

Canadian Network of Women's Shelters and Transition Houses

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October 2013

The Case for a National Action Plan on Violence Against Women



Canadian Network of Women's
Shelters & Transition Houses

Réseau canadien des maisons
d'hébergement pour femmes

Before embarking on this project, the Canadian Network of Women's Shelters & Transition Houses sought and confirmed support for the *Mapping VAW Policy and Opportunities Project* (MVP) from all provincial/territorial sheltering associations.

Led by a core group of Network Board members who are experienced leaders in the VAW sector, the Network engaged the services of a team of research consultants to produce the present report. Research was conducted between January 2013 and June 2013.

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Funding support for the *Mapping VAW Policy and Opportunities Project* (MVP) was provided by the Canadian Women's Foundation (CWF).

October 2013

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Executive Summary

In 2012, the Canadian Network of Women's Shelters & Transition Houses (The Network) initiated the *Mapping VAW Policy and Opportunities Project* (MVP) as one part of a set of activities toward a long-term goal to facilitate and inform the development of progressive and comprehensive national legislation addressing violence against women (VAW) in Canada.

The MVP is intended to build upon and advance the high-level [Scan on Funding and Policy Initiatives to Respond to Violence Against Women](#) undertaken by The Network in 2011 at the request of the Canadian Women's Foundation. This report is informed by two United Nations documents: the [Handbook for Legislation on Violence Against Women](#) (2010) and the [Handbook for National Action Plans on Violence Against Women](#) (2011).

The goal of the MVP is to develop a comprehensive map of existing national, provincial, and territorial policies, action plans, strategies, and legislation that would be impacted by, or could be used as the basis for, the development of national legislation on violence against women (VAW) in Canada.

The research objectives were to: a) ascertain how existing policy/legislation that touches upon VAW in direct or indirect ways is or is not working effectively to prevent violence, protect survivors or hold perpetrators accountable; and b) identify inconsistencies between the policies as written and adopted, and how they work in day-to-day practice. A third objective – to identify gaps within jurisdictions, inter-regionally, and federally in Canada – was beyond the achievable scope of this report.

A high-level review of policies, legislation, strategies, research, reports, action plans, and statistical data from across Canada relevant to the development of national VAW legislation was conducted.

In keeping with the recommended content of VAW legislation and action plans cited in the two UN *Handbooks*, the MVP research team identified and reviewed the following policy areas: government initiatives, strategies, and action plans at the federal and provincial/territorial levels; protection, support, and assistance to complainants/survivors; criminal justice responses; civil law; immigrant and refugee law; social services; child protection; prevention; monitoring and evaluation initiatives related to VAW; and policies related to gender equality and social justice.

A wide range of data sources were consulted, including governmental reports and websites, libraries, electronic databases, relevant list-serves, materials of community agencies, and the resources of the Network members.

Holding Canadian governments accountable for their failure to protect women from violence

In 2012, a UN committee found that Canada failed to fulfill its obligations under the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) on the petition filed by Cecilia Kell – an Aboriginal woman and victim of domestic violence who was robbed of her home. After fleeing to a shelter to escape her violent partner, he persuaded the NWT Housing Corporation to remove her name from homeownership documents without her knowledge or consent, rendering her and her three children homeless. Several lawyers and ten years later, Cecilia lost her case against the estate of her ex-partner and the NWT Housing Corporation in the Supreme Court of the Northwest Territories. The CEDAW Committee determined that the State and its agents did not refrain from discriminating against Cecilia nor take appropriate steps to ensure discrimination on the basis of sex and Aboriginality did not occur. The Committee recommended the Governments of Canada and NWT compensate Cecilia monetarily, provide housing commensurate to that which she was deprived, and review legal aid systems to ensure Aboriginal women who are victims of domestic violence have effective access to justice.[†]

Source: Committee on the Elimination of Discrimination Against Women

To contextualize the findings, input was obtained from experts whose experiences of various VAW policies and legislation on behalf of particular constituencies lend unique perspectives to this study. Seven qualitative informant interviews were conducted with representatives of the following experience and perspectives: women with disabilities, urban Aboriginal women, immigrant/linguistic minority women, law enforcement, The North, Quebec, and Ontario (because of its domestic violence and sexual violence action plans and Domestic Violence Advisory Council).

Key Conclusions

- Most provinces/territories recognize gendered violence within an historical context of gender inequality complicated by other social inequalities
- The federal government does not identify women (as a singular demographic) as an at-risk population in terms of intimate partner violence or sexual violence; women and girls are identified as most at risk of trafficking for the purposes of sexual exploitation
- Focus at the federal level is on gender-neutral victims of crime and family violence
- VAW is not defined comprehensively across federal and provincial/territorial policy
- Women's safety is compromised by government under-funding of social services, social housing, and supports for women affected by violence; the VAW sector requires an investment of training and resources to better respond to diverse groups of women and those with complex needs
- A change in orientation is needed for service provision to Aboriginal women: the short-term crisis intervention model that dominates Western therapeutic approaches should be replaced with a long-term holistic approach in Aboriginal shelters and those shelters serving Aboriginal women
- There are few evaluations of what works to prevent VAW, change attitudes and behaviour, and respond effectively
- Legal systems across Canada are costly, inaccessible, fragmented, and must be improved in order to better address VAW and benefit survivors
- Canada's affordable and low income housing deficit is felt most acutely by women leaving violent partners or emergency shelters and especially by women who are poor, Aboriginal, living with a disability, or living in rural/remote areas

[†] Committee on the Elimination of Discrimination Against Women, fifty-first session, 13 February to 2 March 2012, CEDAW/C/51/D/19/2008: http://www2.ohchr.org/english/law/docs/CEDAW-C-51-D-19-2008_en.pdf

- At the federal level, several mainstay initiatives offering support to survivors of VAW within the context of general victims' services maintain gender neutrality; none regards VAW through a lens of human rights or women's equality
- Victims' services programs within provincial/territorial Departments of Justice are gender neutral and framed within a “victims of crime” rather than a “violence against women” perspective
- There is an over-reliance on the criminal justice system to respond to domestic violence and insufficient attention to the reforms needed to ensure a more just response to survivors of sexual violence who face systemic discrimination
- Strict interpretation of pro-charging policies has resulted in dual charging, where both women and men are charged
- Holistic care involving outreach services and safe affordable housing is needed for women leaving shelters
- Mental health, family law, and child protection services often fail to protect women and children in Canada

In light of these conclusions, the research team recommends the goal of the MVP be to develop a National Action Plan on VAW in Canada as this would have broader reach and include legal reform as a key component. This report offers a starting point for discussion about a comprehensive strategy for developing Canada's first National Action Plan on VAW.

It is clear that in the absence of a National Action Plan, responses to VAW in Canada are largely fragmented, often inaccessible, and can work to impede rather than improve women's safety. Concrete examples are offered throughout this report of where problems lie and of instances of innovations that are important to consider in a National Action Plan.

A strategic and sustainable step toward meaningfully addressing VAW in Canada is to establish a multi-sectoral NAP that adheres to the guidelines and principles set out by the UN [*Handbook for Legislation on Violence Against Women*](#) (2010) and the UN [*Handbook for National Action Plans on Violence Against Women*](#) (2011).

2. Introduction

The United Nations and governments around the world recognize that National Action Plans (NAP) on Violence against Women (VAW) can play a valuable coordinating role in concerted, sustained efforts to address VAW. The implementation of multi-sectoral NAPs and the adoption/enforcement of national laws are two of five key goals that the UN Secretary-General's [*UNiTE to End Violence against Women*](#) campaign hopes to achieve worldwide by 2015. While numerous policies and pieces of legislation have been enacted and activities undertaken by successive Canadian governments, no comprehensive NAP or national legislation has been pursued in Canada to date.

It is with that chasm in mind that the Canadian Network of Women's Shelters & Transition Houses initiated the present report.

2.1 Project Objective

The objective of the Network's *Mapping VAW Policy and Opportunities Project* (MVP) is to identify existing federal and provincial/territorial policies, action plans, strategies, and legislation that may be affected by or used as the basis for national legislation on VAW.

However, after extensive research, the research team recommends the goal of the MVP be to develop a NAP on VAW in Canada as this would have broader reach and include legal reform as a key component. This report offers a starting point for discussion about a comprehensive strategy for developing Canada's first NAP on VAW.

3. Methodology

3.1 Parameters

This report employs a broad definition of violence against women (VAW) which includes intimate partner violence (physical and sexual violence; psychological and emotional abuse and coercive control; violence in current and past relationships; violence in marriage and common-law and dating relationships), sexual violence, sexual harassment in public and private places, and human trafficking.

In keeping with the UN [*Handbook for Legislation on Violence Against Women*](#) (2010) and the UN [*Handbook for National Action Plans on Violence Against Women*](#) (2011)¹, as well as international human rights treaties and policy documents, this report understands VAW as a form of discrimination, a

¹ United Nations (2011), *Handbook for National Action Plans on Violence against Women*. New York: UN Women; United Nations (2010), *Handbook for Legislation on Violence against Women*. New York: UN Division for the Advancement of Women.

“A woman with a disability who also has another vulnerability, another intersection such as race or ethnicity, sexual orientation, religion, all of these things, or being First Nations – when they intersect, place her at significantly higher risk [of VAW]. The specific disabilities where the rates of violence are high, those would be deaf women, women with intellectual disabilities, women with mental health problems.”

-- Bonnie Brayton, Executive Director, DAWN Canada

manifestation of gender inequality, and a violation of women's human rights. Policies, strategies, and legislation relevant to gender (in)equality were therefore considered within the scope of this report.

3.2 Research Framework & Key Questions

This report is informed by two United Nations documents: the [*Handbook for Legislation on Violence against Women*](#) (2010) and the [*Handbook for National Action Plans on Violence against Women*](#) (2011).² These documents provide model frameworks and good practice for policymakers and advocates to formulate effective legislation and NAPs.

There are strong similarities between VAW legislation and NAPs as presented in these Handbooks: both frame VAW as a human rights and gender equality issue that is a manifestation of historically unequal power relations between men and women and discrimination against women. Both advocate for high-level leadership across government agencies, policy coherence, and broad-based stakeholder input. Both recognize that a multi-pronged focus is needed on prevention, protection, and support to survivors, improvement to legal systems, implementation strategies, and ongoing evaluation and monitoring.

There are also differences between VAW legislation and actions plans, mainly in their breadth of coverage: NAPs establish a coherent framework and strategic long-term program of activity that address root causes of VAW, strengthen systems that respond to it (including legal systems), and assign accountability and appropriate resources; the focus of legislation is primarily on strengthening legal systems to hold perpetrators accountable and provide protection and support to survivors.

This report is a first step toward identifying policies, strategies, and legislation at the provincial/territorial and federal levels in Canada that would need to be taken into account when formulating a national, multi-sectoral NAP.

Research for this report bore in mind the guiding principles for the development of a NAP and national legislation on VAW, as cited in the aforementioned handbooks:

- Acknowledge that VAW is a violation of women's human rights and a form of sex discrimination under international treaties
- Recognize and address the multiple and intersecting forms of VAW
- Draw on research on root causes
- Recognize that women's experiences of violence are shaped by multiple and intersectional forms of discrimination and disadvantage

² *Ibid.*

such as race, ethnicity, religion, sexual orientation, immigrant and refugee status, age, and disability

The researchers also considered UN recommendations³ that a NAP on VAW should:

- Entail a coherent and sustained plan of activity
- Involve review and revision of relevant legislation and policies to ensure contradictions are eliminated
- Specify on-going training for all those who respond to VAW
- Ensure regular collection and dissemination of comprehensive statistical data on the prevalence and impacts of all forms of VAW, service delivery data, indicators of survivor safety and satisfaction with services, as well as independent research
- Focus on primary prevention
- Strengthen and support an integrated system-wide response that has universal coverage, is accessible to all women, and not reliant on reporting to the police
- Strengthen the justice system response
- Implement integrated approaches through sharing information and practices and jointly managing high-risk cases

3.3 Data Collection & Analysis

Data sources consulted for this report include government reports and websites, electronic databases, websites, reports available through community agencies and non-governmental organizations and service providers, and university library holdings.

To help contextualize the findings, the MVP research team obtained input from experts whose experience of various VAW policy/legislation on behalf of particular constituencies lend unique perspectives to this study. Seven qualitative informant interviews were conducted with representatives of the following experience and perspectives: women with disabilities, urban Aboriginal women, immigrant/linguistic minority women, law enforcement, The North, Quebec, and Ontario (because of its domestic violence and sexual violence action plans, as well as the Domestic Violence Advisory Council).

³ *Ibid.*

4. Findings

4.1 Federal/Provincial/Territorial Action Plans & Strategies

Key Findings

The MVP research team found that VAW is not defined consistently or comprehensively across federal and provincial/territorial policies and action plans and none include sexual harassment as a priority area. The federal government does not identify women (as a singular demographic) as an at-risk population in terms of intimate partner violence or sexual violence. It does, however, deem Aboriginal women as such.

The federal government identifies women and children as the primary victims of trafficking for the purposes of sexual exploitation and Aboriginal women and children as a high-risk group.

Federal government documentation does not conform to UN guiding principles for NAPs as specified in section 3.2. Across the board, it favours gender neutrality as opposed to defining VAW as a form of discrimination, a manifestation of historically unequal power relations between men and women, or a violation of women's human rights.

Focus at the federal level is on gender-neutral victims of crime and family violence, though ending violence against women and girls is a current funding priority for Status of Women Canada.

As the federal government has increasingly adopted a law and order agenda (i.e. more incarceration and longer sentencing), attention to and analysis of women as an at-risk demographic has decreased. This is evidenced by the decreasing resources allocated to gender-based analysis in government generally⁴ and with respect to intimate partner violence, family violence, criminal justice, and family law.

By contrast, several provinces and territories in Canada have targeted initiatives and/or action plans related to specific forms of VAW, such as domestic or family violence and sexual violence. None addresses sexual harassment, either in public or private spaces. Most cut across agencies/ministries and are inclusive of different types of violence; some recognize gendered violence within an historical context of gender inequality complicated by other social inequalities. Although none conforms to UN guiding principles in their entirety, many provide promising ground on which to build a NAP on all forms of VAW.

⁴ Despite the fact that Status of Women Canada has developed a Gender-Based Analysis+ (GBA+), an analytical tool for the federal government to advance gender equality in Canada.

Focused Findings

Federal Government

Naming and Framing

Women as a singular demographic are not identified by the federal government as an at-risk population in terms of intimate partner violence or sexual violence. However, Aboriginal women are which is consistently supported by statistics.

Even when addressing violence against women and girls, federal government documentation reviewed for this report favours gender neutrality and does not define violence as a form of discrimination, a manifestation of historically unequal power relations between men and women, or a violation of women's human rights.

Federal government funding tends to be short-term and often limited to developmental community projects.

This is in contrast to the 1995 Status of Women Canada plan, [*Setting the Stage for the Next Century: the Federal Plan for Gender Equality*](#), which laid out a solid vision for gender equality and for making meaningful headway on addressing gendered violence in Canada. These objectives are scarcely seen in current federal government policy today.

Federal Programming

The Government of Canada's "main tool for reducing family violence" is the Family Violence Initiative (FVI) which includes 15 departments, eight of which receive a portion of a \$7 million funding allocation. The FVI is led by the Public Health Agency of Canada which operates a National Clearinghouse on Family Violence. Where the FVI may be in discord with a NAP on VAW or legislation is its lack of meaningful acknowledgement of gender and other social inequalities as causal factors in VAW. Further, it has not shown to be consultative or inclusive of people working in the field or with survivors.

Under the FVI, the federal government has funded projects to identify best practices, strengthen the justice system, enhance awareness (including language-specific and culturally appropriate resources), improve access to justice through public education materials, improve training for professionals, enhance collaborations, and produce regular statistical data.

While one of its stated priorities is to "end violence against women and girls", Status of Women Canada (SWC) eliminated gender equality from its mandate and funding priorities in 2006, representing a marked departure from its previous interest in funding research and analysis of the root causes of VAW

and support/services for survivors. In its current program objectives, SWC calls for proposals on specific themes, including: preventing and reducing VAW in high-risk neighborhoods; engaging men and boys in addressing VAW; preventing VAW in the name of honour; preventing and reducing trafficking of women and girls; engaging young people to prevent VAW on post-secondary campuses.

The federal government's National Action Plan to Combat Human Trafficking is guided by four pillars: prevention of human trafficking; protection of victims; prosecution of offenders; working in partnership with others both domestically and internationally.⁵ While the focus is on criminalization, surveillance, and monitoring of "vulnerable populations" (i.e. immigrants, international students, sex workers) and law enforcement training, the acknowledged importance of victim protection, stakeholder consultation, and strategic partnerships suggests the potential for collaboration on the development of national VAW legislation or a NAP. So, too, does its recognition that trafficking for the purpose of sexual exploitation is the most common manifestation and that women and children are the primary victims of this form. It identifies more generally that at-risk groups include immigrants and migrants; economically and socially disadvantaged and marginalized people; teenage runaways; children in protection; and Aboriginal women, youth, and children. Moreover, it states that "because women and girls are most often victims of trafficking for the purpose of sexual exploitation, the Government will invest in initiatives to end violence against women and girls", citing Status of Women Canada's project funding as an example.⁶ The Plan does not, however, fully recognize the role of civil society and non-government organizations nor does it indicate that the government will act on the underlying causes of trafficking, notably poverty, discrimination, racism and gender inequality⁷.

Gender and crimes of violence against women have disappeared from the priorities of the National Crime Prevention Centre (NCPC). At its inception in 1998, research and policy focused on four priority areas: children, youth, women and girls, and Aboriginal people. Gendered analysis crosscut each of these. A re-framing of priorities has shifted the focus to more general work on crime prevention.

NCPC programming currently favours projects that target risk factors for crime among young people, respond to youth gangs and drug-related activity, prevent recidivism among offenders, and foster prevention in Aboriginal

⁵ Government of Canada (2012). *National Action Plan to Combat Human Trafficking*. www.publicsafety.gc.ca/prg/le/fl/cmbt-trffkng-eng.pdf

⁶ *National Action Plan to Combat Human Trafficking*, p. 14.

⁷ Comité d'action contre la traite humaine interne et internationale (CATHII) Info Septembre-Octobre 2012

communities and in the North.⁸ Family violence appears only as a risk factor on youth trajectories towards crime.

There has been an abundance of government funding cuts to social justice organizations that provide VAW supports. Examples of cuts in recent federal budgets include:

- National Aboriginal Health Organization (NAHO) lost all its funding and closed in 2012 after 12 years of operation⁹
- In 2012, Pauktuutit (Inuit Women's Association of Canada) was forced to eliminate health programming due to a \$730,000 funding cut from Health Canada¹⁰
- Native Women's Association of Canada (NWAC) suffered a 100% funding cut from Health Canada and 10% from AANDC in 2012
- The Aboriginal Healing Foundation which provided funding to several healing centres that support abused women was defunded in the 2010 federal budget¹¹
- Women's Health Contribution Program (WHCP), in operation since 1996, was eliminated in 2013¹²; it provided funding to six crucial research programs: BC Centre of Excellence for Women's Health, Atlantic Centre of Excellence for Women's Health, Canadian Women's Health Network, National Network on Environments and Women's Health, Prairie Women's Health Centre of Excellence, Réseau québécois d'action pour la santé des femmes
- The National Council of Welfare, in operation since 1969, lost all its funding in 2012¹³

The Federal government is in the process of further cuts to the public service which will likely affect services linked to the VAW sector.

Provincial & Territorial Action Plans

A number of provinces and one territory have action plans related to specific forms of VAW. A review of the extent to which these action plans reflect the proposed recommendations in the UN Handbook (Appendix 1) reveals that most recognize gendered violence within an historical context of gender inequality complicated by other social inequalities, and offer specificities that would be compatible with a National Action Plan.

⁸ Public Safety Canada (2009). *Supporting the Successful Implementation of the National Crime Prevention Strategy*. <http://www.publicsafety.gc.ca/res/cp/res/fl/ssincps-amosnpc-eng.pdf>

⁹ <http://www.naho.ca/about/>

¹⁰ <http://pauktuutit.ca/blog/funding-for-pauktuutits-national-inuit-health-projects-eliminated/>

¹¹ <http://www.ahf.ca>

¹² <http://www.winnipegfreepress.com/breakingnews/Womens-health-research-148984465.html>

¹³ <http://www.canadiansocialresearch.net/ncw.htm>

Manitoba, Quebec, Ontario (both the *Domestic Violence Action Plan* and the *Sexual Violence Action Plan*), and Newfoundland and Labrador employ a gender inequality lens and Ontario's *Sexual Violence Action Plan* is noteworthy for addressing minority populations, women with language barriers, and women with disabilities.

Overall, Newfoundland and Labrador's *Taking Action against Violence* initiative is strongly aligned with the UN guiding principles. In addition to a strong focus on gender inequality, it involved participation of community agencies and other stakeholders in its design, specifies political leadership and assigns budgetary resources, specifies activities and goals and assigns responsibility centres. There is an emphasis on strengthening social and economic supports to survivors. It requires that all new and existing legislation and policies related to violence prevention undergo a gender analysis to ensure that women's needs are understood and addressed in program design and delivery.

Several other provinces and territories, including the Northwest Territories, British Columbia, Alberta, Ontario and Quebec also construct their action plans with specific activities, goals and responsibility centres.

Quebec has several action plans which address violence against women.¹⁴ Action plans in Quebec are often directly linked to specific government policy which reflects the direction and objectives of the government on a matter of public interest.¹⁵ It is a tool of the state which differs from a law or a public program or action plan. The two major policies addressing the issue of VAW are the 1995 [*Government Policy on Intervention in Conjugal Violence: Preventing, Detecting and Ending Conjugal Violence*](#)¹⁶ and the 2007 [*Government Policy for Gender Equality: Turning Equality in Law into Equality in Fact*](#).¹⁷

The 1995 policy on domestic violence recognizes that VAW is a manifestation of historical inequality and subordination of women. It also states that VAW is a means of domination and power and that gender equality is elemental to eliminating VAW. This is, however, not clearly articulated in the most recent

¹⁴ There have been three successive actions plans on domestic violence (1995, 2004 and 2012), all of which are directly linked to the 1995 Policy on Intervention in Conjugal Violence. There have also been two successive actions plans on gender equality (2007-2010 and 2011-2015), both of which are linked to the 2007 Policy for Gender Equality.

¹⁵ For more information on the general notion of public policies in Quebec, see Conseil de la famille (1989). *Penser et agir famille. Guide à l'intention des intervenants publics et privés*, Québec, Gouvernement du Québec. pp. 15-17.

¹⁶ Gouvernement du Québec (1995). *Prévenir, dépister, contrer la violence conjugale : politique d'intervention en matière de violence conjugale*.

¹⁷ Gouvernement du Québec (2007). *Pour que l'égalité de droit devienne une égalité de fait : politique gouvernementale pour l'égalité entre les femmes et les hommes*.

[action plan \(2012-2017\)](#).¹⁸ The plan is divided into two sections, one of which is specific to Aboriginal women and identifies essential conditions for successful implementation, evaluation, and follow-up to address the needs of Aboriginal women fleeing violence.¹⁹

Quebec's 2004-2009 action plan on domestic violence (which is the second of three successive action plans linked to the 1995 policy) included increased funding to shelters which enabled the expansion of services to residents and women survivors of abuse in the community to better respond to their needs for housing, employment, medical, legal, mothering and child-related assistance, as well as improved accessibility of services.²⁰ It also allowed for greater standardization of services across the province and thus greater consistency. Broader training options made available to shelter staff have enhanced expertise and improved retention.

Quebec also has a [gender equality policy](#)²¹ and [action plan \(2011-2015\)](#) that incorporates prevention of domestic violence, sexual violence, sexual exploitation and trafficking in women within a gender equality framework.²² Other provincial action plans worth noting are the [Action Plan on Sexual Assault \(2008-2013\)](#)²³, the [Action Plan on Gender-Based Analysis \(2011-2015\)](#)²⁴, and the [Action Plan on Women's Health and Well-Being \(2010-2013, extended to 2015\)](#)²⁵.

Ontario's [Domestic Violence Action Plan \(DVAP\) \(2004, 2007, and 2012\)](#) was developed through a series of stakeholder consultations and was informed by the diverse Domestic Violence Advisory Council which continues to provide

¹⁸ Gouvernement du Québec (2012). *Prévenir, dépister, contrer la violence conjugale : Plan d'action gouvernemental 2012-2017 en matière de violence conjugale*.

¹⁹ *Ibid*, p.23-33.

²⁰ Rinfret-Raynor, M., Brodeur, N., & Lesieux, E. (2010). *Domestic Violence Support Services: Current Situation and Priority Needs*. Montreal: CRI-VIFF, p. 17

²¹ Gouvernement du Québec (2007). *Pour que l'égalité de droit devienne une égalité de fait : politique gouvernementale pour l'égalité entre les femmes et les hommes*; and Gouvernement du Québec (1995). *Prévenir, dépister, contrer la violence conjugale : Politique d'intervention en matière de violence conjugale*.

²² Gouvernement du Québec (2011). *Plan d'action gouvernemental pour l'égalité entre les femmes et les hommes, 2011-2015*.

²³ Gouvernement du Québec (2008). *Plan d'action gouvernemental en matière d'agression sexuelle, 2008-2013*.

²⁴ Gouvernement du Québec (2011). *Plan d'action en matière d'analyse différenciée selon les sexes, 2011-2015*.

²⁵ Gouvernement du Québec (2010). *Plan d'action en santé et bien-être des femmes, 2010-2013*. The latter assesses the impacts of social determinants of health (of which domestic and sexual violence is one) on women's health and well-being in order to better address disparities. It commits to implementing gender-based analysis in planning and management practices within the health and social services governmental sector, in order to adapt ministerial, regional and local actions to make them more efficient in meeting women's needs (p.7).

advice to the government. The DVAP includes a wide variety of program recommendations, funding allocations, and is grounded in a gender equality and intersectional analysis with a special focus on Aboriginal and Francophone women. The province's new [*Sexual Violence Action Plan \(2011\)*](#) uses "a diversity lens" to prioritize the development of standards of care, strengthening the criminal justice system, and deepening the sensitivity of law enforcement in dealing with VAW. It was developed through consultation with VAW agencies as well as survivors of sexual violence.

Aboriginal women/communities are referenced with specifics in the plans of Ontario, Newfoundland and Labrador, Quebec, Manitoba and Alberta.

The policies and action plans most likely to accord with UN guiding principles are those that involved widespread stakeholder consultation.

4.2. Protection, Support & Assistance to Survivors

Federal Government

At the federal level, several mainstay initiatives offer support to survivors of VAW within the context of general victims' services. Most maintain gender neutrality in the design and delivery of services. None regards VAW through a lens of human rights or women's equality.

The predominant priority among federal victims' services is to provide advice on navigating governmental and legal systems. The Policy Centre for Victim Issues of the Department of Justice helps victims understand their "role in the criminal justice system and the laws, services and assistance available to support them". There is no specific gender sensitivity or approach, though the Policy Centre for Victim Issues has released publications dealing with women, demonstrating recognition of the unique experiences of women victims.²⁶

Another stated objective of the Policy Centre for Victim Issues is to ensure victims' perspectives are fully considered when relevant federal laws and policies are developed. A National Action Plan would represent an important

²⁶ See for example Broad, G. & Hagerty, A. (2005) *Just Between You and Me: A Peer Public Legal Education and Information (PLEI) Programme for Women in Family Violence Situations* http://www.justice.gc.ca/eng/rp-pr/fl-lf/famil/rr04_5/index.html; Crnkovich, M., Addario, L. & Archibald, L. (2000) *Inuit Women and the Nunavut Justice System* http://www.justice.gc.ca/eng/rp-pr/aj-ja/rr00_8/index.html; Nelder, M. & Snelling, S. (1999) *Women Speak: The Value of Community-Based Research on Woman Abuse* http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rr00_14/index.html

opportunity to influence the Policy Centre for Victim Issues' development of gender-sensitive and human rights approaches to VAW.²⁷

Several agencies provide services to victims of federal offenders (those serving a prison sentence of two years or more); however, few survivors benefit as few perpetrators of VAW receive lengthy prison sentences. For example:

- The National Victim Services Program of Correctional Service of Canada provides victims with information about offenders upon request. While it indicates services that “cater” to men and women, its approach is more gender neutral than gender sensitive in terms of any particularly specialized approaches to serving women survivors of violence.
- Victims can also register with the Parole Board of Canada to receive information about the offender who harmed them. The federal body is entirely gender neutral in its approach and does not engage in analysis that is publically available.
- The National Office for Victims (NOV) fields victims' concerns and questions about offenders and the federal correctional system. Of significance is NOV's lead role in inter-departmental/inter-jurisdictional discussions and policy development on issues related to victims: a National Action Plan could potentially influence the NOV's development of gender-sensitive and human rights approaches to VAW.
- The Canadian Resource Centre for Victims of Crime (CRCVC) focuses on gender-neutral assistance to victims in their dealings with: post-trial agencies such as Correctional Service of Canada and the Parole Board of Canada; financial benefits/compensation programs; provincial Review Boards, and the like. There is also “long-term emotional support” offered, though what that entails is unclear.
- The Federal Ombudsman for Victims of Crime, focused exclusively on matters of federal jurisdiction, is as a resource for victims that neither explicitly recognizes the unique experience of women in terms of VAW nor expresses gender sensitivity directly.²⁸

²⁷ PCVI's Victim Services Directory provides a comprehensive list of resources searchable by postal code to which agencies can add and their own listing <http://www.justice.gc.ca/eng/cj-ip/victims-victimes/vsd-rsv/index.html>

²⁸ The current Ombudsman frequently references women's rights and demonstrates interest in and commitment to the efforts of organizations working on behalf of VAW survivors. She has publicly stated a human rights-based analysis of VAW and commitment to helping improve service delivery at the federal level for survivors. The extent to which her advocacy will yield the meaningful inclusion of VAW perspectives in the upcoming Victims' Bill of Rights remains to be seen.

Shoring up approaches and analysis on VAW at the federal level within a National Action Plan grounded in a gendered and human rights framework will be critical. This is particularly the case within a program as vital as the gender-neutral Family Violence Initiative which has overseen federal/provincial/territorial collaboration on specific areas such as VAW, Aboriginal women's issues, spousal abuse policies and legislation, and criminal harassment.²⁹

Provincial/Territorial Governments

Provincial and territorial governments provide varying degrees of funding to agencies serving survivors of violence, such as shelters and transition homes, sexual assault centres, and sexual assault nurse examiners as well as criminal justice services. It was, however, beyond the scope of the study to extensively review provincial/territorial services that provide protection and support services to survivors.

Community-Based Services

Many shelter services operate at capacity. As the number of emergency shelters for abused women continues to grow, so does the number of women and children using them, both for shelter and for advice and support. In 2010, on a single day, 4,645 women and 3,611 children were residing in shelters in Canada and 426 women were turned away: half due to lack of space, one-fifth because the shelter was unable to accommodate their mental health or substance abuse problems.³⁰

The three most important challenges facing shelters are funding, staffing, and affordable housing for women leaving shelters.³¹ These challenges are more acute for Aboriginal shelters whose staff earns less than shelter workers in other parts of Canada.³²

Lack of coordination between community, social service, and justice sector agencies is a persistent problem. Lack of integration of services is due to: lack of training or competence in areas considered outside one's mandate and/or professional expertise; differences in philosophy of some woman abuse programs that approach the issue from a gender and societal perspective; and

²⁹ *The Family Violence Initiative Performance Report 2002-2003 and 2003-2004* (2004)

³⁰ Burczycka, M. & Cotter, A. (2011) Shelters for abused women in Canada, 2010. *Juristat*. Catalogue no. 85-002-X. Ottawa: Statistics Canada.

³¹ Taylor-Butts, A. (2005), Canada's Shelters for Abused Women, 2003/04. *Juristat*. Catalogue 85-002-XIE, Vol. 25, no. 3. Ottawa: Statistics Canada, p. 11.

³² Lamontagne, M. (2011). *Violence Against Aboriginal Women: Scan and Report*, p. 11.
http://www.canadianwomen.org/sites/canadianwomen.org/files/PDF%20-%20VP%20Resources%20-%20Lamontagne_CWF_Aboriginal%20Women_Final_2011.pdf

substance abuse and mental health services tend to employ an individualized medical model.³³

Moreover, few agencies are equipped to respond to women with complex needs such as those whose experiences of violence are compounded by insecure housing, mental illness or substance abuse issues.³⁴ Training is a related issue, both within and outside VAW services. Many mainstream professionals (i.e., doctors, lawyers, social workers, faith leaders) do not receive the proper training to respond effectively to women who disclose experiences of violence. At the same time, many agencies of these services are not directly mandated or funded to deliver VAW services. Few services are offered to families that want to remain intact, and few hold violent men accountable while also protecting women and children. Shelter staff often lack the training or resources needed to respond to diverse groups of women and women with multiple and complex needs.³⁵

According to the Ontario Domestic Violence Advisory Council, “The current system has resulted in two sectors co-existing on parallel tracks. Women and children are on one track and are directed through professional services that do not always have domestic violence as their primary mandate. Men who abuse are dealt with through a justice system that does not easily differentiate between men who have a willingness to recognize and change their violent behavior and those unwilling to change.”³⁶

Conducting a thorough research of non-governmental victims’ services at the provincial/territorial or community levels was beyond the scope of this project. The following list below is meant to provide but a sampling:

- In BC, initiatives like Community-Based Victim Services are served by the Ending Violence Association of British Columbia (EVA BC), until 2008 known as the BC Association of Specialized Victim Assistance and Counselling Programs. With recognition of intersectionality and comprehensive approaches to VAW, EVA BC’s focus is on supporting those working with victims at the front lines through training, knowledge exchange, monitoring and mitigation of issues,

³³ BC Society of Transition Houses (2011). *Report on Violence Against Women, Mental Health and Substance Use*, p. 11.

³⁴ Novac, S. (2006) *Family Violence and Homelessness: A Review of the Literature*. Ottawa: National Clearinghouse on Family Violence, Public Health Agency of Canada; Rinfret-Raynor et al., (2010), p. 29; Alberta shelter survey; Priority issues identified by Network members; BC Society of Transition Houses (2011). *Report on Violence Against Women, Mental Health and Substance Use* http://www.canadianwomen.org/sites/canadianwomen.org/files/PDF%20%20VP%20Resources%20%20BCSTH%20CWF%20Report_Final_2011_%20Mental%20Health_Substance%20use.pdf

³⁵ Rinfret-Raynor et al., (2010), p. 29

³⁶ *Transforming our Communities, (2009) Report from the Domestic Violence Advisory Council for the Minister Responsible for Women's Issues, (Ontario)*

communications/PR, assistance to government, and resource development.

- In Saskatchewan, the *Information for Victims* stream of PATHS (Provincial Association of Transition Houses & Shelters) provides support and advocacy for women who have experienced abuse and education about VAW more broadly. It takes a gender-sensitive approach and acknowledges Aboriginal women uniquely.
- The *Victims' Services Program* of the Pulaarvik Kablu Friendship Centre in Rankin Inlet offers counseling and assistance in court to people who are victims of crime or faced with violence at home (both reported and unreported). Primary clientele of its related Spousal Abuse Counseling Program – the first of its kind in Nunavut – are women.
- In Vancouver's Downtown Eastside, the organization Women Against Violence Against Women runs an *Aboriginal Women's Services Program* that includes support, counselling, and referrals to survivors of VAW from approaches rooted in human rights, colonial, and patriarchal analyses.
- A recent initiative of the Ontario Association of Interval and Transition Houses (OAITH) is its *Survivor Advisory Committee*, what OAITH dubs "a success story" emerging from its *Survivor Voices Inclusion Project*. This committee moves beyond support for survivors to engagement and empowerment, giving them representation in lobbying and advocacy, service improvement, awareness-raising, and public education.
- Consistent with UN recommendations, Battered Women Support Services in Vancouver has provided support and advocacy for survivors of abuse through a human rights-based framework and understanding of VAW since 1979. It has services specific to Aboriginal women.
- Based on the premise that women are safer when their partners are given support to address risk factors, Changing Ways (a partner assault program in London), together with Women's Community House, London Police Services, and academic partners, is piloting a project that provides support to high risk abusers and victims. The aim is to engage both informal and formal supports in the community based on the lived experiences of abusers and victims to reduce the risk of recidivism while men are involved with the criminal justice system.³⁷

³⁷ Rinfret-Raynor et al., (2010, p. 53) recommend a similar approach for Québec.

Criminal Justice-Based Victim Services

A range of unconnected gender-neutral victim services programs operate within provincial/territorial Departments of Justice.

There were 911 victim service providers in Canada in 2010, almost 40% of which are based within police agencies and 10% are court-based.³⁸ Although the majority of clients they serve are women seeking support for sexual or domestic violence, they lack a gender analysis. Sexual assault centres account for 15% of services and the remainder are other types of community-based victim services (shelters and transition homes are not included in this tally).

Victim services that are situated within a “victims of crime” framework are available only to women who engage with the criminal justice system. Similarly, exposure to behavioural change programs for violent men tends to occur only following conviction since few abusers attend voluntarily. This is contrary to UN guidelines as spelled out in the *Handbooks* which require services to be available to all survivors, independent of whether they report to police.³⁹

Women who are Marginalized

The scope of the present report did not allow a comprehensive scan of victims’ services for particular demographics of women. However, issues specific to Aboriginal women are long standing and deserve special mention.

Violence against Aboriginal women stems from historic and systemic racism, discrimination, and social and economic inequality. The failure of Canadian governments to address this long-standing inequality constitutes a violation of basic human rights.⁴⁰ This represents an important entry point for a NAP on VAW.

Strategies to address VAW in Aboriginal communities suffer from long-term lack of resources and normalization of this violence.⁴¹ In many communities, shelters are the only resource. Many Aboriginal people experience racism

Often, the only support or service available to immigrant women fleeing VAW is language interpretation, which does not go far enough as support: “When I’m sitting there as an interpreter, I’m not just interpreting her language, I’m feeling what she’s feeling and trying to interpret that, as well as her fears and lack of knowledge and questions that come from that. But I’m only being asked to interpret the language and then I’m told I can leave.” Neelu Sachdev of the Regina Immigrant Women’s Centre points to a need for deeper support to guide and advise immigrant women of the policies that affect them “and the legislation that is supposed to protect her so she internalizes everything in order to make choices based on true understanding”.

³⁸ Munch, C. (2012). Victim Services in Canada, 2009/2010. *Juristat*. Catalogue no. 82-002-X.

Ottawa: Statistics Canada. <http://www.statcan.gc.ca/pub/85-002-x/2012001/article/11626-eng.pdf>

³⁹ See for example, Manitoba Justice Domestic Violence Support Service

<http://www.gov.mb.ca/justice/victims/services/dvss.html>

⁴⁰ Amnesty International, (2004), *Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous Women in Canada*, AMR 20/003/200, p 4.

<http://www.amnesty.ca/sites/default/files/amr200032004enstolensisters.pdf>

⁴¹ National Aboriginal Circle Against Family Violence (2006). *Ending Violence in Aboriginal Communities: Best Practices in Aboriginal Shelters and Communities*. Ottawa: NACAFV.

“Violence against women and girls with disabilities and deaf women can take many different forms. One of the things that's quite clear and a disadvantage of women with disabilities and deaf women is that many times, the type of funding that is provided to transition houses and shelters is earmarked specifically for something using the term conjugal violence. The use of that term in the context of what shelters and transition houses are allowed to support provides a significant barrier to them being able to support women with disabilities because the definition of conjugal violence needs to be expanded and understood to mean different things to different populations of women including women with disabilities and deaf women. Conjugal violence at this stage is generally understood to be couple violence or between couples and in many cases with a women with a disability it may be somebody other than a spouse. It could be a caregiver, a parent, somebody who's formally charged with their care.”

-- Bonnie Brayton, Executive Director, DAWN Canada

from mainstream legal systems and many don't trust and therefore don't use mainstream health care service.⁴²

Aboriginal women have not benefited from the dominant short-term crisis intervention model in Western therapeutic techniques. Many reports have called for these to be combined with a long-term holistic approach that incorporates traditional ways of healing.⁴³ In addition, maintaining staff capacity to respond to the complex issues facing Aboriginal women requires ongoing training and often results in staff burnout, high turnover, and loss of knowledge and capacity.

The effects of domestic violence and the ability to resist or escape are exacerbated for rural women due to geographical isolation, poverty, economic dependence, social isolation, lack of privacy, lack of public transportation / distance to services, limited services, uninformed workers, reluctance to leave farm animals behind, decreased access to resources such as employment, advanced education, and child care, abusers' access to firearms, and often a more patriarchal attitudes toward women and separation.⁴⁴ Many of these pertain to Aboriginal women on reserve.

A few initiatives developed for particular groups of women are illustrative of the innovations underway that could form important models to incorporate into a National Action Plan:

- The “Signs of Safety” approach practiced by the Native Women’s Transition Centre in Winnipeg⁴⁵ breaks down secrecy and shame and widens the circle of accountability, safety, and care. Shifting the focus from an ongoing cycle of managing crises to a shared responsibility and a stronger continuum of care is a paradigm shift from risk-based practice to a focus on women's safety. Isolation, marginalization, and lack of involvement in decisions that affect their lives elevate the risk of abuse for vulnerable people; safety therefore requires plans that

⁴² Health Council of Canada (2012). *Empathy, Dignity, and Respect: Creating Cultural Safety for Aboriginal People in Urban Health Care*. Toronto: Health Council of Canada; Human Rights Watch (2013). *Those Who Take Us Away: Abusive Policing and Failures in Protection of Indigenous Women and Girls in Northern British Columbia, Canada*. New York: Human Rights Watch.

⁴³ Lamontagne, M. (2011). *Violence Against Aboriginal Women : Scan and Report*. Canadian Women’s Foundation. http://www.canadianwomen.org/sites/canadianwomen.org/files/PDF%20-%20VOP%20Resources%20-%20Lamontagne_CWF_Aboriginal%20Women_Final_2011.pdf

⁴⁴ Kasdorff, D. & Erb, B. (2010), *Serving Victims of Violence in Rural Communities: Challenges and Best Practices*, Victim/Witness Assistance Program, East Region Ontario; Alberta Council of Women’s Shelters (2012), *Making Amends: Supporting Survivors of Domestic Violence in Rural Alberta*, Edmonton: ACWS.

⁴⁵ Briefing Submission, Amendment to Bill C-36 (n.d.), Bernice Cyr, Native Women’s Transition Centre and Mike Caslor, Building Capacity Consulting and Counseling Services. The approach is based on the Signs of Safety practice model developed in Western Australia for child protection now in place in 11 countries.

address these factors. The “Signs of Safety” approach puts vulnerable people at the centre of that planning.

- The BC Society of Transition Houses is working to reduce barriers for abused women seeking support who have mental health or substance use problems. They provide resource material in the form of a toolkit and training for shelter staff so that they can better understand and accommodate these women. This work is guided by a human rights analysis of VAW.
- Since 2012, the Regina Immigrant Women's Centre has been engaged in a multi-year project to bridge immigrant women experiencing VAW with mainstream services that can help them through counselling and referrals. The project also involves the development of a response protocol for shelters and other agencies working with immigrant women in Regina – the first of its kind in Saskatchewan.
- The Muslim Resource Centre for Social Support and Integration in London, Ontario is working to break down barriers between immigrant communities and mainstream service providers through cross-cultural training. Community leaders and social service and justice agencies work through complex family conflict and violence issues that arise from stressors associated with immigration, including trauma derived from living in conflict or disaster zones and cultural differences.⁴⁶ The centre has also implemented a culturally-competent partnership with the London and Middlesex Children's Aid Society (CAS) and the Oxford CAS which is credited with a dramatic drop in the number of Muslim children in care.⁴⁷
- The Multicultural Women's association of St. John's offers violence prevention services which are regularly attended by male participants. The Association also works closely with partners such as the Newfoundland Crisis Centre and women's shelters.
- A recent three year project in the North West Territories developed safety options in communities without a local RCMP detachment by using a culture-based model to build women's confidence and relationships of trust. These were identified as the pre-cursors to creating community-based safety options. The project's evaluation highlighted the importance of adopting a decolonizing methodology and having a team that included Dene women.

⁴⁶ <http://mrcssi.com>

⁴⁷ <http://mrcssi.com/programs-and-services/mrcssi-and-cas-integrative-services>

4.3. Response of Legal Systems & the Law

Key Findings

A strong criminal justice response to intimate partner violence has symbolic value by denouncing this violence as a crime. It is, however, applied inconsistently across jurisdictions and often results in negative consequences for survivors. Criminal, family, and civil law and child welfare policies criminalize or otherwise hold survivors accountable are:

- When police apply a strict interpretation of pro-charging policies, women are charged along with or instead of their abusers
- Failure-to-protect policies and practices in child protection are gender-neutral yet hold women—not their violent partners—responsible for preventing harm to children
- Inconsistencies and incoherence between criminal and family/civil courts is a serious and persistent problem; custody orders that grant abusers access to children often contradict bail and sentencing conditions and can increase the risk of violence⁴⁸
- Women can lose housing, immigration status and their children as a result of reporting to the police
- Aboriginal women face persistent racism, biases, and stereotypes when they report to the police; they are often not taken seriously and have been the targets of physical and sexual assaults by the police⁴⁹

Despite the substantial resources dedicated to criminalizing domestic violence⁵⁰, evaluations are incomplete and have been unable to identify the precise factors that make women safer. In addition, the effort to address domestic violence via the criminal justice system has not been similarly applied to sexual violence and, as a result, reporting and conviction rates for this crime remain extremely low.⁵¹

⁴⁸ Rinfret-Raynor et al., (2010), p. 29; Fédération d'hébergement pour femmes violentées et en difficulté du Québec (2011). *La violence faite aux femmes...plus jamais!. Vers un troisième plan d'action gouvernemental en matière de violence conjugale: Actualiser, maintenir et renouveler les actions afin de contrer la violence conjugale et assurer la sécurité des victimes, bilan et recommandations*, p. 13.

⁴⁹ Minaker, J. C. (2001). Evaluating criminal justice responses to intimate abuse through the lens of women's needs. *Canadian Journal of Women and the Law*, 13(1), 74-106; Human Rights Watch (2013). *Those Who Take Us Away: Abusive Policing and Failures in Protection of Indigenous Women and Girls in Northern British Columbia, Canada*. New York: Human Rights Watch; Oppal, W.T. (2012) *Forsaken: The Report of the Missing Women Commission of Inquiry*, Executive Summary. <http://www.missingwomeninquiry.ca/wp-content/uploads/2010/10/Forsaken-ES-web-RGB.pdf>.

⁵⁰ Zhang, T., Hoddenbagh, J., McDonald, S. & Scrim, K. (2012). *An Estimation of the Economic Impact of Spousal Violence in Canada, 2009*. pp 12-07. Ottawa: Department of Justice Canada.

⁵¹ Johnson, H. (2012). Limits of a criminal justice response: Trends in police and court processing of sexual assault. In Sheehy, E. (ed.) *Sexual Assault in Canada: Law, Legal Practice and Women's Activism*, pp. 633-654.

Which particular policy would
Sgt. Beth Campbell of
Alberta's RCMP Family
Violence Program change if
she could wave a magic wand?

"How we share information. And that'll be probably something you'd see in any division where you have RCMP because we are bound by federal or privacy legislation. We work with partners in the province who are held to provincial privacy legislation. We can share information in the best interest for the safety of a victim, but we can only share so much. Quite often, we come across looking like the bad guys 'cause we'll say, well that's information we cannot share. And it's not because we don't want to – we might be itching to share that information – but we have to be respectful of the legislation that we're bound by as the federal policing service. There is a part of federal legislation that allows us to share, like when a victim is at risk. However, it's very limiting when you're, say, wanting to do case conferencing."

Some effort has been made to address problems with the responses of legal systems such as through primary aggressor policies that aim to reduce dual charging, and integrated court systems. For example, the Integrated Domestic Violence Court—a pilot project combining criminal and family court—began in Toronto in 2011. A single judge hears domestic violence criminal charges and custody, access, and support matters. The aim is to remove inconsistencies between family and criminal court orders, increase accountability of the accused and safety of victims, and reduce delays.⁵² In March 2011, the domestic violence court in Moncton became permanent after a four-year pilot project⁵³. The court combines specialization in domestic violence cases with coordinated community-based resources for support and treatment of victims and offenders.

There is widespread agreement that legal systems across Canada are costly, inaccessible, and fragmented, and that they must be improved in order to better address VAW and serve survivors of VAW. A National Action Plan may provide the policy direction and oversight needed to address these entrenched problems.

Focused Findings

Criminal Justice System

Lauded mostly as successes, pro-charging and pro-prosecution policies were enacted by governments in all jurisdictions across Canada in the early 1980s in an effort to hold perpetrators of domestic violence accountable. Since the early 1990s, many jurisdictions have implemented specialized domestic violence courts or specialized court processes. Although government support appears to have been committed to most of these initiatives, the Government of Newfoundland and Labrador recently terminated funding for the Family Violence Intervention Court which had been operating as a pilot program in St John's for three years.

Evaluations show that such courts have enhanced support and referral for victims, increased the use of behavioural change programs for abusers as a sentencing option, improved training for police and crowns, and resulted in fewer dropped cases and faster processing.⁵⁴

However, they have also had negative consequences for many women. Strict interpretation of pro-charging policies has resulted in dual charging (of both women and men), regardless of whether violence was used aggressively or

⁵² Ontario Court of Justice website <http://www.ontariocourts.ca/ocj/integrated-domestic-violence-court/overview/>

⁵³ http://www2.gnb.ca/content/gnb/en/news/news_release.2011.03.0376.html

⁵⁴ Ursel, J., Tutty, L. & LeMaistre, J. (eds.) (2008). *What's Law Got to do With It? The Law, Specialized Courts and Domestic Violence in Canada*, Toronto: Cormorant Books,

defensively. Many police agencies have established dominant/primary aggressor policies and training in an attempt to prevent these situations.⁵⁵

There is little research on how effective pro-charging and pro-prosecution policies are in deterring perpetrators or making women safer. Evaluations have focused on indicators of success from the point of view of criminal justice system priorities (i.e. reducing attrition and improving case processing) rather than from the perspective of women's safety.⁵⁶ Pro-prosecution policies specify that prosecution will proceed without victim cooperation by introducing expert witnesses and similar fact and prior conduct evidence.⁵⁷ This policy is intended to increase prosecutions and prevent intimidation of women by their abusive partners. It has been criticized for disempowering women and not respecting their right to make decisions for themselves when, for any number of reasons, they wish to discontinue the prosecution. Courts do not publish data on recantations or the contexts in which they occur, or other information needed to assess the impacts of this policy.

Frontline services often express that they are shut out of high risk committees due to concerns about "confidentiality", suggesting that these agencies are lacking in expertise and professionalism.⁵⁸

Women who are sexually assaulted face systemic discrimination. Gender-based stereotypes and biases toward survivors of sexual assault are deeply rooted in criminal justice agencies, social and health service providers, and the general public. Women are often blamed for the sexual violence perpetrated against them⁵⁹ and as a result, sexual assault is the violent crime least likely to be reported to the police (less than 10% nationally). In addition, sexual assault complaints are unfounded by police more often than other crimes, as high as 30% in some jurisdictions, which researchers have traced to suspicion and

*Approaches that hold women responsible for protecting children against male partners' violence are based on "erroneous and dangerous assumptions: that a woman has some control over her partner's violence; that reporting the violence or leaving the perpetrator will reduce violence; that victimized mothers receive swift and supportive response from the criminal justice system if they choose to report; and that drawing attention to men's violence results in greater safety for children".... "A woman's attempts to comply with CPS directives are also complicated by the separate and often contradictory rules, expectations, and enforcement mechanisms of child protection, criminal justice, and family law systems."**

Source: Strega & Janzen (2013)

⁵⁵ See for example the Domestic Violence Handbook for Police and Crown Prosecutors in Alberta (2008) and the BC Violence Against Women in Relationships Policy (2012). The government of Ontario has developed the Dual Charge Investigative Aid for police (Domestic Violence Action Plan, update 2007).

⁵⁶ Johnson, H. (2012) *Why Women Need a Voice in Policy and Legislation: The Case of No-drop Prosecution of Domestic Violence*. Keynote presentation at the National Sheltering Forum, Canadian Network of Women's Shelters and Transition Houses, Montreal, September 19, 2012; This is also a recommendation of the DVAC in *Transforming our Communities: Report from the Domestic Violence Advisory Council for the Minister Responsible for Women's Issues*. May, 2009, p. 81.

⁵⁷ See for example: Alberta Justice (2008). *Domestic Violence Handbook for Police and Crown Prosecutors in Alberta*, Edmonton: Alberta Justice.

⁵⁸ Johnson, H. & Fraser, J. (2011) *Domestic Violence Courts: Do they Make Women Safer?* Part I. Unpublished consultations with community groups in the Ottawa area.

⁵⁹ Johnson, H. & Dawson, M. (2011). *Violence Against Women in Canada: Research and Policy Perspectives*. Toronto: Oxford, Chapter 5.

disbelief on the part of police.⁶⁰ In the court room, where defence counsel is able to perpetuate rape myths and gender-based stereotypes to juries receptive to these arguments, conviction rates stand at 10% nationally of cases reported to police.⁶¹

Although reporting rates are higher for survivors of domestic violence, many very serious assaults go unreported and the overall percentage of women who report domestic violence has declined (from 36% in 2004 to 30% in 2009).⁶²

Civil Family Violence Legislation

Family violence legislation, enacted in nine provinces/territories, including Alberta, Saskatchewan, Manitoba, Prince Edward Island, Nova Scotia, Yukon, the Northwest Territories, and Nunavut, is intended to provide easy-to-obtain remedies such as emergency protection orders and ordering the abuser (rather than the women and children) be removed from the home.⁶³ However, such legislation is applied inconsistently across and within provinces/territories and can have negative consequences. For example, an application for a protection order can trigger criminal charges which may be contrary to the woman's wishes. To benefit from this legislation, women are required to demonstrate a serious and imminent threat; this shows a misunderstanding of the nature of domestic violence which often entails cumulative trauma, ongoing control, and escalating violence without what might be considered serious or imminent threat. Moreover, the benefits of such legislation are reduced for Aboriginal women on reserve where provincial laws on residences and property do not apply.

Another issue for women is the inconsistent lack of enforcement of emergency protection orders when a woman moves from one province to another. Given the mobility of both women survivors and their perpetrators, women need the protection afforded to them in their province of origin to follow them as they move either by choice or necessity. Women survivors should not be limited in their employment, travel, and family support simply because their protection orders are not honoured elsewhere. Having a National Action Plan could go a long way in addressing this issue.

⁶⁰ DuBois, T. (2012) Police investigation of sexual assault complaints: How far have we come since *Jane Doe*? In Sheehy, E. (ed) *Sexual Assault in Canada: Law, Legal Practice and Women's Activism*. Ottawa: University of Ottawa Press, p. 201-203.

⁶¹ Johnson, H. (2012) Limits of a criminal justice response: Trends in police and court processing of sexual assault. In Sheehy, E. (ed) *Sexual Assault in Canada: Law, Legal Practice and Women's Activism*. Ottawa: University of Ottawa Press, p. 651.

* *Strega & Janzen (2013), p. 57*

⁶² Statistics Canada, (2013). *Measuring Violence Against Women: Statistical Trends*. Catalogue no 85-002-X. Ottawa: Statistics Canada.

⁶³ <http://www.justice.gc.ca/eng/cj-jp/fv-vf/laws-lois.html#ptfvl>

Child Protection & Family Law

Inadequate legal assistance for women fleeing abuse is a serious problem, resulting in a rising number of self-represented applicants in family court.

Failure-to-protect policies and practices in child protection systems can increase rather than decrease harm to women and their children.⁶⁴ These policies are gender-neutral (specifying “parents”); yet in practice, it is mothers who are held responsible for protecting children against their partners’ violence and depicted as neglectful or abusive if they cannot protect their children. Academic research shows that “CPS workers are preoccupied with the reactions and behaviours of mothers and not the violence of perpetrators”.⁶⁵ A punitive response from child protection services discourages women from reporting partner violence thus, increasing the risk to them and their children.

This is best illustrated by two recent tragedies in British Columbia that were the subject of investigations by the BC Representative for Children and Youth⁶⁶: the killing by Allan Schoenborn of his three children and the killings by Peter Lee of his wife, son, and parents-in-law.

Both investigations found that systems of support for women and children exposed to domestic violence were uncoordinated and inadequate to protect these children and their mothers. Authorities failed to recognize the dynamics of domestic violence and the risks these men posed.

Despite the fact that Schoenborn was violent toward his wife, had untreated mental illness and addictions, and was in contact with social workers and police in two communities, there was very little interaction between Ministry of Children and Family Development (MCFD) and the children and social workers failed to use their own domestic violence guidelines. No effort was made to connect the mother to support services when she moved communities, nor was she given concrete safety strategies. There was little collaboration or information sharing between systems, and bail orders did not include reporting conditions.

⁶⁴ Strega, S. & Janzen, C. (2013) Asking the impossible of mothers: Child protection systems and intimate partner violence. In Strega, S., Krane, J., Lapierre, S., Richardson, C. & Carlton, R., *Failure to Protect: Moving Beyond Gendered Responses*. Halifax: Fernwood Publishing, pp. 49-76.

⁶⁵ Strega & Janzen (2013), p. 54.

⁶⁶ Turpel Lalonde, M.E. (2012) *Honouring Kaitlynn, Max and Cordon: Making their Voices Heard Now*. Victoria, BC: Representative for Children and Youth.

<http://www.rcybc.ca/Images/PDFs/Reports/RCY-SchoenbornReportFINAL%20Feb%2027.pdf>

Turpel Lalonde, M.E. (2009) *Honouring Christian Lee: No Private Matter: Protecting Children Living with Domestic Violence*. Victoria, BC: Representative for Children and Youth.

<http://www.rcybc.ca/Images/PDFs/Reports/RCYChristianLeeReportFINAL.pdf>

According to the investigation, “If the social safety net comprised of child protection, justice and mental health had worked appropriately and in partnership in this case, there is a high likelihood that the deaths of these three children would have been avoided.”⁶⁷ Four years after the deaths, a collaborative, systemic approach to complex cases across BC’s child-serving, mental health and criminal and civil justice systems still did not exist.

In the case of Peter Lee, issues particular to immigrant women come into play. The system response failed to take account of Ms. Park’s special circumstances as an immigrant woman from Korea who was not confident speaking English and was dependent on her violent husband to explain the workings of the social service and legal systems.

The investigation into Christian Lee’s death also concluded that MCFD failed to recognize the dynamics of domestic violence when they assumed the child was safe living alone with his mother but “Christian was not safe because his mother was not safe.”⁶⁸ With the primary emphasis on Ms. Park’s ability to protect her son, Peter Lee “was not included in any assessment or safety plan because neither MCFD nor the justice system is institutionally organized to intervene effectively with male perpetrators of violence.”⁶⁹

These tragic situations are less common than the everyday occurrences where child protection fails to work collaboratively with women-serving agencies to ensure the safety of women and their children. One innovation is in Ontario where, in 2003, the government implemented the “Collaboration Agreement” protocol between Children’s Aid Societies (CAS) and VAW agencies. The aim is to address some of the problems with failure-to-protect policies by holding perpetrators accountable and ensuring the safety and wellbeing of children. The CAS and VAW agencies at the local level sign a detailed agreement that identifies their respective roles and responsibilities, and the collaborative action each will take. A flexible template is intended to encourage similar collaboration between CAS and other agencies, such as law enforcement, probation, family court, and others. A recent review by the Ontario government found that the 44 agreements in effect in 2010 were most effective in supporting cross-sectoral collaboration and communication, somewhat effective in developing procedures for keeping women safe, and least effective in holding abusers accountable, (perhaps because this goal is

⁶⁷ Turpel Lalonde, M.E. (2012) *Honouring Kaitlynn, Max and Cordon: Making their Voices Heard Now*. Victoria, BC: Representative for Children and Youth, p. 3.

⁶⁸ Turpel Lalonde, M.E. (2009) *Honouring Christian Lee: No Private Matter: Protecting Children Living with Domestic Violence*, p. 2.

⁶⁹ Turpel Lalonde, M.E. (2009) *Honouring Christian Lee: No Private Matter: Protecting Children Living with Domestic Violence*, p. 57.

*Success Story: The Family Violence Project of Waterloo Region aims to reduce the fragmentation among services that impedes women's safety and healing from domestic violence. Eleven agencies represented by 130 professionals (including trained police officers, counseling for adults and children, assistance with developing safety plans, shelters, crisis and medical support for sexual assault, financial counseling, children's services, support groups, legal services, rural outreach) collaborate to provide wrap-around, seamless services and supports to victims of domestic violence, all in a single location. Victims connect with a person they trust who guides them through other services in a caring and supportive environment.**

dependent on many other factors and agencies).⁷⁰ An expansion of this multi-agency collaborative model could be a centerpiece of a National Action Plan, recognizing that collaboration needs to extend to multiple sectors.

The continued lack of consistency and coherence in approaches to child protection and VAW is an area where a National Action Plan could be influential.

Immigrant & Refugee Law

The Women's Legal Education Action Fund (LEAF) describes the family law system as "virtually inaccessible" to immigrant women who attempt to navigate it without legal assistance.⁷¹

The most common way for women to immigrate to Canada is to be sponsored, typically by a spouse. These women are dependent on their sponsors and vulnerable to abuse and live under the threat of deportation. Women who are dependent on their spouse for sponsorship can become trapped in violent relationships until their immigration status is regularized. Their spouse may withdraw the sponsorship application if they leave the relationship, leaving them without legal status and subject to deportation.⁷² Women in this situation often don't know their rights and are reluctant to call the police for fear of being deported. Women often depend on a spouse to interpret the law for them due to language barriers and social isolation resulting from immigration and the violence. Sponsors may revoke or threaten to revoke their sponsorship application at any time.⁷³

⁷⁰ Ministry of Community & Social Services, (2011). CAS/VAW Collaboration Agreements Stakeholder Consultations: Summary Report. <http://www.oaith.ca/assets/files/Publications/Government%20Documents/VAWCAS-consultation-report-FINAL-%20Feb-2011.pdf>

• www.fvpwaterloo.ca/en

⁷¹ West Coast Legal Education and Action Fund (May, 2012) Position Paper on Violence Against Women without Immigration Status, p. 5

<http://www.westcoastleaf.org/userfiles/file/Position%20Statement%20-%20Women%20without%20Status%20in%20Canada.pdf>

⁷² West Coast Legal Education and Action Fund (May, 2012) *Position Paper on Violence Against Women without Immigration Status*.

<http://www.westcoastleaf.org/userfiles/file/Position%20Statement%20-%20Women%20without%20Status%20in%20Canada.pdf>. West Coast LEAF states that, in the US, petitions for permanent residency filed pursuant to the *Violence Against Women Act* are reviewed by immigration officers trained in issues related to domestic violence.

⁷³ Battered Women's Support Services (n.d.) Empowering Non-Status, Refugee, and Immigrant Women who Experience Violence: A Woman-Centred Approach to Managing the Spectrum of Needs from Settlement to Empowerment. <http://www.bwss.org/wp-content/uploads/2010/07/NSRIW-MANUAL.pdf>; Ending Violence Association of BC, MOSAIC & Vancouver & Lower Mainland Multicultural Family Support Services Society (n.d.) *Immigrant*

All of this is in violation of the *International Covenant on Civil and Political Rights* which states that all persons, regardless of status, are entitled to equal protection of the law and equal enjoyment of civil, political, economic, social, and cultural rights.⁷⁴ A National Action Plan is needed to help ensure women's rights under international treaties are upheld in all government policy.

Application for permanent residency on humanitarian and compassionate grounds provided a temporary stay with some rights, but this was abolished in 2012 when, in an effort to deter marriage fraud, the federal government introduced new regulations that call for a mandatory two years cohabitation for certain sponsored spouses in order to secure permanent residence in Canada. The regulation affects spouses or partners who have been in a relationship for two years or less and do not have children from the relationship. If the couple fail to cohabit for two years, the sponsored spouse will lose their status and may be deported.

An exception to the two year conditional permanent residence: if a woman is subject to abuse by her sponsor, the sponsor does not adequately protect her from abuse by someone else, or the marriage breaks down and cohabitation ceases because of abuse. Citizenship and Immigration Canada will determine whether there is sufficient evidence that the relationship broke down due to abuse. This evidence must be provided by the sponsored person and clearly show that abuse or neglect was the reason for the breakdown of the marriage.⁷⁵ Given the language barriers, lack of resources and intense feelings of isolation often experienced by recently immigrated women, the need to provide sufficient evidence of abuse may be beyond their reach. According to the Canadian Council for Refugees, "conditional permanent residence exposes women to increased power imbalance in the relationship and heightened risk of domestic violence."⁷⁶ There have been cases where women have been held in custody while authorities substantiate claims of abuse because not living with their sponsor puts them in a situation where they do not have status.⁷⁷

4.4. Housing / Social Justice

Key Findings

There are many social issues that in tandem with VAW present barriers to women in Canada achieving safety and, therefore, full equality. Safe and affordable housing is one critical issue for women exiting violent relationships.

Women's Project: Safety of Immigrant, Refugee, and Non-Status Women.

http://www.endingviolence.org/files/uploads/IWP_Resource_Guide_FINAL.pdf

⁷⁴ West Coast Legal Education and Action Fund (May, 2012), p.5.

⁷⁵ Citizenship and Immigration Canada, Operational Bulletin 480 (2012), 3.4 Exception for Abuse and Neglect <http://www.cic.gc.ca/english/resources/manuals/bulletins/2012/ob480.asp#sec03.4>

⁷⁶ Canadian Council for Refugees, Key refugee and immigration issues for women and girls (2013)

⁷⁷ Interview with Clare Freeman, Interval House, Hamilton

Canada's affordable housing deficit is felt most acutely by women leaving violent partners or emergency shelters and especially by women who are poor, Aboriginal, living with a disability, or living in rural/remote areas.

Focused Findings

Not only is intimate partner violence a major cause of homelessness and insecure housing for women, but finding secure and affordable housing upon exiting a violent relationship is one of the most critical challenges facing survivors.⁷⁸ Housing is consistently ranked high on the list of areas where action is most urgently needed, affecting various groups of women differently.⁷⁹ For example:

- Women with disabilities are often forced to live in inappropriate housing, such as seniors' residences or hospitals⁸⁰
- Aboriginal women face exacerbated housing problems due to high rates of poverty, inadequate housing on reserve, and band ownership over housing
- For women in rural and remote areas, there is often no safe place to go nearby to escape a violent relationship

Four innovative efforts to attempt to address this problem worth considering within a National Action Plan on VAW were identified:

- The Domestic Violence Relief Fund in BC helps women pay for the shares to join a housing co-op (Community Housing Land Trust Foundation)
- The community housing program at Discovery House in Calgary combines support for women to find permanent, affordable housing with case management to help them address other challenges
- In several jurisdictions, including Ontario and Yukon, victims of domestic violence are given priority status on social housing waiting lists; however, housing is too often simply unavailable
- Several transition houses in Newfoundland have tapped into federal surplus real property in order to create and in some cases manage new longer-term transition (e.g. one year) affording housing options for their clients

B.C. Housing has produced several reports specific to Transition Houses and has a dedicated page on its web site for women fleeing violence⁸¹. They have

⁷⁸ YWCA Canada. (2009). *Life Beyond Shelter Toward Coordinated Public Policies for Women's Safety and Violence Prevention*. <http://ywcacanada.ca/data/publications/00000002.pdf>

⁷⁹ Dragiewicz, M. & Dekeseredy, W. (2008). *Study on the Experiences of Abused Women in the Family Courts in Eight Regions in Ontario*, p. 34. www.lukesplace.ca/pdf/Study-on-the-Experiences-of-Abused-Women.pdf

⁸⁰ Stakeholder interview with Bonnie Brayton, Executive Director of DAWN Canada.

*Social injustice – otherwise known as structural violence – is one of the most important barriers to women achieving safety: “...there is a need to respond to the systemic discrimination that leaves vulnerable women isolated and excluded from benefiting from and contribution to a system that is designed to protect them from violence.” Systemic discrimination affects women who experience inequalities related to race, disability, culture, geographic location, age, income, immigration status, occupation, sexual orientation, religion, and gender identity. A social injustice, access and equity framework, created in partnership with women and their communities, is essential to ensure all women have equitable access to services regardless of their social location or identity. **

Source: Transforming our Communities, (2009) Report from the Domestic Violence Advisory Council for the Minister Responsible for Women's Issues, (Ontario)

“Income support shouldn't be based on the prosperity of your province, it should be a national program. [Governments should recognize] all the research showing that women are most at risk within the first six months of leaving, that not only is she having to deal with figuring out her income support, but oftentimes is dealing with the family court system, the criminal system, child welfare, health issues, and some of her own employment stuff. And she's trying to find housing amongst all of that, and she's trying to adjust, especially if she has children, to how to live in a shelter. There are all these critical, critical systems that a woman may have to be involved in right at the point of leaving and at the same time, she's at the most critical risk of him murdering her. So we surround her with all this system stuff to do and all these barriers for her basically getting up from underneath all that drudgery, and she's at the highest risk and we don't want to support her in that short term transition.”

-- Clare Freeman, Executive Director, Interval House of Hamilton

also produced several substantive reports on understanding women’s second stage housing and women’s safe home programs in B.C.⁸².

4.5. Research & Measurements

Key Findings

Federal funding for research on VAW has been severely cut. In 2006, a change to the mandate of Status of Women Canada removed funding for research and as a result, important equality-seeking organizations were defunded, including the Canadian Research Institute for the Advancement of Women, the National Organization of Women and the Law, and other organizations researching root causes of and viable solutions to VAW.⁸³

Important documenting of cases of missing and murdered Aboriginal women and girls through the Native Women’s Association of Canada’s *Sisters in Spirit* initiative has had to cease due to loss of funding.

Focused Findings

Through the federal Family Violence Initiative, Statistics Canada receives funding to collect and analyze statistical data on VAW in the annual publication *Family Violence in Canada*. Canada is better positioned than some other countries with the range of data that is collected, including the General Social Survey on Victimization (a large telephone survey), the Transition Home Survey, Victim Services Survey, and police statistics. However, the victimization survey is conducted only every five years and, although analysis is broken down by gender, it typically lacks a gender equality lens. In addition, data is available at the national and provincial/territorial levels but not at the level of cities or communities. Breakdowns for particular groups of women are also not available.

In partnership with Status of Women Canada, Statistics Canada has produced three publications that bring together available data on violence against women. They are wide-reaching and presented within a gender equality framework.⁸⁴

⁸¹ http://www.bchousing.org/Find/Fleeing_Abuse
⁸² http://www.bchousing.org/resources/Partner_Resources/Program_Resources/Understanding_Womens_Second_Stage_Housing_Programs.pdf and http://www.bchousing.org/resources/Partner_Resources/Program_Resources/Understanding_Womens_Safe_Home_Programs_BC.pdf
⁸³ Website of the Ad Hoc Coalition for Women’s Equality and Human Rights www.womensequality.ca/#fundingcuts
⁸⁴ See for example Statistics Canada (2013), *Measuring Violence Against Women in Canada: Statistical Trends*. Catalogue no. 85-002-X, Ottawa: Statistics Canada. <http://www.statcan.gc.ca/pub/85-002-x/2013001/article/11766-eng.pdf>

An important impact of Canada's lack of a national action plan on violence against women is in the area of research. Research that reinforces de-gendered symmetrical framing of intimate partner violence causes profound harm to prevailing public understanding of the dimensions and the impacts on women. A simplistic presentation of survey data suggests women and men are equally likely to use violence in intimate relationships. Sophisticated statistical analysis confirms that women, unlike men, experience a severe and chronic constellation of violence, coercive control, and verbal abuse involving high levels of fear and injury which often escalates and continues after they leave. It is crucial that governments cease the promotion of research that fails to take a gendered approach.⁸⁵

Source: Ansara D. & Hindin, M. (2010), Exploring gender differences the patterns of intimate partner violence in Canada: a latent class approach. Journal of Epidemiology and Community Health

Canada falls behind other countries in funding for evaluations of policies, programs and legislation on VAW which are needed to direct efforts where they will have the greatest benefit.

For research on VAW, what remains are small pockets of funding from provincial/territorial governments, the Social Sciences and Humanities Research Council, the Canadian Institutes for Health Research, the Canadian Women's Foundation, and a few other sources.

The community-university partnerships that make up the Alliance of Research Centres on Violence Women and Children were established in 1992 and continue to thrive independently and collectively.⁸⁵

Domestic Violence Death Review Committees (DVDRCs) provide crucial evidence that domestic homicide is largely predictable and preventable. They have developed in four provinces (New Brunswick, Ontario, Manitoba, and British Columbia) with Alberta about to form the fifth. All manner of risk assessment and prevention efforts have benefited from the work of DVDRCs and other sources to identify potential points of intervention and warning signs of increasing dangerousness. Risk assessment by frontline professionals in domestic violence cases is an increasing practice although there is a lack of follow through in terms of victim safety planning and perpetrator risk management. The justice response is more clearly mandated as police and Crown Attorneys use risk assessment findings for bail purposes, at sentencing, at correctional intake and to set conditions for release.⁸⁶ However, the use of risk assessment is inconsistent and training is needed for police and other agencies working with women and abusers. Often, when a case is identified as high risk, not enough is done to actively manage it.⁸⁷ In addition, while DVDRCs have made many important recommendations and have expanded discussion about risk and prevention, there is no oversight or follow-up on recommendations.

⁸⁵ Examples of other university-based research centres include the Centre for the Study of Social and Legal Responses to Violence at the University of Guelph, the Health Research Centre for the Study of Violence Against Women at the University of Windsor, and the Coalition for Research on Women's Health, at the University of Toronto.

⁸⁶ For example, the Domestic Violence Handbook for Police and Crown Prosecutors in Alberta (2008) states that prosecutors will work closely with high risk cases to establish a safety plan and will refer women to shelters or other safety planning experts. History of domestic violence, fear of the violent partner, victims' perception of likelihood the accused will comply with a non-contact order, history of substance abuse and mental health problems must be considered at bail. The Bail Safety Project in 10 sites in Ontario aims to identify high-risk situations where integrated teams of justice professionals (Crown Attorneys, police and victim witness agencies) work to improve victim safety in domestic violence bail hearings.

⁸⁷ Domestic Violence Advisory Council (2009) *Transforming Our Communities*, p. 91-92 and DVDRC (2004), p. 5.

A growing concern is that some professionals and agencies may overlook the direct harm to children connected to domestic violence. In some reviews across Canada, the dangers to adult victims were recognized but not the danger to the children. In many child homicides, the children had not been abused directly in the past but the risk to them and their mothers from domestic violence were minimized. There is a need for close coordination amongst family and criminal courts professionals to ensure that the safety plan for a parent in these circumstances extends to the children as well.

A report on family homicides (spousal homicide, filicide, parricide or familicides) recently issued by the Quebec Ministry of Health and Social Services⁸⁸, concluded that each type of homicide requires a specific response strategy. The report indicates that the majority of family homicides are committed by men and that they mostly occur in the context of domestic violence.⁸⁹ Although recommendations are aimed at a broad range of actors, they tend to focus on services within the health and social services sector.⁹⁰ Provincial women's shelters associations have responded⁹¹, highlighting the necessity for all frontline services working with women and abusers to be trained in identifying high risk situations, notably, family mediators and other professionals in the justice system⁹², and the need for adapted responses by police or child welfare services agencies.⁹³ In the context of recent cases of domestic homicides in which primary risk factors were present but not adequately assessed⁹⁴, women's shelters have issued a recommendation advocating the establishment of a DVDRC in the province,⁹⁵ while others have underlined the need for a public inquiry to examine why women continue to be killed by their estranged spouses despite an increase in awareness.⁹⁶

⁸⁸ MSSS (2012). *Rapport du comité d'experts sur les homicides intrafamiliaux, remis au ministre de la Santé et des Services sociaux et ministre responsable des aînées*.

⁸⁹ *Ibid*, p.50.

⁹⁰ *Ibid*, p. 2.

⁹¹ Drouin, Christine & FRHFVDQ (2013), *Rapport sur les homicides intrafamiliaux dans un contexte de violence conjugale, Remis à la ministre déléguée aux Services sociaux et à la Protection de la jeunesse, madame Véronique Hivon*, pp. 11; RMFVVC (2012), *Homicides familiaux: de l'importance d'associer tous les acteurs de la société*, pp.12.

⁹² Drouin & FRHFVDQ (2013), p. 6-7; RMFVVC (2012), p. 9-10

⁹³ RMFVVC (2012), p. 8.

⁹⁴ For example, the Dorval case, which resulted in five members of Montreal's police force being called before the police ethics committee for not responding to her distress calls in the weeks leading up to her death. See articles published in the Montreal Gazette, including those of Michelle Lalonde, "Police ethics hearing under publication ban", *Montreal Gazette*, 6 December 2012; Sue Montgomery, "Woman filed complaint a week before being murdered", *Montreal Gazette*, 25 April 2013; Sur Montgomery, "Shelters demand inquiry into women killed by estranged spouses", *Montreal Gazette*, 28 May 2013.

⁹⁵ Drouin & FRHFVDQ (2012), p.8.

⁹⁶ RMFVVC, "Violence conjugale : Une enquête du coroner est réclamée pour mettre au jour les obstacles à une protection légitime des victimes", press release, 29 May 2013.

A tool to prevent domestic homicides⁹⁷ has been developed for police officers in Montreal and Quebec City and will soon be available to officers across the province. Despite being assessed positively by officers, it has yet to be formally evaluated.

As statistics continue to demonstrate that little has changed to reduce VAW (with the exception of intimate partner homicide), unique forms of violence in terms of cultural and geographic factors require thoughtful examination, and as new forms of violence facilitated by social media emerge, Canada must shore up its efforts to effectively analyze and address VAW. The in-depth data needed to understand the prevalence and dynamics of violence for diverse populations is lacking, as are meaningful ways of measuring public attitudes toward women and VAW which is essential for the design of effective prevention initiatives.

The lack of follow-up on DVDRC findings and scarce funding for evaluations of what works to prevent VAW, change attitudes and behaviour, and respond effectively are areas that could be targeted by a National Action Plan on VAW⁹⁸.

Based on a recent national DVDRC think-tank on the potential future role of homicide reviews, there was support for the development of a national plan for preventing domestic homicides. Essential first steps included enhanced partnerships among existing and developing domestic violence death review committees across the country. Formal partnerships among these committees could provide a source of support and consultation on emerging and promising practices, and the partnership could also help smaller jurisdictions where specialized resources are limited⁹⁹.

4.6. VAW Prevention

Key Findings

Initiatives to prevent VAW have expanded across the country thanks to select public and private funding, though such funding is often short-term. Of note are school-based programs, initiatives on college and university campuses, public education campaigns, and programs led by and designed to engage

<http://www.newswire.ca/fr/story/1173933/violence-conjugale-une-enquete-du-coroner-est-reclamee-pour-mettre-au-jour-les-obstacles-a-une-protection-legitime-des-victimes>

⁹⁷ A homicide-risk checklist to assess whether a conjugal violence victim is at imminent risk of being murdered. This checklist is available on the CRI-VIFF website:

http://www.criviff.qc.ca/upload/publications/pub_29022012_141122.pdf

⁹⁸ It should be noted that follow up mechanisms are built in to the Alberta approach currently being developed.

⁹⁹ Western University's research centre is currently developing a national web site similar to that in the United States. The Canadian Domestic Homicide Prevention Initiative web site will contain, among other things, annual reports from committees across the country.

men in reframing a non-violent masculinity. While few of these initiatives are formally evaluated, many are underpinned by theories of social norms change such as those that aim to promote bystander intervention. Emerging forms of VAW that are enabled by new technologies are a growing challenge, along with deeply embedded gender-based stereotypes, attitudes and beliefs.

Focused Findings

Numerous public education initiatives and programs that aim to increase awareness of healthy relationships have been implemented across the country. Some are popular education campaigns in the form of posters and websites while others are more interactive and provide opportunities for skills development. The Canadian Women's Foundation provided funding for 60 such initiatives in 2012.¹⁰⁰

Sexual assault centres, shelters, and transition houses routinely provide prevention information, educational activities, and events in their local communities aimed at preventing VAW, challenging myths and stereotypes, and supporting survivors.

For many prevention initiatives, short-term funding means they are short-lived. Others have been sustained over longer periods of time. The following is but a limited sample of examples of prevention initiatives:

- *Neighbours, Friends and Families* (NFF) is a government-funded public education campaign in Ontario that aims to raise awareness of the signs of woman abuse so that those close to an at-risk woman or an abusive man can help. Culturally-appropriate versions of the campaign have been developed for immigrant populations in some areas. A Workplace Program was developed following the enactment of Bill 168 (an act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace¹⁰¹). The Centre for Research and Education on Violence against Women and Children developed the NFF campaign and has developed training and resources to help employers meet their obligations under the new Act.
- The Ontario Federation of Indian Friendship Centres runs the campaigns *Taking Care of Each Other's Spirit* (Kanawayhitowin) and *Kizhaay Anishinaabe Nin* (I am a Kind Man), as well as an Aboriginal Youth Media Strategy.

¹⁰⁰ http://www.canadianwomen.org/sites/canadianwomen.org/files/Summary-VP_Grants-ACTIVE.pdf

¹⁰¹ Section 32.0.4 of the Act states that if an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker.

- *Draw the Line* is a new campaign of the Ontario Sexual Violence Action Plan that is being promoted among young people across the province.
- Initiatives which aim to engage men in preventing VAW by challenging dominant constructions of masculinity and using approaches that incorporate bystanders and social norms change include:
 - White Ribbon Campaign
 - BC Lions' *Be More than a Bystander*
 - Winnipeg Blue Bombers' *Be More than a Bystander: Break the Silence on Violence Against Women*
 - *Men for Change* in Halifax deals with gender equality, power, and control
 - *Don't be that Guy* developed by the Edmonton Sexual Assault Centre and Edmonton Police has been replicated in locations across the country¹⁰²
 - The Newfoundland Violence Prevention Initiative is a six year, multi-departmental, government – community partnership to find long term solutions to the problems of violence against those most at risk in society¹⁰³

Student unions and associations across Canada are engaged in a broad range of activities to raise awareness and stimulate discussion about gender-based violence. A notable example is the evidence-based *Green Dot* program on the University of Toronto campus which employs the bystander approach to changing social norms. SWC provides short-term funding for some campus violence prevention initiatives.

A school-based program now active in Alberta, Manitoba, Nova Scotia, and Ontario is *The Fourth R* – a classroom curriculum delivered in health and physical education classes in grades 8 to 12 since 2001¹⁰⁴. It has a gender analysis with a focus on skills development to prevent violence and bullying, unsafe sexual behaviour, and substance abuse. French and Aboriginal variations of the program have been developed. It is one of the few large-scale prevention programs that is curriculum-based and one of the few that has been rigorously evaluated and is shown to be effective in reducing dating violence.¹⁰⁵

¹⁰² <http://www.savedmonton.com/about-our-campaigns.html>

¹⁰³ <http://www.gov.nl.ca/VPI/initiative/index.html>

¹⁰⁴ http://www.youthrelationships.org/about_fourth_r.html

¹⁰⁵ Wolfe, D., Crooks, C., Jaffe, P., Chiodo, D., Hughes, R., Ellis, W., Stitt, L. & Donner, A. (2009). A school-based program to prevent adolescent dating violence: A cluster randomized trial. *Archives of Pediatric and Adolescent Medicine*. 163(8): 692-699.

5. Recommendations

While some important advancements have been made by various levels of government in Canada to respond to and prevent VAW, far more must be done.

As found by this report, many current policies, legislation, strategies, and action plans across Canada lack effective coordination of efforts, conflict with one another, and/or have unintended (negative) consequences.

A National Action Plan on VAW that follows the guiding principles laid out in the UN *Handbook for National Action Plans on VAW*¹⁰⁶ could help address such deficiencies. Several provinces/territories have already enacted plans that cut across agencies/ministries and are inclusive of different types of violence, many of which follow many of said guiding principles, making the pursuit of a National Action Plan that much more viable.

A coordinated NAP on VAW in Canada will help ensure:

- Consistency across and within jurisdictions in policies and legislation that address VAW
- Shared understanding of the root causes of VAW
- Consistent approaches to prevention of and responses to VAW
- Collective pursuit of the most appropriate solutions
- High-level commitment to a multi-pronged, coordinated, pan-Canadian approach
- Coordinated, clear, and effective services and systems for survivors of VAW that respect and respond to diversity

A coordinated NAP on VAW in Canada must include:

- New commitments and clear targets
- New financial resources
- Effective prevention mechanisms
- Universal coverage of response mechanisms for survivors
- Review of justice mechanisms and policing practices
- A robust mechanism for monitoring and evaluation and data collection

¹⁰⁶ United Nations (2011), *Handbook for National Action Plans on Violence against Women*. New York: UN Women

The process for developing Canada's NAP must include:

- Meaningful consultation with all stakeholders, including providing resources to stakeholders working directly in the area of VAW and to survivors of VAW
- Mechanisms to ensure that the voices and recommendations of survivors and front-line workers are reflected in the NAP
- Strong political leadership

APPENDIX 1

EXTENT TO WHICH CANADIAN PROVINCIAL AND TERRITORIAL ACTION PLANS ON VAW REFLECT THE RECOMMENDATIONS DEVELOPED BY UN WOMEN FOR NATIONAL ACTION PLANS ON VIOLENCE AGAINST WOMEN

Each province/territory with an Action Plan on Violence against Women¹⁰⁷ was reviewed and assessed in terms of the extent to which their Action Plan reflected the 14 recommendations presented in the UN Handbook for National Action Plans on VAW. A ranking system from 1 to 3 was used; 1 indicating that the Action Plan completely or almost completely integrated the recommendation, 2 indicating that the Action Plan somewhat integrated the recommendation and 3 indicating that the recommendation was not at all included in the AP. It should be noted that we did not evaluate the extent to which what was proposed in the Action Plans was actually implemented as this was beyond the scope of this report.

¹⁰⁷ P.E.I., Saskatchewan, the Yukon and Nunavut do not have specific provincial/territorial action plans on violence against women.

British Columbia and North West Territories

According to the UN Model Framework for NAP on VAW, all Action plans must reflect the following recommendations;	British Columbia <i>Taking Action on Domestic Violence in British Columbia</i>	British Columbia <i>Violence Against Women in Relationships Policy 2010</i>	North West Territories <i>NWT Family Violence Action Plan: Phase II (2007-2012)</i>
Is gendered & recognizes women as the primary victims of domestic violence & gender inequality as the root cause	2- recognizes that women are of particular concern when it comes to violence	2- recognizes that women are most often the victims of domestic abuse	3- focuses on family violence in general and is not gender-orientated
Recognizes that women's experiences of violence are shaped by intersecting discrimination and disadvantage	1- indicates the many types of women who are increasingly vulnerable to domestic violence	1- addresses many circumstances that can increase vulnerability	2- recognizes that families of the North are highly susceptible to violence
Involves meaningful participation by community	2- mentions that the government and a few community groups were involved	1- vast inclusion of community groups.	2- recognizes a territorial crisis line and the importance of shelters but no greater detail
Includes strong political leadership	1- 5 governmental ministries were involved	1- government ministries came together to update the policy	1- involvement of very important government organizations and ministries
Identifies adequate budgetary resources	3- not specifically mentioned	3	2- mentions that funding will be discussed & that shelters will receive funding but no details
Specifies activities, goals and responsibility centres	3	1- well expressed	1- well documented through the use of tables
Includes monitoring and evaluation mechanisms	3	3	3
Ensures consistency among relevant legislation and policies	2- review of international, national and provincial legislation but no amendments	1- government policies were reviewed and adjusted	2- mentions the evaluation of one previously enacted legislation
Specifies training for all those who respond to VAW	1- training is said to be very important and is being further developed for many stakeholders	2- notes that training and tools are to be developed for all responders to VAW	1- articulates the development a training curriculum for shelter workers and advocates that help women in violent situations
Specifies data collection and research	3	3	3
Includes a focus on prevention	3- prevention is not a focus	3- focuses on justice	2- touched on but not a focus
Includes actions to strengthen economic and social supports (i.e. social justice) for women	1- focusing on increasing capacity of supports for women	2- focuses more on justice elements	2- this document focuses on the increased need for shelters
Strengthens response systems and improves integration	3	1- report mandates integration of justice with services and gov't	2- plan has a strong focus on social responses to seeking help for family violence

Strengthens the justice system	1- notes the creation of new orders to increase security for women & creating changes to the Family Law Act to align legislation	1- justice system is the main focus and is thoroughly reviewed for strengthening	2- focuses on strengthening a specific act not the justice system as a whole
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Manitoba and Alberta

According to the UN Model Framework for NAP on VAW, all Action plans must reflect the following recommendations;	Manitoba	Alberta
	<i>Manitoba's Multi-Year Domestic Violence Prevention Strategy (2012)</i>	<i>Taking Action on Family Violence and Bullying Report to Albertans 2008</i>
Is gendered & recognizes women as the primary victims of domestic violence & gender inequality as the cause	1- recognizes that the promotion of gender equality is a key component to ending VAW who are the majority of victims to violence	3- focuses on families in general
Recognizes that women's experiences of violence are shaped by intersecting discrimination and disadvantage	1- acknowledges that backgrounds can lead to increased vulnerability to violence	3- focuses on families in general
Involves meaningful participation by community	1- includes strong participation of many community agencies	2- involves some participation but more of a government led approach
Includes strong political leadership	2- government involvement was important but is not specified	1- involvement of nine government ministries at varying levels of engagement
Identifies adequate budgetary resources	2- mentions that new budgetary resources are needed but not specific	1- recommends the needed budget increases and allocations
Specifies activities, goals and responsibility centres	2- well-articulated goals but lack of information regarding the responsible bodies for the goals	1- well articulated goals and responsible bodies
Includes monitoring and evaluation mechanisms	2- brief mention of an implementation committee that will monitor the implementation and success	1- notes the creation of a new ways to recollect data on family violence which will also be easier to track so the government will have a clear source of family violence trends
Ensures consistency among relevant legislation and policies	1- strong articulation of legislation that was reviewed with amendments	1- articulates the review of all relevant legislation and policies
Specifies training for all those who respond to VAW	1- specifies training development that is needed for many areas of society	1- mentions that efficient training and orientation sessions on family violence are to be given to stakeholders across the province
Specifies data collection and research	3	1- expresses specific government strategies to be used for data collection and research
Includes a focus on prevention	1- new programmes to be created with focus on prevention for male youth	3- focuses on advocacy rather than prevention
Includes actions to strengthen economic and social supports (ie social justice) for women	1- identifies steps that will be taken to strengthen resources for women	2- some supports are mentioned but not to the degree that would be hoped

Strengthens response systems and improves integration	2- touched on throughout the plan	1- new protocols are to be developed to integrate frontline responses with services
Strengthens the justice system	1- suggests actions to strengthen the justice system	2- vaguely touched on but not explicitly explained

Ontario

According to the UN Model Framework for NAP on VAW, all Action plans must reflect the following recommendations;	Ontario	Ontario
	<i>Sexual Violence Action Plan (2011)</i>	<i>Domestic Violence Action Plan for Ontario (2004) - including 2012 Update</i>
Is gendered and recognizes women as the primary victims of domestic violence, and gender inequality as the root cause	1- includes a gender-orientated view on sexual violence against women and explains that violence is rooted in gender inequality	1- recognizes inequality as the main cause of violence towards women
Recognizes that women's experiences of violence are shaped by intersecting discrimination and disadvantage	1- addresses the issues that face women of varying backgrounds	2- mentioned but not really elaborated upon
Involves meaningful participation by community	1- consulted organizations that help with cases of sexual assault as well as survivors	1- many stakeholders and organizations were included in the creation of this plan
Includes strong political leadership	1- Ministerial Steering Committee led by the Minister of Women's Issues to provide political leadership (15 ministries will be involved)	1- political leadership is included in this plan through a steering committee of 13 ministries
Identifies adequate budgetary resources	1- well articulated budgetary plans throughout the document	1- very well articulated budget and financial resource goals
Specifies activities, goals and responsibility centres	1- the government states what work they will do specifically to reach a goal and how it will be done	1- goals and activities are given
Includes monitoring and evaluation mechanisms	1- articulates the creation of a Working Group that will monitor and evaluate the implementation of the policy and will meet with the government annually to report its findings	2- brief mention of evaluations of previous projects but no evaluation mechanisms for this plan
Ensures consistency among relevant legislation and policies	2- some review and revision of policies but not to the extent that is hoped for	3- doesn't really focus on the review or amending of previous policies or legislation
Specifies training for all those who respond to VAW	2- articulates that the government is going to work to support organizations in the development their own training which can be taken to other areas of society	1- acknowledges a need for violence training in legal professionals and community organizations
Specifies data collection and research	3	1- notes on-going research projects that will be distributed into communities
Includes a focus on prevention	1- prevention through education in schools is the first goal that the policy intends to address	1- a focus on prevention through education in schools

Includes actions to strengthen economic and social supports (i.e. social justice) for women	1- strongly outlines actions that the government needs to take to strengthen support centres for women such as sexual crisis centres	1- focuses on the strengthening of many support services
Strengthens response systems and improves integration	1- this plan looks to strengthen the responses of police and justice officials to be more companionate and effective as well as improving the resources of women's support services	1- articulates the need to integrate all areas of response
Strengthens the justice system	1- a key area of the document is goals on the strengthening of the justice system through police response, court proceedings and legislation	1- articulation of how the government needs to work to strengthen the justice system

Quebec

According to the UN Model Framework for NAP on VAW, all Action plans must reflect the following recommendations;	Policy (Domestic Violence)	Action Plan (Domestic Violence)	Action Plan (Sexual Assault)	Policy (Gender Equality)	Action Plan (Gender Equality)	Action Plan (women's health & well-being)
	<i>Preventing, Detecting, Ending Conjugal Violence: Policy on intervention in conjugal violence</i>	<i>Preventing, Ending, Detecting: 2012-2017 Government Action Plan on Domestic Violence</i>	<i>Governmental Action Plan on Sexual Assault (2008-2013)</i>	<i>Turning Equality in Law into Equality in Fact: Government policy for gender equality</i>	<i>Government action plan on gender equality (2011-2015)</i>	<i>Health & Social Services Action plan on women's health & well-being (2010-2013, extended to 2015)</i>
Is gendered and recognizes women as the primary victims of domestic violence, and gender inequality as the root cause	1- recognizes that women are the main victim of violence and this is due to inequality.	1- recognizes that women are the main victim of violence and this is due to inequality and unequal power relationships which resulted in the domination of women by men.	1- recognizes that women are the main victim of sexual violence and states that ending sexual assault is reliant on equal relationships between women and men and on collective and individual accountability, on person's responsible behaviours towards one another, and of adults towards children.	1 - recognizes that the majority of victims of domestic violence and sexual assault are women and children and asserts that these forms of violence originate in men's relationships of dominance over women, or gender inequity.	1- recognizes that mostly women and children are domestic and sexual assault victims. It also recognizes that the fight to end VAW rests on the promotion of fundamental values, among which respecting the physical and psychological integrity of all persons, as well as ensuring their safety in all living environments.	1- recognizes that women are the main victim of domestic and sexual violence, and that this phenomenon is related to the unequal power relationships.
Recognizes that women's experiences of violence are shaped by intersecting discrimination and disadvantage	1- indicates that certain groups (elderly women, women with disabilities, Aboriginal women, immigrant women and, lesbians, gays and abused men) have greater difficulty accessing existing domestic violence resources, as services aren't adapted and workers lack expertise in this area. It is recognized that there is intersecting discrimination and disadvantage that reinforce stereotyping.	2- explains that aboriginal, migrant and disabled women are at higher risk but does not elaborate further.	3- this is not explicitly recognized in the NAP, however in the government orientations on sexual assault (2001-2006), it is clearly stated that marginalized women, aboriginal women and disabled women are at higher risk, but doesn't elaborate further.	1- recognizes that Aboriginal women are subjected to more serious forms of violence, including homicide. Asserts that women from ethnocultural backgrounds who are victims of domestic violence experience multiple problems. Recognizes that disabled women are more likely to be victims of violence given their dependency on others. Women in the sex industry also suffer a high level of violence.	2- explains that aboriginal, migrant and disabled women are at higher risk but does not elaborate further.	2- explains that aboriginal, migrant and disabled women are at higher risk but does not elaborate further.

According to the UN Model Framework for NAP on VAW, all Action plans must reflect the following recommendations;	Policy (Domestic Violence)	Action Plan (Domestic Violence)	Action Plan (Sexual Assault)	Policy (Gender Equality)	Action Plan (Gender Equality)	Action Plan (women's health & well-being)
	<i>Preventing, Detecting, Ending Conjugal Violence: Policy on intervention in conjugal violence</i>	<i>Preventing, Ending, Detecting: 2012-2017 Government Action Plan on Domestic Violence</i>	<i>Governmental Action Plan on Sexual Assault (2008-2013)</i>	<i>Turning Equality in Law into Equality in Fact: Government policy for gender equality</i>	<i>Government action plan on gender equality (2011-2015)</i>	<i>Health & Social Services Action plan on women's health & well-being (2010-2013, extended to 2015)</i>
Involves meaningful participation by community	1- variety of ministries were involved in the plan, with a consultative committee made up of 18 representatives from community, governmental and paragonovernmental, university, and various specialist groups. Among these groups were women's advocates.	1- variety of government and non-government organizations involved in the plan.	1- variety of governmental and non-governmental organizations participated in consultations leading to design of the action plan & many ministries and community organizations involved in implementation.	1- distinguishes itself by calling on local/ regional communities, public, paragonovernmental and private agencies, the media, and community organizations to actively work to counter the gender discrimination. Women and men as individuals are called on to achieve this objective.	1- variety of government and non-government organizations involved in the report.	1- numerous partners participate in the realization of the action plan's activities (health and social service agencies, community organization, ministries, government and non-governmental organizations) with which the Health and Social Services Ministry collaborates.
Includes strong political leadership	1- many government ministries and departments involved in the policy.	1- many government ministries involved in plan.	1- many government ministries involved in plan.	1- the government has devised tools to continue moving toward. Policy reaffirms that it will maintain government structures working towards gender equality. Recognizes that gender equality must be an integral part of its policies, programs and projects and is an accountability system is being developed.	1 - many ministries and government bodies involved in the plan.	1- many internal departments involved, as well as commitment to apply GBA (gender-based analysis).
Identifies adequate budgetary resources	3- indicates that funds will increase quality of existing services but not explained in detail.	3- indicates that money should be given to certain areas but does not specify how much and to who specifically.	2- indicates financial support will be given to specific groups, but no amounts are specified.	3- doesn't mention budgetary resources.	3- indicates that money should be given to certain areas but does not specify how much and to who specifically.	3- doesn't make any reference to budgetary resources.
Specifies activities, goals and responsibility centres	2- attached action plans which each specify responsible bodies and their respective	1- list of 135 commitments with corresponding responsible bodies.	1- list of 100 actions with corresponding responsible bodies.	2- it comprises six guidelines and eighteen objectives that cover all gender equality	1- list of 102 commitments with corresponding responsible bodies.	2- list of 80 actions to take, but some are vague and not attached to responsible bodies.

According to the UN Model Framework for NAP on VAW, all Action plans must reflect the following recommendations;	Policy (Domestic Violence)	Action Plan (Domestic Violence)	Action Plan (Sexual Assault)	Policy (Gender Equality)	Action Plan (Gender Equality)	Action Plan (women's health & well-being)
	<i>Preventing, Detecting, Ending Conjugal Violence: Policy on intervention in conjugal violence</i>	<i>Preventing, Ending, Detecting: 2012-2017 Government Action Plan on Domestic Violence</i>	<i>Governmental Action Plan on Sexual Assault (2008-2013)</i>	<i>Turning Equality in Law into Equality in Fact: Government policy for gender equality</i>	<i>Government action plan on gender equality (2011-2015)</i>	<i>Health & Social Services Action plan on women's health & well-being (2010-2013, extended to 2015)</i>
	commitments.			concerns, and the attached action plan specifies responsible bodies and their commitments.		
Includes monitoring and evaluation mechanisms	1- evaluation is listed among the basic conditions for successful action. Evaluation mechanisms are included in each attached action plan.	1- evaluation mechanisms are elaborated on in the essential conditions for success section.	1- evaluation mechanisms are elaborated on in the essential conditions for success section.	1- indicates that an accountability system has been put in place making the Minister responsible for the progression of gender. Also notes that a parliamentary committee will sit every 3 years to monitor progress.	1- evaluation mechanisms are elaborated on in the governance instruments' section.	2- doesn't include monitoring and evaluation mechanism, however the responsible ministry has produced a mid-term assessment, in which it exposes the achieved results for the 1st phase of implementation.
Ensures consistency among relevant legislation and policies	1- legislation and policies well reviewed in the plan to ensure consistency.	1- legislation and policies well reviewed in the plan to ensure consistency.	1- legislation and policies well reviewed to ensure consistency in plan.	1- legislation and policies well reviewed to ensure consistency in plan.	1- legislation and policies well reviewed in plan to ensure consistency.	1- doesn't act as a substitute to other tools, and strives to be a complementary tool for others to align to.
Specifies training for all those who respond to VAW	1- training is listed among the basic conditions for successful action.	1- many training opportunities are noted and implementation commitments made.	1- many training opportunities are noted and implementation commitments made.	3- training opportunities are not mentionned regarding all those who respond to VAW.	1- GBA opportunities are mentioned and are committed to be implemented.	2- indicates that GBA training for staff has been prioritized, and that GBA training material has been developed so that it can be adapted to the health and social service sector.
Specifies data collection and research	1- research is listed among the basic conditions for successful action.	2- indicates that research on domestic violence is important but does not explain how it will be done.	1- data collection and research are elaborated on in the essential conditions for success section of the plan.	1- relies on the <i>Conseil du statut de la femme</i> , to produce studies and briefs. It also ensures that it makes known its research findings to the government, its social	1- recognizes how research and GBA are essential, and also commits to consolidating work on developing sex-disaggregated databases.	1- mentions the importance of regularly assessing the impact of social determinants of health on women's well-being. Also reaffirms the importance of giving access to sex-

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	<i>Preventing, Detecting, Ending Conjugal Violence: Policy on intervention in conjugal violence</i>	<i>Preventing, Ending, Detecting: 2012-2017 Government Action Plan on Domestic Violence</i>	<i>Governmental Action Plan on Sexual Assault (2008-2013)</i>	<i>Turning Equality in Law into Equality in Fact: Government policy for gender equality</i>	<i>Government action plan on gender equality (2011-2015)</i>	<i>Health & Social Services Action plan on women's health & well-being (2010-2013, extended to 2015)</i>
				partners and the population. Recognizes that research, analysis, and innovative practices will enable us to better understand the complex issue of VAW, prevent it and respond effectively.		disaggregated and gender relevant data, as well as collecting such data.
Includes a focus on prevention	1- noted as the most important focus of the policy.	1- noted as the most important of key principles and therefore incorporated into each commitment.	1- one of the key principles, with 6 objectives and a series of actions.	1- indicates that recent research on VAW shows that if we wish to substantially reduce its scope, priority should be to address its causes and associated factors. It recognizes that it is essential to carry out actions aimed at promoting equality and that it is equally crucial to diminish social tolerance of all forms of violence through education campaigns.	1- the 5th orientation focuses entirely on preventing and fighting domestic violence, sexual assault, sexual exploitation, trafficking and emerging violence-related issues.	2- mentions prevention measures, but it is not the main focus.
Includes actions to strengthen economic and social supports (ie social justice) for women	1- acknowledges that resources specifically geared towards people from violent situations are important.	1- acknowledges that resources specifically geared towards people from violent situations are important.	1- several actions to ensure the provision of financial support to various prevention and victim-services organizations, as well as social support for victims.	1- the policy's cornerstone states that women and men must have equal conditions to fully exercise their rights, reach their full potential and contribute to political, economic, social and cultural development. Also asserts they must	1- commits to maintain financial support to various programs and initiatives.	3- doesn't mention actions to strengthen economic and social supports.

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	<i>Preventing, Detecting, Ending Conjugal Violence: Policy on intervention in conjugal violence</i>	<i>Preventing, Ending, Detecting: 2012-2017 Government Action Plan on Domestic Violence</i>	<i>Governmental Action Plan on Sexual Assault (2008-2013)</i>	<i>Turning Equality in Law into Equality in Fact: Government policy for gender equality</i>	<i>Government action plan on gender equality (2011-2015)</i>	<i>Health & Social Services Action plan on women's health & well-being (2010-2013, extended to 2015)</i>
				benefit equally from these changes, and states that both women's and men's freedom of choice must be based on equal rights, responsibilities and opportunities.		
Strengthens response systems and improves integration	1- emphasis given on the need for society to give itself the means and tools to act and respond adequately to the needs of those affected by domestic violence. Emphasis also on police response systems, promoting preventative police action.	1- emphasis given on police response systems and integration into other aspects of society.	1- emphasis given on coherence and continuity in services offered to victims of sexual assault, and on improving the transfer of confidential information.	1- emphasis given on the promotion of egalitarian models and behaviours in every sphere of activity to fight against sexual and sexist stereotypes and prevent different forms of violence, as well as counter the effects of inequality on women's health and safety.	1- emphasis given on police response systems and integration into other aspects of society.	2- it recognises the Health and Social Services Ministry's responsibility in ensuring coherence in its actions and has given itself internal coordination mechanisms. Little is said about strengthening, funding and supporting an integrated, system-wide response.
Strengthens the justice system	2- promotes an approach which strives to achieve balance between the justice system's requirements and the needs of victims. Asserts the need for the justice system to ensure victim safety and victim empowerment. No commitment to make concrete changes.	2- examination of the possibility of modifying the justice system in Quebec but only the possibility.	2- acts to improve the relationships between victims of sexual assault and the justice system with a series of actions including continued funding to groups support victims of crime, more indigenous staff in indigenous communities, etc.	2- asserts that the legal system should continue its efforts with regard to the criminalization of acts of VAW, that it should ensure the safety of women victims and those close to them and increase the confidence of victims and the public in the administration of justice, but it doesn't say how.	3- doesn't mention the justice system.	3- doesn't mention the justice system.

Newfoundland & Labrador, New Brunswick and Nova Scotia

According to the UN Model Framework for NAP on VAW, all Action plans must reflect the following recommendations;	Newfoundland & Labrador	New Brunswick	Nova Scotia
	<i>Taking Action Against Violence: Violence Prevention Initiative (2006-2012)</i>	<i>A Better World For Women: Moving Forward 2005-2010</i>	<i>Domestic Violence Action Plan (Nova Scotia)</i>
Is gendered & recognizes women as the primary victims of domestic violence & gender inequality as the cause	1- recognizes the inequalities between men and women in society- violence is caused by this inequality	2- the plan focuses on violence against women but does not acknowledge root causes	2- recognizes that women are more likely to experience more severe violence, it does not focus on inequality
Recognizes that women's experiences of violence are shaped by intersecting discrimination and disadvantage	2- recognizes that women from varying backgrounds and experiences may face violence on varying levels. Does not focus on these groups or acknowledge them any further	2- only recognizes that there needs to be policies in place for women of diverse backgrounds experiences	1- recognizes that many aspects of a woman's life can create challenges, inequalities and vulnerability to violence
Involves meaningful participation by community	1- many organizations from the community were involved with this project. These organizations provided many different view points for a wide variety of women.	2- briefly states that the policy was created with participation of community groups and stakeholders but does not elaborate further	2- organizations are mentioned but do not seem to have been key participants in the creation of the document
Includes strong political leadership	1- the Violence Prevention Initiative is led by a Committee of Ministers & is chaired by the Minister Responsible for the Status of Women with nine partner departments	2- strong political leadership is implied but not in a way that gives accountability to any government sector	1- the Deputy Minister's Leadership Committee on Family Violence and Intimate Partner Violence oversaw the work on this plan.
Identifies adequate budgetary resources	1- this policy explicitly states the amount that each will receive which is not seen in many other documents	3	2- the only mention of financial resources is one mention of money going to transition houses and women's centres without detail
Specifies activities, goals and responsibility centres	1- goals are thoroughly outlined and directly linked to the responsible organization	2- goals are well articulated but little references to responsible bodies	2- articulates goals but does not identify responsible bodies
Includes monitoring and evaluation mechanisms	2- articulates the creation of an advisory council which will monitor the implementation and success of the policy	1- an evaluation framework is given for each goal to measure success	1- lists indicators of success and the creation of a partnership to coordinate evaluation reports

Ensures consistency among relevant legislation and policies	2- legislation is being created and imposed through this policy but it does not list legislation or policy that was reviewed	2- mentions some review but focuses on the implementation of new legislation and policy	2- outlines what legislation was reviewed but not if there were amendments or changes to increase consistency
Specifies training for all those who respond to VAW	1- training opportunities are outlined for many different sectors of the community	1- has goals to provide training opportunities	1- includes partnership plans with universities to create strong training curricula
Specifies data collection and research	1- creation of criteria for measuring indicators of VAW & outlines steps to create improvement in old research	not discussed	1- introduction of domestic violence tracking projects and on-going research projects
Includes a focus on prevention	1- all agencies to incorporate prevention messages into work & a conference will collect public opinion on prevention mechanisms	2- aims for the education of children to raise awareness	2- introduces a pilot project to give information to people on how to help prevent abuse & project aimed to At-Risk teens
Includes actions to strengthen economic and social supports (ie social justice) for women	1- thoughtfully outlines approaches and goals to strengthen supports for women	1- most of the document focuses on transitional supports and services for women	2- mentioned in passing but not specifically explained
Strengthens response systems and improves integration	1- review of previous response systems to update & improve them & new policy goals to improve integration	1- well recognized throughout the document	2- goal to set up formal processes between government and community services
Strengthens the justice system	1- hopes that all legislation will be reviewed to ensure it fits with the policy	2- aims to establish a specialized court system for women who have faced violence	2- province hopes to launch first domestic violence court programme to strengthen the system for battered women