BEST PRACTICE APPROACHES

CHILD PROTECTION AND VIOLENCE AGAINST WOMEN

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Best Practice Approaches for Child Protection Intervention and Violence Against Women

Working Group:

Leslie Anderson, Manager, Standards and Policy
Child Welfare Policy Team
Integrated Policy and Legislation
Ministry of Children and Family Development
Tel. 250-387-2908
Leslie.Anderson@gov.bc.ca

Shauna Filgate, Policy/Program Analyst
Child Welfare Policy Team
Integrated Policy and Legislation
Ministry of Children and Family Development
Tel. 250-356-0746
Shauna.Filgate@gov.bc.ca

Jill Cory, Co-ordinator
Woman Abuse Response Program
BC Woman's Hospital
Tel: 604-875-3717
jcory@cw.bc.ca

Tracy Porteous, Executive Director
Ending Violence Association of BC
Tel: 604-633-2506
porteous@endingviolence.org

Shabna Ali, Executive Director
BC Yukon Society of Transition Houses
shabnaali@bcysth.ca

Jane Katz, Co-Chair
Ending Relationship Abuse Society of BC
janek@uniserve.com

Natalie Pritchard, former Vice Chair
Helping Spirit Lodge Society
Vancouver, BC
Tel: 604-874-6629

Cathy Welch, Program Manager
Ending Violence Association of BC
Tel: 604-633-2506
welch@endingviolence.org

Tracey Potter, Team Leader
Vancouver South Development Response Team and Intake Team
Ministry of Children and Family Development
Tracey.Potter@gov.bc.ca

Sandra Menker, Social Worker
Vancouver South Development Response Team and Intake Team
Ministry of Children and Family Development
Sandra.Menker@gov.bc.ca

Taryn Walsh, Director, Policy & Legislation
Victim Services
Ministry of Public Safety and Solicitor General
Tel: 604-660-3869
Taryn.Walsh@gov.bc.ca

Juliette Kamper, A/Sr. Policy & Legislation Analyst
Policing and Community Safety Branch / Victim Services Division
Ministry of Public Safety and Solicitor General
Tel: 604-660-4894
Juliette.Kamper@gov.bc.ca

Laurie Parsons
BC Society of Transition Houses
laurie@bcsth.ca

SECTION 1

DYNAMICS OF VIOLENCE AGAINST WOMEN

SECTION 1: DYNAMICS OF VIOLENCE AGAINST WOMEN

This document contains best practice approaches that provides information and gives guidance to workers providing protective services when assessing and intervening in situations involving violence against women when children may be exposed to the abuse of their mother. Note – the term child welfare worker will be used throughout the document and child welfare workers refer to employees of MCFD or Delegated Aboriginal Agencies. A major focus of the document is understanding that the safety and well-being of children are often dependent on the safety of the non-abusing mother and that wherever possible, supportive services should be offered to the mother in order to enhance her ability to continue to care safely for her child(ren).[1] These best practice approaches promote an integrated response that builds on the strengths between women's and child welfare services.[2]

Legislation and Standards That Apply

This document is to be interpreted and administered so that the safety and well-being of children are the paramount considerations in accordance with the guiding principles and service delivery principles of the *Child, Family and Community Service Act*, relevant AOPSI and Ministry standards, and *Strong, Safe and Supported, A Commitment for B.C's Children and Youth*.

Why This Document Was Developed

As a result of consultation between representatives from provincial community and hospital-based organizations that provide services to adults, adolescents and children who are survivors of violence, and the involved ministries, a decision was made to develop best practice approaches for child welfare intervention in situations of violence against women. This document was written in co-operation and extensive consultation with provincial representatives.

The initial version of the Best Practices document was completed in 2004. As a result of a number of factors including the ministry's emphasis on collaborative planning, changes to policy since 2004 and the government's commitment to improving approaches regarding violence against women, this document has been revised accordingly.

Goals of the Best Practice Approaches for Child Welfare Intervention and Violence Against Women

The Best Practice Approaches are intended to promote an integrated response to mothers impacted by abuse and their children. The Best Practice Approaches will assist with:

- Keeping children and their mothers safer by connecting the safety of the children with their mother's safety wherever possible
- Keeping children with their non-abusive parent and providing supportive services in order to enhance their ability to continue to care safely for the children
- Preventing further violence
- Building on the strengths of both women services and child welfare services

[1] Geffner, Robert; Jaffe, Peter; Suderman, Marlies (2000) Children Exposed to Domestic Violence, Current Issues in Research, Intervention, Prevention and Policy Development

[2] The title of this policy, *Best Practice Approaches: Child Protection and Violence Against Women*, is meant to acknowledge the power dynamics usually involved in these cases and recognizes that a significant majority of these offences are committed by men against women and that women are at greatest risk of a higher degree of violence. This policy applies equally in all domestic violence situations no matter what gender the offender or victim. The policy is also intended to prompt action to eliminate violence in both same-sex relationships and violence against men in heterosexual relationships where the power dynamics that characterize domestic violence are present.

- Offering an integrated approach for meeting the safety needs of children, providing supportive services to mothers and keeping her safety a parallel consideration throughout child welfare involvement.

Connecting Child Welfare and Violence Against Women Approaches

Because of the significant overlap between the child's safety and the safety of the mother in the context of violence against women, these situations are more complex for child welfare workers to assess and intervene for the child's safety. Historically, the development of independent services for mothers and children has separated the safety needs of children from their mothers.

Creating safety for children requires both sectors to respond to reduce the risks that children and their mothers face. To ensure the safety and well-being of children and the non-abusing mother, all relevant services must work together for a coordinated, collaborative response including child welfare workers, women's transition house workers, stopping the violence counsellors, specialized victim assistance workers, multicultural support workers and Aboriginal/Métis family support workers. A mutual understanding and respect of roles, responsibilities and areas of expertise as well as clear on-going communication throughout our involvement will assist in establishing a co-operative working relationship which in turn, will help to support and ensure the safety of mothers and their children.

Women-Centred Approach: Working from Women's Experiences and Strengths[3]

Providing women-centred services is fundamental to women's empowerment and safety. This approach is not in conflict with a child welfare approach but recognizes mother's safety can be an important factor in the safety and protection of their children.

Key aspects of a women-centred approach include:

- Recognizing and building on a mother's existing strengths
- Recognizing that mothers' use many strategies to keep themselves and their children safe
- Developing a trusting and respectful relationship
- Respecting mothers ability to make choices within legal limits
- Empowering mothers through collaborative decision making; respecting choices; sharing knowledge and information.

It is important to develop relationships with women that are free from coercion, inequality, power dynamics or punitive consequences so that women may experience relationships of trust, mutuality and respect. As well as building a partnership with the woman, a women-centred approach encourages relationship building, respect and collaboration between child welfare services, the woman and needed services to achieve safety for women and their children.[4]

[3] Whole section from Best Practice Approaches: Child Protection and Violence Against Women, 2004, p. 16-18
[4] Callahan, Marilyn (1993). Feminist Approaches: Women Recreate Child Welfare. Wharff, B., editor. Rethinking Child Welfare in Canada. Toronto: McClelland and Stewart, p. 172-209

Definitions, Scope and Prevalence of Violence Against Women

Definition and Scope: Violence Against Women

Early definitions of abuse focused on those aspects of abuse that resulted in arrest, charge, or conviction but a limited focus on 'violent acts' can hide the atmosphere of terror that sometimes permeates violent relationships. A broader definition of violence against women in relationships is:

> *A pattern of intentionally coercive and violent behavior toward an individual with whom there is or has been an intimate relationship. These behaviours can be used to establish control of an individual and can include physical and sexual abuse; psychological abuse with verbal intimidation, progressive social isolation, or deprivation; and economic control.*[5]

Woman abuse is a social problem, although it is often characterized as an individual or family problem. The many manifestations of gender based violence point to the significant role that social norms, gender roles and social and political institutions play in legitimizing and therefore perpetuating woman abuse, in addition to contributing to women's vulnerability to abuse.

Throughout this Policy, the terms "woman abuse", "violence against women" or "violence against women in relationships" are used. These terms encompass marriage, common-law and dating relationships. The use of "violence" highlights the serious, and often criminal, aspects of the experience, whereas "abuse" suggests a broader spectrum of experiences, including emotional, verbal, financial, sexual, spiritual and mental aspects of abuse that are not currently considered a crime in most parts of the world.[6]

The use of gender neutral terms such as domestic violence, spousal assault, family violence and intimate partner violence are not used as they fail to identify that the overwhelming majority of victims of violence within relationships are female and men are the abusers.

Myths and Realities of Violence Against Women in Relationships

While women's experience of abuse are complex and vary across culture, class, ethnicity, age, ability and sexual orientation, there are some common myths and social stereotypes about women and abuse in relationships. The following matrix has been developed as a result of working with abused women and hearing about their abuse.

MYTHS ABOUT ABUSED WOMEN	REALITY
• Each partner is equally responsible for the abuse • Men can't control the abuse • Women are attracted to abusive men • Abusive incidents are random and isolated • Women can provoke abuse or control abusive partners	➢ Abusive men are 100% responsible for their violence against women ➢ Abusive men are in control and make choices about who he abuses and where he is abusive ➢ Abusive men target vulnerable women and initially conceal the abuse from a partner ➢ Abuse is patterned and intentional ➢ Women are not responsible for the abuse

[5] El-Bayoumi, G., M.L. Borum, and Y. Haywood, Domestic violence in women. Medical Clinics of North America, 1998. 82(2): p. 391-401.
[6] Spain recently took the landmark step of designating psychological violence a crime.

• Women have deficiencies that 'provoke' abuse • Abuse is measured by severity and frequency or acts of physical violence • Abusive men are behaving in socially acceptable ways • Abused women believe that abusive behaviour is normal	➢ Women have developed safety and coping strategies and have many impacts from abuse ➢ Abuse is measured by the impact – fear, substance use mental health issues, etc ➢ Society's standards of parenting and relationship behaviour are lower for men than women ➢ Women seek support and try to talk about the abuse and it may be minimized and dismissed by some service providers

There are also extremely powerful and harmful myths and stereotypes that contribute to the further social marginalization of and increased violence towards women of colour, Aboriginal women, low income women, immigrant and refugee women, young and older women, lesbians/bisexuals and transgendered women, sex trade workers and women with disabilities. These myths are based on ideas of what a 'normal' family is (ie. Nuclear family), who can/should be a mother (heterosexual, able-bodied, mature) and how to care for children (i.e woman is the primary caregiver, not extended family).

Understanding our biases can help to alleviate the additional burden that mothers sometimes feel when they have contact with child welfare and other services.

Prevalence: Violence Against Women

Canada's General Social Survey (GSS) reports the following rates of violence against women:[7]

- Women constitute 98% of spousal violence victims of sexual assault, kidnapping or hostage taking
- 80% of victims of criminal harassment are women while 90% of the accused are men
- 98% of sexual assaults and 86% of violent crimes are committed by men
- 5 times as many women as men reported being choked
- Almost twice as many women as men reported having a gun or knife used against them
- 4 out of 10 women are afraid for their lives, as compared to 1 out of 10 men
- 4 times as many women as men reported being threatened, harmed or having someone close to them being threatened or harmed
- 4 times as many women as men reported being denied access to family income.

It is clear that women are not only victimized in greater numbers, but the severity of violence directed against them necessitates services for them. The GSS clearly reveals the greater impact of violence as is evident in the following statistics:

- 65% of the women were assaulted more than once
- 26% of the women were assaulted more than 10 times
- 40% of women compared to 13% of men reported being physically injured as a result of the violence in the 5 years preceding the interview
- Women were 5 times more likely to require medical attention as a result of the violence.

[7] The 1999 General Social Survey on Spousal Violence: A Fact Sheet developed by FREDA. Available at: http://www.harbour.sfu.ca/freda/reports/gss02.htm

Research shows that the most lethal time for a mother and her children is after she has left the relationship. Abusers often escalate their use of violence when women try to leave or to use outside intervention, thus increasing the risks to mothers and their children. Between 1991 and 1999, women were killed by spouses after separation at a rate of 39 per million couples as compared to a rate of 5 per million killed by current spouses.[8]

Definition, Scope and Prevalence: Children/Youth Exposed to Abuse of their Mother

Although children and youth are often witnesses to the abuse of their mothers, the term "witness" implies a passive experience of the violence and does not adequately reflect the range of ways children and youth are "exposed" to violence against their mothers.

Children and youth may hear the violence against their mothers, be told about the violence, see the build up or aftermath of the violence, or even be actively involved in the violent situation. They may be forced to align themselves with the abuser, or try to stop the violence to protect their mothers, siblings, pets and themselves.

Prevalence: Children/Youth Exposed to Abuse of their Mother

Much like violence against women, reported prevalence of children and youth who witness abuse vary greatly. Some studies estimate that 60% to 80% of children in families where violence against their mothers occurs are exposed to the abuse either by seeing it or by overhearing it[9]. It has been found that 30% to 40% of children and youth who witness abuse of their mothers experience direct physical abuse themselves.[10]

The literature also reveals the following about children and youth who witness abuse:

- 3 to 5 children or youth in every Canadian school classroom have witnessed their mother being assaulted.[11]
- Children and youth who witness physical violence toward their mother almost invariably witness psychological abuse, including verbal abuse, belittling and threats toward her.[12]
- According to the 2004 Statistics Canada General Social Survey, between 1999 and 2004 approximately 34,500 women in BC experienced violence perpetrated by a partner and had children who were exposed to the violence.[13]
- On any given day in Canada about 2500 children are living with their mothers in shelters for women experiencing abuse.[14]

[8] Statistics Canada (2001) Family Violence in Canada: A Statistical Profile 2001, Ottawa, ON: Canadian Centre for Justice Statistics.

[9] A Handbook for Health and Social Service Providers and Educators on Children Exposed to Woman Abuse/Family Violence: Minister of Public Works and Government Services Canada, 1999).

[10] National Clearing House on Family Violence. Wife Abuse – The Impact on Children. Public Health Agency of Canada. http://www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/html/femviofnfnts_e.html

[11] Jaffe, P., Wolfe, D., & Wilson, S.K. (1990). Children of battered women, Thousand Oaks, CA: Sage

[12] National Clearing House on Family Violence. Wife Abuse – The Impact on Children. Public Health Agency of Canada. http://www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/html/femviofnfnts_e.html

[13] Statistics Canada, 2004 General Social Survey (GSS)

[14] Andrea Taylor-Butts (2005). Canada's Shelters for Abused Women, 2003/04. Canadian Centre for Justice Statistics: Juristat, 25(3).

Definition and Scope: Men Who Are Abusive

Men who are abusive come from all socioeconomic, racial, ethnic, occupational, educational, and religious groups. Men who use abuse to maintain power and control over their partner are referred to as 'perpetrators', 'offenders', 'abusers' and 'batterers'.

Research shows that men who are abusive do not share a set of personality characteristics or a psychiatric diagnosis that distinguishes them from people who are not abusive. Some have psychiatric problems, such as depression or psychopathology, but most *do not* have psychiatric illness.

Caution is advised in attributing mental illness and/or addiction as a cause of violence against mothers. Below is a summary of some common behaviours that characterize men who are abusive:

Abusing Power and Control: The abusive man's primary goal is to achieve power and control over their intimate partner. Planning and utilizing patterns of coercive tactics are used that aim to instill fear, shame, and helplessness in the woman they are abusing. Abusive men also randomly change the "rules" or expectations that the woman must meet to avoid abuse.

Different Public and Private Behaviors: Usually, people outside of the immediate family are not aware of and do not witness the abusive man's behavior. Abusers who maintain an amiable public image accomplish the important task of deceiving others into thinking they are "loving", normal and incapable of abuse. This allows abusive men to escape accountability for their violence and reinforces the victims' fears that no one will believe them.

Projecting Blame: Abusers often engage in manipulative behaviour that involves blaming the victim for their violent behaviour. Such abusive men may accuse the victim of "pushing buttons" or "provoking" the abuse. Abusers may also project blame on circumstances, making the excuse that alcohol or stress caused the violence.

Claiming Loss of Control or Anger Problems: There is a common belief that woman abuse is a result of poor impulse control or anger management problems. Abusive men routinely claim that they "just lost it," suggesting that the violence was an impulsive event beyond control. In fact, woman abuse is a deliberate set of tactics used to solidify the abuser's power in the relationship. In reality, only an estimated 5% to 10% of abusive men have difficulty controlling their aggression – most do not assault others outside the family.

Minimizing and Denying the Abuse: Abusive men rarely view themselves or their actions as violent or abusive. As a result, they often deny, justify, and minimize their behaviour. Abusers also rationalize serious physical assaults, such as punching or choking as "self-defense." Some abusive men do acknowledge to the victim that the behaviour is wrong, but then plead for forgiveness or make promises of refraining from any future abuse (i.e. the "honeymoon stage").

Men's abusive tactics include but are not limited to:

- **Verbal abuse**: insults, put-downs, degrading language, "silent treatment"
- **Emotional abuse**: threats (e.g. threats to harm or kill the mother and/or the children, and/or relatives, parents, pets, or threats of suicide or murder-suicide, threats of deportation, threats of removal or exclusion from an Aboriginal band, unpredictable behaviour, etc.

- **Psychological abuse**: undermining the mother's parenting decisions, accusing the mother of unfaithfulness and being excessively suspicious of the her actions, keeping weapons/fire-arms in the house, stalking
- **Controlling financial resources** of the family to disempower the mother, spending money on gambling, alcohol or drugs rather than on family expenses, forcing her to commit welfare fraud, not paying child support, refusing to allow her to work or have her own bank account
- **Isolating** her from extended family, friends, and social connections in the community (e.g., deciding to move to a community where she knows no one, refusing to allow her to go out with friends, discouraging or forbidding contact with her family, refusing to allow her to attend language or job training, work, medical/health care facilities)
- **Physical abuse:** hitting, slapping, pushing, beating, choking, assault with a weapon, locking her out of the house
- **Threats of physical abuse** including driving recklessly and using weapons to threaten
- **Sexual abuse**: any form of sexual activity that is non-consensual including use of pornography, affairs, extreme jealousy
- **Using culture** to legitimize abuse, refusing to allow partner to learn Canadian language and culture, forcing her to adopt his cultural practices, isolating her spiritual/religious beliefs and community
- **Withholding or forcing the use of medication** and/or forcing other inappropriate medical care, withholding care to an older woman or woman with disabilities
- **Harming or destroying** family pets or property.

Men who are abusive may "use" children and youth by:

- Claiming that the children's and/or youth's bad behaviour is the reason for the violence
- Encouraging the children and/or youth to abuse the other parent
- Threatening violence against the children and/or their pets
- Engaging the child and/or youth in negative discussion about their mother
- Prolonging court proceedings about custody and access when the abuser has previously shown little interest in the children
- Holding the children hostage or abducting them in an effort to punish the mother or gain compliance.[15]

Primary Aggressor and the Myth of Mutual Battering

In recent years, more and more women have been arrested and charged with assaulting their partners. Allegations of women being violent or "mutual aggression" are often raised by the primary aggressor. According to the RCMP Operational Manual Part 2: Criminal Code Offenses, Persons, Violence in Relationships, Section 4, the primary aggressor is defined as the person in the relationship who is the most compelling as opposed to the first aggressor. That is, police are to work to identify who holds power and control in the relationship, to try to sort out the dynamics of the relationship and not just consider who did what to whom.

However, there are incidences where women do use violence and it is important to understand the context, intent and effect of any force she may use. It is important to understand that women and men use violence differently and for different reasons. (See Appendix 1 for further details about "Women's Use of Violence")

[15] Baker, L.L., P.G. Jaffe & K.J. Moore (2001). *Understanding the Effects of Domestic Violence: A Trainers Manual for Early Childhood Educators*. London ON: Centre for Children and Families in the Justice System.

Impact of Abuse on Women and Their Children

Impact of Abuse on Women

Understanding the *impact* of abuse on women and their children will assist child welfare workers to remain sensitive to the issues faced by women, which can lead to more positive outcomes for children and their mothers. Abused women are often very isolated. Some women sever relationships with friends and family because they fear they will be judged. They may feel like they are going crazy and are reluctant to tell friends or professionals about their experiences. Some women may have told a family member, friend or professional about her partner's abuse and may have been given unsafe advice, been judged or blamed for the abuse. Some men may move their families frequently whenever detection becomes likely, while other families may live in the same neighbourhood for years, with no one in the community taking action to assist the victims.[16] Women in rural communities may be isolated far from support and safety services making them even more vulnerable. In small communities (e.g. geographical, cultural, spiritual, ethnic or racial communities), women may fear that their privacy will not be maintained if they seek help from a professional.

Women experiencing abuse are often judged harshly and characterized inaccurately when professionals are not trained to understand the impacts of violence and abuse on mothers. Mothers impacted by abuse can be viewed as personally "deficient" or "challenging" rather than acknowledge for surviving in such dangerous and 'crazy-making' relationships. This view of women can lead to inaccurate assessments and diagnoses. Reframing women's behaviours and characteristics can help to create a more realistic assessment of her needs and respond in a way that recognizes her safety issues. This view of women can lead to inaccurate assessments and diagnoses. For example, women may be:

- Considered to be 'dysfunctional', 'unstable' 'weak' or 'passive'
- Labeled as indecisive, uncooperative, demanding, service resistant, angry, selfish, hostile, aggressive, non-compliant or difficult
- Judged as bad mothers because they "allow" their children to be exposed to violence
- Considered to be responsible for their partner's violent behavior
- Blamed for 'choosing' an abusive partner or for staying with an abusive partner
- Assessed as irresponsible, complicit, unmotivated, co-dependent, mentally ill
- Judged for using substances and harming their children.

Impacts of abuse for women include but are not limited to:

- Living in constant fear, being paralysed with fear, knowing that every action or decision she makes could increase the danger to her and her children
- Being forced to be economically and emotionally dependent upon the abusive partner
- Being contained or confined/restricted by a partner that may be mistakenly interpreted as a sign that the partner "cares" for her

[16] A Handbook for Health and Social Service Providers and Educators on Children Exposed to Woman Abuse/Family Violence; Minister of Public Works and Government Services Canada, 1999.

- Being isolated, including loss of contact with her family, friends and other supports
- Having a multitude of abuse-related health concerns
- Contemplating suicide as the only way to escape the abuse and/or having a history of attempts
- Being forced to remain with her partner because he has threatened to kill her (or children, other family members and supportive others) if she leaves
- Being brainwashed by partner's tactics which may create unrealistic hope that he will change
- Being afraid that if she leaves she will lose her ability to monitor her partner and thus her ability to be in control of her own and her children's safety
- Feeling powerless in custody issues, living in fear children will be kidnapped, struggling to maintain rights of children.

When women describe the impact of the relationship, even if they do not define the relationship as abusive they will relate stories of fear, oppression, loss of freedom and basic rights. While women may accept responsibility for the abuse, the role of child welfare workers includes assuring mothers impacted by abuse that it is not her fault.

Women Abuse and Social Marginalization

While violence can affect any women regardless of culture, class, ethnicity, age, ability, occupation or sexual orientation, the impact of violence can be compounded by any of the following forms of social marginalization.

Aboriginal Women

Aboriginal women experiencing abuse identify particular obstacles[17]**:**

- 21% of Aboriginal people reported being victims of spousal violence in 2004, three times higher than for non-Aboriginal people (7%). Aboriginal women reported higher rates of spousal violence in 2004, they were also significantly more likely than non-Aboriginal women to report the most severe and potentially life-threatening forms of violence, including being beaten or choked, having had a gun or knife used against
  them, or being sexually assaulted (54% of Aboriginal women compared with 37% of non-Aboriginal women). (page 65)

- Aboriginal women, in addition to reporting three times higher instances of spousal violence, report severe and potentially life-threatening forms of violence: physically beaten, choked, having a gun or knife used against them, being sexually assaulted. Because of the serious nature of these types of violence, the consequences are more severe: suffering physical injury, requiring medical attention, not able to perform daily activities or go to work, experiencing 10 or more separate episodes of violence from the same perpetrator, and fearing for their lives. (pp. 64-65)

- Additionally, Aboriginal women report significantly higher rates of psychological abuse as compared to non-Aboriginal women: harming/threatening to harm someone close, put-downs and name-calling, checking the women's whereabouts, limiting contact with others, jealousy and preventing access to income. (pp. 66-67)

[17] Statistics Canada (2006) *Measuring Violence Against Women: Statistical Trends*, 2006, Ottawa, ON

The understandings and contexts which may influence Aboriginal women impacted by spousal violence, and which help to explain the above statistics, include:

- The history of residential school abuse and separation from their families and communities by mainstream culture creates a legacy of mistrust:
    - Emotional and physical abuse have become 'normalized' resulting from intergenerational repeat cycles of harm being associated with 'family love'

- Colonization underscored by the residential school experience continues to undermine accessing of supports and the capacity of service providers to offer appropriate and adequate supports

- The women's fear of disclosing the family secret violence because of their feelings of guilt and shame, as well as the fear of increased violence
    - It is well known that spousal abuse violence may increase when the woman seeks help; this basic fear may continue to 'drive' behaviour that maintains secrecy and its vicious cycle
    - Appropriate community leadership and community derived outreach must acknowledge and work through the on-going dysfunction

- The women's fear of shame and judgment from family members
    - Reserve communities are often small and close-knit; opportunities for maintaining privacy and confidentiality are more limited; this may contribute to the tendency of familial judgement and shaming; women find themselves ostracized
    - In a matrilineal society, women are responsible not only for caring for the children but for maintaining the family and 'failure' to do so is a heavy burden creating a sense of responsibility for causing a rift within the community

- The fact that the woman's assaultive partner may have a position of esteem and power within the community
    - A male's position of power and esteem may legitimize 'his story' and validate actions/threats with respect to loss of access to children or home that will not be questioned by other community members who are likewise silenced by the male's position of esteem and power

- The woman's fear of having their children removed as well as the children's fear of discussing violence due to the possibility of being removed from their home, family and community

- Concerns about losing accommodation are magnified when living in a reserve community
    - Housing accommodation is generally inadequate and in short supply
    - Extended family members may not choose to provide accommodation for mother and her children – this likelihood may be further magnified in communities with a small population creating the possibility that a significant portion of community members may be from the abusive male's family
    - Frequently shelter accommodation is not available on reserve, adding the strong likelihood of anxiety over separation from community and possible separation from children ; practical difficulties of transportation and maintaining a sense of safety when 'in transition' with little or no control over access to basic necessities
    - Frequent outcome that the abusive male partner keeps the matrimonial home.

- Erosion of the traditional way of life with its assumed gender roles and its economy may have resulted in:
    - Males being chronically unemployed, whereas women may have been able to find jobs creating additional tensions over who has 'access to money', who spends and on what/whom
    - Males having work that takes them away from the community, leaving women with the additional burden of carrying out seasonal work once done by the male, and therefore placing the women in an increasingly dependent role that is not 'balanced' by the traditional male duties.

Note: When working with an Aboriginal woman it is important to find out to what degree she follows her culture and how best to support her. Many Aboriginal children have been raised in non-Aboriginal homes and as adults may not be well aware of or follow their culture.

See Appendix 2 for research information relating to violence against Aboriginal women.

Women with disabilities

Women with disabilities experiencing abuse identify particular obstacles:

- Violence may be committed by individuals – such as the husband or family member who is the woman's primary caregiver and on whom she is quite dependent
- In many situations, the woman is unable to give free and informed consent
- Because of her dependency on others for her daily needs, the woman may fear the consequences of reporting the abuse
- Disabled women may not be considered to be 'adequate' mothers.

For some women these life-generated risks may be further complicated: How do they manoeuvre their way through legal or service systems if their ability to communicate is limited? Will authorities be less sympathetic to their safety needs or those of their children? Based on their experiences, women may justifiably lack trust in authority figures or mainstream services. They may be reluctant to put their abusive partner in a system they may view as racist, homophobic and unfair. Finally, they may fear that there are no resources that are inclusive and aware of the issues of woman abuse compounded by social marginalization.

Abuse in Same-Sex Relationships

While most lesbian, gay, bisexual and transgender (LGBT) people have healthy, non-violent same-sex relationships, some do experience abuse in their intimate relationships. Abuse in same-sex relationships is often ignored, minimized or misunderstood by families, friends, social service and health care providers, and individuals within the justice system. Providing non-judgment, non-biased support is critical in assisting survivors of abuse in same-sex relationships.

Lesbians, Gays, Bisexual and Transgendered women identify particular obstacles:

- Fear of being 'outed' to family, systems and experiencing homophobia, transphobia and other forms of oppression
- Fear of discrimination for oneself and their abusive partner
- Fear of isolation from other LGBT/queer people
- Fear of experiencing abusive tactics from an ex-male partner and that her lesbian identity will be used against her in custody and access disputes

- Staying to protect the children and for fear that in leaving they will lose custody or access to the children.

Like heterosexual families, some parents adopt, some utilize donor insemination, and some have blended families from previous relationships. Many LGBT parents had children in a previous heterosexual relationship and now are parenting their children on their own or with an LGBT partner. Children in LGBT families may have many adults in their lives that participate in parenting and child care. It is important to recognize and validate the family defined roles and identities in LGBT families — for example that a non-birth mom does not necessarily have a secondary or less significant role in the family and in the child's life than a biological mother.

Children in families that are closeted may not have the language to talk about their parents' relationship (i.e. they may refer to their parent's partner as a "roommate" even though the "roommate" may be significantly involved in childrearing). Even in households where there is much openness, children may be reluctant to talk about their parents' relationship for fear of being ostracized or discriminated against. Children may be afraid of disclosing their parent's relationship to child welfare workers for fear that they will be removed from their parents'. No matter how safe it is to talk about their families at home, their experiences tell them that it may be a completely different story out in the world at large.

Homophobic and transphobic myths and stereotypes about lesbian, gay, bisexual and transgender people and children are pervasive in our society. Below is a list of some of the more common myths that may influence decisions concerning child safety in cases of violence in same-sex relationships.

MYTH	**REALITY**
Being in an LGBT family is harmful to children.	There is no evidence to show that children of LGBT parents are inherently at risk. What is harmful to children is the exposure to societal discrimination and oppression – such as homophobia, transphobia, and heterosexism.
Children of LGBT parents are not well adjusted and experience more behavioural and psychological problems than do children of heterosexual mothers/parents.	Numerous research studies that have shown that according to standard assessment techniques, adjustment patterns of children of LGBT families fall well within normative range (Patterson, 1996).
Non-biological parents in LGBT relationships are often considered unimportant or of no consequence in the lives of children.	There is no evidence to suggest that children of LGBT step- or blended families are not bonded to all their parents/care givers and grieve the loss of those individuals from their lives. Studies have shown that in families where children were conceived (via donor insemination) and born into a lesbian family, lesbian non-biological parents were often significantly more involved in child rearing than were heterosexual biological fathers (Patterson, 1996).

MYTH	REALITY
Gay men, lesbians and/or transsexuals sexually abuse children.	The vast majority (85-95%) of child abusers are heterosexual men.
Women do not abuse their lesbian partners.	Violence occurs in some same-sex relationships as it does in some heterosexual relationships.
A man could not possibly be victimized by another man.	Some gay men are the victims of abuse in their relationships.
Violence in same-sex relationships is merely 'fighting' and is generally mutual	Violence in same-sex relationships follows a pattern of coercive and violent behaviours whose intent is to gain and maintain power and control over one's intimate partner. One person is the abuser and holds power and control over the other person. In some same-sex relationship, the abused person may act to defend her/himself more often than is noted in heterosexual relationships.

Abuse in same-sex relationships has many similarities to abuse in heterosexual relationships. It consists of the same forms of abuse as in heterosexual relationships, such as physical, emotional/psychological, economic, property destruction, stalking or harassment. As well, there are some unique differences such as: an abusive partner using heterosexist and/or transphobic abusive tactics to control their partner – such as threats to "out" them to their family, friends, community, service providers including child welfare workers; as well as insults to one's sexual and/or gender identity. The abusive tactics in same-sex relationships may increase isolation and create increased barriers to seeking help or in even acknowledging the abuse. The internalization of homophobic, transphobic and heterosexist messages and beliefs in society (internalized oppression) may also make it difficult to talk about one's sexual/gender identity, relationships as well as the abuse.

Violence in same sex/gender relationships is complex, yet it is not merely fighting nor is it mutual. Some survivors describe a predictable cyclical or spiral pattern that intensifies over time and where there is clearly a perpetrator and a victim. Others describe a constant pattern of abuse based on imbalances of power and control in the relationship. Still others describe a less predictable and fluctuating power dynamics within the relationship. Where power is relational, not residing just with one person but shifts back and forth.[18] Researchers have suggested that there is a difference in the relationship dynamics related to the construction of femininity or masculinity, for example, women are not to be feared, so this sets up a dynamic where it may be more common for women to resist or fight back against their female partner's abuse.

Fighting back may be as resistance to being controlled -- not what we have typically thought of as violence or power and control. "Mutual abuse" is a problematic term used when complex dynamics are at play. It assumes equal power, motivation and intention to harm when that is not what is being described.[19]

[18] Ristock,J. 2002. No More Secrets: Violence in Lesbian Relationships. Routledge Press.
[19] Ristock,J. 2002. No More Secrets: Violence in Lesbian Relationships. Routledge Press.

Immigrant and Refugee Women

Immigrant and refugee women experiencing abuse identify particular obstacles:

- Fear of deportation and believe that their whole existence in this country depends on the abusive man
- They do not speak English and are unfamiliar with the "outside world"
- Fears about authority figures i.e. police and/or government personnel based upon their past experiences in their country of origin
- Lack of knowledge about the child welfare system and/or fear that they may lose custody of their children.

Research shows that Immigrant and visible minority women who experience abuse from their partners are less likely to report it to the police and are often hesitant to use, or are unaware of available support services.

Child welfare practitioners need to connect clients with agencies that are knowledgeable about Immigration and Refugee issues, particularly agencies that understand the dynamics of working with a woman who has been abused by her spouse or sponsor.

Use the services of an interpreter to assist with communication. Give the woman contact information for an interpreter, and contact the interpreter on behalf of the woman if she wishes.

Immigrant and Refugee Women Abused by Their Sponsor

Risk of Deportation

Immigrant and refugee women who are abused by their sponsor face particular difficulties in accessing personal safety and protection. Women without landed status, i.e. they have been sponsored to come to Canada by a partner/fiancé/spouse under the family class sponsorship or have claimed refugee status as a dependent, are at risk of deportation upon leaving an abusive relationship. For example, by leaving the relationship the abused woman may be in breach of a landing condition that she marry within 90 days, or she may have an inland sponsorship application in progress that is dependent upon establishing that her marriage is genuine, or she may have made a claim for refugee status based on her partner's fear of persecution, or she may be an accompanying dependent under the conditions of the entrepreneur program. In order to leave an abusive relationship, she may need to apply to change her immigration status.

Immigration Information

Your client can obtain information on immigration matters by using the Citizenship and Immigration Canada Call centres automated telephone service, speaking with a Call Centre agent, or going to the Immigration Canada Web site at http://www.cic.gc.ca/.

Legal Aid

Your client may require legal advice to apply to change her immigration status or to resolve family law matters such as custody and access. Your client can receive legal aid if she is financially eligible and her problem is covered under the legal aid rules. Legal aid is available for some immigration and family law matters, particularly if there is family violence. For more information go the Legal Services Society website: http://www.lss.bc.ca/community_workers/servicesForClients.asp.

Employment Authorization

If your client does not have landed status, she can only obtain employment authorization in certain circumstances. For example, she can apply if she has made a 'humanitarian and compassionate grounds' application, the application has been approved for processing and she has been granted a visa waiver.

Woman Abuse, Substance Use and/or Mental Ill Health

The *Building Bridges: Linking Woman Abuse, Substance Use and Mental Ill Health* project found that there is growing awareness of the links between woman abuse, substance use and mental ill health. http://www.bcwomens.ca/NR/rdonlyres/C1AA97BC-FAAB-40E9-972D-F377EE729080/45188/BB_summaryreport.pdf.

"Understanding that violence against women is *pervasive and central to the development of addiction and mental health* [our emphasis] issues provides us with a foundation to move toward improved, safe and relevant service provision for women." – Finklestein.[20]

Research, practice and women's narratives all confirm that the link between woman abuse, substance use and mental ill health is a pressing, multi-faceted women's health issue. When women's substance use and mental ill health are not identified as the impact of abuse, their safety may be compromised through inappropriate treatment, and the impacts of abuse may be misdiagnosed as mental health or addiction problems in isolation from her unsafe life context.

Research shows that significant rates of mental ill health and/or substance use are consistently found among abused women and women who have endured violent relationships:

- Women in community samples report a lifetime history of physical and sexual abuse ranging from 36 – 51% while women with substance use issues report a lifetime history ranging from 55 – 99%[21]
- As many as two-third's of women with substance use issues have a concurrent mental health problem (e.g., PTSD, anxiety, depression).[22]
- 50 % of women in psychiatric settings have been sexually abused as children.[23]
- Prevalence rates of depression among women with experiences of abuse are 38 – 83% compared to the general population of women rated at 10%[24]
- Mood, anxiety and somatic disorders occur at high rates
- As many as 2/3 of women with substance use issues have a concurrent mental health problem (e.g., PTSD, anxiety, depression)
- There is evidence that many mental health problems post-date the battering
- Mental health issues should be treated as *effects of abuse* and not as mental disorders per se.

Substance use for women experiencing abuse can be a dilemma in that:

- In addition to medicating the emotional and physical pain of trauma, women's substance use aids in reducing or eliminating their feelings of fear

[20] Finklestein, N., (1994). "Treatment Issues for Alcohol- and Drug-Dependent Pregnant and Parenting Women: in Health and Social Work, 19(1): 7-12.

[21] Najavits LM, Weiss RD, Shaw SR (1997). "The link between substance abuse and posttraumatic stress disorder in women: A research review." In American Journal on Addictions, 6: 273-283.

[22] Zilberman, et al. (2002). "Towards best practices in the treatment of women with addictive disorders" in Addictive Disorders, 1(2): 39-46.

[23] Meuser KT, Bond GR, Drake RE & Resnick SG (1998). "Models of community care for severe mental illness: a review of research on case management." in Schizophrenia Bulletin 24 (1): 37-74.

[24] Cascardi et al (1999). "Co-occurrence and Correlates of Posttraumatic Stress Disorder and Major Depression in Physically Abused Women." In Journal of Family Violence 14 (3): 227-249.

- Substance use may begin or escalate as a response to the trauma of victimization
- Efforts to stop using substances may precipitate abusive partners' use of increased violence while continuing to use may placate partner and reduce danger for woman.

Impact of Abusive Partners on Women's Capacity to Mother

Abusive partners play a significant role in controlling or preventing mothers from parenting their children, including abusive strategies such as:

- Unpredictable rules and behaviours of abusive partner
- Inconsistent consequences for children and youth's behaviour (consequences often related to mother keeping the children safe and not a response to the actual behaviour)
- Pre-occupation with staying safe can leave less time to provide guidance to children and youth
- Unrealistic expectations and pressure from the abusive man about how she should parent
- Little financial stability to provide adequately for the children
- The mother may be emotionally exhausted from coping with the abuse
- Mother's attempts at appropriate parenting may be undermined by the abusive man
- Children and youth may learn verbally abusive communication styles and act that out against their mother
- Unrealistic expectations of children and youth's behaviour by abusive parent
- Children and youth may learn it is not okay to talk about feelings which challenges effective communication
- An abuser may use jealousy of the children as control tactic and this may limit the mother's ability to express love and affection.

Impact on Mothering in the Context of Violence Against Women

A woman in an abusive relationship who has children faces two sets of painful challenges. First, she has to calculate how to protect herself and her children from physical dangers created by her partner. However, abused mothers also confront a second set of risks, sometimes more frightening than the first. If, for example, a mother considers a separation from her partner to protect herself and her children, where will she find housing and money to feed her family? What will she do if her partner reports her to child welfare services as he has threatened to do?

Who will baby-sit for the children when she has to go to work and her partner is no longer there? Will he try to kidnap the children? This second set of factors, or life-generated risks, enters into each abused mother's calculation of her children's safety. Deciding to leave her relationship does not guarantee the elimination of these risks; in fact, it may bring them to the fore.

The biases about abused women are intensified when women are mothers, and can result in blaming mothers for risks or harms to their children. For example, 'failure to protect' suggests that the mother is responsible for stopping her abusive partner from putting their children at risk, rather than focusing on his failure to ensure the children's safety.

Moreover, women can be subject to intense scrutiny as mothers and held up to much higher standards to prove their ability to protect and parent their children. On the surface, a mother experiencing abuse may appear to be neglecting the needs of her children, but in reality, by attending to her partner's demands, she is trying to keep her children and herself safe. Whenever possible, a child welfare worker should try to identify and build on what mothers are already doing to keep their children safe.

Impact of Service Approach

Most mothers care deeply about their children's safety and go to great lengths to protect them from physical assaults, other risks and from the systemic harms of poverty, racism and isolation. Mothers who have experienced abuse often develop an enormous capacity for creative problem-solving, safety strategies and crisis management. They are forced to be very resourceful and have usually attempted to find support for themselves and their children. Unfortunately, the services are not always in place to support mothers and their children, and mothers report that sometimes these services add to the harms that they have experienced in their lives. Mothers have experienced disempowerment and loss of autonomy in abusive relationships and this experience can be echoed in their encounters with service providers. It is the role of all service providers to create support services that are empowering for mothers by exemplifying respectful, collaborative working relationships between providers and clients. Use of coercion, threats, negative consequences, child removal, and exclusion from support or other strategies that employ authority can compound a mother's experiences of abuse and be experienced as re-victimizing for her.

Impact on Children of Being Exposed to Abuse of their Mother

Child welfare workers face the challenge of best meeting the safety needs of children exposed to abuse. While it is recognized that there are impacts from being exposed to or witnessing abuse, there are also potential negative impacts if children are removed from the protective, non-offending parent. Even though the evidence suggests that children do better when they separate from their father, for many families, this is not the reality. Even if a mother does separate, children and youth continue to experience exposure to abuse through court-ordered visitations with the father.

As a least disruptive measure, keeping the children and/or youth with their non-abusing mothers in a safe environment is desirable wherever possible.[25] Supporting the mother, without victim blaming, is essential for good outcomes.

There are common emotional and behavioural impacts that children and youth may develop in response to this exposure.[26] Emotional and behavioural problems such as depression, worry, problems in school, withdrawal from social interactions, and aggression against peers, teachers and mother are seen at elevated rates (between 10 and 17 times greater) than in children and youth from non-violent homes.

There is evidence to show that for most children and youth there will be substantial improvements in behaviour and emotional states if the child or youth ceases to live with the abusive parent and that therapy for the child or youth is often helpful.[27] For further information relating to the impact of children exposed to abuse of their mother refer to Appendix 8: Effects of Violence Against Mothers on Children.

Effective Support and Interventions

Effective child welfare interventions should be guided by an understanding of the dynamics and impacts of abuse and a women-centred approach.

[25] *A Handbook for Health and Social Service Providers and Educators on Children Exposed to Woman Abuse/Family Violence*; Minister of Public Works and Government Services Canada, 1999

[26] Family Services of Greater Vancouver. (2007). *Children Affected by family violence program.* pamphlet. BC: Family Services of Greater Vancouver.

[27] *Spousal Violence in Custody and Access Disputes: Recommendations for Reform*, Bala et al, March 1998).

Interventions should be carried out in collaboration with women's transition house workers, stopping the violence counsellors, specialized victim assistance workers, multicultural support workers, police, Crown, probation and Aboriginal/Métis family support workers to reflect a coordinated approach to this complex issue.

Throughout child protection involvement, the following concepts about violence against women in relationships should be considered:

- The offender should be held accountable for the violence, not the woman.[28]
- When mothers are the non-abusing caregivers, child protection workers should provide coordinated, culturally sensitive and wherever possible, voluntary support services to them to enhance their own safety and that of their children.
- Offenders often escalate the frequency and lethality of violence when women try to leave or to use outside intervention.
- Most abusive partners present as being non-violent outside of their intimate relationships hence they have the ability to control their behaviour. Anger management courses may not be an appropriate intervention.[29]
- Women who are fearful about the removal of their children usually will not be forthcoming about providing information to a child protection worker. Communication that you want to help her may alleviate this.
- If a determination is made that the children are at risk in their mother's care, appropriate services should be provided to the mother in a respectful, integrated, and culturally sensitive manner.
- If the removal of children is necessary, services should be provided in a manner that recognizes and supports the mother's strengths and need for safety.
- Careful consideration should be taken when providing referral information to the mother so as not to overwhelm her. Ensure that she has a referral to community based victims services or, where they do not exist, that she has the contact information to VictimLINK.
- Engage mothers in determining and developing their own service plan goals and in identifying their needs and their children's needs for safety and support.
- Limit the offender's access via a *CF&CS Act* Supervision or Protective Intervention Order.

Merely removing a woman from her home and providing shelter and counseling may not be sufficient to ensure her safety. Despite violence having occurred between intimate partners, many choose to return to their relationships before the threat or level of aggression has lessened.

The safety of women and children rests on not just intervening with the women and the children but it is critically important to ensure the man is dealt with in an effective manner. Efforts should be made to provide immediate violence intervention counseling to the assaultive partner either by face to face individual counseling focused on risk assessment and the creation of a behavioral control plan or referral to a specialized assaultive men's program. It is critical to have intervention that will help the man to monitor and manage any difficult emotions he is experiencing in a way that will contribute to the safety of his partner and children, failure to do so could result in further harm to the children and their mother.

Recognizing how a mother's past may influence the way she interacts with child welfare services will help to meet the goals of women-centred service. When they were children, some women may have been removed from their families and placed in the care of child welfare services, residential schools or foster care and experienced further abuse.

[28] Geffner. Jaffe, Suderman, 2000
[29] The Duluth Safety and Accountability Audit: A Guide to Assessing Institutional Responses to Domestic Violence

Some communities of mothers - immigrant and refugee, Aboriginal/Métis, mothers who live in poverty, mothers who use alcohol or drugs and mothers involved in the sex trade - have experienced what they perceive as state harassment, police brutality, investigation and interrogation in their lives. These experiences can contribute to mistrust and fear of people in positions of power and authority such as child welfare workers, counsellors, police, health care providers, etc. This distrust should be understood in the context of mother's life and social history. Rather than labelling her as uncooperative, non-compliant or difficult, she could be viewed as using her experience to guide her decisions and protect her from further harm.

Davies and Krane (2006) suggest that it is easy to forget that women who come into contact with child protection may also be surviving under precarious circumstances beyond living with an abusive partner, such as:

- Housing conditions that are unsafe or non-existent
- Income that is inadequate to cover basic necessities
- Emotional resources which are taxed, and support may be minimal or non-existent.[30]

Legal Interventions

Example interventions can include:

- Application for a *CFCSA* section 28 Protective Intervention Order or a Supervision Order with terms giving child welfare workers the responsibility to monitor and supervise the abusive man's access to his children until safety has been restored
- Development of separate service plans for the mother and abusive man
- Attendance at *Family Relations Act (FRA)* court if requested and consultations with police, crown and probation regarding no-contact orders, probation and bail orders and recommendations for planning treatment and the abusive man's contact with the mother and children. (See section 6 **Effective Ways to Protect Children).**

Understanding Risks to Women and Their Children

A woman's ability to parent can be impacted when she is facing severe violence, especially during times of intervention or when she is attempting to leave. The lethal risks to children can escalate if the abusive man chooses to use the children as part of the abuse towards the children's mother. Also abusive men may try to use the system (child welfare, police, and courts) to further threaten and abuse a woman.

Risks and Obstacles to Leaving an Abusive Relationship

Service providers report that many women leave their abusive partners when they perceive that their children are at risk. Despite this, many people frequently ask, "*Why do battered women stay when this places them and their children in jeopardy*?" This question misses the way abused women calculate their risks and make decisions about leaving.

The questions an abused mother may ask herself are more complex, such as:

- If I leave, will the violence be worse?
- Should I leave and place myself and my children in poverty?"

[30] Davies, L and Krane, J. (2006). Collaborate with caution: protecting children, helping mothers. Critical Social Policy 2006; 26; 412

- If I leave and live on less money, my children will have to live in a more dangerous neighbourhood, and should I do this to them?
- Should I leave and risk losing my children in a custody battle with their abusive father?

Being aware of the risks and difficulties that a mother and her children face in leaving an abusive relationship can help child welfare workers develop service plans that include the complexity of her situation.

It may also be difficult or impossible for a woman to leave the relationship because of cultural/religious values, socio-economic condition or fear. Violence often escalates and may continue or worsen if the woman leaves the relationship.

Other reasons for staying in an abusive relationship include:
- Being blamed for or being expected to stop his violence
- Hoping for change in the future
- Feeling ashamed and responsible about being abused
- Being worried that she couldn't protect her children if they had visitation alone with her partner
- Threats by the abusive man to abduct or gain custody of the children if she leaves
- Lack of access to support services such as: financial and legal aid, housing, transportation
- The fear of being killed or fear of the children being killed.

Some mothers decide to stay or return to their abusing partner as they feel it is the best way of protecting their children. Being with the abusive partner allows the mother to observe his actions, to witness the cycle of violence and to prepare herself and her children for the onset of violence. Knowing is safer than not knowing.

Immigrant, refugee, Aboriginal, women with disabilities and lesbian, bisexual and transsexual women, may have even further restrictions about their choice to leave an abusive relationship such as: fear of authority figures/state control of their lives, fear of not being believed, fear of discrimination, fear of deportation, fear of ostracism from family/community, communication and access barriers.

Assessing Threats That Men Pose to Women's Safety

What can be done to reduce the risks for women impacted by abuse from a partner? The answer is not simple, but there are some basic guidelines for assessing for risk. First, do not feel that you must attend to her safety on your own. In situations where there may not be time to complete a comprehensive assessment, there are some key risk factors that should be discussed with abused mothers. The process of assessing strengths and risks is important in helping the mother assess and understand her partner's level of risk. If there are risk factors present, it will be important to involve an anti-violence colleague, with the mother's permission, to create a comprehensive safety plan.

Working Collaboratively with Service Providers

Information sharing is a key element of enhancing mothers' and children's safety when it is done with the purpose of reducing risks. All sectors must work collectively towards more seamless sharing of information with mothers' safety in mind. At the same time, caution is required when sharing information, so this must always (ideally) be done only with a mother's consent. See the *Violence Against Women in Relationships* (VAWIR) policy for more information. http://www.pssg.gov.bc.ca/victimservices/publications/docs/vawir.pdf.

Section 2

BEST PRACTICE APPROACHES

CHILD PROTECTION AND VIOLENCE AGAINST WOMEN

SECTION 2: BEST PRACTICE APPROACHES

1. Receiving Reports:

Not all violence against women situations need to be reported to a child welfare worker. For example, children who accompany their mother to a transition house or to Children Who Witness Abuse programs do not fulfil the section 14 reporting requirement. (For clarification on reporting requirements, refer to Appendix 4).

If you have information to suspect that there is a situation involving violence ask:

- If there is a current or estranged partner posing a risk to the child(ren) and mother
- If there are legal proceedings regarding custody underway
- If the police have attended at the home at any time in the past and if so for what purpose
- If the mother and children have left their home due to safety concerns
- About the level (if any) of danger in the home i.e.
  - The presence of weapons, particularly firearms
  - If threats of violence have been heard by the reporter
    - Who has made the threats
    - When
    - Nature of threats
  - When the most recent violence occurred.

If it is determined that there is a violence against women situation, ask:

- About the location of the abusive man
- If the reporter is fearful of retribution for reporting the situation or fearful for the mother's and children's safety.
- What response a child welfare worker/police officer might receive when attending the home.

If the information indicates that the family is involved in a custody and access dispute, note:

- A custody and access order made by a provincial court does not necessarily mean that a child is safe from harm.
- Violence towards the mother and possibly the child(ren) frequently escalates during court proceedings.

(Refer to the Appendix 4 for information pertaining to safety planning.)

In situations of violence against women in relationships, the abusive man and/or his family often control the partner by threatening her with the removal of her children and then reporting her to a child welfare worker. Some abusive partners involved in custody and access situations will report the mother to a child welfare worker in an attempt to build a "better case" against her.

The motivation for the reports may be an attempt to control the mother as opposed to a realistic concern for the children's safety and well-being although this can also occur. If the reporter is a current or estranged partner, be cognizant of the preceding dynamics and complete a careful assessment of all of the pertinent information.

It is also helpful to consider the research conducted by Dr. Nancy Thoennes et al on contested custody and access situations that indicated that allegations of child abuse or neglect in contested custody and access situations are no more likely to be false than those in non contested situations, and that mothers are no more likely than fathers to make the allegations. **It is crucial to assess each situation carefully in accordance with existing standards and policy.**

Additionally, an allegation of mutual aggression is often raised by the primary aggressor – the person in the relationship who is the most persuasive as opposed to the first aggressor – as a defence with respect to an assault against their partner.

Each situation must be thoroughly assessed in order to determine who is most vulnerable and how best to respond. For more information refer to Appendix 1.

In situations where there is violence against the mother, the safety of the child is usually connected to her safety. Therefore, it is essential that child welfare workers ask questions pertaining to the existence and nature of recent and/or current violence against her in order to assess the mother's safety as a way of assessing the safety of the child.

Violence towards the mother frequently escalates during intervention, separation, and/or court proceedings. The safety needs of both the mother and her children are important considerations in determining a response.

Some service providers hesitate or are reluctant to report a situation due to not knowing and/or not being kept informed of the process. When you receive such calls from service providers discuss their issues or ethical dilemmas relating to reporting and help them understand the reporting requirements. This cooperative approach serves the best interest of the mother's safety and maximizes her support network.

A meeting with the caller and/or client (if she wishes) to gather information in a place designated by the caller and/or client can be helpful for two reasons:

- It will help to demystify the child welfare worker role by meeting the worker personally and may reduce the amount of anxiety about the involvement of a child welfare worker
- It may empower the client by providing her with the opportunity to talk about her situation in a supportive environment.

A client's refusal to meet can be due to fear of the unknown or past negative experiences or she may have other valid reasons that should be explored.

2. Contacting the Police

Although you are required to report allegations of child abuse to the police, you are not required to report a crime against an adult, e.g. relationship violence against the mother, to the police. A mother may choose not to contact the police regarding violence in her relationship often because of the increased risk of harm to herself or her children or because of fear or mistrust of authority figures.

However, you must report any information you obtain regarding Offender Risk Factors to police, according to the *Violence Against Women in Relationship* (VAWIR) policy http://www.pssg.gov.bc.ca/victimservices/publications/docs/vawir.pdf For more information about risk factors, see Appendix 6: Risk Factors.

Some Aboriginal women who have not experienced previous police intervention as helpful might be fearful of further involvement with them. Similarly, some abused women may come from countries where authority figures, particularly those in uniform, do not provide every citizen with protection and support and consequently may be fearful of police involvement.

Some women may not be aware that police can lay charges without consent of the victim. This knowledge might remove some feelings of responsibility and/or guilt associated with a partner being charged from the woman.

In some situations, you may have to notify the police due to your own safety. Try wherever possible and practical to advise the mother of the police involvement.

In cases where the police are involved, try to ensure that you and the police co-ordinate your activities to promote the safety and protection for both the mother and the child.

- Ask the police about information on any criminal activities and/or criminal orders of all members of the household including information on any past and current protection orders contained in the public protection order registry.
- You and the police investigators should be aware of the dynamics of violence against women in intimate relationships, the impact of relationship violence on mothers and children exposed to relationship violence. Refer to Appendix 6 Risk Factors for more information on the risk factors that indicate the level of risk of future violence or lethality by the abusive man.
- It is important that information sharing occur between you and the police investigator when there are further concerns regarding the abusive man such as breaches or threats of further violence. Information sharing will help to ensure the mother and child's safety. For information on breaches, please refer to section 6.1 in this document – Conflicting Court Orders and Breaches.
- In order to empower the mother initiate and co-ordinate safety plan with her, including a referral to the community based victim's services who will provide assistance with information on community resources and advocacy support.

In cases where police undertake a child abuse or neglect investigation, ensure that the investigation is conducted according to the protocol described in the *B.C. Handbook for Action on Child Abuse and Neglect*.

The Inter-Ministry *Violence Against Women in Relationship Policy* (VAWIR) describes the appropriate responses police and other agencies (including MCFD/DAA) are to take in these situations http://www.pssg.gov.bc.ca/victimservices/publications/docs/vawir.pdf The RCMP also has a *Violence in Relationship* (VIR) policy and several municipal detachments have their own Violence Against Women policies.

3. Determining an Appropriate Response

Note: Where there is violence, any intervention with a family might increase the risk for the mother and her children. The involvement of professional intervention may be threatening to the abusive man's power and control of the mother and may increase the likelihood of another offence.

The child welfare response will be based upon an assessment of the information and the individual circumstances of the mother's and family's situation.

When Section 13 concerns exist:

The presence of children in a situation where violence against their mother exists does not necessarily warrant a child welfare investigation. It may be an opportunity to provide a Family Development Response (FDR).

In determining whether to use an FDR response consider:

- If the mother is able and willing to participate in collaborative assessment and planning

- If court action under the *Child, Family and Community Services Act* is not anticipated
- The child's vulnerability (is it life threatening, dangerous, damaging or potentially damaging)*
- The level of past and present harm to the mother*
- Whether the child's and mother's safety can be managed through provision of an FDR.

*FDR may not be appropriate for high risk situations. Careful consideration needs to be given to the extent of the violence, the potential likelihood that violence will escalate, and the possibility of lethal actions. Wherever possible, consult with persons who have knowledge of the dynamics and impacts of woman abuse and have experience in working with mothers impacted by abuse before making a decision.

Also when determining an appropriate response, the child welfare worker needs to assess the situation to determine whether a power imbalance exists by asking the reporter and/or the mother; Does a household member:

- Control other members through limiting access to financial resources, intimidation, and/or isolation?
- Attempt to control another member's activities, movements, and contacts with other people?
- Strike fear in another member through looks, actions, gestures, or destruction of property?
- Threaten harm to another member regularly?
- Engage in acts of physical aggression towards another member?
- Cause physical harm to another member regularly?
- Show contempt for another member or diminish their worth through verbal abuse or actions?
- Use verbal aggression in an attempt to constrain another member's behaviour?
- Show active disregard for personal safety?
- Exhibit anxiety or apprehension in the presence of another member?
- Have a history of prior abusive relationships?

Note that affirmative responses to some of the above questions may not, in isolation, provide sufficient information to indicate that violence is occurring in the home. These need to be considered with other responses in order to assist with an accurate assessment.

Based upon this information, if it is determined that the safety of the child cannot be assured by using a family development response then a child welfare investigation is conducted.

- If it is determined FDR is appropriate, please refer to the heading entitled: **Providing a Family Development Response**.
- If it is determined that a child welfare investigation is required, please refer to the heading entitled **Planning and Conducting an Investigation**.

When Section 13 concerns do not exist:

In situations where there are no section 13 concerns present, **voluntary services** may be offered to the mother. Ensure as much as possible that she is aware of existing supportive resources and safety planning. If she does not have a safety plan, try to ensure that she develops one with the assistance of the child welfare worker, another woman serving organization of her choosing, or victim's services.

Voluntary services should also include resources to help the parents understand the potential impact of violence upon the child. With the mother's consent, offer to make a referral for specific support services in order to ensure that she is connected with the appropriate organization in her community that can support her.

4. Providing a Response

Important Considerations for Mother's Safety When Providing a Family Development Response or When Conducting an Investigation

It is important to interview the abusive man and the mother separately in order to provide the mother with the opportunity to discuss her situation in a safe environment. Demonstrating an understanding of a woman's experience in abusive relationships when contacting and interviewing the mother can enhance the service relationship and increase the potential for reaching safe solutions for the mother and her children.

Important Safety Considerations when Contacting the Mother

Try to find out the mother's schedule in order to know how and when to contact her.

Don't leave messages with a member of the family or on a telephone answering machine.

Be aware that the family might have a "call display" telephone in which case your place of employment can be traced via your telephone number.

If telephoning the mother at her home, check that it is safe for her to speak to you by asking questions such as: "Can you speak freely?" "Is now a good time to talk?" "Is this a landline, or a cell phone?"

It is important to limit telephone contact and set up a face to face meeting to limit the risk of phone calls being monitored and/or recorded.

Try arranging a meeting where you know the abusive man will not be present for example, in the office or at a school.

Important Safety Considerations when Interviewing the Mother

In order to be transparent with a family, the child welfare worker's responsibility for protecting children needs to be clearly explained. Emphasizing to the mother that you want to help her ensure safety for herself and her children is something that can be done before an interview takes place. As an example, rather than saying "If your children aren't safe, I'll have to remove them" it might be more helpful to say "I need to explain to you that my job is to ensure that children are safe. I think that children should live with their family wherever possible and I want to help you keep your children safe. If this doesn't work we may have to think about having them live in a place where they will be safe until you are able to keep them safe."

Use your understanding of the impacts of abuse upon mothers in order to avoid making inaccurate assessments about her behaviour and any negative assumptions about her parenting ability. Recognize the mother's strengths and build on the strategies that she has used to keep herself and her children safe. Making a statement such as: "I know that you are doing many things to keep yourself and your children safe, I'm interested in hearing about them" might encourage the mother to talk about her attempts to protect her children.

Discuss her concerns and needs for support and safety. A question such as: "What do you think might help you be safe from the abuse?" might be a helpful way to start the discussion.

Respect and encourage the mother's ability to make choices within the constraints of child welfare practice.

Share knowledge and information in accordance with relevant legislation. Refer to the *Violence Against Women in Relationships* (VAWIR) policy http://www.pssg.gov.bc.ca/victimservices/publications/docs/vawir.pdf.

Provide the mother with the title of the website that addresses domestic violence. This website has an option that a browser can use to delete any indication that she or he has used the site from the computer http://www.domesticviolencebc.ca/.

Provide services that are accessible from the perspective of the mother.

Provide interpretation services that allow safe discussion about her experiences and supporting 'solutions that respect and account for women's cultural and religious values. (Adapted from "Alternatives to Apprehension: Education, Action and Advocacy", Buchwitz, 2001 report).

Advise the mother of the following for safety purposes:

- When you/police plan to contact family members particularly the abusive man
- If for any reason the contact is delayed
- After you have made contact with the abusive man
- That you will not disclose her and/or her child's location to the abusive man or anyone without her knowledge and permission.

4.1 Providing a Family Development Response

A Family Development Response is a protective response that child welfare workers can use when working with families impacted by violence against mothers. It is based on a strength based, solution-focused practice and allows the child welfare worker to engage with the family to address the problems that are causing the children to be at risk. Unlike a child welfare investigation, FDR provides the opportunity to offer support services that are based on a broader assessment of strengths and needs, without the requirement to substantiate the reported allegations.

Parent(s) must be willing to participate in this collaborative assessment and planning process. It is not uncommon for one or both parents to minimize or deny the situation and appear uncooperative. There may be safety concerns, cultural or other reasons for this, which require further discussion.

In addition, it is important to explain what the FDR response is (only in situations where it has been determined that an FDR is appropriate) and respond to questions that might arise. If both of the parents continue to be unwilling or unable to participate, the intervention must be changed to an investigation. If the mother is willing and able to participate, and FDR is still an appropriate response, continue with an FDR. The level of participation may vary with an FDR.

Initial contact will be made with the mother to inform her of the reported concerns and to discuss with her the safest way for the child welfare worker to proceed with speaking to her, the children and the abusive man. (see section 4 "**Important Safety Considerations when Contacting Mothers"**)

If the mother agrees, a collaborative, inter-agency approach is best when intervening in violence against women situations to ensure that the mother is connected with a women serving agency, victim services, and/or safe housing and that all professionals are working together for the safety of the mother and children.

When providing an FDR:

- Involve an advocate from the women serving agency or victim services if available.
- Ask the mother what she is currently doing to help keep herself and her children safe. Based on what she is already doing, assist her in developing a safety plan, or, ensure she has support from a women-serving agency to develop one.
- Discuss with the mother the safest way to approach her partner. Ask her about her concerns, expectations about what will happen, what she needs to know now and inform her about what her partner will be told regarding the child welfare intervention. Listen to her concerns about involving her partner, and include these concerns when developing an intervention approach.
- Discuss with the parent(s) how and when the children will be interviewed. This process could also trigger an unsafe reaction by the abusive man. Carefully consider how this will be done and the best way to proceed to ensure safety.
- Obtain the verbal consent from the mother when gathering collateral information, except when 1) contacting police regarding safety concerns, and 2) contacting the woman's First Nations Band representatives as per existing protocols. Advise the mother that you if and when you will be contacting police or First Nations Band representatives.
- Involve interpreters if necessary.
- Regularly 'check-in' with the mother following interviews in order to discuss her safety and that of her children.
- Regularly 'check-in' with the abusive man, the mother and, if possible, the children and the mother's advocate to ensure the abusive man is being accountable to his safety planning. If there are differing accounts of the abusive man's behaviours, this needs to be addressed with the abusive man, and the safety and service plans of all involved will need to be re-evaluated.

When using FDR in cases of violence against women, the safest approach is to interview the mother and abusive man separately. However, there may be instances in which the mother will not meet without the abusive man. Reasons for this could be because she is fearful of the repercussions from him or because he is so controlling that she is afraid to have a meeting without him present.

Explore with the mother her reasons for not wanting to meet without her abusive partner and if possible, involve an advocate for the mother in the discussion(s). Reassure her that you want to hear what she has to say and that you will only disclose information when it is safe to do so. If she continues to express that she wants to meet with her partner, convene the meeting with both parents.

If the parents are meeting together:

Before the meeting

Having two child welfare workers in the meeting with the family and/or the participation of a person who has strong knowledge about dynamics of violence against women in relationships is strongly recommended.

- Determine the location where the parents will be interviewed. The place where the violence has occurred may not provide the assurance of safety for the mother
- Advise the mother that she can answer questions when she feels safe to do so
- Establish a way in which the mother can communicate that she doesn't feel safe in either responding to questions or continuing the meeting

- Ensure to follow office policy on ensuring safety for the staff and the mother. Refer to Appendix 9 – Safety Considerations for Child Welfare Workers.

During the meeting

- Continually assess the mother's safety and stop the meeting if she doesn't feel safe
- During the meeting clearly advise the parents that contact will be made with each of them regularly following the meeting in order to discuss their current situations
- Check in with the mother at the end of the meeting to find out how the meeting has impacted her and if she feels safe.

After the meeting

- Check in with the mother to talk about any impacts or feelings she is experiencing as a result of the meeting
- Check in regularly with each parent alone in order to discuss their situation. Ask the mother if she still feels safe and if her partner is living up to what he agreed to do. When speaking with her partner, discuss with him what he feels he is able to do well and area's where he is struggling. Look for strengths that he can build upon in order to continue to keep his family safe.

Interviewing children

- Child welfare workers must be knowledgeable about the family dynamics of violence against women and recognise that children may be uncomfortable when questioned about something the child perceives as a "family secret".
- As in Investigative Interviewing, leading or closed questions must be avoided.

- When interviewing children, let them know that their parent(s) are aware that you are talking to them
- Be attuned to what the child has experienced; what events of violence has the child actually witnessed; what they might have heard; what they might have witnessed during and/or after the violence, if police attended and if a parent was arrested, if her/his mother was crying or scared and what, if any, injuries his/her mother sustained. Harm to children who are exposed to violence against their mothers varies greatly. Children will have varying degrees of resilience to the traumatic effects
- Does the child describe feelings of being frightened, if so, what are they frightened of; has she or he been the victim of any violence in the home and if so, by whom; what is his/her attitude regarding the violence; consider what sort of support services the child may need
- Create an atmosphere that allows the child to respond positively in order to help make them feel more comfortable and to find out some of his/her strengths. These can include questions such as: What is going well for you? What are you good at? What are your hobbies? What do you like doing or what do you do for fun?
- Discuss safety planning with the child by finding out how the child keeps him/herself safe. Talk with the child about not becoming involved when his/her parents are fighting and where he/she can go or what they can do when this occurs. Find out if the child knows how to call the police, what to say to the police – practise this if the child doesn't know. Find out if the child has friends, if he or she is allowed to visit her/his friends or if the friends can come to the child's home. Keeping family members isolated is a common dynamic in violence against women situations.

When the parent(s) goal will be to remain together

It is important to understand the family's situation from their perspective and explore solutions with them. The abusive man's use of violence needs to be addressed while focusing on the safety for the mother and children. If both parents wish to remain together, ensure that:

- The abusive man and mother have separate service plans
- The abusive man actively participates in the development of his safety plan for his partner and child(ren) safety
- The abusive man communicates his safety plan and can provide examples of how he will change his abusive behaviour or what he will do differently to keep his family safe
- The abusive man acknowledges that he is the one putting the mother and children at risk and he must be involved in a service plan that is supporting his desire to change his behaviour (counselling, treatment, parenting support, etc)
- The abusive man and the mother are aware of the impact on children who are exposed to violence towards their mother, including physical and emotional harm towards the child
- There is evidence of safety, not just verbal reports from the abusive man
- Provide information on resources and make referrals to community services as appropriate (e.g. women's services, legal aid, batterers intervention programs).

4.2 Planning and Conducting an Investigation

If the safety needs of the child(ren) require an investigation, consider consulting with the following persons to develop an initial plan before beginning an investigation:

- The mother (unless she is suspected of physically/sexually harming the child*) should be advised to contact a support person during this process although she may not be able to for various reasons such as living in an isolated community
- A service provider who has a strong knowledge about dynamics of violence against women in relationships in order to address safety issues pertaining to the mother and child. Please note: Unless there is consent to share information, only non-identifying information can be discussed during this consultation
- The police, if involved in the child welfare investigation and/or for safety reasons.

In order to ensure the mother's and children's safety as much as possible, consider issues such as:

- When and how to contact the mother
- The safest place and time to interview the mother and the children
- Suggestions for a safety plan if required (please refer to Appendix 4 for safety planning).

* In situations where the mother is suspected of maltreating her child(ren), she also should be advised of her choice to contact a support person during the investigation process. It does not preclude her requiring safety from an abusive partner, as she might be being abused as well as putting her children at risk.

4.3 The Child's Immediate Safety

If concerns exist about the child's immediate safety or safety that cannot be effectively addressed through a family development response, conduct a child protection investigation. (See Child and Family Service Standard 14: Family Development Response)
If concern exists about the child's immediate safety or safety during an investigation:

- Explain reasons for the concern to the mother in a direct, non-blaming manner
- Elicit the mother's and service provider's suggestions for a safety plan for the children

- Develop a safety plan that tries to keep the child with the mother if possible by focusing on her safety, her strengths, supportive resources you can provide and other available resources
- Explore how finances, threats and other issues might impact upon her options
- Ensure that the mother understands that this is an interim plan that will be in effect at least until the investigation is completed.

Helpful questions include:

- "Have you thought about leaving and going to stay with family/friends or to a transition house for safety reasons?" Some mothers may not know what a transition house is and may be reluctant to admit this to you. Asking a question such as: "Would you like me to tell you a bit about the transition house in your area?" might be a more helpful way of conveying the information.
- "Do you have concerns about what your partner might do if you left with the children?" If the mother has concerns, discuss what you can do to support her such as obtaining a *CFCSA* section 28 restraining order as well as other options.
- "If there were one or two things that you think would help you and your children to be safer in this situation, what would they be?" "Let's work together to see if that can happen."

Factors to consider when assessing the risks to children from exposure to violence from the offending parent and when developing safety service plans for visitation with offending parent:[31]

- Exposing children to threats or acts of violence toward the children's non abusing parent
- Undermining mother-child relationships and maternal parenting and authority. This interference by the abusive man is likely to increase post-separation
- Physical or sexual abuse of the children
- Poor role modelling by abusive man
- Parenting style that is rigid and authoritarian
- Parenting that is neglectful or irresponsible
- Psychological abuse and manipulation of children (abusive men can use children as tools against their mother, particularly during access visits to further their efforts to control the children's mother)
- Abduction of the children (the majority of parental abductions occur within the context of violence against women with approximately half occurring during access visits)
- Exposing the children to violence in the abusive man's new relationship.

5. Determining the Child's Need for Protection

If a determination is made that the child needs protection from the abusive partner:

- A child who has been found to be in need of protection may have been protected by the mother from more extensive harm from the non-violent parent. Determine if and how this occurred and use these strengths to formulate a plan for the child's safety.
- Involve the mother and work together to create an environment that is safe from abuse for both herself and her children.
- Ensure that the mother and the violent partner have separate service plans. Separate service plans assist in maintaining confidential information that if known, could pose a safety risk to the mother and the children.
- Determine what services have been and are currently being used by the mother and abusing partner before developing the service plans with new services and supports.
- Refer to next heading entitled: **Effective Ways to Protect Children.**

[31] Adapted from: MacPherson, Colleen (2009) **Domestic Violence Assessment and Case Planning Resource**

If a determination is made that the supports and safety plans do not provide enough protection, for the children from the abusive partner, continue to offer support by:

- Advising the mother of this decision using a non-blaming statement such as: “I know that the abuse is not your fault, but my concern is that the children are in a vulnerable situation and I am worried that they are not safe. I’m also concerned about your safety.”
- Considering supportive interventions such as:
  - Listen to the mother’s reasons for returning to or remaining with her abusive partner
  - Be careful to use words and a tone of voice that cannot be perceived by the mother as judgmental or blaming
  - Ensure that the mother has a safety plan
  - Ensure that the mother has been given referral to anti-violence women’s organizations for support in a non-coercive manner
  - Work with the mother to increase a safe environment for herself and her children.

If a decision is made that the child does not need protection:

- Advise the mother, caller, and advocate/service provider of the decision
- Consider the provision of voluntary services or referral for voluntary services if they are relevant and if the mother wishes. Work collaboratively with the mother and service providers to determine other services that might reduce her fears
- Offer anti-violence community services to the mother in a way that is intended to support her efforts to live safely
- Remember that because of your authority clients may perceive that they must accept any services offered even if they are voluntary. Reassuring the clients that the services are truly voluntary and that there will be no consequences relating to the removal of their children for choosing not to participate will reduce her fears of further consequences for “non-compliance”
- Try to ensure that the mother has a safety plan in place for herself and child(ren) in case of future assaults, or that the mother knows who to contact in order to assist in the development of a safety plan. (Refer to Appendix 4 for a sample of a personal safety plan.)

6. Effective Ways to Protect Children

Effective ways and services to protect the child(ren) are made with the goal of developing family and community capacity to care safely for the child(ren) is a primary consideration.

Wherever possible, ensure that the mother and her support person (if the mother wishes) along with others involved with the child participate in discussing options that will assist the mother to ensure the safety of her children. Options may include:

- Ensuring that the mother has the information she needs in order to understand the harm to children who witness violence.
- Providing support services that will keep the mother safe so that she can care for her children. These can include: appropriate counselling programs for the violent partner; Stopping the Violence Counselling, Children Who Witness Abuse (CWWA) programs. It is important to allow a CWWA counsellor to make an appropriate plan for the family given the level of risk to the victims.

- Having the children reside with their mother and obtaining a protective intervention order against the abusive man with the mother's consent pursuant to CFCSA section 28. Under this order, the court may authorize a police officer to arrest, without warrant, the person against whom the protective intervention order is made if the police officer has reasonable grounds to believe that the person has contravened or is contravening the protective intervention order.
  This order will be included in the Protection Order Registry so that police will have access to it however it is helpful for the mother to have her own copy of the order. The police need to be advised of any contraventions to the protective intervention order.
- Having the children reside with their mother under an order of supervision pursuant to section 29.1(1) (a) and (b) of the *CFCSA*.

As both of the above measures involve a court order, the abusive man must be served and has a right to appear in court. Depending upon the situation, this might not be the safest intervention. Ensure that the non-abusive parent is aware of the court process and who has a right to be present before deciding upon this kind of response.

Other intervention options:

- Supporting the mother to arrange for a friend or family member to care for the children
- Using a section 8 agreement to have the children reside with a care provider selected by their mother. This approach can be helpful when you are concerned about the mother's ability to care for her child(ren) and/or the mother needs/wants an opportunity to formulate a plan for herself and her children. A section 8 agreement can be used in situations such as:
  - The mother continues to reside with the violent partner, or
  - The mother has left the violent partner but concern exists that she will return with her children before necessary changes to ensure the children's safety have occurred
  - The selected care providers need financial assistance to care for the child(ren).

  For further information on the use of section 8 agreements, refer to the Extended Family Program policy at: http://icw.mcf.gov.bc.ca/manuals/docs/cfdev/cfs/EFP_interim_policy_procedures.pdf

- Using a voluntary care agreement if an assessment indicates that the child(ren)'s safety can only be assured while in care
- Removing the child(ren) and arranging a placement with relatives, friends or an approved foster family pursuant to a court order under section 35(2)(d) or section 41(1)(b) of the *CFCSA*.

Supporting Friends or Family Who are Caring for the Child(ren)

In some situations children will not be safe if left in their parents care. If a plan is made for an extended family member to care for the child it is important to ensure that this caregiver has an awareness of the risks being posed by the abusive parent and they should have knowledge of what the risks are and a safety plan should be completed with them as well. See Appendix 4 for information on safety plans.

Discuss with the caregiver your expectations regarding visitation with the mother and abusive man. Often times these caregivers may have some resentment towards the mother, or blame her for the situations she is in. Ensure that the caregiver understands that acting on their personal feelings (i.e. such as making visitation difficult for the mother, or discussing inappropriate information with the child) is harmful for the children. Discuss with them some of the dynamics of violence against women and that the mother is not to blame for the violence against her.

Considerations for Supporting a Mother Who is Attempting to Separate from her Partner

If the mother is attempting to separate from her violent partner as part of the service plan, it is important to remember that the abusive man often reacts to the mother's attempts to separate by becoming more violent thereby increasing the risk to her and the children. A goal of having the mother separate from the abusive partner should be made only if there are sufficient safe guards in place such as:

- A place for the mother and children to stay that is unknown to the abusive man
- A restraining or protective intervention order that is listed on the protective order registry
- Involved professionals who are aware of the risks to the mother and children posed by the abusive partner and who will notify police of threatening behaviour
- Ensure that teachers and school administrators are aware of safety concerns and have copies of no contact and protection orders
- Police are aware of the situation
- The mother has a safety plan for herself and her children that includes 24 hour emergency numbers. (For a suggested safety plan, please refer to Appendix 4)

Other considerations for separation may include:

- Discussing with police to include in their report to Crown Counsel that Crown Counsel ask the judge/justice of the peace to impose conditions on the violent partner relating to the safety of the children and mother at a bail hearing
- Discussing with police to include in their report to Crown Counsel that Crown Counsel ask the judge to include conditions relating to the safety of the children and mother in the violence partner's sentence
- Discussing with the mother the idea of obtaining a civil protective order.

Safety Service Plans

All abused partners and their at-risk or abused children in child welfare caseloads should have safety plans that are part of larger service plans. These service plans should be prepared as separate documents to ensure their integrity is not compromised if the abuser has access to them. The separate service plans should be in place regardless of whether the adults in the family intend to stay together or separate.

Developing Safety Service Plans for Men who are Abusive

Accountability for the mother's and children's safety is key in the abusive man's service plans. The plan states that abusive man will:

- Cease the use of verbal, emotional, physical, and sexual abuse of all family members
- Cease interference with their partner's efforts to parent children safely
- Comply with protection orders and other court-ordered mandate, including those imposed by probation, parole, and perpetrator intervention programs
- Attend a culturally responsive, credible education and counselling programs for abusive men, as part of their service plans, where such programs exist.

Safety Service Plans for Mothers

Service planning in violence against women situations will require focusing actively on the safety of the mother and putting supports in place so that she and the children will be safe.

It is important that child welfare workers and service providers involved in developing safety plans consider how issues such as language skills, level of income, availability of transportation, etc. will affect the mother's ability to comply. If assistance is needed in order to communicate with the mother, obtain the services of an interpreter.

Service planning for the child and their mothers will focus on:

- Securing safe housing in the mother's and child victim's own residence whenever possible or with her family or friends, in subsidized housing, in transitional or permanent housing
- Providing voluntary advocacy services for abused mothers within the child welfare system
- Referring mothers to services that will aid in securing financial and income assistance, and employment services
- Referring mothers to voluntary supportive counselling, groups or community-based advocacy services, and to job training, parenting, and substance abuse treatment programs
- Referring mothers to legal advocacy, family law services for assistance in obtaining protection orders, custody and safe visitation arrangements, child support, and/or divorce
- Providing transportation to safety resources, including transition houses, stopping the violence counselling programs, specialized victim assistance programs, childcare, court, educational institutions, counselling, and health care services.

If the mother is in a transition house, ensure on-going contact with the mother and the transition house staff in order to assist and support the mother with the conditions of the safety plan.

Support for Mothers Impacted by Abuse

A best practice approach with women who have been abused would support workers to view mothers as the source of protection, safety and security for children and youth. In fact research shows that women in abusive relationships who are mothers may have heightened empathy, caring and protectiveness towards their children.[32]

Some ways to support mothers impacted by abuse:

- When mothers are the non-abusing caregivers, child welfare workers should offer voluntary support services to them to enhance their own safety and that of their children.
- Mothers who are fearful about the removal of their children usually will not be forthcoming about providing information to a child welfare worker. Communication that you want to help her may alleviate this.
- Careful consideration should be taken when providing referral information to the mother so as not to overwhelm her. Ensure that she has a referral to a transition house, community based victim services or, where they do not exist, that she has the contact information to VictimLink BC - phone number: 1-800-563-0808
- Engage mothers in determining and developing their own service plan goals and in identifying their needs and their children's needs for safety and support
- Recognize that removing a mother from her home and providing shelter and counseling may not be sufficient to ensure her safety.

[32] Cox, C.E., Kotch, J.B., & Everson, M.D. (2003). A longitudinal study of modifying influences in the relationship between domestic violence and child maltreatment. Journal of Family Violence, 18(1), 5-17

Despite efforts to keep a mother and her children together, a child welfare worker's intervention may lead to the decision that the non-abusing mother is not able to protect her children from the abusive man. However, a women-centred approach can still apply. Women-centred practice in this context could mean:

- Understanding a mother's reasons for returning to or remaining with an abusive partner
- Not blaming a mother if it appears that she has "chosen" her partner over her children – she may perceive this as her only choice, or her safest choice
- Ensuring that she has maximum contact with her children
- Continuing to work with the mother to create a safe environment for herself and her children, developing a safety service plan independent of her partner and ensuring that she is not blamed for her abuse
- Ensuring that the mother has developed a safety plan and she has been given referrals to anti-violence women's organizations for support in a non-coercive manner.

Support for Children Exposed to Abuse

Children who are exposed to violence may require services and often may not require removal from the non-abusing parent. Given the varying levels of violence and its impacts, individual assessments should determine the appropriate venue of service. Some services may be outside the child welfare system, such as women's transition houses that offer Children Who Witness Abuse programming, community agencies or mental health services.

- Visitation arrangements should be consistent with children's treatment needs as well as their safety needs.
- Work with the mother to identify what supports her children would benefit from that in turn support her as she seeks increased safety for her family.
- Ask her if there are any services or supports for her **children** she would like help connecting with such as:

☐ Children Who Witness Abuse program ☐ School counsellor ☐ Youth outreach program ☐ Child care/day care services and subsidies ☐ Religious/cultural groups ☐ Supports for aggressive youth	☐ Multicultural school support worker ☐ First Nations school support worker ☐ Health services (doctor, mental health, substance use) ☐ Respite care

Interventions for Men who are Abusive

The safety of mothers and children rests on not just intervening with the mother and the children but also with the abusive partner. His accountability is recognized as an important and essential part of the work that child welfare workers need to do in cases involving mother abuse. This is often difficult and challenging work as abusive men can be difficult to engage. Frequently, men who are abusive to their partners will try manipulative tactics to avoid responsibility and may blame his partner or report her as abusive and/or negligent to the children. They may become charming or colluding with the child welfare worker to try and escape the consequences of their behavior. It is possible that when this type of manipulative behavior does not work, an abusive man may become more threatening and violent towards the child welfare worker (see Appendix 9 for more information relating to child welfare worker safety).

Efforts should be made to provide a referral for violence intervention counseling for the assaultive partner. It is critical to have interventions that will help the man to change in ways that contribute to the safety of the mother and children. Failure to do so could result in further harm to the children and their mother.

If abusive men are referred to a program, care needs to be taken to ensure that the programs contain a set of guiding principles in keeping with the principles and policies of the Ending Relationship Abuse Society of BC and that the program works in close collaboration with women serving organizations. Counseling for men who are abusive needs to be done by someone who is aware of the dynamics of violence in relationships and places safety of the mothers and children first and foremost.

Potentially dangerous or inappropriate interventions

- **Couple Counselling:** Many victims describe fear and safety concerns surrounding the disclosure of information about violence within their relationship and/or child maltreatment in couple counselling sessions where their abusers are present. Since current outcome data on couples counselling in cases of relationship violence show it to be no more effective than gender-specific groups, concerns for safety contraindicate couple or conjoint counselling sessions as a primary or first intervention with a family.
- **Family Mediation:** Safety concerns have been raised regarding the use of mediation and, by extension, family group conferencing. Concerns relate to where there is a focus on mutual responsibility and reconciliation that may place adult victims in a position of being held responsible for their partners' criminal behaviour. When considering this type of intervention relating to planning for a child, refer to section 10 of this document: 'Collaborative Planning and Decision Making'. Caution should also be applied when considering conjoint parenting classes.
- **Anger Management:** Avoid referring abusive men to anger management programs that do not address underlying belief systems and attitudes that contribute to violence against women in relationships. Learning skills in emotional self-management will not be useful if the abusive man does not see abusive behaviour towards his partner as inappropriate and he does not take responsibility for his actions. Keep in mind that it is likely that he can control his "anger" in other situations (e.g. at work, in the community).
- **Visitation arrangements** that endanger the mother and/or child should be avoided. Because violence against woman may continue after separation, safe visitation arrangements must be made for both the mother and child(ren) in a family.[33]

6.1 Conflicting Court Orders and Breaches

If you become aware of any information regarding any breach of a court order by the abusive man, immediately notify the police of the information and if applicable, Crown Counsel. If the court order is a *CFCSA* order proceed accordingly in consultation with your team leader and the police.

Where an order under the *CFCSA* is breached, police should immediately notify the child welfare worker. There is no duty to report a breach of any order under the *Family Relations Act* to a child welfare worker unless there is a reason to believe a child is in need of protection.

[33] Adapted from: Effective Intervention In Domestic Violence & Child Maltreatment Cases: Approaches for Policy and Practice – Recommendations from the National Council of Juvenile & Family Court Judges, Family Violence Department – pg 64

If the terms of an order under the *CFCSA* or the *Family Relations Act* (Family Court) conflict with those of a criminal court order (e.g., criminal order specifying no contact with spouse versus family court order granting access to children), the more restrictive terms of the criminal court order are paramount. Those *CFCSA* or family court order terms not superseded by the criminal court order will continue to be in effect, e.g., in some cases the *CFCSA* order may contain no contact provisions regarding the children while the criminal order is silent on that issue). Upon expiration of a criminal order all of the terms of any valid *CFCSA* and Family Court orders will remain in effect.

The *CFCSA* order will be paramount where the terms of an order under the *CFCSA* conflict with those of a Family Court order.

7. Preparing for MCFD Family Court Hearings

If a child welfare decision is made that involves a court appearance, consider the following in order to ensure the safety of the mother as much as possible:

- Explain the court process to the mother so that she will know what to expect, i.e. who is allowed to attend, a description of the court room, the role of the people involved in the court process, where she will be seated, her testimony if required
- Ensure that the mother's address is not included on any court documents to which the abusive man has access
- If the child is living with his/her mother, ensure that the child's address is not included on documents to which the abusive man has access

Note: If identifying information has been included on the documents, arrange for your legal counsel to explain to the judge that it should not be given to the abusive man for safety reasons

- If the mother is to be called as a witness, ensure that she is referred to a advocate or support program
- Discuss with your legal representative the importance of not asking the mother for her address or the address of the child during her testimony
- Prepare separate safety service plans for the mother and the abusive man to present to the judge. The abusive man's service plan should address his responsibility for the violence
- Ensure that the mother is safely escorted in and out of the courtroom and court building if necessary and that she has a safe place to wait out of sight of the abusive partner before and after the court hearing
- Ensure that those persons involved with providing court security are informed of the safety situation and safety requirements
- Advise the court of the need for interpreter services.

8. Ongoing Protective Family Service

The service plan will vary depending upon whether the mother and children:

- Remain with the abusing partner
- Separate from the abusing partner
- Separate and return to the abusing partner.

Ensure that there is on-going communication with knowledgeable service providers to determine and clarify roles and responsibilities related to the protection and safety of both the mother and children.

Ensure that there is communication with service providers if a service stops and/or is discontinued for a period of time.

9. Building Relationships and Information Sharing

Wherever possible, attempts should be made to obtain the consent of the mother and children who are over twelve years to share information and the importance of sharing information should be explained to the mother. For more information relating to information sharing, refer to the booklet entitled '*Confidentiality and Disclosure of Information*' accessible at: http://icw.mcf.gov.bc.ca/manuals/docs/cfdev/cfs/confid_disclosure_info.pdf

Coordination amongst everyone involved in violence against woman situations is crucial in helping to ensure the safety of the mother and her child(ren). This means that timely information sharing must occur amongst police, crown counsel, victim services, probation services, support services, lawyers, health care professionals, teachers, school administrators, child welfare workers and anyone else involved in the situation. Information sharing must occur regularly and as circumstances arise and should be included in information sharing protocols so that everyone is clear on their responsibilities in this regard. Establishing regular meetings or other ways of communicating early on in the case management process is an effective way of ensuring all parties are aware of all relevant information. For more information on information sharing see the inter-ministry *Violence Against Women in Relationship* (VAWIR) policy. http://www.pssg.gov.bc.ca/victimservices/publications/docs/vawir.pdf.

Under *CFCSA* section 79 (a), (a.1), child welfare workers may disclose information without consent if it pertains to the safety and well-being of children or the safety of a person other than a child.

Under *CFCSA* section 96, a child welfare worker has a right to information that is in the custody or control of a public body and that is necessary for child welfare workers to carry out their duties under the *CFCSA.*

A refusal by a service provider and/or agency that is not a public body should not be viewed as an unwillingness to cooperate.

It should be recognized that they are complying with their confidentiality policies as women's anti violence programs do not constitute a 'public body' and section 96 of *CFCSA* does **not** apply. If this occurs and there are reasonable grounds to believe a record contains information necessary for determining whether a child needs protection, a child welfare worker may apply to court under section 65 for an order to release the information.

Community participation
Participation and support by child welfare workers in violence against women in relationships coordination committees and any other coordination committee that supports violence against women initiatives would assist in increasing on-going cooperation and communication between service providers and MCFD and ultimately increase safety to mothers and children.

10. Collaborative Planning and Decision-Making

Collaborative or shared planning and decision-making such as Mediation, Family Group Conferencing and Traditional Decision-Making are strengths-based practices available to families and child welfare workers to use to plan for the care of children at risk and to resolve disagreements. These processes are referred to in the *CAPP Description and Discussion Paper* and stand out as examples of strengths-based practices.

For any Family Group Conference (FGC) or Mediation, a Woman Abuse Assessment should be done before the planning process starts (see Appendix 5: Assessing for Violence Against Women in Relationships before Conducting Family Group Conferences or Mediation)

Use caution when applying the assessment tool as it may be unreliable for uncovering woman abuse because mothers may:

- Not identify with the stereotype of an 'abused woman'
- Be reluctant to tell a child welfare worker about the abuse
- Fear the reprisals from disclosing abuse
- Have had negative experiences from service providers from disclosing abuse and choose not to tell.

Your professional judgement and experience must also be applied when using any assessment tool. Assure the mother that these questions are being asked to ensure that it is safe for her to participate in the meeting. This will convey to her that you are aware of issues related to woman abuse/violence or situations in which a power imbalance exists. It will also allow you to develop appropriate plans of safety for her.

Processes such as family group conferencing are good practices in child welfare however it is important to recognize that these processes have inherent risks when used in violence against women situations.

Although policies may direct the use of these practices, before proceeding consider that it may not be safe or appropriate to use collaborative planning and decision making in a violence against woman situation. Issues that may arise are:

- Mothers could be intimidated and disempowered by her abusive partner during a conference
- Relatives may fear retaliation by her abusive partner for supporting her
- The abusive man may manipulate the decision making process
- The abusive man may threaten or intimidate the child welfare worker
- The mother could be blamed for failing to protect the children
- The plan could involve the mother and abusive man to remain together – furthering the victimization of the mother and children
- Professionals coordinating or managing the process may not be adequately trained in the dynamics of woman abuse.

The FGC coordinator or child protection mediator should be made aware if the mother is experiencing abuse by her partner and should be trained in the dynamics of woman abuse. In cases where mothers are impacted by abuse, careful consideration must be paid to whether the meeting is appropriate.

Dr. Joan Pennell (2007) outlines some helpful measures to ensure safety during a Family Group Conference:

- Encourage the mother experiencing abuse to designate an advocate or support person to stay by them during the meeting
- Invite a women's advocate to share information at the conference about the effects of violence on the children and the mother
- Invite other support persons such as therapists
- Mothers should be consulted with on who to invite to the Conference. Mothers may choose to proceed with a FGC without the abusive man present
- If there are no-contact or restraining orders in place, ensure they are respected This may mean excluding the abusive man, or staggering attendance by having the abusive man present at the first part of the meeting and the mother at the second part

- Assess the safety of all participants and work out safeguard measures with them in advance. Safety and confidentiality must always remain the priority for the mother and her children
- Ground rules should be negotiated with all participants prior to the commencement of the FGC, recognizing that abusive men may appear compliant and abide by these during the meeting and retaliate against the mother later
- A second facilitator may be necessary and will help in cases where child welfare workers feel intimidated by the abusive man
- Police should be made aware of the Conference and be on stand-by.

These considerations may also be applied to child protection mediation situations.

11. File Closure

A determination to close a file where violence against mothers is a key issue is made in consultation with the involved community agencies and the family wherever possible. It is critical that the police are contacted to ensure that all relevant and current information is known by both agencies.[34]

Factors to consider when making the final assessment for case closure:

- No new child welfare reports have been received
- The mother has a primary connection to a relevant community service provider who will have ongoing contact with her and/or the children
- The mother and the children have safety plans that adequately address the risk of further violence
- The mother has demonstrated engaging in harm reduction and maintaining vigilance for safety within and outside the home (e.g. abstaining from or limiting the use of drugs and alcohol and taking safety precautions)
- Service providers working with the family are in agreement with child welfare worker's assessment that the threats of harm to the children and the mother have been reduced
- The abusive man understands the impact of children's exposure to his abuse and demonstrates an acceptance of the placement of any restrictions on his access to the children and/or the victim
- The abusive man has acknowledged the full extent of his use of violence and abuse toward the victim and the children and accepts the consequences for his actions including accepting the victim's decision to end the relationship and/or limit contact
- The abusive man has replaced his violent and coercive behaviours with respectful behaviours and attitudes (a changing abusive man responds respectfully to the victim's grievances, meets his responsibilities, and stops focusing exclusively on his needs)
- The abusive man recognizes that his behaviour was both unacceptable and chosen.

[34] Adapted from: MacPherson, Colleen (2009) **Domestic Violence Assessment and Case Planning Resource**

APPENDICES

Appendix 1: Women's Use of Violence

A review of recent literature on women's use of violence in heterosexual relationships shows that:

- Women's violent behaviour towards their heterosexual partners is substantially different from men's violence on historical, cultural, systemic, situational and individual grounds.[35]
- Generally, women use violence to try to control situations, whereas men use it to try to control people and achieve domination in relationships.[36]
- Women's violence usually occurs in the context of violence against them by their male partner, i.e. self-defense, fear or retaliation.
- Women's use of violence in heterosexual relationships often puts them at greater risk of violence from their male partners.
- Some people claim that men are less likely than women to report violence against women out of shame or chivalry or the fear that they won't be believed. However, research shows that men are more likely to call the police, more likely to press charges, and less likely to drop them.[37]
- Women commonly cite one or more of the following themes for using violence: experiencing emotional/verbal/psychological abuse by their partner; unavailability of help; frustration with their partners' refusal to discuss problems; feelings of isolation and a lack of support from their partners following the birth of children; a desire to protect their children from their partner's violence; violence in past adult relationships; and/or experiences of childhood violence (as a target or witness).[38]
- Both women and men are capable of physical and psychological aggression, but research suggests that men perpetrate sexual abuse, coercive control and stalking more frequently than women and that women are more often injured during violence against women incidents.
- Women from different cultural backgrounds may view violence differently. For example, many cultures do not consider physical aggression to be a taboo for women. Cross-cultural perspectives must be taken seriously to ensure an appropriate criminal justice response towards women's violence in diverse communities. It is fairly common, for example, for women charged with violence against their male partners to be treated much more harshly by police and the justice system. This is particularly true for Aboriginal women.[39]
- Studies of couples in relationships where both partners use violence find that women experience more negative effects than men.
- Differences in how and why women and men use violence mean that interventions based on male models of partner violence will likely be ineffective for women.[40]
- Pence and Das Dasgupta (2006) suggest that it is rare for a heterosexual woman to achieve dominance over her male partner that would constitute primary aggression.

[35] Das Dasgupta, S. (2001).
[36] Campbell, A. (1993). *Men Women and Aggression*. Basic Books, New York.
[37] Flood, Michael. (1999) Claims About Husband Battering. Melbourne Domestic Violence and Incest Resource Centre Newsletter, Summer 1999. Available at www.xyonline.net/husbandbattering.shtml.
[38] Seamans, C.L., L. J. Rubin, and S.D. Stabb (2007). "Women Domestic Violence Offenders: Lessons of Violence and Survival," *Journal of Trauma and Dissociation*, vol. 8 no. 2, pp. 47-68.
[39] Das Dasgupta, S. (2001).
[40] Swan, S.C., L.J. Gambone, J.E. Caldwell, T.P. Sullivan and D.L. Snow (2008). "A Review of Research on Women's Use of Violence with Male Intimate Partners," *Violence and Victims*, vol. 23, no. 3, pp. 301-314.

Appendix 2: Research Information Relating to Violence Against Aboriginal Women

In 2008 the Public Health Agency of Canada prepared *Aboriginal Women and Family Violence*, as a condensed version of a larger study prepared in 2006 by the Ipsos-Reid Corporation for Indian and Northern Affairs Canada. *The Aboriginal Women and Family Violence* can be found at: http://www.phac-aspc.gc.ca/ncfv-cnivf/pdfs/fem-abor_e.pdf.

This document summarizes focus group data which highlight the qualitative complexities of the nature of the violence as experienced by Aboriginal Women, and the Women's perceptions, understandings and responses to service providers. A few key examples are:

- Focus group research suggests that even though service providers may have shifted their approach to one that considers the safety of the mother as intrinsic to the safety of the children with removal as a less desirable outcome, many women living in a context of spousal violence have not appreciated this shift and continue to fear 'automatic' removal of their children; indicating that a change in practice is not adequate in and of itself to create a change in outcomes; this is particularly relevant where there is a policy in place that if the children have seen the violence, then children services must be involved.(Page 16)
- The impact of the criminal justice system's response on the abuser is often seen as minimal and ineffective. A common view expressed by women within Aboriginal communities and among first responders is that community sanctions are mild, and those delivered by the corrections system are inconsequential; Band and community leaders often are not adequately engaged in the issue of family violence – this may be partly attributable to conflicting governance processes that impede taking direct action (e.g.: if the violence occurs in a 'bad clan' there may be little interest to help), lack of adequate processes to ensure confidentiality within the community, inability by Band and community leaders to manage the impact amongst community members if action is taken. (page 31)

Other documents that include information relating to violence against Aboriginal women include:

- **The National Aboriginal Circle Against Family Violence (NACAFV) published in January 2006 *Ending Violence in Aboriginal Communities: Best Practices in Aboriginal Shelters and Communities***. http://nacafv.ca/report/shelter_practice.pdf A consultation with 12 Aboriginal Shelters, the Executive Summary provides highlights critical for service providers seeking to develop an integrated approach, especially where a shelter exists or may be needed.
- ***A Strategic Framework to End Violence Against Aboriginal Women*, prepared in September 2007, by the Ontario Native Women's Association and the Ontario Federation of Indian Friendship Centres** http://www.onwa-tbay.ca/PDF%20Files/Forms/Final%20Draft-%20End%20Violence%20Against%20Aboriginal%20Women%20Sept%2026%2007.pdf, proposes an Issues Framework based on a medicine wheel design embracing a continuum of approaches to address the issue(s) of violence against Aboriginal Women: (1) research (2) legislation (3) policy (4) programs (5) education (6) community development (7) leadership and (8) accountability. This Issues Framework suggests the critical actions and key stakeholders all relevant to creating and maintaining an integrated service provider response that is women and child(ren) centered and achieves ending violence against Aboriginal Women.
  (See pages 7-16)

Appendix 3: Reporting Requirements

Section 14, subsection (1) of the *CFCS Act* states:

A person who has reason to believe that a child needs protection under section 13 must promptly report the matter to a director or a person designated by a director.

The wording of this section is intended to ensure the safety and well-being of children. However, some professionals from agencies and programs that provide medical assistance, counselling and supportive services advise that mothers, children and youth who require these services are rejecting them due to their fear of being reported to a child welfare worker. This includes mothers who are refusing to stay in transition houses – choosing to risk their safety rather than risk being reported to the ministry.

Because child welfare workers are committed to providing services according to the CFCSA's guiding principles in order to assist and support families and children wherever possible, the following reporting guidelines regarding violence against women in relationships have been developed:

- Information regarding children who are exposed to violence against women in relationship situations must be reported if the circumstances fall within section 13 of the CFCSA. i.e., a child in need of protection.

- Situations wherein a child sees or hears violence occurring between their caregivers do not meet the reporting requirements notwithstanding the "likely to be" clause in the absence of other child welfare concerns including those outlined in section 13 (1) (e).

- Women with children who show up and/or reside at a transition home do not automatically meet the test to report.

Reporting to the Police:

In all of the above situations, child welfare workers will report situations of child physical harm and sexual abuse and neglect to the police in accordance with existing protocols and practice standards.

Appendix 4: Safety Planning

Safety Planning: Approaches and Implementation

It is critical that safety planning be done in a way that acknowledges and builds on a mother's strengths and her own knowledge of her unique situation.

It is important that child welfare workers and anti-violence service providers involved in developing safety plans consider how issues such as language skills, level of income, availability of transportation, childcare etc. will affect the mother's ability to be safe.

Well-developed and effective safety plans ideally require collaboration among a wide range of other trained personnel, including anti-violence services, police, crown, mental health, and child welfare workers, etc.

It can't be emphasized enough that no mother experiencing abuse has control over her partner's behavior, and it is dangerous to expect victims to "stop the violence." The problem is the abusive man's conduct; his sense of entitlement to coercive, controlling and violent behaviors.

Principles of Safety Assessment and Planning

- ❑ The use of violence is the abuser's choice
- ❑ Abusers must be held accountable for their violence
- ❑ The goal is to reduce the risks, not predict the violence
- ❑ Mothers who live with violence evaluate their risk on a continual basis
- ❑ The mother is the expert on her life, she owns her safety plan
- ❑ No one agency will have all the relevant information
- ❑ Sharing of information increases the effectiveness of safety planning, with mothers consent wherever possible.

While gender neutrality and treating both parents as equals are well-intentioned approaches, gendered realities are ignored by:

- ❑ Minimizing men's social, economic and legal advantages
- ❑ Assuming equal caretaking roles
- ❑ Minimizing women's greater contribution to parenting
- ❑ Minimizing the mother's beliefs about her or her children's safety.

Principles of Safety Assessment and Planning When Children are Involved

- ❑ A child's safety and well-being is integrally linked with the safety of the mother
- ❑ Interventions require an understanding of the complex dynamics of power and control
- ❑ Gender inequality operates against mothers in custody and access in ways which include:
  - o Mothers usually have less financial stability than their male partners
  - o Society continues to undervalue women's role as caretakers.

SAFETY PLANNING FOR THE CHILD OR YOUTH AND THEIR MOTHER

Well-developed and effective safety plans require collaboration among a wide range of other trained personnel, including child welfare workers, mental health care providers, transition house staff, victim service workers and police.

Safety planning for the child or youth and their mother should focus on:

- ❑ What the mother thinks will be safe strategies.
- ❑ Securing safe housing in the mother's and child or youth's own residence whenever possible or with her family or friends, in subsidized housing, in transitional or permanent housing. If she is really in danger and her partner is not in custody, she might need to go to a transition house.
- ❑ Offering support to abused mothers in a respectful way that does not label them unnecessarily as neglectful.
- ❑ Referring mothers to interpreters if required.
- ❑ Referring mothers to services that will aid in securing financial and income assistance, and employment services.
- ❑ Referring mothers to voluntary supportive services such as: stopping the violence counselling, groups or community-based victim services, job training, or substance use treatment programs.
- ❑ Sometimes mothers are referred to parenting groups, when in fact, what they really need are support services and safety, not parenting skills. If mothers are expected to attend parenting classes, it is important to provide childcare and transportation support so they do not face additional hardships to attend these sessions.
- ❑ Referring mothers to legal advocacy and family law services for assistance in obtaining protection orders, custody and safe visitation arrangements, child support, and/or divorce.
- ❑ Providing transportation to safety resources, including transition houses, stopping the violence counselling programs, support groups, community based victim assistance programs, stopping the violence outreach, childcare, court, educational institutions, counselling, and health care services.

Before you start

- ❑ Discuss the purpose of safety assessment with the mother and see if she wishes to take part
- ❑ Provide emotional support during and after the safety assessment and planning process.

Critical Situations for Intervention and Planning

The following points should alert child welfare workers to circumstances that could increase the risks to mothers and should lead safety planning or discussion about safety:

- ❑ When she attempts to leave the relationship
- ❑ If the abuser becomes aware that she is accessing support/help
- ❑ When she initiates legal actions such as:
  - o Divorce
  - o Custody or access
  - o Child welfare investigation and child removal
  - o Property settlement
- ❑ If a stay of proceedings is entered
- ❑ Upon Application for Peace Bond or other protection order
- ❑ Upon Application to vary protection order conditions
- ❑ When accused is released on interim conditions
- ❑ When any papers are served such as
  - o Restraining Orders
  - o Notification of Divorce or Separation Proceedings
- ❑ When she enters another relationship.

Immediate Safety Planning

An immediate safety plan should be developed in consultation with at least the mother and should begin by asking if she has a safety plan and the details of it. Most mothers have developed ways to keep themselves and their children safe, but may not have formalized this plan. Ask the mother what she has done in the past to keep herself and her children safe.

Safety Plan

The following steps represent my plan for increasing my safety and preparing in advance for the possibility for further violence. Although I do not have control over my partner's violence, I do have some choices about how best to get myself and my children to safety.

Step 1: Safety during a violent incident: Mothers cannot always avoid violent incidents. In order to increase safety, battered mothers may use a variety of strategies.

I can use some or all of the following strategies:

- If I decide to leave, I will. (Practice how to get out safely. What doors, windows, elevators, stairwells or fire escapes would you use?)
- I can keep my purse and car keys ready and place them in order to leave quickly.
- I can tell _____ and _____about the violence and request they call the police if they hear suspicious noises coming from my house.
- I can teach my children how to use the telephone to contact the police and the fire department.
- I will use _____ as my code word with my children or my friends so they can call for help.
- If I have to leave my home, I will go. (Decide this even if you don't think there will be a next time.) If I cannot go to the location above, then I can go to _____ or _____.
- I can also teach some of these strategies to some/all of my children.
- When I expect we are going to have an argument, I will try to move to a space that is lowest risk, such as _____. (Try to avoid arguments in the bathroom, garage, kitchens, near weapons or in rooms without access to an outside door).
- I will use my judgement and intuition. If the situation is very serious, I can give my partner what he/she wants to calm him/her down. I have to protect myself until I/we are out of danger.

Step 2: Safety when preparing to leave. Mothers who are assaulted frequently leave the residence they share with the violent partner. Leaving must be done with a careful plan in order to increase safety. Violent men often strike back when they believe that a woman is leaving a relationship.

(This safety plan was adapted with permission from Barbara Hart and Jane Stuehling's Safety Plan that was based upon "Personalized Safety Plan", Office of the City Attorney, City of San Diego, California).

I can use some or all of the following safety strategies:

- I will leave money, bus tickets, and an extra set of keys with _____ so I can leave quickly.
- I will keep copies of important documents or keys at _____.
- I will open a savings account by (date)_____ to increase my independence.
- Other things I can do to increase my independence include:
- The VAWIR program's hotline number is_____. I can seek shelter by calling this hotline.

- I can keep change for phone calls on me at all times. I understand that if I use my telephone credit card, the following month the telephone bill will tell my abusive partner those numbers that I called after I left. To keep my telephone communications confidential, I must either use coins or I might get a friend to permit me to use their telephone credit card for a limited time when I first leave.
- I will check with ____ and ____ to see who would be able to let me stay with them or lend me some money.
- I can leave extra clothes with _____.
- I will sit down and review my safety plan every _____ in order to plan the safest way to leave the residence. (VAWIR advocate or friend) has agreed to help me review this plan.
- I will rehearse my escape plan and, as appropriate, practice it with my children.

Step 3: Safety in my own residence. There are many things that a mother can do to increase her safety in her own residence. It may be impossible to do everything at once, but safety measures can be added step by step.

Safety measures I can use include:

- I can change the locks on my doors and windows as soon as possible.
- I can replace wooden doors with steel/metal doors.
- I can install security systems including additional locks, window bars, poles to wedge against doors, and electronic system, etc.
- I can purchase rope ladders to be used for escape from second floor windows.
- I can install smoke detectors and purchase fire extinguishers for each floor in my house/apartment.
- I can install an outside lighting system that lights up when a person is coming close to my house.
- I will teach my children how to use the telephone to make a collect call to me and to _____ in the event that my partner takes the children.
- I will tell people who take care of my children which people have permission to pick up my children and that my partner is not permitted to do so. The people I will inform about pick-up permission include: (school), (daycare), (babysitter), (Sunday school teacher), (teacher), (coach) and (others)
- I can inform _____ that my partner no longer resides with me and they should call the police if he is observed near my residence.

Step 4: Safety with a protection order: Many violent men obey protection orders, but one can never be sure which man will obey and which will violate protection orders. I recognize that I may need to ask the police and the courts to enforce my protection order.

The following are some steps that I can take to help the enforcement of my protection order:

- I will keep my protection order ___(location) _____. (Always keep it on or near your person. If you change purses, that's the first thing that should go in.)
- I will give my protection order to police departments in the community where I work, in those communities where I usually visit family or friends, and in the community where I live.
- There should be a registry of protection orders that all police departments can call to confirm a protection order. I can check to make sure that my order is in the Protection Order Registry. The telephone number for the Protection Order Registry is _____.
- I can call the local police if I am unsure about the previous points or if I have some problem with my protection order.
- I will inform my employer, my minister, my children's school, my closest friend and _____ and _____ that I have a protection order in effect.
- If my partner destroys or breaches my protection order, I can call the police and report a violation, contact my attorney, call my advocate, and/or advise the court of the violation.

- If the police do not help, I can contact my advocate or lawyer and will file a complaint with the chief of the police department.
- I can also call the VAWIR advocate to help me file a private criminal complaint with the justice of the peace in the jurisdiction where the violation occurred or with crown counsel. I can charge my violent partner with a violation of the protection order and all the crimes that he commits in violating the order.

Step 5: Safety on the job and public. Each woman must decide if and when she will tell others that her partner has assaulted her and that she may be at continued risk. Friends, family and co-workers can help to protect mothers. Each woman should consider carefully which people to invite to help secure her safety.

I might do any or all of the following:

- I can inform my boss, the security supervisor and _____ at work of my situation.
- I can ask _____to help screen my telephone calls at work.
- When leaving work, I can _____.
- When driving home if problems occur, I can _____.
- If I use public transit, I can _____.
- I can use different grocery stores and shopping malls to conduct my business and shop at hours that are different than those when residing with my violent partner.
- I can also _____.

Step 6: Safety and drug or alcohol use. Most people in this culture use alcohol. Many use mood-altering drugs. Much of this use is legal and some is not. The legal outcomes of using illegal drugs can be very hard on a mother who has been assaulted. They may hurt her relationship with her children and put her at a disadvantage in other legal actions with her violent partner. Therefore, woman should carefully consider the potential cost of the use of illegal drugs. But beyond this, the use of any alcohol or other drugs can reduce a woman's awareness and ability to act quickly to protect herself from her violent partner. Furthermore, the use of alcohol or other drugs by the violent partner may give him/her an excuse to use violence. Therefore, in the context of drug or alcohol use, a woman needs to make specific safety plans.

If drug or alcohol use has occurred in my relationship with the violent partner, I can enhance my safety by some or all of the following:

- If I am going to use, I can do so in a safe place and with people who understand the risk of violence and are committed to my safety.
- I can also _____.
- If my partner is using, I can _____.
- I might also _____
- To safeguard my children, I might _____ and _____.

Step 7: Safety and my emotional health. The experience of being assaulted and verbally degraded by partners is exhausting and emotionally draining. The process of building a new life for myself takes much courage and incredible energy.

To conserve my emotional energy and resources and to avoid hard emotional times, I can do some of the following:

- If I feel down and ready to return to a potentially abusive situation, I can _____.
- When I have to communicate with my partner in person or by telephone, I can _____.
- I can try to use "I can …"statements with myself and to be assertive with others.
- I can tell myself "…." Whenever I feel others are trying to control or abuse me.
- I can read to help me feel stronger.
- I can call _____ and _____ as other resources to be of support to me.
- Other things I can do to help me feel stronger are _____, and _____.
- I can attend workshops and support groups at the VAWIR program or _____, or to gain support and strengthen my relationships with other people.

Step 8: Items to take when leaving. When mothers leave partners, it is important to take certain items with them. Beyond this, mothers sometimes give an extra copy of papers and an extra set of clothing to a friend just in case they have to leave quickly.

Items with an asterisks on the following list are the most important to take. If there is time, the other items might be taken, or stored outside the home.

These items might best be placed in one location so that if a mother has to leave in a hurry, she can grab them quickly.

When I leave, I should take:

*Identification for myself		*Medications		Work permits	
*Birth certificates for me and my children		Income assistance information		Bank statements and books	
*Social insurance cards		*Keys – house/car/office		Insurance papers	
*Healthcare cards for self and children		*Driver's license and registration		Small saleable objects	
*School and vaccination records		Passport(s)		Pictures	
*Money/ Credit cards		Medical records – for all family members		Address book	
*Chequebook, ATM card		*Immigration/divorce/separation/custody papers		Jewellery	
Items of special sentimental value		Lease/rental agreement, house deed, mortgage payment book		Children's favorite toys and/or blanket	

Telephone numbers I need to know:

Police department – at home, school and office	9-1-1 or
Transition House	

VAWIR program or counselor	
Protection Order Registry (Victim LINK)	1-800-563-0808 Victim LINK
Work number	
Supervisor's home number	
Minister	
Helpline for Children	310-1234
Other (e.g. interpreter, lawyer)	

Safety Planning for Children's Unsupervised Visitation Arrangements

Barbara Hart recommends that in cases where there has been spousal or child abuse, there should be safety planning for unsupervised visits to help children manage their fear and anxiety, and to minimize the risk of violence during visitation. Professionals should help children identify safety issues and build problem-solving skills. Safety plans for children should be realistic, simple, and age-appropriate. Possible safety strategies to empower children include:

(1) To provide information beforehand on how to handle queries about their mother's activities

(2) How to avoid situations (place, time, circumstance) of prior violence

(3) How to phone home, including making long distance calls or using operator assistance

(4) How to obtain emergency assistance, e.g., 911

(5) Escape logistics

(6) How to manage an intoxicated parent

(7) What to do if they are kidnapped.

Safety plans for children should be developed with the non-abusing parent and the child, and should be rehearsed. ("Spousal Violence In Custody And Access Disputes: Recommendation for Reform"; p. 60; Nicholas Bala et al; March 1998)

Appendix 5: Assessing for Violence Against Mothers in Relationships before Conducting Family Group Conferences or Mediation

Determining if violence is present in the lives of mothers before deciding to use a family group conference or mediation or other form of family meeting is important for mother's safety and for the success of the conference or mediation. Failure to address violence against mothers in child welfare cases can compromise the safety of victims and children. Some questions that might help mothers identify whether they are in an abusive relationship include:

1. **Controlling, coercive, and threatening tactics**
   - Does your partner prevent you from visiting friends and family?
   - Does your partner prevent you from going to school or work?
   - Does your partner tell you what to wear, what to do, where you can go, or whom you can talk to?
   - Does your partner control the household income?
   - Does your partner follow you to "check up" on you or check the mileage on your car?
   - Does your partner telephone you constantly while you are at work or home?
   - Does your partner give you threatening looks or stares when he does not agree with something you said or did?

2. **Verbal, emotional, sexual, or physical abuse**
   - Does your partner call you degrading names, put you down, or humiliate you in public or in front of friends or family?
   - Does your partner blame you or tell you that you are at "fault" for the abuse or any problems you are having?
   - Does your partner deny or minimize his abusive behaviors towards you?
   - Has your partner ever destroyed your personal possessions? Broken or destroyed household items?
   - Has your partner ever pushed, kicked, slapped, punched, or choked you?
   - Has your partner ever threatened to kill or harm himself, you, the children, or a pet?
   - Has your partner ever threatened you with a weapon or gun? Does your partner have access to a dangerous weapon or gun?
   - Has your partner ever been arrested for a violent crime or behaved violently in public?
   - Has your partner ever forced you to commit illegal activities, use illegal drugs, or abuse alcohol?
   - Has your partner ever forced you to engage in unwanted sexual activity or practices (e.g., pornography, multiple sexual partners, prostitution)?

3. **Risks and impact on the adult victim**
   - How has your partner's abusive behavior affected you?
   - Do you suffer from anxiety or depression (resulting from your partner's behavior towards you or your children)?
   - Do you have difficulty sleeping, eating, concentrating, etc. (resulting from your partner's behavior towards you or your children)?
   - Do you suffer from headaches, stomachaches, breathing difficulties, or other health problems?
   - Have you had to seek medical assistance for injuries or health problems resulting from your partner's violence?
   - Have you been physically assaulted during pregnancy? Have you suffered prenatal problems or a miscarriage as a result of the abuse?
   - Do you abuse alcohol or other substances?

- Have you ever been hospitalized for a mental illness? Do you have a mental health diagnosis? Are you taking psychotropic medication?
- Have you ever thought about or tried to hurt yourself or someone else?

4. **Risks and impact on the children**
   - Has your partner called your children degrading names or verbally threatened them?
   - Has your partner ever threatened to make a report to child welfare, take custody of the children, or kidnap the children?
   - Does your partner physically discipline or touch the children in a manner that you don't agree with or that makes you uncomfortable?
   - Has your partner ever asked the children to report your daily activities or to "spy" on you?
   - Has your partner ever forced your children to watch or participate in his abuse of you?
   - Has your partner physically hurt you in front of the children?
   - How do you think the violence at home affects your children?
   - Do your children exhibit problems at school or at home (e.g., sleeping and eating difficulties, difficulty concentrating in school, aggressive behaviors)?
   - Have your children ever intervened in a physical or verbal assault to protect you or to stop the violence?
   - Do your children behave in ways that remind you of your partner?
   - Has a school or daycare center ever contacted you regarding behavioral problems of your children?

5. **Help seeking and protective strategies**
   - Have you told anyone about the abuse? What happened?
   - Have you ever left home because of the abuse? Where did you go and what happened?
   - Have you ever called the police or 911? What was their response?
   - Have you ever filed a restraining order or criminal charges? What was your partner's response?
   - Have you ever used a violence against women shelter or services?
   - Have you fought back? What happened?
   - How do you survive the abuse?
   - What have you tried to keep you and your children safe from your partner?
   - What has made it difficult for you to keep you and your children safe?
   - How will your partner react if he finds out you talked with me? [41]

Note that the responses to some of the above questions for example: "Does your partner blame you for any problems you are having?" may not, in isolation, provide sufficient information to indicate that violence is occurring in the home. These need to be considered with other responses in order to assist with an accurate assessment.

[41] Ganley, A. L., & Schechter, S. (1996). Domestic violence: A national curriculum for child protective services. San Francisco, CA: Family Violence Prevention Fund; Massachusetts Department of Social Services' Domestic Violence Protocol. (1995). Unpublished practice protocol, Massachusetts Department of Social Services, Boston, MA; Bragg. L. (1998). Domestic violence protocol for child protective services intervention. Charlotte, NC: Mecklenburg County Department of Social Services.

Appendix 6: Risk Factors

These Risk Factors are associated with decreased safety for mothers and their children. These factors are consistent with the risk factors included in B-SAFER assessment that police in British Columbia will be considering when carrying out violence against women investigations and assessing victims' safety. This information will be forwarded to Crown Counsel and used when making decisions regarding the criminal justice response to the abusive man. Child welfare workers need to be aware of these Risk Factors and provide any information they receive in relation to them to police and Crown to ensure that their interventions are appropriate. (B-SAFER = Brief Spousal Assault Form for the Evaluation of Risk.)

The child welfare assessment and service planning should include an analysis of any risk factors presented by the abusive man, the child's degree of exposure and resilience, protective factors, and supports available in the community.

Summary of Offender Threat Factors (associated with decreased safety)
The following risk factors are adapted, with permission, from *Evidenced – based, Risk- focused Domestic Violence Investigations Training for BC Police,* Public Safety and Solicitor General (2009).

Child welfare workers need to be aware of these risk factors and consider them when assessing the mother and child's safety.

This icon indicates a risk factor associated with the greatest potential for LETHAL violence.

This icon indicates a risk factor that if present must be included (at a minimum) in the documentation for Protective Intervention Order pursuant to the CFCS Act, section 28.

Suspect's Criminal Violence History

- Does the abusive man have a history of threats, violence, sex assaults, and criminal harassment towards anyone? *Note: One of the most common research findings is that abusive men with a history of violence are much more likely to engage in future violence.

Violence against women History

- Is there a history of stalking violence or abusive behaviour in an Intimate Partner Relationship?
- Is there any history of threats or actual violence or abusive behaviour against children, other family members, friends, co-workers or family pets?
- Is there any history of stalking, threats or violence against intimate partners of the victim?

Attitudes that Support or Condone Violence

- Does the abusive man engage in extreme minimization or denial of the abuse?
- Does the abusive man blame the victim for the abuse or believe in the right to control his partner through violence and coercion?
- Does the abusive man demonstrate an attitude of entitlement and privilege?

Court Orders

- Has the abusive man ever violated a Court Order including Protective Intervention Orders pursuant to section 28, *CFCS Act* or any no-contact conditions under the *Family Relations Act*?
- Is the abusive man presently bound by any Court Orders?

Alcohol/Drugs

- Does the abusive man have a history of drug or alcohol abuse?

Employment Instability

- Is the abusive man unemployed or experiencing financial problems?

Mental Illness

- Does the abusive man have a history of mental illness (e.g. depression or paranoia)?

Suicidal Ideation

- Has the abusive man threatened or attempted suicide? (If YES, when and how?)

Weapons/Firearms (Used or Threatened?)

- Has the abusive man used or threatened to use a firearm or weapon (knives, household objects, golf clubs etc.) against the complainant, family member, children or an animal?

Access to Weapons/Firearms

- Does the abusive man have access to weapons/firearms?

Victim's Perception of Personal Safety

- Does the victim believe the abusive man will disobey terms of release particularly a no contact order?

Victim's Perception of Future Violence

- Does the victim fear further violence?
- What access is there to the victim and what is the basis of the victim's fear?

Current Status of the Relationship

- Is there past, recent or pending separation in the relationship or custody dispute? *Note: Social science experts say that where there are controlling coercive behaviours, the intensity and lethality of violence often escalates after the victim leaves the relationship, seeks outside support including child welfare interventions or seeks to minimize the children's exposure by applying for custody under the *Family Relations Act*.

Escalation in Abuse

- Is there escalation in the frequency/intensity of violence or abuse towards the victim, children, family members, a pet or another person?

Children Exposed

- Has the abusive man exposed the children to abuse of the victim?
- Have the children been exposed to the aftermath of violence? (E.g. Arrest of the abusive man or injuries of the victim).
- Has the abusive man engaged the children in abuse of the victim or incited the children to use violence toward the victim?
- Has the abusive man ever mistreated the children or deliberately endangered them to intimidate or retaliate against the victim?

Threats

- Has the abusive man ever threatened to kill or harm the victim, a family member, another person, children or a pet?

Forced Sex

- Has the abusive man ever forced sex on the victim?

Strangling, Choking or Biting

- Has the abusive man ever strangled, choked or bitten the complainant?

Stalking

- Has the abusive man displayed jealous behaviours, stalked or harassed the victim or a previous intimate partner?

Information on Relative Social Powerlessness

- Are marginalization factors present (i.e. drugs, alcohol, pregnancy, disabilities etc)?
- Are cultural factors present (i.e. family pressures, religious beliefs, gender inequality, etc.)?[42]

[42] Adapted by MacPherson, Colleen (2009) **Domestic Violence Assessment and Case Planning Resource**

Appendix 7: Working with Abusive Men

Invitations to Responsibility by Alan Jenkins:

- Discover and clarify his goals for his relationship.
- Do not allow him to attribute responsibility for his violence to factors beyond his influence.
- Invite him to accept responsibility for his actions.
- Acknowledge and highlight evidence of his acceptance of responsibility.
- Apologize for interruptions when he attempts to avoid responsibility.
- Acknowledge that it takes a lot of courage to face up to the fact that he really hurt someone he loves.
- Many men deeply regret hurting their loved ones and want to stop it, but most of them find it too difficult to face up to what they have done, to look it in the eye so they can do something about it, let alone talk to a social worker about it.

Suggested questions that may guide the interview:

- Do you want your relationship to include violence or do you want a violence-free relationship?
- Do you want a relationship in which your partner feels safe with you or frightened of you?
- How did you come to this decision?
- Have you made a decision like this before?
- How is it different this time?
- What sort of plans have you made?
- Would you like to be able to handle any argument without resorting to violence?
- Even if your partner is unreasonable?
- Even if you feel provoked?
- Are you sure? Some men think that there are certain things a woman deserves to be hit for. Some men think a wife won't respect a husband who doesn't hit her occasionally.
- How important is it to you to have a relationship based on genuine respect and trust?
- What do you think will happen if you continue with violence in your relationship?
- I am wondering more about what has stopped you from finding ways to develop the kind of relationship you want – one which is not violent but caring and respectful?
- How has your partner tried to live with the violence?
- What has she needed to do?
- Who has worked hardest to try to control or prevent violence in the past?
- Can you remember a time when you took action to stop/prevent violence yourself?
- Can you remember a time when you took a stance against your own violence and did not expect your partner to do it for you?
- Could you handle a relationship in which your partner says what she really thinks, or do you need her to look after your feelings by saying what she thinks you want to hear?
- How could you prove to yourself and to them that no matter how hurt or angry you feel, you can handle let-downs, differences, or arguments without resorting to violence or abuse?
- How would you know if anyone in the family was feeling scared of you?
- What would you need to do to reassure them that they are safe?

Appendix 8: Effects of Violence Against Mothers on Children

Children who live in situations where they are exposed to violence against their mother can experience a range of impacts. They can experience short and long-term emotional, behavioral and developmental problems, including post-traumatic stress disorder.

In 6 out of 10 cases of physical and sexual abuse, the victims have considerable problems with behaviour, negative peer involvement, depression, and anxiety, violence to others, developmental delays, irregular school attendance, and inappropriate sexual behaviour. It is now known that witnessing family violence can as harmful as experiencing it directly for some children. Often parents believe that they have sheltered their children from violence against their mother, but research shows that children see or hear some 40% to 80% of it.

A useful resource for child welfare workers on Interventions for Children related to Domestic Violence, published by BC Children's and Women's Hospitals can be accessed at:
http://www.bcsth.ca/sites/default/files/A%20Guide%20For%20Professionals.pdf

Impact on Children of Being Exposed to Abuse of their Mother

A careful assessment of each child or youth is extremely important as not all children and youth who witness violence against their mothers show immediate consequences. Although not all children and youth who witness the abuse experience extreme stress, there are common emotional and behavioural impacts that children and youth may develop in response to this exposure.[43] Emotional and behavioural problems such as depression, worry, problems in school, withdrawal from social interactions, and aggression against peers, teachers and mother are seen at elevated rates (between 10 and 17 times greater) than in children and youth from non-violent homes. Levels of emotional and behavioural problems for children and youth who witness abuse is similar to those of children and youth who are themselves physically abused.[44]

There is evidence to show that for most children and youth there will be substantial improvements in behaviour and emotional states if the child or youth ceases to live with the abusive parent and that therapy for the child or youth is often helpful.[45] As a least disruptive measure, keeping the children and/or youth with their non-abusing mothers in a safe environment is desirable wherever possible.[46] Supporting the mother, without victim blaming, is essential for good outcomes.

In a recent *Summary of Expert Testimony on the Impact of Children of Witnessing Domestic Violence,*[47]Dr. Evan Stark cited studies which demonstrated that, among children exposed to the most severe domestic violence, well over 80 percent, and sometimes over 90 percent, tested psychologically normal, were self-confident, had positive images of themselves, were emotionally well off and that profound clinically significant problems abate after a relatively short time of being safe (Tr. 1556).

[43] Family Services of Greater Vancouver. (2007). *Children Affected by family violence program.* pamphlet. BC: Family Services of Greater Vancouver.
[44] National Clearing House on Family Violence. Wife Abuse – The Impact on Children. Public Health Agency of Canada. http://www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/html/femviofnfnts_e.html
[45] Spousal Violence in Custody and Access Disputes: Recommendations for Reform, Bala et al, March 1998).
[46] A Handbook for Health and Social Service Providers and Educators on Children Exposed to Woman Abuse/Family Violence; Minister of Public Works and Government Services Canada, 1999
[47] National Coalition for Child Protection Reform, When Children Witness Domestic Violence: Expert Opinion, 2007, http://www.nccpr.org/index_files/page0007.html

Dr. Stark testified that "for those children who are in homes where there is violence against women, disruption of the bond [between the child and non-abusing parent] can be even more traumatic than situations where there is no violence against women". Another expert testified that "when a child is separated from a mother because of domestic violence, the separation is even more traumatic because the child "is terrified that a parent might not be OK, may be injured, may be vulnerable…".

Factors contributing to a child or youth's ability to cope

It is important to be able to identify the factors that contribute to the impact a child or youth experiences to know how to best address their needs.

Factors contributing to a child or youth's ability to cope	Factors contributing to the severity of a child or youth's responses
• The child or youth's own ability to handle stressful situations. This may be influenced by the type of attachment developed at an early age.	• The type of attachment developed with the child or youth's caregiver(s)
• The availability of a support system within the family structure	• The type and severity of the abuse they are exposed to
• The availability of a support system outside the family structure	• How often the abuse occurs and how long it has gone on
• Strong relationships with friends	• If the child is also being abused
• Involvement in extracurricular school activities or cultural activities	• If the child or youth is also exposed to more violence in the community, on TV, and in video games
• The mother's responses to the violence and the supports she receives.	• If the child or youth has other stresses at home and at school.

Appendix 9: Safety Considerations for Child Welfare Workers

In general, people experience apprehension when confronted by a violent situation or person. Domestic violence situations can potentially result in serious harm, injury, or death for anyone involved. Therefore, it is common for child welfare workers to have feelings of fear or discomfort when they receive a file involving violence against women. Some workers think they lack the necessary knowledge and experience to address the dynamics involved in violence against women, while others may find that their own personal history or beliefs regarding abuse provoke feelings of distress or anger.

In addition to the above uncertainties, some child welfare interventions can incite a violent confrontation because they threaten the abusive man's control and authority over the home and family members. Since violence is already a dynamic in many of these families, other members (such as teenagers or the adult victim) also may resort to violence when interacting with others, including child welfare workers. Specific situations and child welfare procedures that can increase risks to workers, victims, and children include:

- Preparation by the mother to leave the relationship seeks shelter, initiate divorce proceedings or obtain a restraining order
- Receipt by the abusive man of documentation with allegations of neglect or abuse or information about how child welfare will continue to be involved with the family
- Allegations made directly to the abusive man regarding violence against the mother or child maltreatment
- Requests by the abusive man for information regarding the victim and children's location
- Activities involving the children's removal from the home
- Release of the abusive man from jail or confrontation with serious criminal charges and possible incarceration.

Steps to Enhance Child welfare worker Safety

Abusive men frequently engage in manipulative behaviour to escape detection of and the consequences for their violent and abusive behaviours. When abusive men sense that calculating tactics such as charming or colluding with the worker are not effective, they may resort to threatening behaviours to intimidate workers into decreasing their involvement with the family. For example, the abusive man may stare intently at the worker or act agitated by pacing the floor during an interview. Some abusive men even make subtle threats to "make trouble" for workers by calling their supervisor or warning them to "watch their back." Such actions should be documented in the file and discussed with the team leader. If child welfare workers are confronted by an aggressive abuser or are uncomfortable with a potentially hostile situation, they should consult with their team leader to discuss ways in which they can protect themselves. Recommendations to enhance worker safety include:

- Conducting meetings or interviews with the abusive man in the office or in a public place. If this is not possible, ask a co-worker, team leader, or police officer to be present during any interaction with the abusive man
- Being aware of the surroundings when leaving the office or home and parking in a safe place
- Notifying coworkers or a team leader that a potentially dangerous client is visiting the office. Provide the time and place of the interview. If possible, try to have a building security officer nearby
- Notifying co-workers or a team leader of the exact location and expected time frame when visiting an abusive man in the home

- Ensuring accessible exits when meeting with the abuser
- Attempting to avoid verbal confrontations or debates with the abusive man as this may escalate the situation
- Refraining from giving the abusive man the sense that one is afraid. Workers who feel threatened should try to de-escalate the situation by explaining that the abusive man's anger is misplaced and child welfare simply wants to help the family. Workers should then immediately end the interview or visit
- Informing the mother if their partner's anger has escalated, posing a risk to her or the children. Engage in safety planning to address possible harm to the mother, children, or worker.

Team leaders can ensure that child welfare workers have access to cellular telephones, trauma debriefings, and worker safety planning efforts. Enhanced building security, secure meeting space, and protocols requesting police assistance should also be provided to staff.

The Role of the Team Leader in Supporting Child welfare workers

Team leaders may not have frequent or direct contact with families where the mother is experiencing violence from her partner, but they have an instrumental role in ensuring families have safe outcomes. Team leaders play a critical part in establishing the office culture that prioritizes files involving violence against mothers. Team leaders can set a positive example by attending agency and community-based violence against mothers trainings; participating on interagency committees and advisory boards; and advocating for violence against mothers protocols, resources, and assistance for staff. Further, by staying current on salient issues involving overlapping violence against mothers and child maltreatment, team leaders can assist child welfare workers by remaining sensitive to the needs of these families and ensuring competent strength-based practice.

Supporting and encouraging collaborative relationships

Team leaders should encourage child welfare workers to partner with service providers and other community agencies that can offer additional consultation on violence against mother's assessment and intervention. Team leaders also can encourage workers to access violence against women resources and work with their anti-violence colleagues, which might be located for guidance and assistance. Cross-training is another approach to foster collaboration between child welfare and anti-violence programs.

Promoting child welfare worker safety

Team leaders ought to provide support for child welfare workers who are intimidated or afraid of working with mothers experiencing violence and children exposed to their father's violence. Developing a worker safety plan, accompanying workers on home visits, or allowing workers to travel in pairs are several significant ways team leaders can enhance the safety of their staff.[48]

[48] Adapted from: *Caseworker Safety and Support in Child Protection Cases Involving Domestic Violence* By Child Welfare Information Gateway

Appendix 10: Sample Safety Service Plans

Example #1: Parents Recently Separated Plan for the Mother

PLAN FOR (Parent(s) name(s): Jane			
FOR THE TIME PERIOD:			
CHILD A: Jimmy	**Age: 7**	**CHILD B: Joanne**	**Age: 4**
CHILD C: Jake	**Age: 5**	**CHILD D:**	**Age:**

Safety factors to be addressed (list most serious issue)	Measurable outcomes required to enhance safety	Strategies/services required to achieve outcomes	Review Date
Violence Against Mother 1. The parents have recently separated but continue to have contact. At times, the contact results in arguments about issues such as reuniting, visiting with and caring for the children, finances, housing etc. Jane states she is trying to deal with these issues which has resulted in: • Occasions when the children do not have adequate clothing, do not receive meals at normal meal times when children are hungry, and times when Jane is not able to respond positively to children's need for attention • Periods of time when the children are unsupervised	Jane can identify the names and telephone numbers of two people and/or two community services that she can call for information and support, and to advocate on her behalf with these issues. Jane can identify and know how to contact a community program that is available to provide support to single mothers and children. Jane will access a program weekly. Jane can describe a daily routine that meets the children's physical and emotional needs. For one week mother will keep a log documenting what is working and what is not.	Family support worker to assist and monitor. Jane will continue to access the clothing bank through the Salvation Army at her 3 month allotted times. Family support worker to discuss with mother ways in which the children's physical and emotional needs can be met.	Weekly for 3 months

	Jane can identify one or two people or services available to give her respite, relief or babysitting for the children. Jane will access this support at least once a week in order to provide some time for herself. The children will always be supervised by a responsible adult.	Jane has used her friends from church in the past for babysitting and will continue doing so since they have offered to be available twice a week to watch the children. Jane has found it helpful in the past to make lunches for the children the evening before and this is a strategy she will try to do more often during the week. When Jane and the children do fun activities together she finds that she is more able to be there for them emotionally. Given this she will work towards doing one fun activity with the children each week.	
2. Conflict and potential for violence is present during transition time when the children go to or return from a visit with their father.	Jane has a written plan that addresses: • How and when she and her ex-spouse will have contact • when the children will have access visits with their father and where and how the transition will occur Jane is safe when she has contact with John. Jane is able to express her worries about the children to John.	Family support worker to assist and monitor. Family violence prevention worker to assist in the development of the written plan. On a few occasions Jane has used email to make arrangements with the father for his visits; this has been very helpful in terms of her safety. She will be sure to include this in her plan.	Bi-weekly for 3 months

Children Jimmy is exhibiting aggressive behaviour at school with his female classmates. He is also defiant with his teacher. His aggressive and defiant behaviour is similar to his father's although not as violent.	Jimmy is able to communicate with his classmates in a respectful manner.	Weekly attendance at a Children Who Witness Abuse Program	Weekly
	Jimmy is able to settle disputes peaceful manner using a respectful tone and keeping his hands to himself.	As above	
	Jimmy complies with teacher's requests and is able to follow classroom "rules".	As above	
	Jimmy is able to express his feelings about his father's violent behaviour.	The teacher has found it helpful for Jimmy to help him identify his feelings and talking about some things he can do to calm down. Jane would like to start doing this and will discuss how to best incorporate it into her parenting with her Family Support worker	2 weeks
Jake is having difficulties sleeping and awaking frequently due to "bad dreams". He has told his brother that it's his fault that his father hits his mother because he "steals" cookies and wets his bed.	Jake is able to express his feelings about his "bad dreams" with an adult who works with children who have been exposed to violence.	Attendance at Children Who Witness Abuse Program.	Weekly
	Jake knows and is able to say that he is not responsible for his father's violent behaviour.	As Above	
	Jake is able to see his mother react in a non-violent way to his behaviour.	Mother to speak with Children Who Witness Abuse program counselor regarding helpful ways of responding to Jake's "stealing".	2 weeks
	Jake to sleep through night without wetting his bed.	Medical examination by doctor to determine if there is a medical reason for Jake's bedwetting.	3 weeks
		Mother and doctor to develop a schedule to reduce the likelihood of Jake's bedwetting e.g. limiting Jake's intake of liquids before bed time.	3 weeks

Example #1: Parents Recently Separated Plan for Father

PLAN FOR (Parent(s) name(s): John			
FOR THE TIME PERIOD:			
CHILD A:	**Age:**	**CHILD B:**	**Age:**
CHILD C:	**Age:**	**CHILD D:**	**Age:**
Safety factors to be addressed (list most serious issue)	**Measurable outcomes required to enhance safety**	**Strategies/services required to achieve outcomes**	**Review Date**
Violence against partner 1. As John has abused Jane to the point of hospitalization in the past, concern exists about Jane's safety as well as the impact upon the children.	John accepts responsibility for his violence towards Jane. John can describe the feelings he has before his abusive behaviour occurs and the strategies he has learned to assist him in eliminating his emotional, verbal and physical abusive behaviour. John identifies at least one person whom he can call if he feels that he might not be able to control his anger towards Jane.	Attendance at all of the sessions for counselling violent partners for a minimum of 6 months. Pertinent information is available to child welfare worker.	Monthly
2. The parents have recently separated but continue to have contact. At times, the contact results in arguments about issues such as reuniting, visiting with and caring for the children, finances, housing, etc.	Jane is injury free following interactions with John. Jane is safe expressing her opinion to John. John only refers to Jane by her given name.		Bi-weekly

	John complies with conditions imposed by the violent partner program counsellor. (Copy to be attached to this plan.) John complies with the agreed upon visitation arrangements with Jane and the children. (Copy of this arrangement to be attached to this plan.) John complies with conditions outlined in this probation order. (Copy to be attached to this plan.)	Conditions to be reviewed by John, the welfare worker, probation officer and "violent partner" program counsellor at regularly scheduled meetings. Copy of this plan to be given to the probation officer and "violent partner" program counsellor. Any non compliant behavior is reported to the probation officer. John has recently started using email to communicate with Jane which has helped to minimize the conflict. It is helpful for John to wait a few minutes before sending an email as it helps him to re-think what he has written and gives him the opportunity to respond in a more respectful manner.	

Example #2: Parents Staying Together Plan for Mother

PLAN FOR (Parent(s) name(s): Jane			
FOR THE TIME PERIOD:			
CHILD A: Jimmy	**Age: 7**	**CHILD B: Joanne**	**Age: 4**
CHILD C: Jake	**Age: 5**	**CHILD D:**	**Age:**
Safety factors to be addressed (list most serious issue)	**Measurable outcomes required to enhance safety**	**Strategies/services required to achieve outcomes**	**Review Date**
Violence Against Mother John has physically assaulted Jane in the past. They both want to continue the relationship, which means that the children may become involved in a physical fight between their parents, or be exposed to their parents fighting.	Jane will increase the safety for herself and her children by developing a safety plan that includes: 1) making a list of important phone numbers for herself and her children 2) Identifying two people she can tell about the violence and ask them to call the police when necessary. 3) Listing three different places that she and the children can go should they leave the home. 4) Leaving extra money, keys, clothes and documents with a person she has identified with the social worker. 5) Making a list of things she will bring should she leave. 6) Keeping change for a phone call at all times and rehearsing an escape route with a support person.	Family violence prevention worker. Children attending all sessions of a Children Who Witness Abuse Program.	Monthly or as often as needed by Jane.

	Jane can acknowledge her partner's responsibility for the violence and articulate the impact that it has upon herself and her children. Jane will comply with the agreed upon conditions outlined in the Order of Supervision.	Weekly counselling sessions with a family violence prevention worker. Meetings with child welfare worker.	Weekly Bi-weekly
Children The children have said that they are afraid when their father is violent. They want their mother to stop making him angry. They want to protect their mother but don't want to be hit by their father.	The children will have a safety plan that they can follow when their father becomes violent. It will include: where they can go; who they can call; what they should and shouldn't do and say. The children know and can say that their father is responsible for his violence.	Weekly attendance at a Children Who Witness Abuse Program.	Bi-weekly

Example #2: Parents Staying Together Plan for Father

PLAN FOR (Parent(s) name(s): John			
FOR THE TIME PERIOD:			
CHILD A:	**Age:**	**CHILD B:**	**Age:**
CHILD C:	**Age:**	**CHILD D:**	**Age:**
Safety factors to be addressed (list most serious issue)	**Measurable outcomes required to enhance safety**	**Strategies/services required to achieve outcomes**	**Review Date**
John has physically assaulted Jane in the past. They both want to continue the relationship, which means that the children may be involved in a physical fight between their parents or be exposed to them fighting.	John admits his violence and accepts responsibility for it. John can describe the feelings that he has before he becomes violent.	John attends a weekly counselling program for violent partners for a minimum of 6 months. Pertinent information arising from the sessions is available to child welfare worker.	Monthly
	John can describe strategies he will use to avoid his verbal, emotional and physical abuse of Jane including leaving the house voluntarily. Each week, John will describe two events that angered him, which strategies he used and their effectiveness in managing his anger and behaviour. John identifies at least one person whom he can call when he feels that he might not be able to control his anger.	John attends mental health counselling weekly for 2 months initially. Pertinent information arising from sessions are available to child welfare worker.	Bi-weekly
	John complies with the agreed upon conditions outlined in the Order of Supervision.	Meetings with child welfare worker for duration of order of supervision.	Weekly