 lines. The Transition
5 House Association of Nova Scotia runs a 1-800 line that links
6 people directly to shelters and that's been in place for quite
7 some time. There are domestic violence websites. Status of
8 Women has "women.novascotia.ca". We have the family law
9 website, we have a men's intervention website and, of course, we
10 have websites relating directly to domestic violence.

11 We also produce a booklet, since 1992, through the Advisory
12 Council on the Status of Women called **Making Changes** and it's a
13 comprehensive booklet that provides a tremendous amount of
14 information for someone seeking services and it's used by
15 transition houses, by communities, and by libraries.

16 **(09:40)**

17 **Q.** Now you mentioned a 1-800 number. How long has that
18 been around and what is it used for?

19 **A.** The 1-800 number that is connected to THANS, it's used
20 for anyone calling looking for support or services or referrals
21 related to domestic violence, and I can't give you the accurate
22 date of when it started but it would've started probably by

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 2011/2012.

2 Q. And so that was in existence in 2016.

3 A. Yes, sir.

4 Q. Since 2016, have additional telephone call numbers -
5 1-800 numbers been activated?

6 A. Well, in September of 2020, the Nova Scotia Advisory
7 Council on the Status of Women, our office, the Status of Women
8 Office, Department of Community Services, 2-1-1, and Family
9 Service of Nova Scotia - Family Service of Eastern Nova Scotia -
10 worked together to develop a 1-800 line specifically for men.
11 So it provided opportunities for men to call the 1-800 line and
12 get information and advice. It could be that it's something
13 unrelated to domestic violence, but it could easily be domestic
14 violence or personal issues. And that 1-800 line is provided
15 ... When you call the 2-1-1 number, you are directed ... it's a
16 low-bearing or access line. You're directed to a therapist
17 through Family Service Association. So 2-1-1 will do a warm
18 hand-off to Family Service Association. They will talk to the
19 person who is having whatever challenges they're having, and
20 they will provide counseling to that person. They'll also offer
21 up to four counseling sessions for that person while they may be
22 waiting to see someone in Mental Health and Addictions or

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 waiting to get in to another service. That service can be made
2 available in 140 languages. That started in September of 2020.

3 Since that time, in July of '21, we have instituted a
4 women's help line, a 2-1-1 line for women, and an "all genders"
5 help line which offers the same context or the same similar
6 services to refer people to call and be talked to by a therapist
7 to then have the opportunity to have counseling sessions.

8 **Q.** And do you have any sense of what the uptake was on
9 the men's help line?

10 **A.** The men's help line, in the first year, we had 800
11 calls.

12 **Q.** What other programs and initiatives have been involved
13 in terms of the province's response to domestic violence?

14 **A.** Well, the Province of Nova Scotia implemented, three
15 years ago, "Standing Together", which is the province's action
16 plan on violence against ... or domestic violence and violence
17 against women. So that's a \$9-million investment.

18 **Q.** All right. So we'll come back to that. And I
19 understand ... I was going to ask you in a few moments about
20 transition houses and programs related to that but are there
21 other programs and initiatives that the province has instituted?

22 **A.** We do have, since 2004, a high-risk domestic violence

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 protocol. It's called the "High Risk Domestic Violence Protocol
2 Framework", and that's a situation where if someone is in a
3 domestic violence relationship and they are referred to a
4 transition house or to a police agency, there can be an
5 assessment done to look at the level of risk. And the service
6 providers will work together and perhaps host a case conference
7 in terms of safety planning or in terms of resources available
8 to that victim and their family. And that was implemented in
9 2004.

10 We have domestic violence case coordinators that were also
11 implemented in 2004. The domestic violence case coordinators
12 were initially funded through the Department of Justice and they
13 are placed with police agencies across the province. Those
14 domestic violence case coordinators were placed as a result of
15 the Maxwell-George murder suicide in 2000 and those domestic
16 violence case coordinators are meant to be of assistance to
17 police responding to domestic violence so that there's contact -
18 direct contact - with the victim and so that there's a file and
19 record of what the interventions have been. And they refer a
20 victim to a variety of service. It could be to the provincial
21 domestic violence Victim Services program where they will assist
22 a victim in doing a victim impact statement. They'll refer them

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 to counsellors. They'll refer them to medical supports,
2 employment supports.

3 So there's a comprehensive wraparound in terms of domestic
4 violence response.

5 **Q.** And what about courts?

6 **A.** We have two domestic violence - specifically domestic
7 violence courts. The first one was a pilot, began in 2012 in
8 Sydney, Nova Scotia. The second one is in Halifax and it was
9 implemented in 2019.

10 **Q.** And now I'm going to ask you about transition houses
11 and programs. And perhaps before I start asking you about
12 individual houses, what do transition houses do? What are they
13 and what programs do they provide?

14 **A.** Well, transition houses are a support service for any
15 victim who is in a situation where they need safety or they need
16 immediate housing. So they provide housing. Housing can be up
17 to six weeks or longer in a transition house. They provide one-
18 on-one counseling to any person coming in. They provide an
19 outreach program. They provide a childcare program. They
20 provide support for court accompaniment or support for child
21 welfare, support for employment, support for education.

22 There's a whole range of services provided through every

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 transition house in the province. They may be in separate
2 places geographically but they offer similar services across
3 Nova Scotia.

4 Q. And the services that you just referred to, the ones
5 in addition to housing, does someone have to be a resident at a
6 transition house ...

7 A. No.

8 Q. ... to benefit from those programs?

9 A. No. You could be an outreach client. You don't have
10 to stay in the shelter. You can also access, even if you stay
11 in the shelter or don't stay in the shelter, you can access
12 those services for quite a long period of time. You could come
13 in as an outreach client for group counseling, you could come in
14 for programs, you could come in to bring your children in to see
15 the childcare worker. That's always available. There's a
16 wraparound of approaches.

17 Q. And is there also safety planning done at transition
18 houses?

19 A. Safety planning is the first priority for a woman
20 coming into transition house. The counsellor would do it.

21 Q. And what is that?

22 A. It's the opportunity for the counseling person, the

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 support person, at transition house to look at the circumstances
2 that have brought that woman and family into transition house
3 and what are the things that could be put in place to ensure her
4 safety depending on the level of risk she's in. So there will
5 be a lot of conversation in terms of what are her needs, whether
6 she needs court intervention. She may not have ever.

7 Many times, domestic violence cases are not reported, so
8 she may never have reported an incident to the police, so the
9 workers would talk to her about what is her goals, what is her
10 needs, and how to specifically plan for her safety.

11 Q. Now I'm going to ask you about what transition houses
12 and programs for women ... I'll ask you about men in a few
13 moments.

14 A. Okay.

15 Q. But for women, were in place in 2016 in the
16 Guysborough, Antigonish, and Port Hawkesbury area?

17 A. Okay. Well, I can tell you that Leaside Transition
18 House opened in 1992, on April 22nd. I remember that because it
19 was my son's birthday. So that shelter opened in '92; Willow
20 House in Sydney opened in '91; Tearmann House in New Glasgow
21 opened in '84; and Naomi Society, which is
22 Antigonish/Guysborough, opened as well in '84. Truro Transition

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 House opened in '89.

2 Q. So you've talked about Leaside. So it provides
3 housing as well as these other programs?

4 A. It provides, yes ... yes, it provides supportive
5 housing.

6 Q. All right. And where does it operate?

7 A. It operates in Port Hawkesbury; just down the street,
8 actually.

9 Q. Okay. And does it provide service for the Strait
10 Area?

11 A. It provides service for the Strait Area; yes, it does.

12 Q. All right. And the Naomi Society, does it have
13 housing?

14 A. Naomi Society does not have housing. It is an
15 operating service under the Transition House Association of Nova
16 Scotia, but its distance in proximity is so close to Port
17 Hawkesbury and so close to New Glasgow, they didn't choose to
18 build a shelter in Antigonish. So the shelters ... it's
19 interconnected to the shelters, so the shelter in Port
20 Hawkesbury ... any shelter in the province would take any client
21 from Naomi Society that would be referred.

22 So they're supportive counseling, they provide outreach,

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 they provide community programming, they would do one-on-one
2 counseling. They'd provide all the same services that a
3 transition house would provide and they would link that victim
4 to a transition house if the need arose.

5 **Q.** And does it also provide second-stage housing?

6 **A.** Naomi Society does. We don't have second-stage
7 housing in Port Hawkesbury at this time but Naomi does provide
8 second-stage housing in Antigonish. They have, I believe,
9 between two and four units or they have a duplex that provides
10 housing for women. Those houses are ...

11 **Q.** And what's second-stage?

12 **A.** ... six to 12 months; and sometimes, based on the
13 pandemic and the struggle with housing in Nova Scotia, it may go
14 over that somewhat, but it's to transition people from their
15 current situation into another opportunity.

16 **Q.** So when we talk about housing and second-stage housing
17 maybe, the housing short-term ...

18 **A.** Yes.

19 **Q.** ... and then there are second-stage which would be the
20 longer term.

21 **(09:50)**

22 **A.** Yes. And if you're in second-stage housing, the same

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 support system and the same services are continued. So that
2 person could access any of those services while in second-stage
3 housing.

4 **Q.** What about Tearmann House? Where is it and what
5 programs and services does it offer?

6 **A.** Tearmann House is in New Glasgow. It's been there
7 since 1984. It offers the same services that Leaside would
8 offer - counseling, support, one-on-one counseling,
9 accompaniment to court, safety planning, accompaniment to
10 appointments, referrals to other agencies; for example, child
11 welfare, or perhaps someone is looking to further education.
12 They provide links to educational opportunities and employment
13 opportunities, or the person may need income assistance and they
14 would work with that person and take them through that process.

15 **Q.** And does it operate a shelter as well?

16 **A.** Oh yes, it's a shelter. Tearmann House is a shelter.

17 **Q.** All right. And does it collaborate with any other
18 entity with respect to second-stage housing?

19 **A.** Tearmann House has second-stage housing. They have
20 one or two units of second-stage housing in the New Glasgow area
21 and they provide that service. They would also work across the
22 mandate. So if there was someone in Antigonish or Sydney that

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 needed second-stage housing and there was an open unit where one
2 of the other shelters are, that person would be considered for
3 that opportunity.

4 **Q.** So it appears that involvement in one, or a connection
5 with any one of these houses ...

6 **A.** Yes.

7 **Q.** ... it really provides access to other houses and
8 second-stage housing at all the other places.

9 **A.** Yes.

10 **Q.** What about the Antigonish Women's Resource Centre and
11 Sexual Assault Services?

12 **A.** The women's centres ... there are nine women's centres
13 in the Province of Nova Scotia and all nine women's centres
14 provide similar levels of service. They're not a 24-hour
15 service and they're not a shelter, but what they do provide is
16 the opportunity for women to drop in, for women to come in and
17 talk about issues that are of concern. They would provide
18 referrals to various sources. They do programming in the
19 community. They may do an employment program with women who are
20 looking for new opportunities. They may do some counseling on
21 domestic violence. They would also do one-on-one counseling.
22 So if the person is a victim of domestic violence or a victim of

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 sexual assault, they're also linked, of course, to the Sexual
2 Assault Nurse Examiner program at Antigonish Women's Resource
3 Centre.

4 **A.** Not all women's resource centres have a sexual assault
5 component.

6 **Q.** Right. Is the Antigonish Centre involved in a project
7 in the Guysborough/Upper Big Tracadie region?

8 **A.** They're doing a project around youth. What they're
9 trying to look at ... what most of these projects are trying to
10 look at is removing the barriers for youth in terms of
11 relationships, and intimate partner relationships, and removing
12 the barriers so that young men are able to discuss issues of
13 masculinity and what the expectations are.

14 So the Antigonish Women's Resource Centre and Naomi Society
15 are very active in the rural community in looking at
16 opportunities.

17 **Q.** Okay. And are those opportunities, is it fair to
18 describe them as prevention opportunities?

19 **A.** Yes. Yes. The focus from Standing Together, a large
20 part of it is prevention.

21 **Q.** Now what about Willow House? You mentioned that a few
22 moments ago. Where is that and what services does it provide?

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **A.** Willow House is in Sydney. It is often referred to as
2 Cape Breton Transition House. It opened in 1981. It provides
3 services for Cape Breton/Victoria but other people, as I said,
4 could use that service. You're not limited in terms of if you
5 call the Shelter for Abused Women, any shelter would be
6 interested in providing service, providing shelter, providing
7 counseling, providing support, providing outreach. Those are
8 comprehensive. They're all part of the Transition House
9 Association of Nova Scotia network.

10 **Q.** And what about MacAdam House?

11 **A.** MacAdam House is second-stage housing. It's provided
12 in Sydney. Again, it can be six to 12 months or it can be
13 longer based on the situation of housing and people getting
14 housing.

15 **Q.** And Callwood House.

16 **A.** Same; second-stage housing in Sydney and it's provided
17 to women who are in a transition, needing to move from the
18 family home, or whatever house they were residing in, into the
19 next stage of support.

20 **Q.** And are all of the houses that you referred to, are
21 they all operating now?

22 **A.** Yes.

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 Q. Okay. And they all were operating in 2016?

2 A. Yes, sir.

3 Q. Now I'm going to ask you about men's intervention
4 programs, again in the year 2016; and, in particular, that were
5 in place in the Guysborough/Antigonish/Port Hawkesbury area.

6 A. In Port Hawkesbury, there was a program started at the
7 probation office and it was for men involved in the criminal
8 justice system. It was a pilot project run through Correctional
9 Services or the probation office. The nearest program for Port
10 Hawkesbury in 2016 would've been Sydney and it would've been
11 Cornerstone Men's Program in Sydney. And Cornerstone Men's
12 Program now provides counseling through the Correctional
13 Services office or probation office in Port Hawkesbury.

14 So they provide a program called "Respectful Relationships"
15 and they can provide one-on-one counseling. And Cornerstone is
16 the only men's intervention program in the province that is
17 funded by the Department of Justice, and the decision was made
18 to attach it or align it with the Department of Justice when the
19 domestic violence court was opened in Sydney in 2012.

20 So the other programs - the other five programs in the
21 province - are all funded under the Department of Community
22 Services and they offer a range of services all similar in

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 nature.

2 Q. And what about New Leaf?

3 A. New Leaf is in New Glasgow. I'm not sure of the date
4 when New Leaf started, but it's been around for a very, very
5 long time. It certainly would've been around before 2016. And
6 they provide one-on-one counseling. They also do group
7 counseling at New Leaf and they've done group counseling for a
8 very long time which has been very successful in terms of what
9 they're reporting in terms of how it serves the men in their
10 area.

11 Q. And so we've talked about programs and services for
12 women and programs and services for men. Are there other
13 programs and services that are available for both men, women,
14 and families?

15 A. There are family resource centres across the province
16 that are funded under the Department of Community Services and
17 those family resource centres provide programs such as the
18 "Caring Dads" program. They provide parenting programs. They
19 provide information and support around domestic violence because
20 the hope is and the plan is that intervening earlier will reduce
21 or stop any further harm, especially as it relates to children.

22 Q. So there's one in Antigonish?

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **A.** Yes.

2 **Q.** And was it there in operation in 2016?

3 **A.** Yes.

4 **Q.** And what about the Family Service of Eastern Nova
5 Scotia?

6 **A.** Family Service of Eastern Nova Scotia is a counseling
7 organization. They provide counseling and, as I said, our link
8 for the 2-1-1 men's help line, women's help line, and all-gender
9 help line, they have a roster of therapists who work with
10 clients providing respectful relationship programs, providing
11 one-on-one counseling. They're a very supportive organization
12 and well-respected.

13 **EXHIBIT P-000309 - NEIGHBOURS, FRIENDS, FAMILIES - HOW YOU CAN**
14 **IDENTIFY AND HELP WOMEN AT RISK OF AB**

15 **Q.** Now, I'm going to ask you to look at a couple of
16 documents which we will pull up on the screen and the first one
17 is Exhibit 309.

18 **A.** "Neighbours, Friends, and Family".

19 **Q.** Is it up on your screen?

20 **A.** Yes, sir.

21 **Q.** Okay. And so it's entitled **Neighbours, Friends, and**
22 **Families**. So can you tell us what this document is?

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **A.** Neighbours, Friends, and Family is a program or a
2 teaching, education and awareness program adopted from Ontario.
3 It was adopted through the Department of Justice in 2012. The
4 idea is that it helps to inform people, helps to raise
5 awareness, helps to educate people on violence against women or
6 domestic violence, and helps them to understand when and if they
7 might want to reach out to another service provider or get
8 further information. So it's really meant to be an education
9 and awareness tool, and when it was implemented through the
10 Department of Justice, it's delivered by the domestic violence
11 case coordinators who are with police agencies, and those
12 domestic violence case coordinators get retrained or re-educated
13 around the Neighbours, Friends, and Family program and they're
14 able to share it. So they would share it with community groups
15 or they would share it with ... at the request, for example, a
16 church group or a community group or a women's centre might ask
17 them to come in and do a session with a group of their clients,
18 right?

19 **Q.** And is the document available online?

20 **A.** The document is available online.

21 **Q.** And is it distributed in ways in addition to what
22 you've already said?

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **A.** It's available in transition house; transition houses
2 would have it, women's centres would have it. They would make
3 people aware of it. It would be offered to people. So it's
4 really about raising awareness and about education. It's not
5 about a specific ... the tool doesn't have a specific role in
6 the sense of a response.

7 **(10:00)**

8 **Q.** And is there ongoing work regarding Neighbours,
9 Friends and Families?

10 **A.** Yes. Under the Standing Together initiative, we have
11 partnered with the Legal Information Society of Nova Scotia and
12 with Ontario, because this is adopted from Ontario. And Ontario
13 has agreed to allow us to adapt it more specifically for Nova
14 Scotia, more specifically with Nova Scotia resources in mind.
15 And we also are working with them to ensure that it's culturally
16 appropriate. So we have input from the African Nova Scotian
17 community and input from the Indigenous community. And so it
18 will probably be ready in '22, the new version.

19 **Q.** There's two pages to the document. I wonder if you
20 could just advise us what information is on the document.

21 **A.** Well, as I said, it's about education and awareness.
22 So it's really about people who may be concerned about a family

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 member or a friend. Oftentimes, a victim of domestic violence
2 won't reach out to an authority figure initially. So they may
3 reach out to a friend or a family member to talk about something
4 that's happening. And that friend or family member may be
5 concerned and they may be looking for information to prevent
6 domestic violence or to interrupt the violence that might be
7 happening in their friend or colleague's life. And so these are
8 the warning signs. It provides you with a list of potential
9 warning signs.

10 It's not comprehensive in that other things could be added
11 to the list, I'm sure, over time. But it helps for people to
12 locate, What are some of the things you should be concerned
13 about? They're not to be taken as isolated pieces. It's not
14 meant for you to zero in on one sentence and one line and think,
15 Oh, this is crisis. Right? It's meant as an educational tool.
16 So it's just another tool for people to be aware and educated
17 around the issues of domestic violence.

18 **Q.** And at the bottom of page two, is that what the forms
19 ... it's giving some signs. And is this who you may contact?
20 So it's some action that someone may be able to take.

21 **A.** Yes. It's really helpful even for employers.
22 Sometimes an employer will call because they're concerned about

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 an employee and looking for referral sources. So those are very
2 helpful information sheets.

3 Q. At the bottom right of the first page, just above the
4 Transition House Staff, Victim Services, Police, and some other
5 services, under the "Signs of High Risk", it includes, "Whether
6 she has completed a danger assessment which shows a high risk."

7 A. Right.

8 Q. What danger assessment does that refer to?

9 A. Well, in Nova Scotia we use a danger assessment.
10 Victim Services, Bryony House, Transition House members all use
11 a tool called the Jacquelyn Campbell Danger Assessment. So it's
12 a certified tool that tells you what are the significant issues
13 that you should look for in a domestic violence relationship
14 that allows you to determine what level of risk and how
15 vulnerable that victim that is working with you or talking to
16 you is in.

17 **EXHIBIT P-000308 - JACQUELYN CAMPBELL DANGER ASSESSMENT**

18 Q. All right. So we'll look at Exhibit 308. This is the
19 danger assessment you were just referring to?

20 A. Yes. This is Jacquelyn Campbell's danger assessment.
21 She's with the School of Nursing at Johns Hopkins University.
22 She's been in Nova Scotia many times to do training with front-

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 line service providers on this tool.

2 Q. So who uses this tool?

3 A. Victim Services, whether it's domestic violence case
4 coordinators, whether it's the Transition House staff or it's
5 Police Victim Services, any of those professional services would
6 be using or could be using this tool.

7 Q. All right. And it's those services that's ... those
8 are individuals providing direct service to victims.

9 A. Yes.

10 Q. And that's to victims of domestic violence.

11 A. Yes.

12 Q. And so what is its intended use, as far as you
13 understand, of the danger assessment?

14 A. The intended use of the danger assessment is to look
15 at what the factors are in safety planning. So for the domestic
16 violence case coordinator or the transition house worker,
17 they're looking at what are the significant markers in this
18 couple's relationship that indicate the need for a high level of
19 safety planning with this victim?

20 And there are times when a victim will come into transition
21 house, she's never been in contact with a police agency or any
22 other formal service provider and it's really important that we

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 look at what are the factors in her relationship and whether
2 she's safe to leave the transition house or whether she needs
3 some intervention from the criminal justice system such as a
4 peace bond or a restraining order or whether, in fact, there
5 should be a referral to the police at her decision and her
6 discretion.

7 **Q.** And that's part of the safety planning.

8 **A.** Part of safety planning.

9 **Q.** So the assessment is done by whichever service
10 provider is helping with the safety planning.

11 **A.** Yes. It would only be direct service providers and it
12 would only be service providers working in the field of domestic
13 violence prevention.

14 **Q.** Right. So the direct service providers who are
15 providing direct service regarding domestic violence ...

16 **A.** Yes.

17 **Q.** So they're using this tool to assist the victim in
18 developing a safety plan.

19 **A.** A safety plan. And a forward path. So she may be in
20 a position where she's not sure if she wants to return to the
21 family home, for example. So in doing the danger assessment
22 with her, it allows her the opportunity and the autonomy to

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 decide whether the risk in her family is higher than she was
2 thinking it was or whether there's things she may not have
3 considered in terms of her own safety.

4 **Q.** Now you mentioned earlier on about Standing Together.
5 It's an initiative of the Province. What is that?

6 **A.** Standing Together is the domestic violence action plan
7 that is funded over the four-year period by the Government of
8 Nova Scotia. It's meant to provide ... what we're looking at is
9 prevention of domestic violence. We're looking at shifting our
10 response to domestic violence and we're looking at higher levels
11 of support for victims of domestic violence. So in looking at
12 that in a comprehensive way, it's the first time that the Status
13 of Women Office has led across all government an initiative at
14 this level. And the idea was that we would not come in with a
15 plan. We would work with government and community and academia
16 and stakeholders in developing a response and a future response
17 to domestic violence. That will be the next iteration after the
18 four years are finished in 2022.

19 **Q.** Now how many projects have been funded by Standing
20 Together?

21 **A.** 80. Approximately 80 projects have been funded by
22 Standing Together.

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **Q.** And was one of them the Naomi Project?

2 **A.** Yes.

3 **Q.** What is that project or what was it?

4 **A.** Well, there's a couple of projects with Naomi.

5 They're looking at rural outreach. They're looking at the level
6 of service. They have two-and-a-half ... they've been slated
7 with two-and-a-half workers. They're looking at how they
8 provide service to their catchment area and how they can enhance
9 the service that they're providing, what the service could and
10 should look like, and what they should look at in terms of
11 outreach. And, also, they're looking at culturally-appropriate
12 services. So it's really important that they look at a variety
13 of programs and services and how their service can
14 comprehensively serve the area that they're located in.

15 **Q.** And is part of the Standing Together also a high-risk
16 domestic violence provincial coordination table?

17 **A.** Yes. I mentioned earlier that we have a high-risk
18 case coordination protocol framework that came in in 2004. That
19 protocol framework allowed stakeholders to work together. So,
20 for example, with the Jacquelyn Campbell Danger Assessment,
21 those stakeholders have what we call a Form 1 and a Form 2. So
22 in the domestic violence assessment, if that victim is seen to

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 be at a significant level of risk and if they're going to be
2 involved with the criminal justice system, there would be a need
3 for people to know that this is a victim and there's a
4 significant level of risk in this couple's relationship.

5 So, for example, if the woman is not in a transition house
6 currently and the danger assessment is done, and it shows that
7 that victim is at a high level of risk, should that victim call
8 a shelter in the province it would be important that people know
9 the risk assessment has been done. She's a high risk. She
10 needs to have immediate housing. Right? If the person is in a
11 relationship and the offender, for example, is temporarily
12 incarcerated or arrested and held by police, it would be
13 important to know that when the police are releasing that
14 person, what conditions need to be attached, again for safety
15 planning. So it's all a wraparound for safety planning.

16 So from that, we are now in ... and that was 2004. So
17 we're now in 2021 and what we've looked at is in British
18 Columbia they've developed a high-risk situation table, a much
19 higher level risk, and they've involved more stakeholders in
20 that decision-making. So in this new situation table, it's a
21 joint partnership funded under Standing Together. It is between
22 the Department of Justice and Status of Women and we've done a

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 partnership and taken on a community person as the coordinator
2 for that table. And that table will now involve the Department
3 of Health, as well.

4 So, for example, if a victim turned up in a counseling
5 session or a health office and a worker was concerned, they
6 could refer that person and that case, with their permission, to
7 that high-risk situation table to look at what could be done in
8 terms of wraparound service. And so this is a brand new ... it
9 just started. The person has just been hired to start this next
10 iteration of high risk. So it's people at the very highest
11 level of risk and it's people that need intense contemplation of
12 what should be pieces that are in place for that family or that
13 person.

14 **(10:10)**

15 **Q.** And was a public opinion poll conducted as part of
16 Standing Together?

17 **A.** Yes. Public opinion polling was done in 2019.

18 **EXHIBIT P-000310- PUBLIC PERCEPTIONS OF DOMESTIC VIOLENCE -**

19 **HIGHLIGHTS**

20 **Q.** We'll look at Exhibit 310.

21 **A.** Okay.

22 **Q.** Now what is this document entitled? "Public

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 Perceptions of Domestic Violence - Highlights".

2 **A.** It was a survey done under Corporate Research and it
3 was a telephone survey. Over 400 people across the Province of
4 Nova Scotia were asked a series of questions related to domestic
5 violence or women's equality to see what the public perception
6 was in terms of domestic violence or gender-based violence in
7 Nova Scotia. And it's meant to be a tool to help us understand
8 what needs to be done in terms of education and awareness. What
9 are the next steps that need to happen in terms of educating the
10 general public.

11 **Q.** So I won't ask you about all the entries, but ...

12 **A.** Yeah.

13 **Q.** ... there's a column on the right underneath
14 "Percentage Agree". What I'd ask you to tell us about is what
15 are the results and what is the significance of the results to
16 your work.

17 **A.** Well, if you look at the right-hand column where it
18 says 88 percent of most people in Nova Scotia who experience
19 domestic violence do not contact police. So for us who are
20 looking at prevention and looking at models of prevention, and
21 also looking at intervention, the police are a valued resource.
22 So we need to look at what are the reasons that people don't

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 call the police or don't talk to the police.

2 Part of what we've learned is that people ... the justice
3 system is ... well, it's a blunt force instrument. I mean it
4 really ... once you're involved in the justice system, the
5 trajectory is very clear. If charges are laid, they're usually
6 not withdrawn. People go through the criminal justice system
7 and it takes a whole different turn. So people don't want to
8 get the police involved unless as a last resort.

9 So depending on what they perceive to be the level of
10 violence or the level of danger, neighbours will sometimes call
11 police because of what they're hearing or because of what
12 they're seeing. But people are not, by and large, calling
13 police. So we want to look at what are the things that we could
14 put in place to assist the general public in understanding the
15 value of the relationship with police and how the police can be
16 of assistance.

17 **Q.** Okay. And what about the next one?

18 **A.** The next one, "Domestic violence can be prevented".
19 Well, we would all like to believe universally, across the
20 globe, that domestic violence can be prevented. And in looking
21 at how we can prevent domestic violence, really it's about what
22 are the steps and what are the services and what are the

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 programs that we can put in place to raise awareness, to educate
2 people, to prevent domestic violence early on so that it doesn't
3 end up in the criminal justice system.

4 Q. And the next one?

5 A. "It's hard to understand why victims of abuse stay in
6 violent relationships." And what I will say to you is that's
7 clearly a lack of education and understanding. Because for me,
8 after 30 years between the community and the Department of
9 Justice, it would be hard for me to understand why you would
10 leave a domestic violence relationship. Right?

11 It is not an easy situation. If there's children involved,
12 if there's finances involved, is there housing involved? Leaving
13 a domestic violence relationship sometimes people can manage for
14 long periods of time the domestic violence relationship. And we
15 have to remember that in domestic violence relationships, our
16 partners are not always bad people. They're not bad people.
17 They're not monsters. They've got coping issues. They've got
18 control issues. They've got power issues. They're not 24/7 bad
19 people.

20 And so it's really about how do you work with that person
21 to understand that there are other ways to manage your emotions
22 and manage your behaviour rather than resorting to violence and

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 intimidation and emotional and financial abuse. Right?

2 Q. The next one?

3 A. "People believe domestic violence can be provoked."

4 It's really interesting. I think it's another way of blaming a
5 victim. She's done something, she spent too much money, she
6 went out when she shouldn't have, she broke the car, any of
7 those things. So it could be prevented if she just did this, if
8 she just stayed inside the shell of the turtle and she never,
9 never put her hands out. Right? It's that kind of thinking.
10 It's really victim blaming. And it's, again, a lack of
11 education and awareness and understanding.

12 Because you would never say to someone, Can you provoke a
13 bank robbery? Right? Domestic violence is a crime. You can't
14 provoke a crime. Like what would you do that would make someone
15 punch you in the face? Right? So you have to think about it in
16 terms of that. So in my humble opinion, and I'm not an expert
17 in anything, but in my humble opinion, domestic violence cannot
18 be provoked.

19 So, "Most victims of abuse could leave a violent
20 relationship if they really wanted to." Well, "how" would be my
21 question to you and everyone. If you have no money or your
22 finances are tied to the person who is the abuser, or if you

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 have strong family connections, or if you have strong religious
2 beliefs, or if you have cultural beliefs or if you're in a small
3 community where everyone knows you, where would you start over?
4 You know?

5 I grew up in Port Hawkesbury. I lived on two different
6 streets. If I leave the relationship I'm in, where am I going?
7 I'm going to a street I never lived on and I'm going to start
8 life in what way? What will my life look like? And how will I
9 meet my partner in the grocery store? Because I'll definitely
10 meet him in the grocery store. Right? So it's that kind of
11 thinking.

12 It's not easy to leave any relationship. And it's for sure
13 not easy to leave relationships with children and relationships
14 with abusive partners. And, as I said, keep in mind abusive
15 partners are not always abusive partners. They have
16 vulnerabilities. They have issues the same as everyone.
17 Domestic violence is extremely complex.

18 **Q.** What's the significance to your work of the challenge
19 of leaving a relationship?

20 **A.** Well, in Nova Scotia ... I can't speak to other
21 provinces, but in Nova Scotia we have a shortage of housing.
22 Very, very hard to find housing for someone leaving a

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 relationship. In any domestic violence it is hard to leave the
2 relationship. If we have domestic violence victims that are
3 here on a visa, they're here on a student visa, their partner is
4 a student and they are attached to that visa, very hard.

5 If we have someone that has no status in Nova Scotia and
6 the partner is abusive and they have a child, the child could
7 stay in Nova Scotia, the woman can be deported because the
8 perpetrator is a Nova Scotian. So the complexities that
9 surround this are phenomenal in terms of trying to find
10 solutions for people to leave domestic violence relationships.

11 And you must keep in mind that most victims reunite. Most
12 victims do not leave on a permanent basis. Many victims
13 reunite. And oftentimes the physical violence may reduce and
14 the emotional violence could escalate slightly, but oftentimes
15 people look at, What's my best option? And they might feel
16 their best option is to stay in the relationship?

17 **Q.** Right. And that's the very part of safety planning.

18 **A.** That's the huge piece of safety planning. Yes.

19 **Q.** Now if you look at the bottom left, there's two
20 highlights there, "73 percent - nowhere to go to get outside
21 help, advice, resources, or support about a domestic violent
22 issue." What's the significance of that to your work?

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **A.** Well, I think that was really enlightening. We were
2 really, really pleased to see that 73 percent of people believe
3 they know where to go to get advice or they know where there are
4 resources and support. That still leaves us with a gap of
5 people who need ... we need more information to provide to them.
6 But in Nova Scotia, people generally understand that domestic
7 violence is a crime and that it is unacceptable and that we need
8 to find solutions to interrupt that violence or stop it.

9 74 percent believe that police are your resource, but
10 people are reluctant to call police. And part of that is people
11 don't want to be involved in the criminal justice system, if
12 they can help it, and they don't want to intervene. Because
13 keep in mind many of these couples reunite. So if you're the
14 person that's calling the police, where does that leave you in
15 terms of that relationship and that family member or that close
16 friend? And where does that leave your future with that couple?
17 So people believe that there are other steps prior to calling
18 the police.

19 **(10:20)**

20 **Q.** Now I lastly want to ask you about what are the
21 possible future directions about domestic violence intervention
22 services in the province.

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 **A.** Well, as I mentioned, Standing Together will wrap up
2 in 2022 and there will be a host of recommendations that come
3 out of that. But one of the things I think we need to continue
4 to focus on and we need to have a higher level of focus is on
5 domestic violence prevention. Like the rest of the world, we
6 need to continue to look at ways that we can stop domestic
7 violence or interrupt patterns of behaviour that result in
8 domestic violence prior to us arriving at the doors of the
9 criminal justice system. So much more education and awareness
10 and all focused on prevention.

11 The second thing I would say to you is that with Standing
12 Together what has been really impressive is the amount of
13 support that we've been able to garner by coordinating the
14 government and community response to domestic violence across
15 all mandates. So we've been able to work across Department of
16 Justice, Department of Health, Department of Labour. We brought
17 in different groups of people. And we've been able to get
18 people to come to the table and work on this issue. And I will
19 say that from the government perspective and the community
20 perspective, people sincerely really care and they really want
21 to make this different. And so they will look for options and
22 opportunities and innovative ways to make it different for

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 domestic violence victims. So that's been a positive step.

2 But I really feel that there will have to be a next
3 iteration and that in that next iteration there will need to be
4 the continued coordination or responsibility centre for
5 government, attached to community, on responses to domestic
6 violence. Because there needs to be a continuum of response.

7 The second way I would say to you is there needs to be
8 continual domestic violence education. We started domestic
9 violence education in 1997 with justice workers across the
10 province. In that domestic violence ... those were the early
11 days. We hired a guy named Ray Cusson. He was a former
12 Mountie. He was hired through the Department of Justice to
13 start domestic violence training most specifically with police,
14 because Ray had been a front-line police officer in Quebec for a
15 long time. He was an RCMP member. And so that was in 1997.
16 And so we trained justice workers to start to begin to look at
17 what are the reasons people come into courts, what are the
18 reasons people are in front of the justice system.

19 From that, in 2002 annual domestic violence training was
20 put in place and that continues to this day. And it's police
21 and it's service providers, and it's departments that are
22 involved or responding to domestic violence. So they do annual

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 training. So I would say that annual training needs to be
2 continued. It needs to have an accountability framework to
3 ensure that it stays in place. But it also needs to have a
4 culturally-appropriate lens.

5 So it's really important that we work with our Indigenous
6 families and our African Nova Scotian families to look at what
7 does this need to look like and what would make these services
8 more useful to the community and to those communities, so I
9 would say domestic violence education.

10 The last thing I would say to you is that I really feel
11 that we need to increase our approach and our resources and
12 services for men who use violence. So I've explained that we do
13 a multitude of projects under Standing Together. One of them is
14 a program or a project called "Guys' Work". It's happening in a
15 multitude of schools in this province and it's about helping
16 young men understand the issues around masculinity and the need
17 to find a path that doesn't involve violence. So those
18 programs, we're working with the Department of Education and
19 that's a program that we really are pleased with. And that
20 program has been ... there's an interest by Women and Gender
21 Equality Canada and they've just a month or so ago before this,
22 they called to say that they're interested in co-funding it with

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 us as we develop it.

2 And we have a secondary project that I will tell you about.
3 It's called "Communities of Care". And that's a project that's
4 looking at violence in the African Nova Scotian community and
5 the urban Indigenous community and how do we approach violence
6 from the perspective of interventions in a culturally sensitive
7 and culturally appropriate way.

8 So Standing Together has allowed us to do innovative
9 approaches that are, in some ways, outside the box of standard
10 responses. And I have to give credit for the government and the
11 departments for the commitment they've made. We have an ongoing
12 government table that meets regularly to look at what we're
13 doing and how we're doing it. We also have an international
14 committee that we've tasked with oversight. So it can be
15 someone like Dawn Lavell-Harvard who is an expert in Indigenous
16 women and girls. She's on our committee. Myrna Dawson has been
17 on our committee. She runs the Canadian Femicide Observatory.
18 Michael Wood is on our table. He runs men's programs in
19 Australia and New Zealand. A variety of people like that who
20 have also giving us advice from their communities and culture.
21 Jennifer Llewellyn who's an expert in restorative justice, she's
22 at our table.

STEPHANIE MACINNIS-LANGLEY, Direct Examination

1 So I think we have shown that we are intending to change
2 domestic violence and we are intending to do a better job in
3 responding to it. We have tremendous resources invested once
4 you hit the doors of the criminal justice system. We need to do
5 an equal job before you enter the criminal justice system.

6 **Q.** Those are my questions. Thank you.

7 **A.** Thank you.

8 **THE COURT:** Thank you, Mr. Anderson. Mr. Russell?

9 **MR. RUSSELL:** Thank you, Your Honour.

10

11

CROSS-EXAMINATION BY MR. RUSSELL

12 **(10:26)**

13 **MR. RUSSELL:** Thank you so much for being here. My name
14 is Shane Russell. I'm one of the Inquiry co-counsel that have
15 been working through assisting Judge Zimmer and trying to answer
16 the various heavy terms of reference. I want to thank you, as
17 well, for the essential work that you do. It's a lot of work,
18 it's a huge task, and thank you.

19 My questions are sort of going to try to perhaps draw on
20 your expertise and experience and awareness of all of the
21 various resources and groups that come into play. Sort of put
22 it in context, sort of mindful that all women in many respects

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 are very different and their circumstances vary from one to the
2 other.

3 **A.** Yes.

4 **Q.** We've heard throughout the Inquiry ... there was a
5 psychiatrist that assessed Lionel Desmond at one point. He made
6 a comment that he was "falling through the cracks". And in many
7 ways, it's fair to assume that His Honour Judge Zimmer is
8 looking, as well, at the possibility of whether Shanna Desmond,
9 Aaliyah Desmond, and Brenda Desmond perhaps fell through the
10 cracks. They were ultimately victims in this tragedy.

11 So I guess I'll start with the first question of what we've
12 learned about Shanna Desmond is that she, by all accounts, when
13 she interacted with the various providers, was a very confident
14 person in many respects. She had started a career in nursing.
15 She did that sort of on her own initiative. Everyone talked to
16 her about attending appointments with Lionel Desmond and she
17 was, in fact, one of the more vocal ones, that she would be able
18 to articulate things on his behalf.

19 And when she interacted with police, she was described as
20 very confident. She, in fact, would phone the police if she had
21 concerns about Lionel Desmond and perhaps suicide comments that
22 he made in New Brunswick. So by all accounts on face, we have

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 someone that appears to be confident in all respects, has things
2 under control. And I promise there's questions that will go
3 along with this. I'm just trying to give you some background.

4 **A.** Sure.

5 **Q.** As well, we have her even on the day of the tragedy,
6 she reaches out to Naomi Society on a confidential basis. She
7 doesn't give her name. And she asks questions about the peace
8 bond process a few hours before the tragedy happens. And during
9 that conversation she properly asked questions about
10 contemplating whether she should be worried about her daughter
11 given that Lionel Desmond was discharged from the military due
12 to mental health. And she's just sort of very confidently and
13 she's indicating that she's not in immediate fear or not in
14 immediate danger but, yet, she has reached out even on the day
15 of her tragedy.

16 With that sort of portrait, and I guess in some respects
17 it's a little unfair, how do you see someone of that profile?
18 How does she fit within the resources and structure we have in
19 Nova Scotia?

20 **(10:30)**

21 **A.** Well, the first thing I would say to you, it would be
22 totally inappropriate for me to comment on the Desmond family as

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 I know nothing about them and I know nothing about their file.
2 So that would be terribly unfair for me to do that. What I can
3 say to you generally is that victims tend to minimize the level
4 of danger they're in. Victims tend ... and there's nothing to
5 say that a victim of domestic violence is incompetent.

6 We work with people who are lawyers, who are psychiatrists,
7 who are doctors, family physicians, people who work in
8 government, people who work at Tim Hortons. There is nothing to
9 indicate a level of competence by our phone call or by ... or
10 even our face-to-face visit.

11 Victims tend to minimize, in general, domestic violence and
12 the relationship and that's why the education and awareness is
13 so critical because in dealing with domestic violence we tend to
14 look at it in a siloed way. So we look at an incident that
15 happened and we unpack that incident and we respond in whatever
16 way is our pattern to that incident, but we don't think about it
17 in the larger picture of a series of issues in a series. So
18 that's why Neighbours, Friends and Family is a good tool for
19 people to think about it in a different context. And more
20 importantly the Danger Assessment should that person reach out
21 for help is a very valuable tool to walk through with that
22 victim in terms of where their safety is compromised and where

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 risks might be escalating.

2 So in living with someone that uses domestic violence, from
3 my history, I have not had a victim identify that she could lose
4 her life, right, and yet I've had a victim lose their life.
5 I've had victims with serious, serious injuries. And so that's
6 the context you need to kind of frame that.

7 Most of us are streetwise and sensible women and we're able
8 to manage our own lives and we're able to manage our own
9 families. And there is a bit of a bias generally in the public
10 that we should be able to manage everything but Mt. Everest,
11 right. And so for any woman calling to ask for information it
12 would be very unusual, unless they're in a circumstance where
13 police are in their living room and they're desperate, in a
14 crisis, very unusual for someone to call in any kind of ...
15 anything but a methodical question and answer. Exploring your
16 options is perfectly okay for a victim of domestic violence.

17 **Q.** So I guess in terms of it in Nova Scotia, what sort of
18 ... whether you see it as a work-in-progress or improvements or
19 areas in which you may need funding for, in that type of
20 situation where you have those circumstances and the aspect of
21 silos, what resources can be put in place? How can we improve
22 that for someone like Shanna Desmond, for example, in her

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 circumstances, who, on the face of things, appears to have it
2 all under control? How can we ... it's an opportunity to learn,
3 obviously, but how can we improve it with the resources we have?
4 What can we do?

5 **A.** Well, there's a couple of things I would encourage you
6 to explore, death review committees and what the circumstances
7 are in death review committees. Because in death review
8 committees. Ontario was the first that I'm aware of. I worked
9 with Dr. Peter Jaffe many years ago around death review and
10 looking at what are the circumstances leading up to a person's
11 ... what are the warning signs or what are the circumstances.

12 So I would say that there are probably red flags or issues
13 that might be considered, but I would say to you for the average
14 Nova Scotian it's about education and awareness. It's about
15 continual education and awareness and ensuring that there's
16 support mechanisms to address that, which is why I would say
17 that we would benefit from a higher level approach, higher level
18 investment in services for men and services for men and boys.
19 Currently, the men's intervention programs provide counseling
20 but they don't offer the opportunity for sheltering.

21 And I would say to you we funded two programs under the
22 Standing Together initiative that are quite impressive. Well,

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 we started with Halifax Regional Police. Halifax Regional
2 Police have introduced a project called The Domestic Violence
3 Offender Navigator Project. And what they've done is they've
4 taken navigators who become advocates and work with the
5 offending person to provide support and information. And they
6 look at whether that person has housing issues or whether
7 they're trying to manage, whether they have mental health
8 issues, whether they need counseling, and also how are they
9 financially coping with either the separation or the ability to
10 pay for the financial resources for their children.

11 So that Offender Navigator Program, DVON, in Halifax
12 Regional Police has been so positively received that it's now
13 been copied; a similar model has been put in place by Truro
14 Police and we have interest from Calgary, Edmonton and Ottawa in
15 that program.

16 So again, I think it's about focusing on prevention;
17 focusing on information; providing opportunities that are
18 culturally sensitive and culturally appropriate.

19 **Q.** I couldn't help but notice you mentioned Dr. Peter
20 Jaffe ...

21 **A.** Oh right, yeah.

22 **Q.** ... that is one of the experts, I don't know if you

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 are aware, that was ultimately retained ...

2 **A.** Oh no, I didn't.

3 **Q.** ... by the Inquiry, and Judge Zimmer is going to hear
4 from Dr. Jaffe who is currently doing some work. So what was
5 the extent of your involvement and familiarity with Dr. Jaffe
6 and what area?

7 **A.** Well, Dr. Jaffe used to be at the London Clinic for
8 Battered Women years ago and so we met him through that. He did
9 a lot of education and awareness. We brought him here many
10 times to do sessions at the Department of Justice as an expert,
11 to provide information to us in terms of domestic violence and
12 violence against women. The London Battered Women's Clinic had
13 been a leading entity in terms of responding to domestic
14 violence in London, Ontario. So Peter Jaffe has a long history
15 in responding and developing programs and in assessing domestic
16 violence.

17 Another person who is expert in domestic violence is Myrna
18 Dawson. Myrna Dawson is at Western University. She is the lead
19 for the Canadian Femicide Observatory and that is for femicide
20 accountability, justice and accountability, and they look at the
21 deaths - domestic violence deaths.

22 **Q.** And I guess to back it up a little bit as I might have

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 missed a little bit in there. You mentioned the importance of
2 sort of death review committees.

3 **A.** Right.

4 **Q.** I just wonder if I can get you to elaborate a little
5 bit as to why it is you think a death review committee. Because
6 there is some discussion that's ongoing within the province
7 about the Chief Medical Examiner, Dr. Bowes, and the formation
8 of a death review ...

9 **A.** We've just formed a death review committee under
10 legislation last summer under Minister Mark Furey. So there is
11 a death review committee coming in Nova Scotia. A component of
12 that is there's also an Atlantic death review network that is
13 formed. So we're looking at deaths in the Atlantic Provinces in
14 a coordinated way in the four Atlantic Provinces to look at what
15 the data tells us and to look at what might be forward paths in
16 terms of prevention or intervention or support services.

17 So death review committees allow you to look at what were
18 the circumstances and where there are similarities and
19 differences and where there are gaps either in services or gaps
20 in education or gaps in prevention. So they really do inform
21 the forward path of how do we respond more effectively to
22 domestic violence. And Peter Jaffe started the first one that

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 I'm aware of in Canada.

2 Q. And my understanding is the operation of a death
3 review committee is focused on a preventative angle of things?

4 A. That would be the outcome that you would want. It
5 would be the approach to how would we do this. How would we
6 provide information and services that prevent domestic violence
7 before we get to that?

8 Q. And would a part of a death review committee involve
9 sort of a particular case study of an event, such as say this
10 one?

11 A. It could.

12 Q. It could take a tragedy and break it down in its
13 pieces and learn and see opportunities of intervention?

14 A. Well, and as I've said to you, I can't speak to this
15 certain tragedy because I have no information about it. But
16 what I can tell you is that when I started or when I was working
17 at the Department of Justice we had the Maxwell-George in 2000
18 murder-suicide out of Truro and we had an internal review in the
19 Department and we had an external. Michael Baker was the
20 Minister at the time, he called for an external review. The
21 external review was led by Dean Dawn Russell from the Dalhousie
22 Law School and Diana Ginn and they came out at the end of that

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 external review with 80 recommendations and what those 80
2 recommendations allowed us to do was look at a forward path. So
3 many of the things that I've talked about here today were
4 actually recommended from that death review, right, from that
5 external review.

6 So oftentimes out of a terrible tragedy will come
7 progressive policies or progressive responses. And there's so
8 little anyone can do when a terrible, terrible tragedy happens
9 but at least that allows people who genuinely want to look for
10 methods or models to make this different, it allows people to
11 try to find a forward path.

12 Q. I'm curious if you can comment on what your
13 involvement has been in sort of the province formulating at
14 least to a draft stage of legislation of the death review
15 committee. What was your role or involvement in that?

16 **(10:40)**

17 A. Well, I'm not an expert in anything, so let's be clear
18 about that. I am a bureaucrat. I work for the Province of Nova
19 Scotia. I've been employed since 1998. My job is to give
20 advice or to provide information. So I am and was part of the
21 discussions in terms of a death review committee. We looked at
22 death review committees that are in existence and what are the

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 components of a death review committee. Decisions and
2 recommendations were all formulated by the Department of Justice
3 in their policy shop with their minister. But that would be my
4 involvement, it would be in discussions and discussions with Dr.
5 Bowes and Dr. Bowes and I were both really interested in a death
6 review committee for Nova Scotia for a very long time.

7 **Q.** We had heard some information regarding Shanna
8 Desmond's sister who ... she would often be the sort of middle
9 person; that her sister, Shanna, would confide in her and so
10 would Lionel Desmond. And at various points, we have evidence
11 that he had sent her text messages that were very direct in
12 terms of their comments about references to a gun that he has
13 for her. Very sort of, from a prosecutor's standpoint, you
14 would look at it and say, Well, that's significant. And I'm
15 curious, you talked about I believe it was Exhibit 309,
16 Neighbours, Friends and Family.

17 **A.** Yes.

18 **Q.** Is that something that would play a role there? Is
19 that a resource that perhaps, in hindsight, and I know it's
20 unfair to get you to comment on the facts, I'm not holding you
21 to that, but I'm trying to make a connection of the practicality
22 of this resource and the facts we sort of have.

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 Is this the type of thing that could be helpful for, say, a
2 family member that is aware of potential for aggression?

3 **A.** Well, again, I'd remind you I can't speak to the ...

4 **Q.** Oh yes.

5 **A.** ... Desmond file, but what I can say is Neighbours,
6 Friends and Family is a resource that can provide information
7 and awareness to anyone who is exposed to it or who is aware of
8 it or sees it on a website. It can provide information that
9 makes you think about the collection of facts and what might or
10 might not be at play in a relationship.

11 Most people confide in a friend or a family member before
12 there's ever intervention at a higher level. So it's very, very
13 normal for any victim to talk to a family member, a sister, a
14 sister-in-law or even a brother-in-law about the situation
15 they're in and what might be their possible options.

16 And many times as family we get into caregiver roles or
17 caretaker roles and we're looking for ways to ... women, as a
18 rule, are not looking to end the relationship, they're looking
19 to end the violence. And what becomes clear over time in
20 intensely domestic violence relationships is about the person's
21 sense of ownership of that other person rather than a sense of
22 partnership. And so it's never about I love you, it's about I

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 now own you, right.

2 And so for anyone outside that relationship, to get
3 information from my friend I'm not necessarily going to get the
4 whole story, I'm going to get what they want me to hear or what
5 they want me to know.

6 So for victims who have family members who reach out to
7 service providers, they would be able to access any of this
8 information.

9 Q. So the program that's Neighbours, Friends and Family,
10 when did this sort of start in?

11 A. 2012.

12 Q. 2012?

13 A. Yes, sir.

14 Q. So how ... and I'll use myself, for example, I didn't
15 know of the existence of it. Where does the general population
16 learn about this highly valuable information? That this is a
17 resource for the person that is in a unique position that they
18 may be able to help?

19 A. Well, first of all, I would say to you you'd have to
20 be looking for it, right.

21 Q. Mm-hmm.

22 A. Because for most of us we look for items in the

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 grocery store, we go to Canadian Tire, but we're not looking for
2 information on domestic violence. So there would have to be
3 something that triggered your interest or your need to know or
4 to have further information.

5 So it's even if you're driving on the highway and you see
6 an incident of domestic violence on the side of the highway
7 you're not necessarily going to go back to your home or your
8 office and start researching how to intervene in domestic
9 violence, right. So there has to be something that makes you
10 want to have further information.

11 So it would be not a bit uncommon for someone to call the
12 Status of Women office asking for information. It wouldn't be
13 uncommon for people to call a women's centre, a transition house
14 looking for information, and oftentimes that information is made
15 readily available.

16 And I will say to you that if the person is asking for
17 information and if they can assure you that they have a safe
18 phone line or a safe computer, that information would be quickly
19 sent to them. But you'd have to make sure that the person is in
20 a safe place to receive that information. Because as an
21 outsider trying to intervene in something that you haven't got
22 the training or the skillset you may cause further harm. You

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 may cause a higher level of risk.

2 Q. Do you see some value in perhaps ... much like we all
3 know to call 9-1-1 in an emergency, it's very instinctive, it's
4 something we've heard on TV, we've heard on radio, we've seen it
5 everywhere, it's just sort of known basically to everyone.

6 A. Yes.

7 Q. Do you see ways in which we can try to make this
8 available, this information available, that someone doesn't have
9 to go look for it? That it's sort of almost ingrained in the
10 allies I guess, to borrow that language, of people in support of
11 those who feel they're at risk?

12 A. Yes.

13 Q. Is that an area we can improve upon?

14 A. Yes. And, as I said, we have Neighbours, Friends and
15 Family being redone by the Legal Information Society of Nova
16 Scotia with culturally appropriate components in partnership
17 with the Indigenous and the African Nova Scotia community, that
18 will then be much more available across the province.

19 The reach of Neighbours, Friends and Family would seem to
20 be somewhat limited. But, again, when I talk about prevention
21 and awareness, this would be one of the tools we would use for
22 prevention and awareness. But my caution about that would be it

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 would be really important that you don't take one of those
2 warning signs and decide this is a crisis, I have to call
3 police, right.

4 Q. Mm-hmm.

5 A. Because women have the right to decide and to choose
6 when they get help, when they reach out to other people, or when
7 they want interventions. So it's really important that we don't
8 try to take further power away from a victim of domestic
9 violence and make the decisions for them.

10 As I said, most women, any women that I've known, have been
11 fully competent and able to make decisions for themselves. So
12 it's really important that we don't usurp that autonomy from
13 women.

14 And so oftentimes people look at these and they will pick
15 out one or two. For example, one says does he own a gun. Well,
16 if you live in Nova Scotia half the people in Nova Scotia own a
17 gun. They hunt or they fish or they whatever. But that
18 wouldn't be a reason for me to jump on the phone and call the
19 police, right.

20 So that's what you have to be really mindful of. That it
21 is really a tool and it's really important that people see it in
22 the context of an informational resource and that's the work

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 we're doing with Legal Information Society.

2 Q. Mindful of the fact that there are extensive,
3 extensive resources available and the people doing it are to be
4 commended on the work that they do, but clearly naturally when
5 we see a tragedy take place we wonder, you know, in some
6 respects I think it's fair to say how did we, as a province,
7 fail these three women, Shanna, Aaliyah and Brenda Desmond. How
8 did we fail and how can we improve it?

9 If there was a magic sort of whether it's resources or
10 supports for your organization, is there something that's
11 pressing that you think you would really like to have the
12 support from government when it comes to intervention for women
13 and girls you indicated? What's your magic wish list and what's
14 immediately on that list?

15 A. Well, given the complexity of domestic violence
16 there's no one easy answer.

17 Q. Yeah.

18 **(10:50)**

19 A. Because each family is unique and each situation is
20 unique. And I would say to you that I don't use the word
21 "fail". We learn a tremendous amount and we will learn to do
22 better. But people did the best they ... they may have done the

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 best they could with the information that was in front of them
2 at the time that they had it, and so there's no way to know what
3 could or should have happened. It's really important to learn,
4 and that's what you're doing in this Inquiry, learning from the
5 facts and the information that come before you to make
6 recommendations on a future path.

7 For me, obviously I think a coordinated response to
8 domestic violence. I think a higher level of investment in
9 services and supports, resources and supports for men. I think
10 that we need to do continual training around domestic violence
11 training and I think prevention and awareness, they would still
12 be my go-to. And I would hope that as we wrap up standing
13 together they will have a primary focus in the recommendations
14 to government.

15 I would say to you that government has done a tremendous
16 job in responding to these comprehensive services. Currently,
17 we spend in the range of just under \$7-million on transition
18 house services. We spend just under 2-million on men's
19 intervention programs. We spend another several million on
20 women's centres. So it's really ... there's been investment.
21 Can there be higher levels of investment? We would have to see
22 how that would benefit us based on a prevention and a strong

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 prevention model. So where are the best places to invest and
2 what is the best path forward, and I won't have that information
3 for you until the end of Standing Together when these 80
4 projects wrap up.

5 Q. And you anticipate them to ...

6 A. 2022.

7 Q. 2022.

8 A. The funding is until March of 2022 and so I would hope
9 that within a very short period of time that would come forward.

10 Q. I'm going to backtrack a little bit, as well, in terms
11 of the cultural lens of how you were examining, you look at
12 things and you reference specifically the Indigenous population
13 and the African Nova Scotian population.

14 A. Yes.

15 Q. Can you give us sort of an example of things you might
16 have seen where there are barriers to women from those
17 particular cultures and backgrounds and ethnicities and what it
18 is we're trying or the Province is trying to change?

19 A. Well, we, for the first time ever last year began
20 funding Nova Scotia Native Women's Association to work with
21 Indigenous women from a women-centred perspective. Now they
22 don't follow the exact same model as the nine women centres in

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 the province, but what they're doing is they're working with
2 women from the Indigenous community to ask those women what
3 would be the best interventions, prevention and appropriate
4 models that would encourage you to look at services and
5 accessing services.

6 We're doing the same, as I mentioned earlier, under a
7 project called Communities of Care. And that Communities of
8 Care project is a \$2-million investment, one by the Province of
9 Nova Scotia, one by the federal government under Women and
10 Gender Equality. And that's to look at urban Indigenous women
11 and African Nova Scotian women and have them work together and
12 make recommendations under Standing Together, on what is
13 culturally appropriate and what are the services that you need
14 from a cultural perspective to respond to violence in your
15 community. And so until those recommendations are on the table
16 we will just continue our support and wait for the
17 recommendations from those committees.

18 **Q.** So where is at in the process? Is it still at the
19 consultation phase?

20 **A.** Well, there are working groups, so they're all working
21 together. The African Nova Scotian women, the Black Social
22 Workers Association, the Nova Scotia Native Women's Association,

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 the Mi'kmaw Legal Support Network, they're all working together
2 in a cohesive group. And it's a longer project so it has, I
3 think, another year or two years after Standing Together. So
4 those recommendations will come forward and we'll look at ways
5 that we incorporate them into the forward path.

6 We also have two different groups working with the
7 immigrant women's community and we're looking at what are the
8 needs of the immigrant women's community. So those will all be
9 ... they will all influence the outcome of Standing Together.

10 Q. So that's sort of as it stands now it's a work-in-
11 progress?

12 A. It's a work-in-progress, yes, sir.

13 Q. And it's sort of in the consultation gathering phase.

14 A. Yes, sir. Yeah.

15 Q. Just really sort of, if I'm framing this right,
16 understand what those groups of people have identified as the
17 needs and uniqueness of what it is they need?

18 A. That's right. And those coordinators are working
19 directly with victims. They're working directly with victims
20 and the families and asking the questions of what would be best.

21 Q. In your experience, have you seen unique struggles
22 with women involved in domestic violence and the "domestic

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 violence" I mean in the broadest sense. It doesn't mean
2 threats, it doesn't mean ...

3 **A.** Right.

4 **Q.** ... necessarily an assault but controlling aspects.
5 What are the unique ... do you see any unique challenges and
6 barriers that still exist in rural areas in Nova Scotia as
7 opposed to urban areas?

8 **A.** Yes. Yes.

9 **Q.** And what are they?

10 **A.** Well, obviously it's access to services. Obviously
11 access to services are a key component. So by having a
12 transition house in Port Hawkesbury and a transition house in
13 New Glasgow and a transitional service in Antigonish, it's
14 really about how then do we outreach from those services to
15 ensure that communities get services.

16 So, for example, Leaside Transition House is in Port
17 Hawkesbury. We need to ensure from that shelter perspective
18 that they're serving Inverness and Richmond County fully because
19 those counties are rural communities, people often come to Port
20 Hawkesbury for services and may come to Port Hawkesbury for
21 counseling or support from the shelter. But it's important to
22 have, and they do have, outreach services that reach out to

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 those communities.

2 **Q.** Do you see the benefits of having actual ... I mean,
3 ideally in every small town in Nova Scotia we would have someone
4 there in person at all times. Do you see the benefit of
5 actually having someone in the community and a place that
6 victims, you know, driving home from work with a lot on their
7 mind may be able to just stop in there and speak to someone?

8 **A.** Well, reasonably you would say yes to that question
9 and I will say no. And the reason I will say no is that in a
10 small community everyone knows everyone, right. So I can give
11 you an example of being in the Catholic church in Port
12 Hawkesbury and an offender trying to serve me to come to court
13 and explain why I let his wife into the shelter, right.

14 Everybody knows everybody. Everybody knows where you're
15 going. Everybody thinks they know your business. So if you're
16 going ... everybody knew where I worked, everybody knew who I
17 was. So ... people I didn't even know. So if you're going to a
18 service that's down the street on your way home, don't you think
19 people would know my car? Doesn't that increase my safety risk?
20 Doesn't that suggest that my partner will know that I've been
21 there? That he'll know I'm asking questions?

22 It wouldn't be what I would think ... the anonymity of that

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 larger model allows people to reach out with more sense of
2 safety because people don't know.

3 That's why I explained to you that you would want to make
4 sure the person had a private computer, internet access, private
5 phone that couldn't be accessed because that's when your risk of
6 safety goes up. Your highest level of risk in a domestic
7 violence relationship is when you try to leave the relationship.
8 That is across the board your highest level of risk. And
9 experts will tell you that as soon as that relationship that
10 it's clear, that's your risk.

11 Q. The moment you're leaving?

12 A. The moment you've announced or indicated or
13 demonstrated that the relationship is over.

14 Q. My next sort of question is ... you're never supposed
15 to insert your own experience in a question but I'm going to do
16 it anyway.

17 In terms of my other role as a prosecutor, I have found you
18 interact with many women of many backgrounds in many levels of
19 different domestic violence context, and it's usually always
20 after the fact there's a charge.

21 A. Yeah.

22 Q. And what has always occurred to me and amazed me is

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 that any time you ... rather than take a cold here are the
2 facts, here's the case, you're going to take the stand and
3 you're going to testify, when you take a moment to engage a
4 conversation a lot unravels and what I mean by that is the whole
5 iceberg underneath the water. There's many things that are
6 happening in terms of the way it works - stressors, finances,
7 children, his family ... and I'm saying him because most often
8 women.

9 And I've noticed that on what sometimes appears on the
10 surface as it doesn't seem high risk and I look at the check
11 sheet, the Jacquelyn Campbell, for example.

12 **A.** Right.

13 **Q.** And it's only as good as the information that's going
14 into it.

15 **A.** Yes.

16 **Q.** But I find a lot of times engaging in a conversation
17 you get to, Wow, this is a very different set of circumstances
18 than what it appears on its face.

19 **A.** Yeah.

20 **Q.** How can we improve that? When someone, the confident
21 victim, reaches out in a very confident, controlled capacity,
22 whether it's interacting with the police or interacting with

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 someone at a 1-800 resource, how can we unpack that? What can
2 we do? Because it seems there's potential that we're missing.
3 We're missing what's underneath. Do you have any sort of ideas?

4 **(11:00)**

5 **A.** It's always about education. And I will say that
6 prior to those jobs that were mentioned, I was a victim services
7 worker for the provincial Victim Services. So I spent many
8 years in court from '98 to 2003 in the criminal justice system
9 with domestic violence and prosecutors. So it really is about
10 asking questions. Victims often, whatever the charge is that's
11 in front of the court, there may be a whole other layer, as you
12 said, an iceberg underneath that that the victim hasn't
13 disclosed. For a couple of reasons, one, they don't want to
14 make the situation worse; and, two, they're afraid of the
15 repercussions if they give all the information.

16 So it's really about asking as much as you can but also
17 about referring the person to service providers. So referring
18 people to shelter, referring people to women-serving
19 organizations. Even referring people to the domestic violence
20 case coordinators that work with police. Because those case
21 coordinators provide valuable information that would allow
22 someone to have the autonomy of making a decision that could be

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 in their best interest.

2 Q. I'm somewhat curious, as well, of the dynamic that's
3 the officer in uniform, you know, very ...

4 A. Intimidating.

5 Q. Intimidating on his best day. And a woman that has
6 called or is involved because of the crisis that's happening.
7 And that level of uncomfortableness and how things spiral very
8 fast when you're interacting with police. And we often hear
9 that, and I'll use an example. And I realize that you can't
10 necessarily comment fully on this particular tragedy. But we
11 know that Shanna Desmond, she had phoned the RCMP. The RCMP
12 officer did arrive at her residence. There was a dispute
13 between Lionel Desmond and her family nextdoor about, they were
14 coming to retrieve a firearm. And during that sort of
15 conversation, the officer did have an opportunity to interact
16 with Shanna Desmond. He described her as, again, very
17 confident, no fear, immediate fear of concern. This is almost a
18 year prior to the tragedy. And he provided her information of
19 resources she could contact. I can't help but wonder, is
20 there an opportunity for, and I'm mindful that officers are
21 extremely busy and it was probably one of a thousand calls that
22 day. But do you see that as sort of an opportunity to try to

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 look at the under layers as opposed, the officer becomes someone
2 that gathers information to see if there's more below the
3 surface as opposed to just saying, Here are the contacts, you
4 may wish to contact these people and flush it out. What's your
5 view on that? I know it's kind of convoluted.

6 **A.** Well, I'm not talking to that file. What I can say is
7 when officers respond to a domestic violence case, it's really
8 important that we look for models or methods, that we do a warm
9 handoff. So rather than just a piece of paper, Would it be okay
10 with you if I called the shelter and have someone give you a
11 call? Would it be okay with you if I call the DV coordinator
12 that works with us, just to give you more information and just
13 to tell you what those information services are? If it's a
14 victim that's involved in the criminal justice system and
15 charges are likely to be forthcoming, that victim has an
16 opportunity to do a victim impact statement. If we don't do
17 some kind of a warm handoff, they may miss that opportunity
18 until we are very far into the file and the case. We may be a
19 year into that case and some of the facts may be a little more
20 blurry or a little less front and centre for that victim because
21 the complexity of lives move on. So it's really about that
22 kind of warm handoff. And I think police officers do an

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 excellent job in responding to domestic violence. We're asking
2 the criminal justice service providers in the domestic violence
3 cases to be social workers, which is not their role. And so
4 what we need to just ensure is that responders make referrals,
5 right. That's the key piece. Make a referral to someone who
6 can respond, to someone who is trained to respond, to someone
7 who understands the nuances of domestic violence. And that is
8 really, really, really helpful. So by having domestic violence
9 case coordinators situated with police, they're with their own
10 units. They're linked and liaisons with their own units so it
11 allows them to have a more fulsome response to domestic
12 violence.

13

14

EXAMINATION BY THE COURT15 **(11:04)**

16 **THE COURT:** I have a question. So are the police
17 generally trained to make that warm handoff? I know they can
18 and I know they have domestic violence coordinators embedded in
19 the department but that person can only respond if the
20 information is given to them. So, generally, is that part of
21 every police officer's training?

22 **A.** Yes.

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 **Q.** Or should it be?

2 **A.** It is.

3 **Q.** Who responds to a domestic violent situation where he
4 can have a quiet conversation with a potential victim and say,
5 Would you like this to happen?

6 **A.** Yes.

7 **Q.** That's how they're trained?

8 **A.** They are trained. They are provided with that
9 information.

10 **Q.** And do you have any statistical information to know
11 how often that happens? I mean it's one thing to have a theory.
12 It's one thing to have a policy. But it's another thing to know
13 that it actually happens on the ground. So question. Is there
14 any data that tells you that that, in fact, is what happens on
15 some percentage of the cases that the police respond to? Do you
16 know?

17 **A.** I will answer that that I know police audits are done.
18 So I know domestic violence files are audited by the Department
19 of Justice.

20 **Q.** And do you have access to that data?

21 **A.** I do not.

22 **Q.** Who does?

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 **A.** Department of Justice.

2 **Q.** Department of Justice has all that information.

3 **A.** They would have that information, yes, sir.

4 **Q.** From your perspective, when you are trying to kind of
5 develop and encourage information, for instance, and you're
6 talking about the police providing information for potential
7 victims, I'm going to suggest that it would very helpful to know
8 whether or not the police on a whatever percentage basis are
9 actually fulfilling your wish list, if I can put it that way, so
10 that you can then focus and make a determination as to whether
11 more emphasis has to be placed on that. So would it not be
12 helpful to you in your position to actually look at that data
13 and have someone give it to you so that you could make that
14 judgement?

15 **A.** Well, in this role, with Standing Together, this \$9-
16 million initiative, we have been given the privilege and the
17 opportunity to coordinate the response across government.
18 That's not the norm, right.

19 **Q.** No, my question is ...

20 **A.** Departments have that.

21 **Q.** Would it not be useful to actually have that data
22 available to you to look at it to see whether or not you could

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 provide guidance in some other direction to say, Listen, this is
2 what our expectation is but the data suggests it's not happening
3 and we need to have ... That's your very first place to be able
4 to plug in, if I can use that word, with a potential victim to
5 get them started on the path to information that you say is so
6 important.

7 **A.** Yes. Yes, the answer is yes.

8 **Q.** So why not look at that information then?

9 **A.** Yes, sir, the answer is yes.

10 **Q.** If that gives you the answer to what's happening on
11 the ground, is it not important to look at it?

12 **A.** Yes, sir.

13 **Q.** Okay. So that information that you don't have
14 available to you, that you haven't looked at that DOJ has,
15 presumably that's accessible and it's available to us if we were
16 to ask for it on the basis of ...

17 **A.** Police audits. Police audits would have been done by
18 Sharon Flanagan ... Sharon Mitchell, she's a police consultant.
19 So, in the past, I don't know who would be the author or the
20 manager of that file, those files.

21 **THE COURT:** Okay, but we can have a discussion about
22 that later. Don't worry about it now but thank you very much.

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 Sorry, Mr. Russell.

2

3

CROSS-EXAMINATION BY MR. RUSSELL (Cont'd.)

4 (11:07)

5 **MR. RUSSELL:** I'm sort of consistent with that sort of
6 theme and I'm near the end. The aspect of bias reasoning, bias
7 seems to creep in everywhere on many aspects. And what I mean
8 by that is, again, this portrait of what a lot of people
9 understand a woman of domestic violence to appear to be.

10 **A.** Right.

11 **Q.** Which is very different than reality, as you
12 explained. What do you see happening in the province that's
13 sort of tried to break down that barrier of this bias perception
14 of what someone high risk should appear as when she interacts
15 with, whether it's police, a health care provider, a nurse, a
16 physician, calls the doctor's office. What is happening to sort
17 of break down that barrier and how prevalent is that sort of?

18 **A.** As part of training, as part of domestic violence
19 education that would be provided yearly, there would be
20 information provided on all victims, on presenting factors or
21 presenting. And oftentimes there can be a workshop or several
22 workshops that do almost like a case conference. So they do a

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 role playing in terms of a case conference and what a victim may
2 present with or about. So it's part of the education and the
3 domestic violence education that's been going on since 2002. So
4 police would be well informed.

5 Q. Does the Province, are you aware, have any sort of
6 statistics that examines this aspect of health care providers
7 and their understanding of recognizing signs and symptoms of
8 domestic violence? Do we have any statistics or have there been
9 any studies about the level of comprehension and understanding
10 health care providers have when it comes to recognizing domestic
11 violence?

12 (11:10)

13 A. Not that I'm aware of. The training for social
14 workers would include domestic violence education and
15 information. For medical professionals, in any of the medical
16 professions, it's probably something that would need to be
17 looked at with universities and with those professional bodies.
18 But, again, they have a different role, even in a domestic
19 violence case. They're not intervenors. And they're not in a
20 position because of the autonomy of that person appearing before
21 them, they're not in a position to report to police. Domestic
22 violence does not get reported to police unless the victim

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 chooses to report it.

2 **Q.** And I guess my question, and I totally appreciate
3 that, is the victim appears in a doctor's office in Nova Scotia
4 or at the ER, and it could be even on their own or in support of
5 their husband who is there for that purpose, for a purpose of,
6 say, mental health.

7 **A.** Sure.

8 **Q.** It seems to me that it's an opportunity for the health
9 care provider not to provide service but to advise them of all
10 the supports that are also available to them. What work is sort
11 of being done to educate health care providers to be in tune
12 with the aspects of, you are to be alerted to the idea of
13 domestic violence, you are to ask maybe some questions
14 underneath, just enough to get information that you can provide
15 the resources. Is there any work being done there to educate
16 those providers?

17 **A.** More than a year ago, we did some work with a
18 physician from the QEII to develop some resources to place at
19 the QEII in terms of domestic violence, some of the signs of
20 domestic violence. And they're available at the QEII. So
21 health care providers are aware and do have information. I'm
22 just not aware of what those schools teach in terms of domestic

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 violence and responding or referring victims of domestic
2 violence.

3 **Q.** Can you see, based on the work you do, and it's
4 similar to a question His Honour had asked you sort of, do you
5 see the value and perhaps from your side of things maybe knowing
6 what they do know, what their biases, beliefs may be, through a
7 potential study to see what it is that health care providers are
8 revealing in terms of maybe their own biases or myths?

9 **A.** I think that would be a question best posed to health
10 care providers in terms of what their needs are. Much like
11 we're working with the African Nova Scotian community and the
12 Indigenous community on what are their needs, what are also
13 their educational needs and what would be an appropriate
14 approach to provide information. So whether it's through their
15 schools of learning or whether it's through their workplace,
16 what would be helpful for them. Because for anyone who comes in
17 contact with information that is disturbing, it then concerns
18 you about where to refer that person and how to get that person
19 some assistance. There are social workers on staff at
20 hospitals. So they do get referrals and they do respond to
21 clients and to victims. So it's really important that it's a
22 comprehensive approach, right.

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 **Q.** And, finally, I'm just wondering if you're aware or
2 you can guide us in the direction of, I guess, first a comment
3 in terms of what you know and then if there's any specific
4 document that you're aware of. In terms of rates of domestic
5 violence as defined broadly, have there been any recent sort of
6 studies as to what the rates of domestic violence are in Nova
7 Scotia?

8 **A.** Well, we look at the Juristat in terms of domestic
9 violence and we do look at ...

10 **Q.** Sorry?

11 **A.** It's federal tool, a Juristat study. It's done by
12 policing in terms of domestic violence. So I can tell you, in
13 2016, there were 2,600 or 2,500 victims of domestic violence
14 police reported. The challenge with domestic violence is all
15 the cases that don't get reported to police. And I can tell you
16 that there's been a significant increase in domestic violence
17 during the pandemic. So not necessarily reported to police but
18 certainly reported to the service providers in terms of the
19 levels of domestic violence. So for victims of domestic
20 violence, who were significantly in their own homes for long
21 periods of time, domestic violence levels have escalated and
22 that's the same right across the country.

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 **Q.** If we see the value in defining domestic violence
2 broader than a criminal charge, broader than the context that
3 involves the police, and you're focussed on preventative
4 measures, would there naturally be a value in trying to assess
5 domestic violence in its broad sense as a whole and not just
6 rely on one entity, which is those that have reported acts of
7 domestic violence to the police. Have there been any studies
8 outside of that limited entity which only, as you indicated,
9 captures a segment of the broader picture?

10 **A.** It's really, really challenging to get any kind of
11 accurate picture of the levels of domestic violence in Nova
12 Scotia or in Canada in terms of the numbers and the significance
13 or the levels of domestic violence. So that data is very
14 challenging to capture because it's oftentimes repeated or
15 anecdotal and so that we rely on the clear data from police
16 because it's validated data and it's evidence-based data. So
17 the other data, we have not found a way to collate that
18 information.

19 **Q.** To your awareness, have there been any discussions or
20 any committees that are trying to gather the data, which appears
21 to be essential to prevention, and it appears to be much broader
22 than relying on the RCMP to give it because that only captures

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 the women that ...

2 **A.** That's right.

3 **Q.** That have felt ... and I'm saying women.

4 **A.** Or municipal forces.

5 **Q.** That have reached the level of crisis and strength to
6 report. Any sort of solutions as to how we can get that or who
7 it would involve?

8 **A.** Well, I can tell you that there's two national action
9 plans underway. They're not completed yet. We are working with
10 Women and Gender Equality in Ottawa. They are developing, and
11 it's been in development in the last two years, a national
12 action plan on Violence Against Women. And that national action
13 plan does include concern and interest in data collection.

14 We also have a national action plan that is underway with
15 the Indigenous community. We have the significant number of
16 murdered and missing Indigenous women and girls. So there is a
17 separate national action plan under development for Indigenous
18 women and girls as well. So, optimistically, we would hope to
19 see other ways to capture data.

20 **Q.** Back to this concept of death review committee, is
21 that something that you can envision that the death review
22 committee is someone that can undertake in figuring out how to

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 capture domestic violence in the broad sense from the entire
2 pool as opposed to the little puddle?

3 **A.** That, again, would be a hope. That would be a hope.
4 The committee is just getting underway. There will be an
5 examination of all the pieces that will attach to a death review
6 committee.

7 **Q.** I had one last question and I think I forgot it.

8 **THE COURT:** Mr. Russell, what I'm going to suggest is
9 that this is the time that we would normally take our morning
10 break. You've been sitting here for some time now, I appreciate
11 that, as we all have, I guess. So we will take a break for
12 maybe 20 minutes. We will come back at about 25 to 12. And
13 then, Mr. Russell, if you find that question that you're looking
14 for, I will give you an opportunity to pose the question. The
15 only thing I would ask is just, if you replace your mask and
16 then you can just wander out if you choose to do that.

17 **A.** Thank you.

18 **THE COURT:** Thank you very much. We will take our
19 morning recess. Thank you.

20 **COURT RECESSED (11:18 hrs.)**

21 **COURT RESUMED (11:40 hrs.)**

22 **THE COURT:** Thank you.

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Ms. Grant

1 **MR. RUSSELL:** No further questions, Your Honour.

2 **THE COURT:** All right, thank you. Mr. Macdonald?

3 **MR. MACDONALD:** No questions, Your Honour.

4 **THE COURT:** Thank you. Ms. Ward?

5 **MS. WARD:** Ms. Grant has some questions.

6 **THE COURT:** Ms. Grant. Thank you.

7 **MS. GRANT:** Thank you, Your Honour.

8

9 **CROSS-EXAMINATION BY MS. GRANT**

10

11 **MS. GRANT:** Good morning. My name is Melissa Grant and
12 I'm representing, along with my colleague, Lori Ward, the
13 various federal entities. Just a couple questions for you. We
14 are really happy you are here. You have so much knowledge. It
15 was kind of hard to keep up. So I just had a couple follow-up
16 questions on some of what you said. Getting to the point of
17 today being, you're saying so much is about education and
18 awareness.

19 **A.** Yes.

20 **Q.** I'm just wondering, the 1-800 number that you and Mr.
21 Anderson had referred to, is that a number that you could
22 actually say for us in the courtroom and for the live-streaming

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Ms. Grant

1 people that might be watching and might have an issue with
2 domestic violence in their lives?

3 **A.** The number you're looking for is the men's help line,
4 women's help line, and all genders?

5 **Q.** Yeah.

6 **A.** That's just 211.

7 **Q.** 211.

8 **A.** It's publicly available. It's just 211.

9 **Q.** Okay, so when you're talking about a 1-800 number, is
10 that still ...

11 **A.** The 1-800 number is for the Transition House
12 Association. Mr. Anderson, do you have it on a piece of paper
13 there, I don't ...

14 **MR. ANDERSON:** We can pull up the Neighbourhood ...

15 **A.** Neighbour, Friends and Family, yes. Hold on, it's
16 here.

17 **MS. WARD:** Okay.

18 **A.** It's 1-855-225-0220.

19 **Q.** Thank you. And then the 211 number is a resource for
20 anyone in Nova Scotia.

21 **A.** Anyone, yes.

22 **Q.** Okay, thanks. You had noted in your earlier testimony

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Ms. Grant

1 that the highest risk for someone is when they're leaving or
2 saying they're leaving or have taken some leave-taking
3 behaviours in the relationship. And then you also said that
4 victims tend to minimize the risk. So maybe they're not seeing
5 certain factors.

6 **A.** That's right.

7 **Q.** So if there's a situation where there's factors of
8 domestic violence, would saying that I want a divorce, would
9 that be one of those trigger events that you referred to
10 earlier?

11 **A.** It certainly could be.

12 **Q.** And you used the word "femicide" earlier. Can you
13 give us a definition of what that word means?

14 **A.** It's the deliberate taking of someone's life who is a
15 woman. Primarily, it's women who are victims of femicide. And
16 so it's taking that person's life. It could be in any manner
17 that you take that person's life but the Femicide Observatory
18 looks at women who have died as a result of relationships. So
19 there is a huge number of women across the country and across
20 the world who have died and it's particular to women.

21 **Q.** So part of that gender-based violence.

22 **A.** Gender-based violence.

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Ms. Grant

1 Q. Against women.

2 A. Yes.

3 Q. The Canadian Femicide Observatory, what is that
4 entity?

5 A. It's a group of professionals across the country who
6 look at cases in their jurisdiction and many of the cases, most
7 of the cases are publicly reported and there's a collection of
8 data done through Myrna Dawson in the Observatory with her team,
9 to look at the number of women who die in domestic violence
10 relationships and the circumstances of their death, right. So
11 whether it was through a car accident or whether it was through
12 a shooting or a stabbing or a choking or whatever, right. It's
13 publicly available. That information is all publicly on a
14 website. So if you type in Canadian Femicide Observatory, all
15 the data will come up.

16 Q. Okay. I think, and correct me if I'm wrong, they've
17 recently done a report called **Call It Femicide**.

18 A. Yes.

19 Q. Do you know generally what that report is about?

20 A. Well, I don't want to speculate on it because I didn't
21 review it for a couple of months. So I would rather you looked
22 it up on the website.

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Ms. Grant

1 **Q.** Okay, no problem. Can you talk a bit about the
2 terminology that we use. So we've been talking about domestic
3 violence today but then there's also intimate partner violence,
4 gender-based violence, and are there differences between those
5 terms or are they terms that we maybe should be using more that
6 we're not or just in terms of that education. What's the kind
7 of preferred, you know, where we're at in that regard?

8 **A.** Domestic violence is very common language and it
9 triggers a very common understanding of it being violence
10 perpetrated between two people. Women's Community across the
11 country has debated the use of domestic violence because we
12 often talk about domestic appliances and we create a sense of
13 objectivity around this is not necessarily human beings in a
14 complex relationship that is very, very serious.

15 The other is, it removes the responsibility that this is an
16 intimate partner relationship that has become extremely
17 destructive and so that's why there's been a bit of a shift. So
18 people refer to it oftentimes for people that know well will
19 refer to it as intimate partner violence rather than just
20 domestic violence.

21 And the reason we focus on gender-based violence is because
22 gender-based violence can take many forms but predominantly it's

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Rodgers

1 domestic violence, sexual violence, criminal harassment, all
2 fits under, and the primary victims are female or those who
3 identify as female. So that's why you have that kind of three
4 terms that are used intermittently. They generally mean the
5 same thing but that's the background.

6 **Q.** Thank you very much, ans those are my questions.

7 **A.** Oh, thank you.

8 **THE CHAIR:** Ms. Miller?

9 **MS. MILLER:** Thank you, Your Honour. I have no
10 questions.

11 **THE CHAIR:** Mr. Rodgers?

12 **MR. RODGERS:** Thank you, Your Honour.

13

14 **CROSS-EXAMINATION BY MR. RODGERS**

15 **(11:47)**

16 **MR. RODGERS:** Ms. MacInnis-Langley, Adam Rodgers, we met
17 during the break there and I just have a few questions for you.
18 I am representing the Estate of Cpl. Lionel Desmond, his
19 personal representative. You have identified and you have been
20 very thorough and helpful talking about the programs offered
21 throughout Nova Scotia. I wonder if you could let us know if
22 there are any programs you're aware of or any initiatives that

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Rodgers

1 are specifically related to the veteran community, Canadian
2 Armed Forces veterans. Could you talk about that for a moment,
3 if there are any particulars?

4 **A.** The one that I'm familiar with is the Military Family
5 Resource Centre and they provide services similar to other
6 resource centres or women's centres. So information, referrals,
7 support. They would link you to a variety of services. That's
8 the only one I'm familiar with is the Military Family Resources
9 Centres.

10 **Q.** Is this something that is under your umbrella?

11 **A.** No.

12 **Q.** Okay, that's a federal program?

13 **A.** That's federal, yeah.

14 **Q.** In your time, has Veterans Affairs in the province,
15 have there been any discussions you're aware of of ways in which
16 the two entities might work together on such a program that
17 might be particularized to military veterans?

18 **A.** Well, Military Family Resource Centres are very much
19 aware and connected to any of the other service providers here
20 in Nova Scotia. They are very aware of the services and can
21 reach out for support. So being a veteran doesn't exclude you
22 from reaching out to other services as well. They would be as

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Rodgers

1 available as the Military Family Resource Centre. And so the
2 conversations would be from a sharing or an interconnectedness,
3 not necessarily from a policy perspective or a change
4 perspective, right.

5 Q. In that area of thinking, the interconnectedness, in
6 your estimation or in your view, is that working well currently?
7 Are there things you would see that might be improved in the
8 coordination or in the efforts together to work on that?

9 A. Well, I would never speculate on a federal program
10 that I know very little about. So I wouldn't do that. But I
11 would say to you that any time people can work together in a
12 human-centred approach definitely benefits victims and survivors
13 and perpetrators. So any time people have the opportunity and
14 the privilege of working across boundaries or across sectors or
15 across mandates, that is a positive response.

16 **(11:50)**

17 Q. Finally, you mentioned in your evidence about the
18 prevention and things that can be done in advance to prevent the
19 escalation of a situation into one that becomes a violent
20 situation. I'm thinking of in the military context, family
21 reintegration where it's, you know, a military member may be away
22 for some time and then there's a question of reintegration into

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Rodgers

1 the family unit. Is this something that the advisory council
2 that you look to in perhaps other contexts where that expertise
3 might be used in the veteran context in that reintegration as
4 well? Is family reintegration, I'm thinking, you know, years
5 ago where there was lots of times when guys would go out West to
6 work and they'd be out for weeks or months and then come back
7 and reintegrate. So has that knowledge base been established?
8 Is that something that you're ...

9 **A.** That again would fall under Military Family Resource
10 Centre. So they would have programs around reintegration and
11 supporting families, right. The Military Family Resource Centre
12 would. For the traditional Nova Scotia, and I can't speak to
13 the Military Family Resource, but for the traditional Nova
14 Scotian who had a partner who went away to work, your risk of
15 violence increased on their return because they had no control
16 over that family dynamic while they were away. So in
17 traditional Nova Scotia families, there would be concern if
18 someone was away for a period of time and returned. So there
19 would be some reach out to service providers locally. I can't
20 speak to military though.

21 **Q.** Would you suggest that on the provincial side there
22 might be some expertise in dealing with that kind of specific

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 you can help me with a couple of things here. Could we bring up
2 Exhibit 308, please? Can you read that all right?

3 **A.** Yes, sir.

4 **Q.** I want to ask you questions about it. So 308 is, it's
5 headed as "Danger Assessment" and then Ms. Campbell's name and
6 then it says copyright 2004 Johns Hopkins University School of
7 Nursing.

8 **A.** Yeah.

9 **Q.** So I take it that banner, if I can call it that, is
10 there just in relation to a credit for PhD, Dr. Campbell, would
11 that be correct?

12 **A.** It's a certified tool and she owns the tool, she
13 developed it.

14 **Q.** Certified by whom?

15 **A.** By her. By her and Johns Hopkins University.

16 **Q.** So she certifies the tool, you accept her
17 certification as her tool because she developed it.

18 **A.** She developed it.

19 **Q.** Is it a peer-reviewed tool?

20 **A.** Yes, was.

21 **Q.** Was. Who reviewed it, do you have any idea?

22 **A.** I don't. I could certainly reach out to Dr. Campbell

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 and find out who peer reviewed it.

2 Q. That's fine. I'm just curious what the background
3 might be. So how often is this updated?

4 A. The staff in shelters and women's centres that use
5 this tool or transition houses that use this tool, they are
6 certified. They can go in and be certified every year or every
7 second year. So they do it on-line. They do an on-line
8 training. We have brought Dr. Campbell here many times to do
9 direct training. Obviously, because of the pandemic and the
10 circumstances we're in, not now.

11 Q. My question is, so if the people that administer the
12 tool would have some training ...

13 A. Yes.

14 Q. As to presumably how to go about administering it.

15 A. Yes.

16 Q. Getting information. The actual tool. So if I was
17 the person that was qualified to administer the tool in a
18 transition house and a woman comes in and has given me
19 information that would suggest there's some danger or some risk
20 because of a domestic partner, I am going to administer this
21 tool, and there's 20 questions.

22 A. Yes.

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 **Q.** Okay, so my question is, the 20 questions that are
2 asked here, how often are those 20 questions updated? Are these
3 the same 20 questions that were in the original tool in 2004 or
4 were they updated a year ago, two years ago, five years ago? Do
5 you have any idea?

6 **A.** I can't. I can't confirm. I would say to you that
7 what I know from transition house workers is that as new
8 information becomes available, they share that with Dr. Campbell
9 and her team but whether she's actually integrated new
10 information, I don't have that.

11 **Q.** You don't know how up to date those 20 factors are
12 from a statistical point of view.

13 **A.** That's right.

14 **Q.** When I talk about a statistical point of view, I'm
15 going to use that kind of as a segue to deal with some of the
16 work that Dr. Jaffe does and Dr. Dawson do in Ontario,
17 particularly with the Domestic Violence Death Review Committee
18 work that Dr. Jaffe does. You're familiar with that committee?

19 **A.** Yes.

20 **Q.** Because you're going to be engaged in the committee.

21 **A.** Yes.

22 **Q.** Are you going to be on the committee?

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 **A.** Yes.

2 **Q.** That reviews or someone from Status is going to be on
3 the committee?

4 **A.** Yes.

5 **Q.** Okay. You've seen the working regulations or do you
6 have any idea what the regulations ...

7 **A.** Not the final ones. I've seen the initial.

8 **Q.** You've seen a draft of the regulations?

9 **A.** Yes, the initial draft.

10 **Q.** So you would know what your role is, what the role of
11 the committee is going to be and how it's going to work and what
12 the likely structure is.

13 **A.** Well, my understanding is Dr. Bowes is going to chair
14 the committee. So Dr. Bowes will define or determine what each
15 of our roles will be on the committee.

16 **Q.** Okay, that's set out in the regulations, is it?

17 **A.** It wasn't but I think it will be.

18 **Q.** It wasn't ... okay, that's all right. Personally, I
19 think that we've made a request to the Minister of Justice to be
20 able to get access to the regulations. They're presently, I
21 think, in draft form. I think we've made a request to get a
22 draft copy of those regulations so we could have a look at them,

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 particularly in the context of having Dr. Jaffe appear and
2 testify. And when we look at the structure that Ontario uses to
3 collect that very valuable data, we're going to have committees
4 that collect the data, I thought it might be useful for us to
5 have a look at those regulations. Do you think that might help
6 us in understanding some of the importance of it?

7 **A.** I do, yes, I think that would be really informative.

8 **Q.** Well, that's great. We'll continue to press to see if
9 we can get the Minister, the new Minister of Justice to direct
10 his attention to our request for a copy of those draft
11 regulations on a timely basis. So, hopefully, we can have Dr.
12 Jaffe have a look at them as he's preparing his report for us
13 when he returns here. So thank you very much for that.

14 One of the things that I wanted to ask you, and again it's
15 in the context of the 20 factors that are on the Danger
16 Assessment. The 2017 report ... Let me ask you first. Do you
17 appreciate that you have lots of people that you work with and
18 people that analyze things.

19 **A.** Yes.

20 **Q.** You don't touch every piece of paper. I can
21 understand that.

22 **A.** I don't. No, sir, I don't.

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 (12:00)

2 Q. Okay. So 2017, there was a Domestic Violence Death
3 Review Committee Report. In that report, and one of the charts
4 has a heading, Frequency of Common Risk Factors and DVRC Case
5 Review from 2003 to 2017. And the commentary that's in the
6 report says: "When reviewing a case the DVRC identifies which of
7 the 41 established risk factors were present in the relationship
8 between the perpetrator and the victim." So at least in 2017 in
9 their report they had identified 41 risk factors. And I know
10 from some commentary that Dr. Dawson, in a published article in
11 2019 said: "I think in terms of the data aspect, the DVRCs are
12 extraordinarily valuable, Dr. Dawson said. For example, we have
13 a risk factor checklist with something like 40 or 41 risk
14 factors. So you can monitor trends and risk factors over time
15 and start to see if there are different risk factors emerging."

16 That's part of the analysis they did do. And the reason
17 that I ask that question... so I point out that they have 41
18 risk factors. They're looking for emerging risk factors to be
19 able to inform. And I assume they take that information and
20 they disseminate it to various service providers so that when
21 they are engaged with people at risk, they would have some idea
22 of the kinds of areas of questioning that might be pertinent in

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 terms of identifying risk factors.

2 **A.** Yes.

3 **Q.** You agree with all of that?

4 **A.** (No audible response.)

5 **Q.** Yes? So my question is, given the fact that Dr.
6 Dawson in the report talks about identifying 40 or 41 risk
7 factors, and the danger assessment only identifies 20 and you
8 don't know how up to date it is, do you think that it would be
9 time to maybe have a look and see whether or not there are more
10 risk factors that are relevant that should be included? I
11 appreciate ... or as an addendum to Dr. ... I don't want to, in
12 any way, suggest that Dr. Campbell's work is out of date. But
13 there may be more additional risk factors that maybe should be
14 considered. And even if it's just kind of as an attachment or
15 an addendum to this has anyone given that any kind of
16 consideration? I realize I'm just bringing it up today, but ...

17 **A.** I have not heard that conversation. I've not heard
18 that conversation. The 40 risk factors they're looking at,
19 they're looking at risk factors after a death has happened. The
20 20 risk factors that we look at and score in terms of Jacquelyn
21 Campbell's Danger Assessment is simply being used for safety
22 planning. Right? So there may be value in looking at the 40

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 risk factors and doing a comparative analysis of the 20 and the
2 40. Agreed.

3 **Q.** You appreciate that one of the things that Dr. Jaffe
4 is going to do for us is he's going to look at this case and
5 he's going to identify risk factors for us.

6 **A.** Yes.

7 **Q.** I think. And may very well say ... No, just leave
8 that aside. My understanding when you read the DVRC, the
9 reports, that when it reviews a particular death, they identify
10 the number of risk factors that were present and may thereafter
11 conclude that, for instance, if there's any number of them
12 present that they would view that as a preventable or
13 potentially preventable death ...

14 **A.** Yes.

15 **Q.** ... or event if all of that information had been
16 collected and available to a person making a determination or a
17 judgement about risk.

18 **A.** Yes.

19 **Q.** So even though they collect them after a person's
20 death, they were in existence before the person's death and may
21 have very well ...

22 **A.** Yes. Contributed.

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 **Q.** ... if had been collected and looked at collectively
2 had ... would have signaled that there was risk.

3 **A.** Right.

4 **Q.** So that's why I'm suggesting that there may be value
5 in taking Dr. Campbell's danger assessment but adding something
6 to it, perhaps looking at the additional risk factors that have
7 been identified through that work in Ontario and expanding it.

8 **A.** Yes.

9 **Q.** So is there someone in your organization that would be
10 able to undertake that work?

11 **A.** We definitely fund and support research, so we would
12 probably ... not necessarily one of my staff, but we would
13 probably contract a researcher to do that piece of work.

14 **Q.** So, for instance, appreciating that Dr. Katreena Scott
15 along with Professor Diane Crocker are presently involved in the
16 Men's Helpline project through Standing Together and that's
17 partially ... that's funded by the federal government.

18 **A.** It's partly funded by the federal ... the research
19 that Diane Crocker and Dr. Katreena Scott are doing is partly
20 funded by the federal government and partly funded by Nova
21 Scotia Government.

22 **Q.** So Standing Together Men's Helpline part of it is

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 funded jointly.

2 **A.** That's right.

3 **Q.** All right. So then you would be in a position then to
4 have, for instance, someone such as Professor Crocker have a
5 look at that issue of whether or not ...

6 **A.** Absolutely.

7 **Q.** ... it's time to review the risk factors or the danger
8 assessment factors ...

9 **A.** Absolutely.

10 **Q.** ... particularly as identified in Ontario. You'd have
11 to use Ontario's data because Nova Scotia doesn't have any data
12 at the moment.

13 **A.** Right.

14 **Q.** But, hopefully, we will at some point in time ...

15 **A.** That's right.

16 **Q.** ... with the ... when the committee gets up and
17 running.

18 **A.** Yes. Yes, sir.

19 **Q.** All right. I realize it's a lot of me talking but if
20 you disagree with me, this is your opportunity to say so.

21 **A.** Well, no, I don't disagree with you, Judge. The only
22 thing I would say is that the joint funding between WAGE and

STEPHANIE MACINNIS-LANGLEY, Examination by the Court

1 Status of Women in Nova Scotia is simply on the research piece.

2 The funding for the Men's Helpline is Nova Scotia Department ...

3 Q. No, I appreciate that.

4 A. Okay? Okay.

5 Q. I'm mostly just picking the names out that ...

6 A. Yes, sir. Yeah. Okay.

7 Q. Because I know those are names that you're obviously
8 familiar with ...

9 A. Yeah.

10 Q. And that they would be the type of people that you
11 would ...

12 A. That's right.

13 Q. ... you could retain for research purposes.

14 A. Yes. Absolutely.

15 Q. And make that determination whether or not it's time
16 to create an addendum to the danger assessment, perhaps
17 utilizing the factors that have been identified in the DVRC
18 report out of Ontario.

19 A. Yeah.

20 Q. Okay.

21 **THE COURT:** Any further questions?

22 **MR. RUSSELL:** I'm wondering, Your Honour, just one brief

DISCUSSION

1 area ...

2 **THE COURT:** Certainly.

3 **MR. RUSSELL:** ... of further questioning. In real time, I
4 guess, Ms. Miller sent a link to Mr. Murray, then indicated to
5 me there was a link that suggested that the Jacquelyn Campbell
6 was updated in 2019. What exactly that means, we'll find out,
7 but there was a suggestion that it might have been updated more
8 recently. What went into it, we're not sure. Ms. Miller may
9 know more than ...

10 **THE COURT:** Ms. Miller?

11 **MS. MILLER:** Your Honour, I just googled ...

12 **MS. MACINNIS-LANGLEY:** Yeah.

13 **MS. MILLER:** ... the danger assessment online and there's
14 a whole website ...

15 **MS. MACINNIS-LANGLEY:** Yeah.

16 **MS. MILLER:** ... about the tool, frequently asked
17 questions, and it's copyrighted 2003, updated 2019. And it's
18 ... I think it's under the Johns Hopkins site.

19 **MS. MACINNIS-LANGLEY:** It is Johns Hopkins, yeah.

20 **MS. MILLER:** And, you know, from my preliminary cursory
21 look, it looks like there are some changes in the questions.

22 **MS. MACINNIS-LANGLEY:** Yeah.

DISCUSSION

1 **THE COURT:** But there's still 20 questions.

2 **MS. MACINNIS-LANGLEY:** Yes, there is.

3 **MS. MILLER:** Yes.

4 **MS. MACINNIS-LANGLEY:** Yes. Yes.

5 **THE COURT:** Is the version that we have as Exhibit 308
6 appear to be the most updated version?

7 **MS. MILLER:** I don't believe so.

8 **THE COURT:** Okay.

9 **MS. MILLER:** But I haven't ...

10 **THE COURT:** All right. Well, thank you. We'll have a
11 look at that collectively, I guess, at some point in time and
12 individually see if we need to have any further discussion about
13 it.

14 **MR. RUSSELL:** And the questions, Your Honour, relate to
15 another risk assessment tool that wasn't discussed, the ODARA.
16 If I may ask a few questions regarding that?

17 **THE COURT:** Certainly.

18

19 **CROSS-EXAMINATION BY MR. RUSSELL**

20 **(12:08)**

21 **MR. RUSSELL:** So I guess we sort of skipped over one of
22 the risk assessment tools which is known as the ODARA. I guess

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 if you can indicate what is the ODARA.

2 **A.** The ODARA is the Ontario Domestic Assault Risk
3 Assessment form that's used by police.

4 **Q.** And that's a form that's exclusively used by police?

5 **A.** Yes, sir.

6 **Q.** And what is the purpose behind that tool?

7 **A.** To assess the level of risk for a victim when police
8 are responding to a domestic violence situation which would then
9 indicate where they would refer that victim to.

10 **Q.** And in terms of the ODARA, are you able to comment how
11 it's different than the Jacquelyn Campbell tool?

12 **A.** No. I wouldn't speculate. I'd have to look at both
13 tools again because I haven't looked at the ODARA in a very long
14 time. It is used specifically by police and police use it in
15 their daily work.

16 **Q.** And is it your understanding, I guess, in terms of
17 police practice that every time a regional police force or the
18 RCMP interact with, I'll use an example of a woman of intimate
19 partner violence, whether it's anything from a serious assault
20 to, in our case, a complaint about the seizure of firearms,
21 would they complete an ODARA in every circumstance?

22 **A.** I would say to you that's the question the Judge posed

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 earlier in terms of what does the data tell us from the
2 Department of Justice. The Department of Justice would have to
3 look at the police files to see if a domestic assault risk
4 assessment is used in every file.

5 **(12:10)**

6 **Q.** So you're unable to comment as to whether or not any
7 sort of risk assessment tool would be utilized in a case such as
8 we have here where Shanna Desmond interacted with the RCMP but
9 it wasn't to report an assault, threat, or any criminal conduct
10 but, rather, to express concern for the safety of Lionel
11 Desmond. So are you able to comment as to whether or not they
12 would do any risk assessment or utilize any risk assessment tool
13 in that sort of scenario?

14 **A.** I wouldn't speculate on what police would do. I would
15 expect that they would respond based on their training and based
16 on their knowledge and based on their understanding of domestic
17 violence. But I would never comment on what they would or would
18 not have done.

19 **Q.** So I guess taking it back to its general question
20 about this idea that Shanna Desmond, in some respects, might
21 have been an outlier but amongst an outlier of a lot of women
22 who do not seem to be captured in any sort of risk assessment

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 capacity due to the nature of the domestic violence that isn't
2 threats, assault, harassment, are there any sort of concerns
3 about that?

4 **A.** Victims reach out based on their need at any given
5 time. So depending on what information any victim shares with a
6 service provider, that would be what would trigger any response.
7 So whether it's police or whether it's victim services or
8 whether it's a shelter for battered women, that outreach would
9 initiate a response from the service provider. So there's no
10 way to know what information was shared or what response was
11 provided ... for me, no way to know that.

12 **Q.** Is that an area that your ... and you talked a little
13 bit about the work potentially of the death review committees
14 that would undertake to sort of capture this ...

15 **A.** Unpack, right.

16 **Q.** ... group of domestic violence victims that aren't in
17 the I don't want to say "classic sense," but sort of biased view
18 that they are a victim of a physical assault or a direct threat.
19 Is that something you see as very important in trying to
20 identify those groups that have gone maybe unidentified?

21 **A.** Again, it's back to education and awareness. It's
22 about understanding what are some of the factors that could

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 contribute to a dangerous situation for anything.

2 **Q.** No further questions, Your Honour.

3 **THE COURT:** Any follow up, anyone?

4 All right. Thank you. Ms. MacInnis-Langley, thank you
5 very much for coming today. You know, the information that you
6 provide to us is very valuable but also the fact that we do
7 livestream this proceeding and so the evidence that you've given
8 may be very helpful to any number of people who may be watching
9 today and particularly people who are subject to domestic
10 violence or who feel they are at risk. I think you've given
11 them some resources and access to some resources. But perhaps
12 as much as anything, maybe some reassurance and some comfort
13 that they can come forward and they will be listened to.

14 **MS. MACINNIS-LANGLEY:** Thank you.

15 **THE COURT:** It's great value.

16 **MS. MACINNIS-LANGLEY:** Thank you.

17 **THE COURT:** So thank you very much for your time.

18 **MS. MACINNIS-LANGLEY:** Thank you. It's a privilege.

19 **THE COURT:** All right. Thank you.

20 **MS. MACINNIS-LANGLEY:** Thank you.

21 **WITNESS WITHDREW (12:13 hrs.)**

22 **THE COURT:** Counsel, I think that this was the only

STEPHANIE MACINNIS-LANGLEY, Cross-Examination by Mr. Russell

1 witness that we had planned for the day.

2 **MR. ANDERSON:** Yes, it was, Your Honour.

3 **THE COURT:** And so I think we'll adjourn until ...
4 first, we'll adjourn court ... we'll adjourn the hearing for now
5 and I'll just ask counsel to remain for a couple of minutes,
6 please.

7 **THE CLERK:** Until tomorrow morning ...

8 **THE COURT:** Until tomorrow morning at 9:30.

9

10 **COURT CLOSED (12:14 hrs.)**

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CERTIFICATE OF COURT TRANSCRIBER

I, Margaret Livingstone, Court Transcriber, hereby certify that the foregoing is a true and accurate transcript of the evidence given in this matter, **re Desmond Fatality Inquiry**, taken by way of electronic digital recording.



Margaret Livingstone

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