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Lessons from a mass murder: Protect victims of domestic violence

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Judge Heino Lilles recalls the precise moment he decided that his Yukon court was not serving victims of domestic violence. It was when he watched a man swagger out of his courtroom, case dismissed, because the accuser failed to appear to testify.

It was an all-too-familiar scene, with court and police resources wasted because a victim of domestic violence balked at testifying. But that smirk directed at the bench taught Judge Lilles a lesson.

"I realized I was part of the problem - in fact, making things worse. I demonstrated very clearly to him he could do it again and get away with it."

This month, British Columbia's policy makers will be presented with their own teachable moment.

On Monday, coroner Jeff Dolan will enter a Victoria courtroom to resume an inquest into the deaths of five members of the Park/Lee family.

The inquest is examining a mass murder and suicide that took place in an upscale Oak Bay home in September, 2007.

Peter Lee stabbed his estranged wife, his young son and his parents-in-law and then killed himself before police could respond to a 911 call from the family home. He was to appear in court later that day on a previous domestic-violence charge. The courts had released him on bail but had left him without a job or a home.

Witnesses have already given disturbing accounts of how the many officials involved with the abuse case in the weeks before the murders failed to protect a frightened woman, Yong Sun (Sunny) Park, and her family.

The inquest was adjourned 18 months ago over a dispute regarding testimony from Crown prosecutors. Now the inquest is resuming - without the Crown lawyers as witnesses - and Mr. Dolan expects the jury to make its recommendations this month.

"I'm confident after hearing the evidence [that] the jury is going to make some recommendations that are going to help ensure domestic violence is recognized and investigated and acted upon in the future," Mr. Dolan said in an interview this week.

He's not convinced - although others are - that the case exposes a need for a different approach to stop domestic violence before it escalates to lethal levels.

In response to questions from The Globe and Mail, the B.C. Coroners Service provided a breakdown of domestic-violence statistics showing details of 73 homicides in the past 5½ years.

"We're identifying everything in terms of the facts," Mr. Dolan said.

Gender, age, ethnicity, motivation, murder weapons of choice. It's all there.

But does it tell us why these killings happen, when they are likely to happen, and what we can do to prevent them from happening?

"It depends on what the reader is looking for. We think there is a valid set of statistics," Mr. Dolan said.

Solicitor-General Kash Heed doesn't think those numbers alone do the job. As the minister responsible for co-ordinating government's response to domestic violence, Mr. Heed said B.C. needs to look more closely at what we can learn not just from Peter Lee's rampage, but from other victims of violence in relationships.

"I'm concerned about it," Mr. Heed said in an interview after reviewing the coroner's statistics. "I feel there is more to be learned from the data."

Just what should happen will likely wait until after the Lee/Park inquest.

Peter Jaffe is the academic director of the Centre for Research and Education on Violence Against Women and Children, and a member of the Ontario coroner's Domestic Violence Death Review Committee.

He noted that New Brunswick and Manitoba are adopting the Ontario coroner's review panel system, which allows police, lawyers, coroners and academics come together to identify trends, risks and patterns - with a goal of helping prevent domestic-related killings.

He's studied the Peter Lee case and other individual inquests into domestic violence in B.C. "They cry out for a more systematic and comprehensive analysis," he said.

Judge Lilles, who, as Chief Judge of the Territorial Court of Yukon, established a domestic-violence court, also offers advice from his experience. He noted that victims of domestic violence are at the highest risk when they, like Sunny Park, reach out to the slow-moving justice system for help.

"It's not so much that Peter Lee provides us with a new lesson, but it reminds us of the lesson that we should have learned long ago," Judge Lilles said. "The court system was not designed to deal with domestic violence. It's grossly ineffective, inefficient and sometimes dangerous."

What would help is for B.C. to create its own domestic-violence courts, places where the likes of Sunny Park would be listened to, and their protection made paramount.

The review of her death next week is the opportunity to make that case.

THE STATISTICS

About 8 per cent of all homicides in B.C. are due to violence in relationships. Women and visible minorities make up a disproportionate share of the victims.

The B.C. Coroners Service provided the following breakdown of the 73 homicides it investigated between January, 2003, and August, 2008, that were attributed to domestic violence.

Most common means of death

* Firearms: 21

* Stabbed: 20

* Strangled: 13

* Beaten/blunt injury: 7

Most common motive

* Escalating argument: 19

* Female ended relationship: 17

* Financial difficulties: 3

* Mercy killing: 2

* Unknown: 28

A (reported) history of abuse

* Abusive relationship: 14

* Volatile relationship: 11

* Previous legal contact for violence in relationship: 10

* Current "no contact" restraining order: 12

The victims

* Females: 55

* Males: 18

* Children: 5

Ethnicity

* 41 per cent were visible minorities (which make up 26 per cent of the general population)