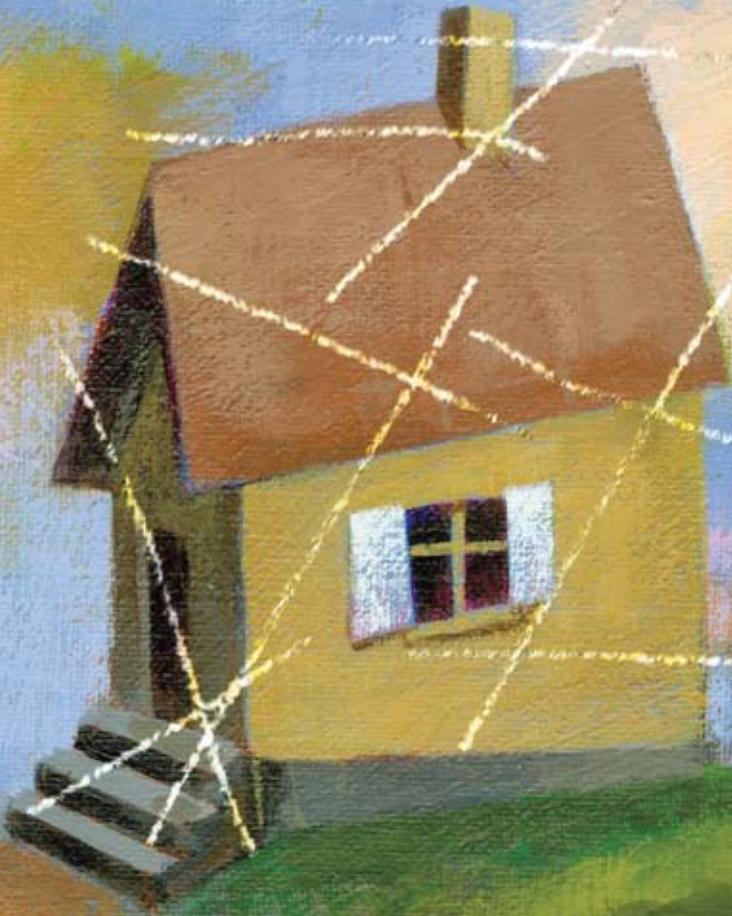




# Abuse is wrong



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## About this booklet

This booklet is for anyone who is suffering from abuse in a relationship or in a family. If you know anyone who is being abused, this booklet may be useful to them. They may need support. Let them know that they are not alone.

Anyone—man or woman, adult or child—who is suffering from abuse or who is acting in a violent way is encouraged to get help.

### To the reader

If you are being abused in a relationship or in a family, you may feel alone. You may have trouble talking with people about the abuse. You may be afraid for yourself or your children.

You may need to know more about Canadian law, your rights, and the kind of help that is available to you. This booklet is a starting place to answer your questions and to provide information about other resources.

**NOTE:** Words marked by an asterisk\* are defined in **Words used in this booklet** on page 21.

## What is abuse?

Abuse is behaviour used to intimidate, isolate, dominate or control another person. It may be a pattern of behaviour or it may be a single incident. Abusive behaviour might involve acts or words or even neglect.

Abuse happens when someone hurts or mistreats you.

Abuse can happen to anyone: someone in a family or someone in a dating relationship, a spouse or former spouse, a partner in an intimate relationship or former partner, a child, young person, or older person.

The abuse can be physical, sexual, emotional, psychological or financial. You may experience more than one type of abuse.

Examples of **physical abuse** are:

- hitting
- pinching
- slapping
- pushing
- punching
- kicking
- burning
- shooting
- stabbing or cutting

These types of physical abuse are examples of assault.\* Assault is a crime in Canada.

### In an emergency

Call 9-1-1 or your local police.

Run outside so other people can see you unless you think you will be safer inside.

Scream—let the neighbours hear so that they will call the police.

**Sexual** touching or sexual activity is abuse if you do not consent or if you are too young to consent.

This is also a crime in Canada, even in a dating, partner, spousal or family relationship.

**Emotional or psychological abuse** might include:

- criminal harassment\* (stalking)
- making threats to harm you
- breaking your things, hurting your pets or threatening to do so
- isolating you from friends and family

Some examples of **financial abuse** are:

- taking your pay cheque or money without permission
- withholding money so that you cannot pay for things you or your children need, such as food, shelter or medical treatment
- making you sign documents to sell your house or to change your will

These are crimes in Canada.

### **Criminal harassment**

(stalking) is a crime.

The following actions might be examples of criminal harassment if they cause you to fear for your safety or the safety of a loved one:

- watching you or tracking where you go
- leaving threatening messages
- making threats to you, your children, family, pets or friends
- calling you over and over again, and perhaps hanging up when you answer
- constantly sending you e-mail messages
- sending gifts you do not want

**Bullying** is a form of abuse that can happen in a relationship or in a family. It may be physical, sexual, emotional, psychological, financial, or a combination. Some forms of bullying may be crimes.

Some examples of **bullying** may be:

- hitting, kicking, pushing or shoving
- taking your money and other possessions
- making threats or acting in an intimidating way
- constantly teasing you or calling you names
- spreading hurtful rumours
- ignoring you and making you feel left out

There are **other forms of abuse** that may not be crimes, but even so, they are hurtful and they might lead to criminal forms of abuse. Some examples are:

- humiliating you or making you feel worthless
- insulting, ignoring or neglecting you
- constantly yelling at you
- calling you names
- not letting you have money that you need
- ridiculing your religious or spiritual beliefs or preventing you from practising your religion
- deciding what you can and can't do, where you can go, what you can wear, and who you can be with
- forcing you to marry someone you don't want to marry

## Help is available

There are people who can help you if you are being abused.

If you are being abused, call a health centre, community organization or shelter. Find out what help they can offer. Ask them where else you should call or go for help.

If you or someone you know is in immediate danger, call 9-1-1 or your local police. They will take steps to protect you and your children or other dependents. The police can also help you get a peace bond\*.

You can also get

- advice and counselling
- help to decide whether you want to stay or leave
- legal help\* that may be free of charge

If you decide to leave, you can get

- help to leave and a safe place to stay
- financial help
- an order from a civil or family court\*

## Where can you get more information?

- shelters
- the police
- the Crown attorney's\* office
- hospitals
- multicultural associations

- community centres or women's centres
- telephone crisis lines
- public legal education and information associations
- lawyer referral services
- legal aid offices
- a doctor or public health nurse
- a social worker\*

**NOTE:** For additional information, see the **Community Resource List** on page 25.

## You are not alone

Abuse happens in all kinds of families. It happens to Canadian citizens, immigrants and refugees. It happens to women and men with or without children, people who are rich or poor, professionals, stay-at-home parents, young and old. It happens to individuals of all backgrounds, religions, races, cultures, ethnic origins and sexual orientations. Abuse also can happen at any stage of a relationship.

Help is available to those who are being abused.

### Abuse in a family

Witnessing abuse in a family or being abused can have serious physical, psychological and emotional consequences, possibly leading to repeated patterns of violent behaviour. Sometimes parents act abusively toward their children and sometimes adolescent children act abusively toward their parents or toward

other family members. Even brothers and sisters may act abusively toward each other.

### **Young people facing abuse**

It is very hard for children to suffer abuse or to see or hear a parent, sibling or other family member being abused. If you are a young person and you are being abused, or if you are witnessing the abuse of a brother, sister, parent or other family member, you might feel scared, embarrassed or confused. Abuse can affect your behaviour, physical and mental health, self-esteem, and performance in school. It may also affect the way you socialize with others.

You may be frustrated and want to take it out on other people. You may be acting out in a violent way or you may be bullying someone at school, or perhaps you are being bullied. No matter what the situation, it is wrong to hurt anyone. Tell someone you trust about the abuse. If you are acting violently toward anyone else, get help before the situation gets worse so you can stop the cycle of violence.

If you are a young person and you are being abused or you are acting out in a violent way, you can call the Kids' Helpline free of charge. You don't have to tell them your name: 1-800-668-6868.

You can also find out more at the Family Violence Youth Site:  
<http://www.justice.gc.ca/eng/pi/fv-vf/fvy-vfj/index.html>

### **Intimate partner abuse**

Abuse by your boyfriend, girlfriend, intimate partner or spouse can destroy your self-esteem and ability to trust people. It can also have serious physical, emotional and psychological effects, making it hard to function at home, at work or in social settings. If you are being abused, it is not your fault. The person being abusive may be

male or female; the person being abused may be male or female. Violence and abuse have no place in an intimate relationship.

### **Older adult abuse**

Sometimes adult daughters or sons who take care of their parents or grandparents act abusively. No matter the family relationship or the circumstances, abusive behaviour is wrong.

If you are an older adult and you are being abused, it might have happened before in your relationship. It could be happening now if you are dependent and you are not able to defend yourself. Maybe the person who is acting abusively toward you is your spouse, partner, child or other close family member. It could be the person taking care of you. Maybe you feel you should protect that person, but the abusive behaviour might get worse if you don't get help. You can still love a person and not like the way they are behaving.

It is not your fault. Ask for help. Talk to someone you trust, such as another family member or friend, your doctor, nurse or social worker. Remember that you are not alone and no one, not even a son or daughter or other close family member, has the right to treat you badly. For more information, please go to: [www.seniors.gc.ca](http://www.seniors.gc.ca)

### **If you are being abused, it is not your fault**

Talking about abuse can be difficult. You might feel ashamed or afraid that your family and friends will not believe you. Some people may even try to convince you that what is happening is normal in a relationship, or they may be threatening you to keep quiet. You may be afraid of being rejected by your community if

you leave. But remember—nothing you do gives anyone the right to abuse you. There is no excuse for abuse.

Many people have found that there is a cycle of abuse. The tension builds for a while until the person acts violently. After the “explosion” or violence, there is a period of calm or quiet. The person who behaved abusively may say they are sorry and promise it will not happen again.

However, in time, the tension builds and the person may become violent again.

Others describe an ever-increasing spiral of abuse where the severity of the violence becomes worse over time and the violent outbursts occur more and more often.



## Your children need protection

If you are a parent and suffering abuse, this can make it harder for you to look after your children. The abuse may also be very draining, leaving you with less energy to share with your children.

The children may learn from seeing the abuse that they do not need to respect you. The children may also learn that they do not need to respect their own future partners. This may lead to further violence or a cycle of violence that is passed down from one generation to the next.

Child abuse is against the law. If your children are being abused, you **must** get help for them. You can go to a child protection or family services agency for advice, help or counselling. Children

need to be protected from abuse. If you do not take steps to protect them, there may be legal consequences. For example, the police and child protection services\* may become involved.

## **If you are thinking of leaving**

If you are being abused, it is important to think first about your safety and the safety of any children or other dependent relatives living with you. You may fear that your family and friends will not support you if you leave. This may happen, but even if it does, it still may be better for you and your dependents to leave rather than to continue suffering the abuse.

You may choose to leave for a short time or even permanently. In making your decision, there are a few important things to think about:

- Has the person who abused you ever threatened to kill you or the children?
- Have they used sexual violence against you, such as forcing you to have sex?
- Have they threatened or tried to commit suicide?
- Are they very controlling or very jealous?
- Do they refuse to accept the possibility of separation?
- Have they stalked you before?
- Do they take drugs or drink too much?
- Have they been involved with criminal activity?
- Have they been violent toward your children?
- Have they sexually abused your children?
- Have they ever used a weapon like a knife or a stick to hurt you or your children?

- Have they ever been violent toward other people?
- Have they been violent toward your pets?
- Is there a gun in the house?
- Are you afraid for your children?
- Are you afraid of leaving?
- Are your friends or family members afraid for you?
- Do you feel powerless or very anxious?

If you answer yes to some or all of these questions, you will need a lot of help and support no matter what you decide to do. It is important to listen to your fears and the feelings you have about your situation. You know best what you are going through and the risks you face in deciding to stay or leave. Remember that you are not alone. Speak with someone you trust about your fears. You can ask a shelter\* or a helpline\* for advice even if you don't want to leave. You don't have to tell them your name. If you do decide to go to a shelter, you can bring your children with you. The shelter staff won't tell anyone where you are. They can help protect you and your children. They can also help you decide what to do next.

## **What about the children if you decide to leave?**

If you leave an abusive situation, you can still apply for custody of your children.

If you think your children might be in danger, contact the police and ask them to escort you and your children to a shelter or a location where you will be safe. The place that you decide to go must be within the same province or territory in which you are living until custody is decided by a judge.

If you have time, before leaving your home, you should also speak with a lawyer about the best way to protect yourself and your children. A lawyer can help you apply to the court for a custody or parenting order\*.

If you are worried about your children's safety, your lawyer can ask the judge for an order that would allow your spouse to have only supervised visits with the children, or in very rare cases, no contact at all. The judge will base their decision on what is best for the children. Keep in mind that it is rare for a judge to order no contact between a child and a parent. The other parent will likely be able to visit the children but the judge may order supervised visits with another person present, such as a social worker. If your children will be visiting the other parent, you may want to arrange for someone else to be there for the pickups and returns to prevent any problems.

Your safety and the safety of your children come first. Do not stay in a dangerous situation because you are worried about how you will support your children on your own. Shelters can provide you and your children with short-term help while you look for housing and long-term support. Your lawyer can also help you ask the judge to order the other parent to pay financial support for you and your children.

Tell your lawyer if you think the other parent or someone else will try to take the children out of the country. If you ask, the judge may order that the children's passports be kept by the court. If your children are Canadian citizens, call Passport Canada toll-free at 1-800-567-6868 or TTY services at 1-866-255-7655. Ask them to put the children's names on a list so that you can be called if anyone tries to get a passport for them. If your children have citizenship in another country, contact that embassy or consulate to

ask them to refuse passports for your children. More information on international child abductions can be found at this site:  
[http://www.voyage.gc.ca/faq/child-abductions\\_enlevements-enfants-eng.asp](http://www.voyage.gc.ca/faq/child-abductions_enlevements-enfants-eng.asp)

If you have a custody or parenting order, it is a good idea to keep a copy with you in case there is a problem. You can also give a copy to your children's school or daycare.

## **What if you decide to stay?**

You might decide it is better for you to stay.

If you are injured, you should get medical treatment. You do not have to tell anyone what caused the injuries, but it is better for your treatment if you tell your doctor exactly what happened.

Keeping notes or a diary about your injuries and the times you are abused may help if you decide to leave later. It is a good idea to have a plan ready in case you need to leave quickly.

The first few pages of the telephone book usually list numbers for the police and other emergency services. It is a good idea to learn the police number in case you need their help. In an emergency, you can also call 9-1-1.

Gather information, such as the addresses and telephone numbers of people who can help you. Make sure this information is easily accessible in case of an emergency. If you can, save some money. Be sure that your diary, the information that you gather and your money are kept in a safe place.

Try to do things that make you feel safer and self-confident. You may be able to get counselling or learn new job skills. Look for friends and family members who will help you.

If you decide to stay, remember that you still need help and support.

It is very difficult for a person who has been abusive to change. The person acting abusively will need help if they want to break the cycle of violence. They can ask for counselling services through local community services. A resource list at the end of this booklet lists some other places to ask for help.

## **If you are an immigrant, will you be removed from Canada?**

If you are a citizen, a permanent resident or a landed immigrant, you cannot be removed from Canada for leaving an abusive situation, even if you were sponsored by the person who is abusing you.

If you are a temporary resident in Canada, here as a visitor, student, worker or spouse of a worker or student, you need to contact Citizenship and Immigration Canada because your status in Canada may be tied to the status of your spouse or sponsor. Remember that you have a right to privacy when dealing with officials.

If you are a refugee, a refugee claimant, a live-in caregiver, or someone without legal status, you can apply to become a permanent resident. This does not necessarily mean you will be able to stay, but you should speak with a lawyer or go to a community centre for advice and information about your choices.

The person who abused you may tell you that you will be deported or you will lose your children if you leave. They are trying to scare you with these threats. Leaving an abusive situation does not mean you will be deported. Leaving an abusive situation does not mean you have to leave your children. You can get help and information from legal clinics, social workers, and community centres.

Remember that you have choices. You do not have to stay in an abusive situation. You are not alone.

## **What kind of help is available?**

### **The police**

You can call the police if the person who behaved abusively assaults you or threatens to assault you. The police will come to help. Many police officers are trained to deal with abuse in families and relationships. They can take you to a hospital if you need treatment, or they can help you leave safely.

### **Shelters**

You can go to a shelter if there is one in your area. This is a safe place where you and your children can stay for a few days or weeks. Depending on your finances, you may be asked to pay for part of your stay.

Staff and volunteers at the shelter will give you support and information. They may be able to help you get legal advice, financial help and a new place to live, if this is what you want. They also have food, clothing, diapers and toys, in case you do not have time to pack. They will not tell the person who abused you where you are.

Shelters are run by community groups. Their telephone numbers are usually listed in the first few pages of the telephone book with other emergency numbers. You can also call a shelter for advice. You do not even have to tell them your name.

### **Financial assistance**

You may need financial assistance (welfare). If you are a permanent resident or a citizen, you are eligible to apply for financial assistance, even if you were sponsored.

If you are not a permanent resident or a citizen, you still might be eligible for financial assistance. You can find out by calling a provincial or territorial government office, or asking your local community centre for advice. If you are a sponsored immigrant (by a spouse or group) and if your sponsorship has broken down, you may be eligible for financial assistance from your provincial or territorial government.

When you go to court to apply for custody or to get a divorce, you can ask the judge at the same time to order the other parent to pay child support\* for your children. Both parents have an obligation to support their children. You may also ask for spousal support,\* which the judge will consider based on a number of factors set out in legislation.

## **What happens if...?**

### **What happens if you report the person who abused you?**

If you have been assaulted, you should tell the police about the abuse. They might charge the person who assaulted you.

The police might arrest the person if they believe the person has broken the law. If this is the case, the person who abused you might stay in jail a few hours until the bail hearing,\* or maybe longer, depending on what the judge decides.

If you are afraid for your safety, ask the police to notify you before the person is let go. Make sure the police know how to contact you.

The judge may set out rules for the release of the person who abused you. For example, the judge may order that the person is not allowed to call or see you. If they do not obey the rules, they can be arrested again.

If you are afraid of being hurt when the person is released from jail, you may want to find a safe place to stay, such as a shelter.

In some provinces and territories, you may be able to get a non-criminal family violence order, such as a court order that tells the person who was abusive that they must not communicate or contact you. The order might give you use of the family home for a period of time. You can ask for legal help for more information on how to go about this.

## **What happens if the police charge the person who abused you?**

If the person who abused you pleads guilty to assault, the judge will decide on a sentence. The sentence may be a fine or probation\*. The person who abused you might also have to get counselling. The judge might also order time in jail. In deciding whether to order a jail sentence, the judge will consider many things. For example, the judge will consider whether this is a first offence and the severity of the abuse.

If you are afraid, tell the Crown attorney or your victim services worker. If the person who abused you gets probation, the judge might release them with conditions.

If the person who abused you tells the judge that they are not guilty, then there will be a trial. It may be several months before the trial starts. You will have to be a witness at the trial. You may be allowed to speak to the judge from behind a screen or from another room by closed-circuit television so that you do not have to see the person who abused you. You may also have a support person, such as a friend or family member, near you while you testify if their presence would make you feel more comfortable.

If the person who abused you is found guilty, then the judge will decide on a sentence, such as a fine, probation or jail time.

You can ask the Crown attorney about victim services in your province or territory to help you and to explain the court process. More information is available on the Policy Centre for Victim Issues website at

<http://www.justice.gc.ca/eng/pi/pcvi-cpcv/index.html>

## Things to take with you if you leave

In an emergency, leave as quickly as possible. Do not stop to collect the things on this list—just go. However, if you do have time, try to take as many of these things as you can.

- important documents, such as birth certificates, passports, citizenship papers, immigration papers, child custody papers, court orders (such as a peace bond), health cards, your social insurance card, and your spouse's or partner's social insurance number
- money, credit cards
- cheque book, bank book, savings bonds
- personal telephone and address book
- medicine
- house keys
- driver's licence and car keys
- children's favourite toys
- clothing for a few days
- valuable jewellery

If you are thinking about leaving, it might be a good idea to collect some of these things in advance and put them in a safe place, in case you decide to leave quickly.

## Remember, abuse is wrong

No one has the right to abuse you. You may be facing special challenges, but no matter what kind of situation you are in, you have choices. You are not alone. Help is available.

## Words used in this booklet

### **assault**

An assault happens when someone uses force or the threat of force on someone else without that person's consent. Consent that is forced or given out of fear is not true consent.

### **bail hearing**

This is a court proceeding that takes place after a person has been arrested and charged. The judge decides whether that person should be released with conditions, such as being told they must not contact you, or they might be held in jail until the charges are dealt with by the court. *Bail* is also called “judicial interim release”.

### **child protection services**

Each province and territory has a child protection service that might become involved with the family if they think there is a child in danger. If they are worried about your child, they will send a social worker to talk to you about how to help keep your child safe. The name of the child protection service is different in each province and territory.

### **child support**

This is the money one parent gives to the other parent to help pay for things like rent, food and clothing for a child. A support order is the document prepared by the court saying what amount must be paid.

## **criminal harassment**

If you are scared because someone is following you or contacting you against your wishes, or watching you or behaving in a threatening manner toward you or someone close to you, that person may be committing an offence known as criminal harassment. This is sometimes called stalking.

## **Crown attorney (Crown prosecutor)**

This is the lawyer who represents the government. The Crown attorney presents the case to the judge when a crime has been committed. A Crown attorney is not the victim's lawyer but is acting on behalf of all members of the public.

## **custody or parenting order**

If you have custody of your children, you are legally responsible for making the major decisions about their upbringing and schooling. When you have custody, your children usually live with you, but will likely visit the other parent. Another term, such as "parenting order", may be used in your province or territory. A parenting order sets out how decisions about the child are to be made, and how the child's time is shared between the parents.

## **helpline**

A helpline is a free telephone service you can call for information and advice. You don't have to tell anyone your name or phone number when you call. Someone will answer the phone and will listen to you. They will try to answer your questions. They can also refer you to places that can help you. Different kinds of helplines are listed in the phone book and are sometimes advertised on buses, clinics, and other places.

## **legal help**

Legal help is available from a lawyer or a legal aid office, and in some situations, may be free of charge. Contact a lawyer-referral service, a legal aid office, or a public legal education and information association to find out where you can get legal help and if you can get help free of charge.

## **order from a civil or family court**

If you are afraid for your safety but do not want to call the police for help, you may be able to get an order from a civil or family court stating that the person who behaved abusively must stay away from you. You should get legal help to find out what types of family court orders or civil court orders under provincial or territorial family violence legislation are available in your province or territory.

## **peace bond**

If you are afraid for your safety, you may be able to get a peace bond. This is a criminal court order that sets conditions on the person who behaved abusively. For example, that person may be forbidden to see you, write to you, or telephone you. If the person who behaved abusively disobeys the order, the police may arrest them. If you want to know more about a peace bond you can ask a lawyer.

## **probation**

This is a criminal court order that can be part of a sentence for an offender. A person on probation will have conditions set on release, such as having to go to counselling.

## **shelter**

This is a safe place for you and your children to stay for free while you make other living arrangements. The addresses of shelters and the names of people who stay at shelters are not given out. There are people who work at shelters who can help with advice and basic needs. Phone numbers for shelters are found in the first few pages of the telephone book. The police and community centres also have phone numbers for shelters.

## **social worker**

Social workers are people who will try to help you and your family. They will listen to you and give you information so you can make the best decision for yourself and your family. They can help find counselling services for people who are abusive as well as for people who are abused. They can help you find shelter, food and clothing. They can also help protect children from abusive situations. You can ask to talk to a social worker at community centres, medical clinics, hospitals, or through the police and child protection services.

## **spousal support**

This is the money that the spouse with the higher income pays to the spouse with the lower income after separation or divorce. Unlike child support, spousal support is not necessarily a legal obligation. In order to decide whether to order spousal support, the judge will consider things, such as how long you were married and the roles each person played in the marriage; for example, whether one person gave up their job in order to look after the household. The judge will also encourage financial independence. Sometimes common-law partners may ask for financial support from the other person. Common-law partners are two people who are living together in an intimate relationship but who are not married.

# Community Resource List

It is a good idea to create—in advance—a personal community resource list. In addition to the police, there are various organizations and agencies that can offer support or helpful information. Look in the white, yellow or blue pages of your telephone book for contact numbers for the following local or provincial agencies. (Be sure to keep these numbers up to date, since they may change from time to time.)

<b>Helpful Resource</b>	<b>Telephone Number</b>
-------------------------	-------------------------

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**Police**

Can help you assess your safety and take action against someone committing a crime.

**9-1-1 in an emergency**

**Local police**

Can help you in non-emergency situations. Check the first few pages of your telephone book for the phone number.

**Public legal education associations**

Can provide general information about the law, the legal system, and your rights as a person experiencing abuse.

**Victim services**

Can refer you to counselling and tell you about programs and services for victims of crime.

## Helpful Resource

## Telephone Number

### **Crisis lines**

May be able to help with crisis intervention and refer you to helpful services.

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### **Shelters/Transition houses**

Can provide shelter, information and referrals for women or men who experience spousal abuse.

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### **Mental health offices**

Can offer information or counselling on depression, stress, and mental health issues.

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### **Multicultural and immigrant-serving organizations**

May be able to provide information and refer you to helpful services.

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### **Citizenship and Immigration Canada**

Can answer questions on immigration status and process, and provide information on the *Immigration and Refugee Protection Act*.

**1-888-242-2100**

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## Helpful Resource

## Telephone Number

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### People I trust

May be able to offer emotional and practical support—family, friends, doctor, religious advisor, and so on.

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### Other

Look for other sources of help! For example, you may find help from a local women's centre, a community care centre, or a social agency.

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