

# SPOUSAL ABUSE: A FACT SHEET FROM THE DEPARTMENT OF JUSTICE CANADA

- [WHAT IS SPOUSAL ABUSE?](#)
- [HOW WIDESPREAD IS SPOUSAL ABUSE IN CANADA?](#)
- [WHAT FACTORS CONTRIBUTE TO SPOUSAL ABUSE?](#)
- [WHAT ARE THE CONSEQUENCES OF SPOUSAL ABUSE?](#)
- [PREVENTING AND RESPONDING TO SPOUSAL ABUSE](#)
- [SUGGESTED RESOURCES ON SPOUSAL ABUSE](#)
- [WHERE TO GET MORE INFORMATION ON SPOUSAL ABUSE](#)

## WHAT IS SPOUSAL ABUSE?

"Spousal abuse" refers to the violence or mistreatment that a woman or a man may experience at the hands of a marital, common-law or same-sex partner. Spousal abuse may happen at any time during a relationship, including while it is breaking down, or after it has ended.

There are many different forms of spousal abuse, and a person may be subjected to more than one form.

**Physical abuse** may consist of just one incident or it may happen repeatedly. It includes using physical force in a way that injures someone - or puts them at risk of being injured- including beating, hitting, shaking, pushing, choking, biting, burning, kicking, or assaulting with a weapon.<sup>1</sup> Other forms of physical abuse may include, for example, rough handling, confinement, or any dangerous or harmful use of force or restraint.

**Sexual abuse and exploitation** includes all forms of sexual assault, sexual harassment or sexual exploitation.<sup>2</sup> Forcing someone to participate in unwanted, unsafe or degrading sexual activity, or using ridicule or other tactics to try to denigrate, control or limit their sexuality or reproductive choices is sexual abuse.

**Emotional abuse** includes verbal attacks, such as yelling, screaming and name-calling. Using criticism, verbal threats, social isolation, intimidation or exploitation to dominate another person are other forms of emotional abuse. Criminal harassment or "stalking" may include threatening a person or their loved ones, damaging their possessions, or harming their pets.<sup>3</sup>

**Economic or financial abuse** includes stealing from or defrauding a partner.<sup>4</sup> Withholding money that is necessary to buy food or medical treatment<sup>5</sup>, manipulating or exploiting a person for financial gain, denying them access to financial resources, or preventing them from working (or controlling their choice of occupation) are also forms of economic abuse.

**Spiritual abuse** includes using a person's religious or spiritual beliefs to manipulate, dominate or control them. It may include preventing someone from engaging in spiritual or religious practices, or ridiculing their beliefs.

Abusive partners may use a number of different tactics to try to exert power and control over their victim. Abuse is a misuse of power and a violation of trust. The abuse may happen once, or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.

[Top](#)

## HOW WIDESPREAD IS SPOUSAL ABUSE IN CANADA?

It has been difficult to obtain a complete picture of the full extent of spousal abuse in Canada because it often remains hidden. A person who is being abused may endure the abuse for a long time before seeking support. Some victims never tell anyone about the abuse. A person who is being abused may be reluctant - or unable - to talk about or report abuse for many different reasons. For example, they may be emotionally attached to the abusive partner or have strong beliefs about keeping their relationship or family together. They may fear that the abuser will retaliate (against them or their loved ones) or they may fear being stigmatized by others. They may be economically dependent on the abusive partner. They may live in an isolated area, or be socially isolated from others. They may face communications, language or cultural barriers. They may feel ashamed or powerless and lack access to information, resources and support.

In particular, victims may be reluctant to involve authorities because they:

- do not want the abuser to be removed from the home, go to jail or have a criminal record
- do not believe that involving the criminal justice system will stop the abuse, or they
- do not believe that the criminal justice system can help or protect them.

Many cases of spousal abuse are still not reported to the police - although there are some signs that reporting is increasing.<sup>6</sup> The most complete information about the extent of spousal abuse in Canada comes from the [1999 General Social Survey on Victimization \(GSS\)](#).<sup>7</sup> This victimization survey asked almost 26,000 women and men in Canada about their experiences of abuse including experiences of violence and emotional abuse in their current or previous marriages and common law partnerships. According to the GSS, women and men experience similar rates of both violence and emotional abuse in their relationships. The survey found, however, that the violence experienced by women is tended to be more severe - and more often repeated - than the violence directed at men. For example, compared to men, women were:

- six times more likely to report being sexually assaulted

- five times more likely to report being choked
- five times more likely to require medical attention, as a result of an assault
- three times more likely to be physically injured by an assault
- more than twice as likely to report being beaten
- almost twice as likely to report being threatened with, or having a gun or knife used against them
- much more likely to fear for their lives, or be afraid for their children as a result of the violence
- more likely to have sleeping problems, suffer depression or anxiety attacks, or have lowered self-esteem as a result of being abused, and
- more likely to report repeated victimization.<sup>8</sup>

Some researchers have noted that the survey also found that women experience higher levels of certain types of emotional abuse. Compared to men, women:

- were four times more likely to report being threatened, harmed, or having someone close to them threatened or harmed
- were four times more likely to report being denied access to family income
- were more than twice as likely to report having their property damaged or their possessions destroyed
- reported a higher incidence of being isolated from family and friends, and
- reported a higher rate of name-calling and put downs.<sup>9</sup>

Homicide data reveals that women are also at higher risk of being killed by their husbands. In the past two decades, three times as many wives were killed by their husbands, as husbands killed by wives.<sup>10</sup> The rate of spousal homicide is much higher for Aboriginal women and men.<sup>11</sup>

No national data on the prevalence of spousal abuse in same-sex relationships is available, however, there is a growing body of research that indicates that spousal abuse is a serious problem among both lesbian and gay couples.<sup>12</sup>

[Top](#)

## **WHAT FACTORS CONTRIBUTE TO SPOUSAL ABUSE?**

There is no single, definitive "cause" of spousal abuse, and anyone - regardless of gender, age, race, ethnicity, education, cultural identity, socioeconomic status, occupation, religion, sexual orientation, physical or mental abilities or personality - may be vulnerable to being abused. Spousal abuse is a complex problem, and there are may be many different contributing factors - at the individual, relationship and societal level. Many experts, however, believe that spousal abuse is linked to inequalities among people in our society and to power imbalances in relationships.

There is increasing understanding recognition that a person's vulnerability to abuse may be increased by factors such as dislocation<sup>13</sup>, colonization<sup>14</sup>, racism, homophobia, disability, poverty, and isolation.<sup>15</sup> Aboriginal women, for example, are more likely to report being abused by a spouse.<sup>16</sup>

Lack of access to community services and supports, and to the criminal justice system, may further increase a person's vulnerability to being abused - or compound the effects of the abuse.

#### *Factors that increase risk*

Although they are not direct *causes* of abuse, recent statistics indicate that there are a number of factors that, alone or in combination, are associated with an increased risk of abuse. For example, some of the risk factors<sup>17</sup>, for both men and women, include:

- being a young person
- living in a common law relationship
- having a partner who periodically drinks heavily
- emotional abuse in the relationship (an important predictor of physical violence, and
- marital separation (women's risk of being killed increases after separation).

No statistical information is available at this time about factors that are associated with an increased risk of abuse for individuals in same-sex relationships.

[Top](#)

## **WHAT ARE THE CONSEQUENCES OF SPOUSAL ABUSE?**

Abuse may affect virtually every aspect of an abused person's life. It can harm their physical and mental health, their ability to work, and their relationships with their children and other loved ones. Being abused can destroy a person's sense of self-efficacy and self-worth. Substance abuse (alcohol or drugs), if used as a coping mechanism, may further endanger an abused person's health and well-being. In some cases, the consequences of abuse are fatal; some individuals are eventually killed by their abusive partners. According to police-reported data for 1999, more than 500 women and 100 men were either seriously injured or killed at the hands of their partners.<sup>18</sup>

Abuse can also be devastating for those who are not the intended target. Children who are exposed to violence in their homes may experience serious emotional, developmental, behavioural and academic difficulties. For example, children who are exposed to physical violence between adults or teenagers in the home are more likely to be physically (or indirectly) aggressive, have emotional disorders, be hyperactive, or engage in acts of vandalism.<sup>19</sup>

*Consequences for Abusers* Abusers are responsible for the violence and harm they

cause. In some cases, abusers may have been abused - or exposed to abuse - themselves. They may have learned that abusing others is a way to exert power and control. They may continue to abuse others even if it destroys their relationships or has other negative effects on their lives such as involvement in the criminal justice system. Some abusers eventually kill their victims and themselves.

### *Societal Consequences*

Spousal abuse has enormous economic implications for Canadian society. The first research study to estimate the costs of various forms of violence against women, including woman abuse in intimate relationships, found that this problem costs Canadian society an estimated \$4.2 billion per year in social services, education, criminal justice, labour, employment, health and medical costs. Criminal justice costs alone total an estimated \$871,908,583.00 per year.<sup>20</sup>

[Top](#)

## **PREVENTING AND RESPONDING TO SPOUSAL ABUSE**

In Canada, certain categories of abuse, such as assault, sexual assault and criminal harassment are crimes under the *Criminal Code of Canada*. In recent years, a series of amendments have been made to the *Criminal Code* to strengthen the laws related to spousal abuse (see Reforming the Law and Enhancing its Implementation below). In addition, a number of provinces have put in place specific family violence legislation that provides additional protective measures, such as emergency intervention orders, for victims of spousal abuse. Other non-legislative measures have been implemented including the introduction of mandatory charging policies, which require police in all jurisdictions to charge and all spousal abuse cases where there are reasonable grounds to do so, mandatory prosecution policies which require Crown prosecutors to prosecute in all cases where there is a reasonable likelihood of convictions, dedicated domestic violence courts<sup>21</sup>, victim/witness assistance programs, and mandatory counselling for offenders.

Given the extent of spousal abuse in Canada - as well as the complexity of this issue and its enormous impact - an effective response requires the ongoing commitment and collaboration of community members, practitioners and policy makers across Canada. Community services and support for victims, such as shelters, are essential.

The Department of Justice Canada, and its partners - including non-governmental organizations, provincial and territorial governments and the private sector - actively address spousal abuse issues through strategies that include legal reform, public and professional education, research, and support for programs and services. Much of this work is linked to the federal government's current [Family Violence Initiative](#) which focuses primarily on violence against women and children that occurs in the home. Other areas of activity include, for example, the

Aboriginal Justice Strategy, the Victims of Crime Initiative and the National Strategy on Crime Prevention and Community Safety.

### **Reforming the Law and Enhancing its Implementation**

The Department of Justice Canada is involved in an ongoing process of legal reform to strengthen the criminal justice system's response to spousal abuse. Examples of recent legislative reforms include:

- Bill C-15 re-introduced on March 14, 2001 (previously Bill C-36) proposes to amend the *Criminal Code* to increase the maximum penalty for criminal harassment from 5 to 10 years.
- Bill C-79 (proclaimed into force on December 1, 1999) amended the *Criminal Code* to facilitate the participation of victims and witnesses in the criminal justice process. Measures were put in place to prevent victims being re-victimized by the system. For example, bail decisions must take the safety of victims into account, and publication bans are now permitted to protect the identity of any victim or witness.
- Bill C-27 (proclaimed into force on May 26, 1997) amended the *Criminal Code* to strengthen the criminal harassment (stalking) provisions. This included making murder, committed while stalking a victim, a first-degree murder, where the murderer intended to instill fear for the victim's safety. The Bill also requires the courts to take the breach of a protective court order into account as an aggravating factor in sentencing an offender for criminal harassment.
- Bill C-41 (Sentencing) (proclaimed into force on September 3, 1996) amended the *Criminal Code* to require the courts to take into account the abuse of a spouse or a child as an aggravating factor in sentencing an offender for an offence. Spouses and children can now seek restitution from the offender for the expenses they incurred because they had to leave their home to avoid being harmed.
- Bill C-42 (Omnibus)(proclaimed into force on February 1, 1995) amended the *Criminal Code* to make it easier to obtain peace bonds (protective orders). Police and others can now apply for a peace bond on behalf of a person at risk of harm. The maximum penalty for violation of a peace bond was increased from 6 months to two years.
- Bill C-126 (proclaimed into force on August 1, 1993) created the new anti-stalking offence of criminal harassment.

### **Improving law enforcement and the administration of justice**

The Department of Justice Canada works with its provincial and territorial partners to identify common issues and exchange information about all aspects of law enforcement and the administration of justice in cases of spousal abuse. The

Department facilitates dialogue about best practices in investigating, charging, prosecuting, and protecting victims. Some of the many issues that are being explored include<sup>22</sup>:

- spousal abuse reporting
- mandatory charging practices<sup>23</sup> (the status of these policies and proposals to amend the *Criminal Code* in this area are currently under review)
- police and prosecutor discretion
- dual or cross charging
- spousal abuse attrition rates
- support/advocacy<sup>24</sup>, information and involvement of victims in prosecutions
- the collection and use of additional forms of evidence
- risk assessment in bail hearings
- conviction rates
- the use of victim notification, and
- the impact on children of exposure to spousal abuse.

### **Enhanced protective measures**

Several provinces and territories have introduced or are in the process of introducing legislation that provides additional tools, such as emergency intervention orders<sup>25</sup>, to protect victims of spousal abuse.<sup>26</sup> The Department of Justice Canada is working with several jurisdictions to evaluate the effectiveness of these measures.

### **Other Strategies to Prevent and Respond to Spousal Abuse**

In addition to reforming the law and enhancing its implementation, the Department of Justice Canada is involved in many other strategies to prevent and respond to spousal abuse.

### **Public legal education**

Public legal education is a key strategy for addressing spousal abuse. This includes providing victims of spousal abuse with information about their legal rights and the criminal justice system. The Department supports public legal education programs across Canada to educate the public about family violence, including spousal abuse. In addition, the Department produces and evaluates its own publications. For example, [Abuse is Wrong in Any Language](#) is a booklet that provides information about spousal abuse for immigrant and refugee women. This resource has been produced in 10 languages, including English, French, Chinese, Punjabi, Spanish, Albanian, Romanian, Hungarian, Serbian, and Czech. The booklet is also published in Braille. An adaptation of this booklet, called [Abuse is Wrong in Any Culture](#) has been published in three dialects of Inuktituk and both official languages.

## **Professional development and resources**

Many different groups of practitioners may come into contact with women who are abused. How these practitioners respond is of critical importance. Enhancing the awareness and skills of criminal justice system personnel including police, Crown prosecutors, defence lawyers, judges, victim service personnel and others is crucial. The Department of Justice Canada recognizes the importance of providing opportunities for professional development and access to resources and tools. For example, the Department, together with its federal/provincial/territorial partners, recently published guidelines for police and crown prosecutors on the investigation and prosecution of criminal harassment cases. Released in December 1999, A [Handbook for Police and Crown Prosecutors on Criminal Harassment](#) has been distributed to police, Crown Attorneys, victims' services, corrections, the judiciary and other criminal justice personnel across Canada.

## **Research, data collection and information sharing**

In recent years, knowledge about the dynamics of spousal abuse and particularly how persons living in different circumstances experience and deal with abuse has increased. The Department of Justice Canada and its partners contribute to this knowledge base by supporting research studies on spousal abuse issues and the application of the criminal law. For example, two major community-based research studies on woman abuse in rural communities have recently been produced.<sup>27</sup> Other related activities include public consultation documents on relevant issues,<sup>28</sup> and collaboration with Statistics Canada on the design and analysis of national survey data on spousal abuse.<sup>29</sup> All of these activities are intended to help:

- increase information about spousal abuse, its dynamics and impacts
- improve information exchange
- enhance policy and improve efforts to prevent and respond to spousal abuse
- enhance services and supports for those who are abused and their children, and
- ensure that abusers are accountable for their actions through the criminal justice system.

## **Support for program and service delivery**

Providing sensitive, accessible and effective supports and services for individuals who are abused, and their children, is essential.

The Department of Justice Canada's Grants and Contributions Fund supports pilot projects that seek to:

- develop resources and tools on spousal abuse for service providers
- disseminate information about best practices in multidisciplinary, intersectoral responses to spousal abuse

- assess current prosecution practices, and develop and test new approaches, and
- develop information resources and services for victims and witnesses in spousal abuse cases.

Through the National Strategy on Crime Prevention and Community Safety, the Department provides additional support for community-based prevention and intervention programs that address risk factors for spousal abuse.

[Top](#)

## SUGGESTED RESOURCES ON SPOUSAL ABUSE

Alliance of Five Research Centres on Violence. *Violence Prevention and The Girl Child: Final Report*. Research funded by Status of Women Canada, 1999.

Canada. Canadian Centre for Justice Statistics. *Family Violence in Canada: A Statistical Profile, 2000*. Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2000.

Canada. Canadian Centre for Justice Statistics. *Family Violence in Canada: A Statistical Profile, 2001*. Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2001.

Canada. Department of Justice Canada. *A Handbook for Police and Crown Prosecutors on Criminal Harassment*. Ottawa: Minister of Public Works and Government Services Canada, 1999.

Canada. Department of Justice Canada. *Research Report: the Ontario Rural Woman Abuse Study (ORWAS)*. Report prepared by Lori Biesenthal, Lynne Dee Sproule, Mary Nelder, Susan Golton, Donna Mann, Denis Podovinnikook, Inge Roosendaal, Shellie Warman and Donna Lunn. Ottawa: Department of Justice Canada, 2000.

Canada. Department of Justice Canada. *Synthesis of Department of Justice Research Findings on Spousal Assault*. Working document prepared by Tammy Landau. Ottawa: Department of Justice Canada, 1998 [Online]. Available on Internet: <<http://www.canada.justice.gc.ca/en/ps/rs/rep/wd98-5a-e.pdf>>

Canada. Health Canada. *A Handbook for Health and Social Service Professionals Responding to Abuse During Pregnancy*. Prepared by Jamieson, Beals, Lalonde & Associates, Inc. Ottawa: Minister of Public Works and Government Services Canada, 1999.

Canada. Health Canada. *A Handbook for Health and Social Service Providers and Educators on Children Exposed to Woman Abuse/Family Violence*. Prepared by Marlies Suderman and Peter Jaffe. Ottawa: Minister of Public Works and Government Services Canada, 1999.

Canada. Health Canada. *Breaking the Links Between Poverty and Violence Against Women*. Prepared by Jane Gurr, Louise Mailloux, Dianne Kinnon and Suzanne

Doerge. Ottawa: Ministry of Supply and Services Canada, 1996.

Canada. Health Canada. *National Clearinghouse Fact Sheets on Family Violence* (series). Ottawa: Health Canada. Available on Internet:  
<<http://www.hc-sc.gc.ca/hppb/familyviolence/>>

Canada. National Crime Prevention Centre. *Personal Security Issues Concerning Women and Girls*. Ottawa: National Crime Prevention Centre, n.d. [Online]. Available on Internet:  
[http://www.crime-prevention.org/english/publications/fact\\_sheet/personE.pdf](http://www.crime-prevention.org/english/publications/fact_sheet/personE.pdf)

Dauvergne, Mia and Holly Johnson. "Children Witnessing Family Violence." *Juristat*. 21, 6. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada; Cat. No. 85-002-XPE, 2001.

Duffy, Ann and Julianne Momirov. *Family Violence: A Canadian Introduction*. Toronto: James Lorimer & Company Ltd. 1997.

Greaves, Lorraine and Olena Hankivsky. *Selected Estimates of the Costs of Violence Against Women*. London, Ontario: Centre for Research on Violence Against Women and Children, 1995.

Hotton, Tina. "Spousal Violence after Marital Separation." *Juristat*. 21, 7. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada; Cat. No. 85-002-XPE, 2001.

Johnson, Holly. *Dangerous Domains: Violence Against Women in Canada*. Toronto: Nelson, 1996.

Leventhal, Beth and Sandra E. Lundy, eds. *Same-Sex Domestic Violence: Strategies for Change*. Thousand Oaks, CA: Sage Publications, 1999.

[Top](#)

## **WHERE TO GET MORE INFORMATION ON SPOUSAL ABUSE**

[Department of Justice Canada Family Violence Web Site](#)

[National Clearinghouse on Family Violence](#)

[Top](#)

## **ENDNOTES**

<sup>1</sup> Assault and unlawful confinement are criminal offences in Canada.

<sup>2</sup> Sexual assault, sexual harassment or sexual exploitation are criminal offences in Canada.

<sup>3</sup> Criminal harassment is a criminal offence in Canada.

<sup>4</sup> Theft and fraud are criminal offences in Canada.

[5](#) Withholding the necessities of life such as money to buy food or medical treatment is a criminal offence in Canada.

[6](#) Canada, Canadian Centre for Justice Statistics, *Family Violence in Canada: A Statistical Profile* (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2001): 27. The 1999 General Social Survey found that there have been significant increases in women reporting spousal abuse to the police and contacting social services. This may be the result of efforts to reduce the stigma of spousal abuse, increase public awareness, improve training for police and other criminal justice personnel, increase the availability of police- and court-related victim support services, and increase public confidence in the criminal justice system's ability to deal with cases of spouse abuse effectively.

[7](#) The GSS 1999 builds on the earlier work of the groundbreaking 1993 Violence Against Women Survey (VAWS) conducted by Statistics Canada.

[8](#) Canada, Canadian Centre for Justice Statistics, *Family Violence in Canada: A Statistical Profile* (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2000): 12, 14, 18.

[9](#) Jasmin Jiwani, "The 1999 General Social Survey on Spousal Violence: An Analysis," *Canadian Woman Studies*, 20, 3 (2000): 38.

[10](#) Canada, Canadian Centre for Justice Statistics, *Family Violence in Canada: A Statistical Profile* (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2000): 40. Spouses include people in legal marriages, those separated or divorced from legal marriages, and those in common-law relationships.

[11](#) Canada, Canadian Centre for Justice Statistics, *Family Violence in Canada: A Statistical Profile* (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2001): 2. The rate of spousal homicide is eight times higher among Aboriginal women compared to non-Aboriginal women. The rate of spousal homicide among Aboriginal men is eighteen times higher than among non-Aboriginal men.

[12](#) See, for example: Canada, Health Canada, *Abuse in Lesbian Relationships: Information and Resources*. Prepared by Laurie C. Chesley, Donna MacAulay, and Janice L. Ristock (Ottawa: Minister of Public Works and Government Services, 1998); and Beth Leventhal and Sandra E. Lundy (Editors) *Same-Sex Domestic Violence: Strategies for Change* (Thousand Oaks: CA: Sage Publications, Inc., 1999).

[13](#) "Dislocation" means being removed from one's language, culture, family and community. Dislocation is a situation that has affected Aboriginal children who were sent to residential schools, as well as immigrants and refugees to Canada.

[14](#) "Colonization" is "that process of encroachment and subsequent subjugation of Aboriginal peoples since the arrival of Europeans. From the Aboriginal perspective, it refers to loss of lands, resources, and self-direction and to the severe disturbance of cultural ways and values." Source: Emma D. LaRoque, *Violence in Aboriginal Communities* Reprinted from the Book "The Path to Healing" with

permission from the Royal Commission on Aboriginal Peoples (Ottawa: Health Canada, 1994): 73.

[15](#) Information on factors which increase vulnerability to abuse is based on the following publications: Canada, Health Canada, *Like a Wingless Bird: A Tribute to the Survival and Courage of Women Who are Abused and Who Speak Neither English Nor French*. Prepared by Linda MacLeod and Maria Shin (Ottawa: Minister of Supply and Services Canada, 1994); Canada, Health Canada, *Isolated, Afraid and Forgotten: The Service Delivery Needs and Realities of Immigrant and Refugee Women Who Are Battered*. Prepared by Linda MacLeod and Maria Shin (Ottawa: Health and Welfare Canada, 1990); Rosalind Savary, "When Racism Meets Sexism: Violence Against Immigrant and Visible Minority Women", *Vis-à-vis*, 12, 1 (Ottawa: Canadian Council on Social Development, 1994); Canada, Health Canada. *Abuse in Lesbian Relationships: Information and Resources*. Prepared by Laurie C. Chesley, Donna MacAulay and Janice L. Ristock (Ottawa: Minister of Public Works and Government Services, 1998); Beth Leventhal and Sandra E. Lundy (Editors) *Same-Sex Domestic Violence: Strategies for Change* (Thousand Oaks: CA: Sage Publications, Inc., 1999); Canada, Department of Justice Canada, *Research Report - The Ontario Rural Woman Abuse Study (ORWAS): Final Report*. Prepared by Lori Biesenthal, Lynne Dee Sproule, Mary Nelder, Susan Golton, Donna Mann, Denise Podovinnikoff, Inge Roosendaal, Shellie Warman and Donna Lunn (Ottawa: Department of Justice Canada, 2000); Canada, Department of Justice Canada, *Barriers to Justice: Ethnocultural Minority Women and Domestic Violence: A Preliminary Discussion Paper*. Prepared by Nahid Roboubi and Sharon Bowles (Ottawa: Department of Justice, 1995); L'Institut Roehrer Institute, *Harm's Way: The Many Faces of Violence and Abuse Against Persons with Disabilities* (Toronto: L'Institut Roehrer Institute, 1995); Alliance of the Five Research Centres on Violence, *Violence Prevention and the Girl Child: Final Report* (Research funded by Status of Women Canada, 1999); Canada, Health Canada, *Breaking the Links Between Poverty and Violence Against Women*. Prepared by Jane Gurr, Louise Mailloux, Dianne Kinnon and Susan Doerge (Ottawa: Ministry of Supply and Services Canada, 1996); Law Commission of Canada, *Restoring Dignity: Responding to Child Abuse in Canadian Institutions* (Ottawa: Minister of Public Works and Government Services, 2001); Emma D. LaRoque, *Violence in Aboriginal Communities* Reprinted from the Book "The Path to Healing" with permission from the Royal Commission on Aboriginal Peoples (Ottawa: Health Canada, 1994); and Canada, Health Canada, *Family Violence in Aboriginal Communities: An Aboriginal Perspective - Information from the National Clearinghouse on Family Violence*. Prepared by Karen Green (Ottawa: Health Canada, 1996).

[16](#) Canada, Canadian Centre for Justice Statistics, *Family Violence in Canada: A Statistical Profile* (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2001): 2.

[17](#) These are the risk factors identified by GSS 1999. See: Canada, Canadian Centre for Justice Statistics, *Family Violence in Canada: A Statistical Profile* (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2000): 15-17, and Tina Hotton,

"Spousal Violence After Marital Separation," *Juristat*, 21, 7 (Ottawa: Canadian Centre for Justice Statistics, Statistics Canada, Cat. No. 85-002-XPE, 2001): 1.

<sup>18</sup> Data from UCR2 Survey, as reported in: Canada, Canadian Centre for Justice Statistics, *Family Violence in Canada: A Statistical Profile* (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2000): 23.

<sup>19</sup> Mia Dauvergne and Holly Johnson, "Children Witnessing Family Violence," *Juristat*, 21, 6 (Ottawa: Canadian Centre for Justice Statistics, Statistics Canada, Cat. No. 85-002-XPE, 2001): 1.

<sup>20</sup> Lorraine Greaves and Olena Hankivsky, *Selected Estimates of the Costs of Violence Against Women* (London, Ontario: Centre for Research on Violence Against Women and Children, 1995): 2. A second cost estimate study on the health-related costs found that health costs total more than \$1.5 billion, and this is only the "tip of the iceberg". See: Tanis Day, *The Health-Related Costs of Violence Against Women in Canada: The Tip of the Iceberg* (London, Ontario: Centre for Research on Violence Against Women and Children, 1995): 29-34.

<sup>21</sup> Dedicated domestic violence courts are currently operating in Ontario, Manitoba, Alberta and Yukon.

<sup>22</sup> For an overview of key issues, see: Canada, Department of Justice Canada, *Synthesis of Department of Justice Canada Research Findings on Spousal Assault*. Prepared by Tammy Landau (Ottawa: Department of Justice Canada, 1998) [On-line]. Available on Internet: <  
<http://www.canada.justice.gc.ca/en/ps/rs/rep/wd98-5a-e.pdf>>

<sup>23</sup> See, for example: Canada, Department of Justice Canada, *Spousal Assault and Mandatory Charging in the Yukon: Experiences, Perspectives and Alternatives*. Prepared by Tim Roberts, Focus Consultants (Ottawa: Department of Justice Canada, 1996).

<sup>24</sup> Support and advocacy are critical to assisting victims in coping with the impacts of criminal justice system involvement. For a discussion of the role of legal advocates, see: Arlene N. Weisz, "Legal advocacy for domestic violence survivors: The power of an informative relationship," *Families in Society: The Journal of Contemporary Human Services*, 80, 2, March-April 1999: 138.

<sup>25</sup> In Saskatchewan, for example, emergency intervention orders are a tool that can be used to provide short term protection, e.g. to restrain the abuser from communicating with the victim or the victim's family; to allow the victim to exclusively occupy the home; to direct a peace officer to remove an abuser from the home; or to allow a peace officer to accompany a victim or the abuser to the home to retrieve personal belongings under the supervision of the peace officer. See: Canada, Department of Justice Canada, *A Further Review of the Saskatchewan Victims of Domestic Violence Act*. Prepared by Prairie Research Associates, Inc. (Ottawa: Department of Justice Canada, 1999): viii.

<sup>26</sup> To date, the following legislation has been proclaimed:  
Alberta's *Protection Against Family Violence Act* (June 1, 1999)

Saskatchewan's *Victims of Domestic Violence Act* (February 1, 1995)

Manitoba's *Domestic Violence Stalking, Prevention, Protection and Compensation Act* (June 29, 1998)

Prince Edward Island's *Victims of Family Violence Act* (December 16, 1996)

Yukon Territory's *Family Violence Prevention Act* (December 11, 1997).

Ontario's *Domestic Violence Protection Act* has not yet been proclaimed.

<sup>27</sup> See: Canada, Department of Justice Canada, *Research Report - The Ontario Rural Woman Abuse Study (ORWAS) Final Report*. Prepared by Lorie Biesenthal, Lynne Dee Sproule, Mary Nelder, Susan Golton, Donna Mann, Denise Podovinnikoff, Inge roosendaal, Shellie Warman and Donna Lunn (Ottawa: Department of Justice Canada, 2000); and Canada, Department of Justice Canada, *Rural Women and Violence: A Study of Two Communities in British Columbia*. Prepared by Yasmin Jiwani, Shelley Moore and Patricia Kachuk (Ottawa: Department of Justice Canada, 1998).

<sup>28</sup> See, for example: Canada, Department of Justice Canada, *Reforming Criminal Code Defences - Provocation, Self-Defence and Defence of Property* (Ottawa: Department of Justice Canada, 1998).

<sup>29</sup> See, for example: Mia Dauvergne and Holly Johnson, "Children Witnessing Family Violence," *Juristat*, 21, 6 (Ottawa: Canadian Centre for Justice Statistics, Statistics Canada, Cat. No. 85-002-XPE, 2001).