

Study Guide Sample

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Facing Diversity

Study Guide

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Introduction

Purpose

The purpose of this video “Facing Diversity: Responding to Violence Against Women from Diverse Cultures” and the Instructor’s Guide is twofold:

1. To raise awareness of the issues and barriers faced by women from diverse cultures who are experiencing or have experienced violence or abuse in their intimate relationships.
2. To illustrate some specific culturally sensitive practices that can be undertaken by police, crown counsel, victim service workers, probation officers and other support workers, to support and assist women from diverse cultures overcome their fears and mistrust of the criminal justice system.

Through the best practices portrayed in the video and the information presented in the support materials, it is hoped that police, crown counsel, victim service workers and probation officers will develop new and innovative ways to support and assist women end the violence in their lives.

Intended Audience

This package is primarily intended for criminal justice personnel who are called on to investigate, prosecute or manage “K” files, and victim service workers, counsellors, advocates and others who work directly with women from diverse cultures who are trying to end the violence or abuse in their intimate relationships. The workshop has been designed for an interdisciplinary audience but it can be also used by a single discipline such as a police department or a counselling office.

Front line workers, specialized victim service workers and counsellors may also wish to select segments of the video to show to women whose husbands or partners have been charged with assault or who are fearful of becoming involved with the criminal justice system. It is important to keep in mind that the video focuses on best practices and, as such, may not reflect the realities of how women from diverse cultures typically receive assistance and support from the criminal justice system.

The workshop content assumes that participants have a basic understanding of the nature and dynamics of violence against women in the dominant culture and are familiar with the roles and responsibilities of criminal justice personnel.

Rationale for the Package

A number of national and provincial reports have identified the issues faced by immigrant women and women of colour (Gender Equality in the Justice System, 1992; “Is Anyone Listening”? B.C. Task Force on Family Violence, 1992). These reports have indicated the need for criminal justice personnel and social services staff to have training materials and opportunities for continuing professional education on ways to effectively respond to cases of violence against women from diverse cultures. This training package is one initiative undertaken to respond to this need.

Components of the Package

A 42-minute video, “Facing Diversity: Responding to Violence against Women from Diverse Cultures”. Through the voices of three women from different cultural communities, this video illustrates some of the barriers to seeking help faced by these women and highlights a selection of best practices that can assist them.

An Instructor’s Guide to a six-hour workshop, two three-hour sessions, or a video showing and debriefing, which includes sample lesson plans, content notes, suggested activities and handouts for participants.

Limitations of the Package

Because of time constraints, the package highlights only a selection of the strategies that can be used to support immigrant women and women of colour experiencing violence. The best practices illustrated in the video focus primarily on the initial stages of contact by the criminal justice system. Issues such as the use of interdisciplinary protocols, support for women through the court process, support for children and extended family members, and appropriate use of interpreters and translators are only briefly mentioned. In order to fully train police, crown counsel, victim service workers and other support workers, in depth skills based training is required; such programs can build upon the issues addressed in the package.

What is Violence Against Women?

To best assist immigrant women and women of color who have disclosed that they have experienced abuse and violence by their intimate partner, viewers need to understand the nature and scope of violence against women.

Violence against women is:

1. A pattern of coercive and assaultive behaviours, including physical, sexual and psychological attacks, as well as forms of economic coercion that adults or adolescents use against their intimate partner.
2. A pattern of behaviours including a variety of tactics—some which cause physical harm, some which do not, some criminal and some not—carried out frequently and sometimes in daily episodes.
3. A combination of physical force and terror used by the abuser that results in physical and psychological harm to the victim and the children.
4. A pattern of purposeful behaviour with the intention of achieving compliance from or control over the victim and the children.
5. A pattern of behaviour that keeps the victim in a constant state of fear and vigilance for her safety and the well being of her children.
6. A pattern of behavior, that in the majority of reported incidents, is initiated by the male abuser toward the female victim.

(Adapted from materials contained in the Violence Against Women in Relationships Victim Service Worker Handbook, Ministry of Attorney General, 1993; and Working with Battered Immigrant Women: A Handbook to Make Services Accessible, Family Violence Prevention Fund, 1995).

The Canadian Centre for Justice Statistics (1997) has provided the following data on the nature and extent of violence against women incidents in Canada:

- Victims of spousal assault represented 17% of all victims of violent offences reported to the police;
- Women were nearly 8 times more likely to be victimized by a spouse than men;
- 31% of female victims and 4% of male victims were attacked by a spouse;
- The greatest proportion of violent offences were directed toward women between the ages of 25 and 34 years of age (39%);
- 77% of the offences reported to the police involved a weapon or physical force; and,
- Women may experience between 25 – 35 violent episodes before they seek help.

Violence Against Women in Relationships Policy (VAWIR)

In 1993, the B.C. Ministry of Attorney General revised and updated its policy on violence against women in relationships. The policy directs the justice system to emphasize the criminality of violence within relationships and to take the necessary measures to ensure the protection of women and children who may be at risk.

This policy addresses the continuum of abuse and violence that occurs in relationships. It applies to a range of criminal activities ranging from harassing telephone calls or mischief to aggravated assault.

The provincial policy and the specific policies established by police departments and RCMP detachments throughout BC allow the police to arrest when it is in the public interest to do. The VAWIR policy specifically states that:

“Police officers, when there are grounds to believe that an offence has occurred, should always arrest when it is in the public interest as set out in s.495 of the Criminal Code, including when it is necessary to secure the accused’s attendance in court, or prevent the repetition of an offence or the commission of other offences, including interference with the administration of justice and intimidation of witnesses.”

The policy shifts the onus for taking action to prevent further violence from the victim to the criminal justice system. In cases where there is insufficient evidence or when the alleged offender does not plead guilty, however, the victim/witness will likely be required to testify against her partner in order to support the crown’s case.

The policy directs police to investigate all complaints in a thorough manner, including interviewing all family members who have had contact with the victim, other witnesses such as neighbours, taking photographs of the injuries and obtaining medical reports from doctors.

Investigators are to consider all incidents of violence, intimidation or threats to family members, friends, supporters and former partners, and take the necessary steps to link all the related complaints.

Police and crown counsel are called to determine if there has been a past history of abuse and violence, including any incidents reported in other jurisdictions, and collect all relevant evidence to support the contention that there is reason to believe the violence will continue. A complete history of all of the offences should be carried out and included in the report to Crown counsel.

The policy calls on police and crown counsel to ensure that adequate support services are available to the victim. The attending officer should refer the victim with her consent to the appropriate community based services. In communities where a specialized service is not available, the police should refer her to a police or crown-based service.

The definition of violence against women in relationships contained in the video and the recommended best practices in response to reported cases of assault form the foundation of the video.

Diversion is not appropriate in cases of violence against women except in rare and exceptional circumstances.

For the purpose of this video and Instructor's Guide, the legal definition of violence against women is:

“Physical or sexual assault, or the threat of physical or sexual assault, of women by men with whom they have or have had an ongoing or intimate relationship, whether or not they are legally married or living together at the time of the assault or the threat. Other behaviour such as intimidation, mental or emotional abuse, sexual abuse, neglect, deprivation and financial exploitation must also be recognized as part of the continuum of violence against young and elderly women alike.”

The term “violence against women in relationships” encompasses common-law and dating relationships and has been chosen to specifically recognize the gender nature of the majority of these assaults. The term “spousal assault” is used in the British Columbia Crown Counsel Policy Manual and in most police policies. Throughout Canada various other terms are used such as woman abuse, wife assault, family violence, conjugal violence, domestic violence and relationship violence.

In addition to addressing violence against women in heterosexual relationships, the VAWIR policy is intended to respond to violence or threats of violence towards men in homosexual relationships, vulnerable men in heterosexual relationships and women in lesbian relationships.

Dynamics of Violence Against Women in Relationships

Violence is used by batterers to establish control over their partners. They use abusive tactics to control their partners' actions. These tactics are often successful because of the fear and isolation a victim feels.

Abuse and violence occur when there is a power imbalance between the partners in the relationship. The power imbalance is perpetuated by social, cultural and individual messages undermining the potential for women to gain control of their situations and for men to be held accountable for their actions within a relationship.

It is often very difficult for a woman to leave an abusive relationship. Most women love their partners but they want the abuse to stop. Women also find it difficult to leave because they do not want to deprive their children of their fathers, they fear they will not have the necessary social or financial supports to look after themselves or their children, or they worry the violence will only intensify.

For immigrant women and women of colour there may also be specific cultural and family factors that influence their response to the violence and abuse they experience.

These include:

- extended family members' expectations that the couple will stay together;
- the husband's family's influence on the couple's relationship;
- fears of being isolated from family and community;
- fears of bringing shame and dishonour to the family;
- fear of being deported or losing landed immigrant status;
- past experiences of systemic racism;
- lack of knowledge of the English language;
- lack of knowledge about the Canadian justice system;
- lack of knowledge about her rights; and,
- fear of the police and other authority figures.

If the woman leaves the relationship, the violence may still continue, or indeed, worsen. Research has shown that women are at greatest risk of severe injury or even death, after they leave the abusive relationship.

The abuser may also try to influence or manipulate the children involved, or use his social status and privilege in the community as part of his abusive relationship. He may try to use the courts to harass his partner or he may minimize, deny or otherwise blame the victim for the violence.