



Family Abuse Intervention Act Background

The *Family Abuse Intervention Act (FAIA)* empowers community members to address an issue of family violence or a threat of family abuse immediately, rather than wait for a potentially lengthy court process. An application for any of the orders available under *FAIA* can be made personally by the applicant who is experiencing family abuse or violence, or by someone else with the victim's consent.

There are four types of orders made available by *FAIA* to provide help to family members who are victims of family abuse:

- (1) The Emergency Protection Order (EPO) will be used for people who require immediate help due to serious and urgent circumstances in family violence or abuse situations. The contents of EPO *may* include any one or more of the following:
 - Granting the applicant possession of the family home;
 - Prohibiting the respondent from contacting or communicating with the applicant, children or other family members;
 - Granting the applicant temporary custody of a child or children; or
 - Prohibiting the respondent from taking or damaging property.

A Justice of the Peace (JP) may also use the EPO in appropriate circumstances to order a temporary calming period where the respondent is prohibited from communicating with the applicant for a period not exceeding 72 hours. A community-designated safe house may be used by family members in urgent situations for up to 72 hours.

- (2) The Community Intervention Order (CIO) is aimed at assisting elders, the community in general and extended families who are involved with families in abusive relationships. This order offers Inuit traditional counseling, by a traditional counselor, to individuals involved in abusive relationships who are not considered to be in an emergency situation.
- (3) An Assistance Order is an application to a Judge of the Nunavut Court of Justice for an order to protect people. This is for cases where danger is less imminent. A Judge may grant an assistance order if family abuse has occurred and there is a likelihood that family abuse will continue, resume or be repeated.
- (4) A Compensation Order may be granted by a Judge of The Nunavut Court of Justice to the applicant for any loss suffered or expense incurred as a result of family abuse.

A full-time Community Justice Outreach Worker will be hired in each of Nunavut's communities who will help with the implementation, co-ordination and program delivery of the *FAIA* and continue the work on crime prevention, healing and diversion programs with the Community Justice Committees. Support, training and guidance for the Community Justice Outreach Workers will be provided so they can successfully establish a local network of community-based resources.