

# ABUSE IS WRONG in any language

La maltraitance est inacceptable peu importe la langue

Xadgudbku waa khalad luqad kastaba ha ahaatee

El abuso es condenable en cualquier idioma

«Издевательство» звучит плохо на любом языке

욕설은 언어를 막론하고 나쁜 것입니다

بدسلوکی کسی بھی زبان میں غلط ہے

بد رفتاری در هر زبان غلط است

எந்த மொழியிலும் துஷ்பிரயோகம் தவறு.

إساءة المعاملة مرفوضة في جميع اللغات

虐待是有悖文明的惡行

दुर्विहार किसे ही भासा हिंस गलत है।



Justice Canada would like to thank the Shield of Athena for its contribution to this booklet.

This is one in a series of Public Legal Education and Information publications produced under the Family Violence Initiative of the Department of Justice Canada. Other publications in this series are:

- *Abuse is Wrong*
- *Child Abuse is Wrong: What Can I Do?*
- *Elder Abuse is Wrong*

To view any of these publications online, please go to [www.justice.gc.ca](http://www.justice.gc.ca), and enter the publication title under "Search".

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# To the reader

This booklet contains information about family violence and abuse. It also contains suggestions about how to get help.

Family violence happens in all kinds of families, in all communities. It happens to Canadians and non-Canadians. It happens to people who are young and old. It happens between intimate partners\* and between parents and children. It may be happening to you.

Family should be a safe place. Family members should treat each other with respect and dignity, regardless of age or gender. Family violence or abuse is **not** acceptable.

If you are new to Canada, you might not be sure what the laws are, what your rights are, or where you can go for help. If you are new to Canada, you might be facing some normal challenges like culture shock.\* You might be missing your family and friends. You might feel alone. You might not understand the language spoken around you. All of this might make it even more difficult to get help or to find someone to trust.

This booklet is for anyone who is new to Canada and might be living with abuse in a relationship or in a family. This booklet can also help you if you know a person who might be living with abuse. Maybe you can share the information from this booklet with that person.

If you are being abused, you should get help. There are people who can help you. You do not have to face it alone. You deserve to be safe. You have a right to be safe.

**Note:** Words marked by an asterisk (\*) are defined in the back of this book under "Words and phrases used in this booklet."

**Disclaimer:** Please note that this publication is not a legal document. It contains only general information. For legal advice about your situation, you may wish to speak with a lawyer.

# What is abuse?

Family violence or abuse happens when someone in your family or someone you are dating hurts you physically, sexually, psychologically or financially. Family violence or abuse can also include neglect.

Some kinds of abuse are crimes, like physical or sexual violence. Crimes are also called criminal offences.\* Other kinds of abuse, like repeated insults, may not be crimes, but the abuse can still hurt. It can also lead to criminal forms of abuse if it gets worse.

If your husband, wife, common-law partner, boyfriend or girlfriend is abusive, that is family violence. If your parent, child, brother, sister, in-laws or other extended family member are abusive, that is also family violence.

Abuse can happen to people of all origins, religions and ages. It can happen to anyone, no matter how much education or money they have. It can happen to men or women, boys or girls. But women are more often the victims of the most severe forms of family violence, like physical and sexual violence.

If you are being abused, you might feel scared, ashamed and alone. You might even think it is your fault. It is not your fault. The person abusing you is responsible for their own actions.

Violence is a choice, but it is a bad choice.

**In an  
emergency,  
call 9-1-1**

Run outside so people can see you, unless you are safer inside. Scream—let the neighbours hear you so they can call the police.

**Gender Equality** In Canada, women and men are equal under the law. For example, they must be treated equally in the workplace. Also, it is against the law for a man to use force to make a woman stay home, keep her from taking classes, or stop her from seeing friends or family.

## What should you do if you are being abused?

You may not want to talk about your family to other people. You may think family violence is private. But here in Canada, it is also a public concern. It affects families, children and all of society. It is very harmful for children to live with family violence.

If you are being abused, it is important to get help. Speak to a doctor, nurse, social worker, teacher, police officer or any person you trust. If your child is being abused or sees you being abused, you *must* contact the police or child protection services.\*

It could be very difficult for you to get away from abuse without help from other people. You might feel dependent on the abusive person. You might still love that person. You might feel that person needs you. You might have family members who expect you to stay at home for the sake of the family's honour. You might feel it is your duty to stay in the relationship. The person who is abusing you might threaten you and make you feel that leaving is even more dangerous than staying. Or they might promise to change and beg you to stay.

## Is abuse normal in relationships?

Healthy relationships are *not* abusive. Family members should respect each other and treat each other with dignity. The person abusing you may be dealing with a lot of stress, but this does not make it okay for them to hurt you. There are many healthy ways to deal with problems and conflict. For example, you can get help from someone you trust, such as a religious leader or a community worker. The person abusing you may love you, and you may love them, but violence has no place in a family or intimate partner relationship.

The person being abusive also needs to know that many forms of abuse are crimes under the *Criminal Code*,\* and they can be charged by the police.

The following sections describe different types of abuse.

# Physical abuse



*"You have to get help.  
It's only going to get worse."*





Lena sat quietly with the social worker and the interpreter in the hospital emergency room. She tried to stop the panic she felt. Her broken arm hung limp at her side. “You should report this, you know,” the social worker said. Lena stirred suddenly. “No. No police!” she said with renewed energy. “There must be another way.” She began to shake all over. The mention of the police brought Lena back to terrifying memories of soldiers coming to her hometown—to memories of death and loss, and of brutal rape and torture. Lena and her husband, George, had come to Canada in hope of leaving those memories behind. But instead, the echoes of those dark times still haunted them, undoing their attempts to start a new life. George, especially, was moody and found it hard to get along with others. His ups and downs made it difficult to keep a job.

His frustration often led to rage when Lena told him to stop being mean to her. He had started to hit her sometimes. Her neighbour had noticed the bruises and urged her to leave. “George is just going through a hard time,” Lena had replied. But this time, seeing Lena’s broken arm, her neighbour had insisted on taking her to the hospital. “You have to get help. It’s only going to get worse,” she said as she called them a taxi. Lena remembered this in the hospital room and turned slowly to the social worker, “My husband and I have been through so much. Is there any way he could stop behaving like this?” The social worker placed her hand on Lena’s good shoulder and said through the interpreter. “We can find you someone who understands and can try to help you.”



## What does it look like?

Physical abuse, including assault,\* is the intentional use of force against a person without that person's consent.\* It can cause physical pain or injury that may last a long time. Physical abuse includes:

- pushing or shoving
- hitting, slapping or kicking
- pinching or punching
- strangling or choking
- stabbing or cutting
- shooting
- throwing objects at someone
- burning
- holding someone down for someone else to assault
- locking someone in a room or tying them down, or
- killing someone.

All of these acts are crimes in Canada.

Physical violence is taken very seriously by the police. If the abuser is convicted for using physical violence against you, the punishment can be very severe. You can report physical violence to the police at any time, even a long time after the violence happened. But it is best for you to report it as soon as possible.

If a child is physically abused at home, child protection authorities could intervene and remove the child from his or her parents.



## Violence based on so-called honour

Violence based on “honour” happens when family members use violence to protect family honour. The victim is usually female. The victim has behaved in ways that the family believes will bring shame or dishonour. For example, the family might not approve of:

- dating or talking to boys
- having sexual relationships outside marriage
- wearing what the parents believe is the wrong clothing, or
- refusing a forced marriage.

The family members believe that using violence will bring back the family’s reputation. The types of violence the family uses can include:

- beatings
- forced confinement
- threats
- counselling suicide, and
- killing.

These actions are crimes.

If you know someone who is afraid for their safety because of family honour, contact the police.

# Forced marriage



*“It’s like I have to suddenly choose between  
my dreams and my family.”*



Nathalie leaned forward and cradled her head in her hands. She felt like she was in a bad dream. “You’re shaking,” said her best friend Christine, quietly. She’d been so grateful when Christine had picked up the phone and agreed to meet her at the park. Now Nathalie told her everything: how her parents had arranged a marriage with a man back home, and how they expected her to simply accept it, like her mother had when she was young. “But how could they do that?” Christine cried. “You have terrific marks! It’s Grade 12! They know you want to go to university!” Nathalie stared at the ground. “Yes. I’ve told them that a thousand times. All they can see is that I need to get married. My wishes don’t matter to them.”

Nathalie could barely believe what had just happened. “They were all there for a party—my uncle, my grandmother, my sister, my brother and my parents. Then

suddenly my father announced that we were going back home for a visit and that I was going to be married to a man they had chosen for me. When I complained, my uncle told me I had no choice—that it was about loyalty to the family. My mother turned away and couldn’t even look into my eyes. I don’t know what to do! It’s like I have to suddenly choose between my dreams and my family. I’m really scared.” Suddenly she looked up at her friend and said in a panicked voice, “What if I hate him? What if he rapes me? Don’t they care?” Christine stood up from the bench quickly. “Come on,” she said, reaching for Nathalie’s hand. “If you want, you can stay with us for a few days. I spoke to my Mom before coming over to see you. She said she would take you to a legal clinic to get some advice. It’s against the law to force someone to marry. You need to get some help and you need to stay safe.”



Forced marriage happens when one or both people do not consent to the marriage. Forced marriage is not the same as arranged marriage. In arranged marriages, both people consent to the marriage. In forced marriage, one or both people do not consent to the marriage.

Family members sometimes use physical violence, abduction, forced confinement or emotional abuse to force the person into the marriage. Even if parents try to force their child to marry because they think it is good for the child, using threats or violence to do this is a crime.

Children might be the victims of forced marriages. Sometimes their families take them out of school to force them into marriages.

If you know someone who might be forced to marry, contact the police. You can also call the police if you suspect that a person is being taken out of the country to marry against their will.



## Female genital mutilation

Female genital mutilation is any procedure that injures or removes all or part of the external female genital organs for non-medical reasons. It has no health benefits and it can cause pain and serious long-term health problems. Female genital mutilation of a child is a crime in Canada.

Any person who helps mutilate a female child's genitals could also be charged with a crime. This includes parents, doctors, or nurses. Even a person who asks someone else to do this to a child commits a crime. It is also against the law to take a child out of Canada to have this procedure done in another country.

Female genital mutilation is child abuse and should be reported to the authorities.

If you suspect that a child you know might be at risk of female genital mutilation, contact the police.

# Sexual abuse



*“The shame she felt was so deep  
she could barely look at him.”*



**M**ercedes was lost in thought as she rode the bus towards her home. This country was still a puzzle to her; she'd been here for just six months. The conversation in her language class today had given her a shock. She had been so excited to come here to be with Carl. He had been living in Canada already for a few years and was visiting his family back home when they met and married in a hurry of excitement. He had originally come from her region, so they had much in common. But they had grown apart while he returned to Canada and she had waited back home for the sponsorship papers to be processed. And once she had arrived, everything familiar had felt so far away—she longed for home and for her family. She had found it hard to get to know anyone until she had started the language class. The loneliness had made her turn even further from Carl. The tears had given way to anger, and most of the time, she didn't

want him to touch her. He was patient at first, but after a few months, he too had grown angry. Until one night, he'd forced himself upon her, even when she said “no”. Afterwards, he had turned his back on her as she cried, curled up in pain.

A few nights later, when he started touching her again, she pleaded with him to stop. She begged him to understand how much it had hurt last time. He didn't seem to care and just forced himself on her again. After that, they had barely spoken. The shame she felt was so deep she could barely look at him. But today, in her class, she had learned that even in a marriage, forced sexual relations was considered a crime. Just to think of it made her chest tighten. What should she do? She was terrified it would happen again but couldn't bear the thought of confronting him. She needed to speak to someone to find out her rights. She would ask her teacher where to find help.



## What does it look like?

Sexual abuse of an adult can include:

- sexual touching or sexual activity without consent
- continued sexual contact when asked to stop, or
- forcing someone to commit unsafe or humiliating sexual acts.

All sexual contact with anyone without consent is a crime called sexual assault.\* This includes sexual touching or forcing sexual activity on a spouse, a common law partner or a dating partner. Even if you are married, your spouse cannot force you to have sexual contact.

There are also special laws to protect children from sexual abuse and from sexual activities that exploit them. Child sexual abuse happens when a person takes advantage of a child for sexual purposes. It does not always involve physical contact with a child. For example, it could happen when an adult:

- makes sexual comments to a child, or
- secretly watches or films a child for sexual purposes.

Sexual abuse of a child includes:

- any sexual contact between an adult and a child under 16 years of age
- any sexual contact with a child between the age of 16 and 18 without consent, or
- any sexual contact that exploits a child under 18.

Any sexual contact between an adult and a child under 16 is a crime. In Canada, the age of consent for sexual activity is 16, but there are some exceptions if the other person is close in age to the child.

In addition, children under 18 cannot legally give their consent to sexual activity that exploits them. Sexual activities that exploit a child include prostitution and pornography. They also include situations where someone in a position of authority or trust, or someone the child depends on, has any kind of sexual activity with the child. A person of authority or trust could be a parent, step-parent, grandparent, older sibling, teacher or coach.

If a child is sexually abused at home, child protection services could intervene and remove the child from his or her parents.

# Emotional abuse



*“He needed to find someone  
who could help them.”*



**H**arvey scooped up his youngest daughter and carried her in his arms.

It would be warm in the library and he would soon find a quiet spot to dry her tears. They would look at books together and then he would use one of the computers there to look for a better job. Tonight had been too much. So many nights now he had come home from work to the sting of his wife's endless complaints. He had pretended it didn't bother him so he would not lose control in front of his children. It was no wonder his stomach hurt so often! Back home, he and Maria had shared so many dreams together. They had wanted to build a new life for their family in Canada—one where their daughters would have an equal chance for an education and a career. But now that they were in Canada, it seemed like everything he did was disappointing to Maria. She didn't hesitate to criticize him in front of the girls. Every night, Harvey felt helpless in his own home. He had asked her to stop screaming at him in front of the

kids, but it was no use. Today during supper, she started complaining about how much money they had budgeted for groceries. She started yelling at him "You are stupid and lazy. You don't even care that your job is beneath you and doesn't pay well. You're good for nothing and will never amount to anything. You are not much of a man. My father could look after us better. I should take the children and go back." Then she threw her plate of food at him and stormed off to her bedroom. When the girls had begun to cry, he had grabbed their coats and taken them out the door. Maybe when he got to the library, he would look again at that pamphlet about abuse that he had noticed last week. He realized now that this was his situation. He couldn't let it go on like this. He needed to find someone who could help them—someone who understood the pressures on people who come to this country. ✂

## What does it look like?

Emotional abuse happens when a person uses words or actions to control, frighten or isolate you or take away your self-respect. Emotional abuse is sometimes called psychological abuse. It can include:

- putting you down, calling you names or insulting you
- constantly yelling at you
- keeping you from seeing friends or family
- making fun of your faith or religion, not letting you practise it (spiritual abuse)
- controlling what you wear, where you go, whom you see (if you are an adult)
- preventing you from going out, taking classes or working if you want to (if you are an adult)
- threatening to have you deported if you don't behave in a certain way
- making threats to harm you or another person
- destroying your belongings, hurting your pets or threatening to do so, or
- bullying: intimidating or humiliating you (including on the Internet).

**Emotional abuse is serious. Inner wounds can take a long time to heal.**



Some forms of emotional abuse are crimes: stalking, threatening to hurt you, harassing you on the phone, intimidating you on purpose or counselling (advising) you to commit suicide. Many other forms of emotional abuse are not crimes. Still, they can do a lot of damage and might lead to criminal acts later on.

If a child is emotionally abused, child protection authorities could intervene and remove the child from his or her parents.



## Criminal harassment

Criminal harassment, also known as stalking, is a crime. It involves repeated conduct that makes you fear for your safety or the safety of someone you love. This can include:

- watching or following you
- making threats that cause you to fear for your safety
- making threats to your children, family, pets or friends that cause you fear, or
- repeatedly calling or sending gifts after being asked to stop.



# Financial abuse

## What does it look like?

Financial abuse happens when someone uses money or property to control or exploit you. It can involve:

- taking your money or property without permission
- withholding your money so you cannot pay for things
- making you sign documents to sell things you don't want to sell
- forcing you to change your will, or
- not letting you have access to family money to meet your basic needs or those of your children.

Most forms of financial abuse are crimes, including theft and fraud. Financial abuse can also include situations where one person intends to financially exploit the other, as in cases of dowry fraud.\*

# Neglect

Neglect happens when a family member, who has a duty to care\* for you, fails to provide you with your basic needs.

This can involve:

- not giving you proper food or warm clothing
- not providing you with a safe and warm place to live
- failing to provide adequate health care, medication and personal hygiene (if needed)
- failing to prevent physical harm, or
- failing to ensure you have proper supervision (if needed).

It may also include leaving you alone for too long if you are injured or unwell.

Spouses and common-law partners have a duty to care for each other. Adults have a duty to care for their dependent children as well as their dependent parents.

Some forms of neglect are crimes in Canada, including failure to provide the necessities of life\* and child abandonment.\* If a child is neglected, child protection authorities could intervene and remove the child from his or her parents.

**Sometimes, neglect can hurt just as much as physical abuse.**



# Intimate partner violence

Intimate partner violence is violence or abuse that can happen to you:

- within a marriage, common-law or dating relationship
- in an opposite-sex or same-sex relationship, or
- at any time during a relationship, including while it is breaking down, or after it has ended.

Not all intimate partner violence is the same. In some cases, one person may want power and control and will use different ways (including physical violence) to get complete control over their partner. For example, they try to control things such as:

- what you wear
- whether you can go out and where you go
- who you spend time with
- when you can talk to your family and friends
- what you spend money on
- whether you can work or take classes, and
- when and how the two of you are sexually intimate.

This type of abuse almost always gets worse over time. It often leads to serious physical violence and can cause you to have lasting health problems, including post-traumatic stress disorder (PTSD).\*

In other cases, both partners may abuse each other. Conflict happens in every relationship, but there are healthy ways to solve problems. Sometimes people live with severe stress and use violence instead of solving their problems peacefully. It can be hard to break the pattern of abuse, but it is possible.



Some people who have had a very bad experience in their country of origin or who have lived in war zones may also have PTSD. This may affect their relationships. Counselling or other services could help to deal with these problems.

No matter why the abuse is happening, if you feel that your life or your children's lives are at risk, get help as soon as possible.



# Elder Abuse



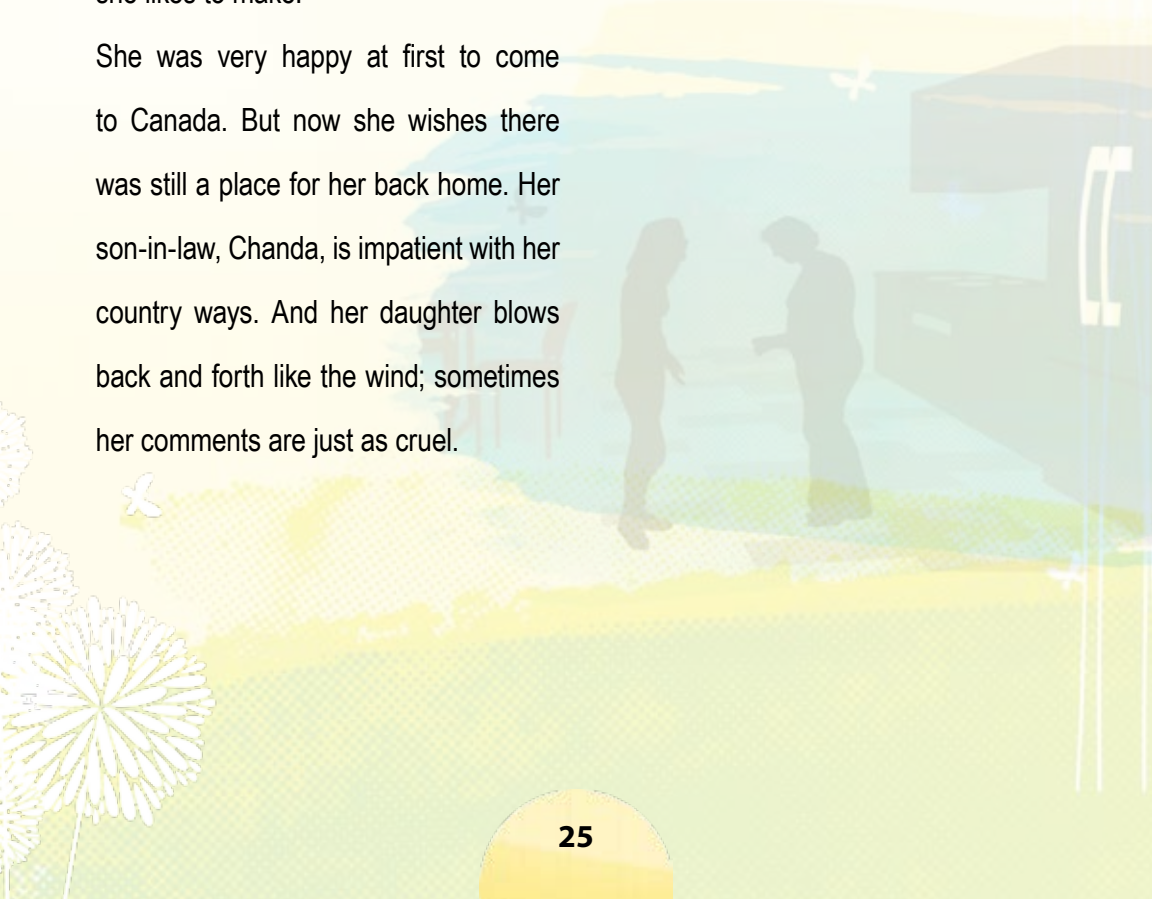
*“Her daughter says  
they should mind their own business.”*



Esha says nothing, as her daughter starts yelling at her. She wonders why Anila treats her this way so often. What happened to her daughter's love and sense of respect? Esha's back begins to ache; she has the breakfast clutter and the entire house to clean. And now her daughter, Anila, wants her to cook dinner for the children tonight. She longs to say no: she can already see them scowling at the traditional dishes she likes to make.

She was very happy at first to come to Canada. But now she wishes there was still a place for her back home. Her son-in-law, Chanda, is impatient with her country ways. And her daughter blows back and forth like the wind; sometimes her comments are just as cruel.

Esha rarely goes out; she feels unsure of her English. She'd like to go to the Indo-Canadian centre again, but she knows Anila doesn't want to take her. She feels stronger chatting with women her own age. They tell her that her children ask too much from her. Her daughter says they should mind their own business. Esha thinks she will ask her friend Sakina to come with her to talk to the social worker at the centre if she goes.





## What does it look like?

Sometimes people who take care of older people (for example, their parents, grandparents, older in-laws) can be abusive. Abuse is always wrong.

If you are an older person and are being abused, you might be dependent on the person who is abusing you. You might feel as though you should protect that person. You might feel ashamed that the person you love or whom you have trusted is hurting you. You can love a person and not like the way they are treating you. The person who is abusing you might be dealing with a lot of stress, but they should get help for their problems. They should not take it out on you.


You deserve to be treated with respect and dignity. If you think you are being abused, you should ask for help. Call someone you trust and tell them what is happening. Or, ask to speak with your doctor alone in confidence, and tell them what is happening. You may also wish to read another booklet in this series called “Elder Abuse is Wrong”.

<http://www.justice.gc.ca/eng/pi/fv-vf/pub/abus/eaw-mai/pdf/eaw-mai.pdf>



# Child abuse



*“Why hadn’t she stopped her brother?   
Was she afraid of him too?”*

**R**enée quickened her pace as she neared the Child Protection office. She could feel herself breaking into a sweat. She had called and made an appointment first thing this morning. Renée hadn't slept at all since last night when her brother, Peter, had taken a cane to his son Adam and beaten him hard with it. The six-year old boy had stolen his friend's soccer ball and brought it home. "That will teach him a lesson," Peter had said. Renée had tried to intervene, but Peter had pushed her away and told her to mind her own business. "I'm the father. I know what I am doing," he had yelled. Renée had been living with her brother and his family for just a few months since coming to Canada, but already she was concerned for the boy's safety. "You can't do this, Peter. It's abuse. You will hurt Adam in so many ways—and not just with bruises. He won't trust you or anyone else!" she had cried. Renée was

certain this kind of discipline was a crime in this country. Peter had made fun of her in front of a house full of family and friends. "You don't know anything about real families. You have no children of your own." Renée had gone numb and just backed away. Her eyes had filled with tears while her brother had carried on. But now her mind was racing. Why hadn't she stopped her brother? Was she afraid of him too? Why hadn't her sister-in-law said something? Did she worry that if she called the police she would lose her family? Getting out of the house made Renée feel stronger. She knew she had to protect her nephew. She would report this and get them all some help. Her family might be angry with her—to follow their rules meant keeping problems like this quiet. But she knew she could deal with that. Keeping Adam safe was more important than anything else to her. She wanted a bright future for him. ✂

## What does it look like?

Being a parent is sometimes difficult. If you believe that your child's behaviour is disrespectful or bad, resorting to violence is not the answer. It will only cause you to hurt that child and you may face criminal charges. Many kinds of abuse are crimes.

If you need help understanding and guiding your child's behaviour or to help your child get through some difficult times, get advice from a trusted friend, doctor, social worker, school guidance counsellor or teacher. Nothing justifies the use of violence. In addition to criminal law, provincial and territorial child protection laws protect children from abuse and neglect.

In Canada, every province and territory has a law that says that any person who believes a child is being abused *must* report it. For example, if your children are being abused or exposed to family violence, you must get help for them. You can go to a child protection or family services agency for help or counselling. If you do not take steps to protect your children, the police or child protection services may become involved. These laws protect children even if the type of abuse or neglect is not a crime. If you feel that you cannot protect your children, call the police.



A vertical illustration on the left side of the page. It features a child in a red dress holding a white teddy bear. The background is a soft-focus landscape with a blue sky, green hills, and a white heart-shaped balloon on a string. There are also some white birds and a small orange butterfly.

## Children who see or hear family violence

If you are a parent and you are being abused, the abuse can make it hard for you to look after your children. The abuse may leave you with very little energy to care for your children. You might feel guilty that you are not able to give them what they need.

It can be very hard for children to see or hear family violence even if they are not being physically hurt by the violence. They will probably feel scared and insecure. They may do poorly in school or in social situations. They may learn not to respect you or themselves. They may become bullies or victims of bullying at school. They may grow up to be abusive or victims of abuse when they have their own families.

If your children are exposed to family violence, that can also be a reason for child protection services to get involved.

Help is available. It is never too late to change things for your children.

For more information on child abuse see *Child Abuse is Wrong: What Can I Do?* at:

<http://www.justice.gc.ca/eng/pi/fv-vf/pub/caw-mei/index.html>



# Staying or leaving


The decision to stay in the relationship or leave will be difficult for you. You may believe the abuser will change someday. You may fear that leaving will make the situation worse. You may fear that your children will be taken from you if you leave. You may worry about what others will think or you may feel too ashamed to leave. You may love the person who is abusing you and not want to leave. You may be financially dependent on the person who is abusive. You may be afraid you will be deported if you leave the relationship. You may not know where you can get help.

## What should you do?

When you are deciding whether to stay or leave, find a person you trust who can help you make your choice. In making your decision, here are some important things to consider:

- Has the person who abused you threatened to kill you or someone you love?
- Has that person used sexual violence against you?
- Has the person threatened or tried to commit suicide?
- Is the person very controlling or very jealous?
- Does the person refuse to accept the possibility of a separation?
- Has the person stalked you before?
- Does the person drink too much or take drugs?
- Has the person been involved with criminal activity?
- Has the person been violent with your children?
- Has the person sexually abused your children?
- Has the person used a weapon such as a knife to hurt you or the children?



- 
- Has the person been violent towards other people?
  - Is there a gun in the house?
  - Are you afraid for your children's safety?
  - Are you afraid for the safety of your pets?
  - Are you afraid of leaving?
  - Are your friends or family members afraid for you?
  - Do you feel powerless, depressed or very anxious?

If you answer “yes” to some of these questions, you will need help and support no matter what you decide to do. It is important to listen to your fears and your feelings. Speak with someone you trust about those fears. If you don't want to tell anyone you know, tell the police, or call a help line. They are there to help you without judging you. If you do decide to go to a shelter, you can bring your children with you. The shelter staff won't tell anyone where you are. They can help protect you and help you to make decisions.

If you choose to stay and expect the abuse to stop, make sure the person hurting you will take responsibility for their actions. That person must be willing to get professional help to learn how to change their behaviour. If drugs or alcohol play a role in the person's violent behaviour, they need to seek help to remain sober and drug-free in order to stop the violence. Behavioural changes usually take a very long time. You will both need a lot of support throughout this period. You will need to figure out a way to stay safe. Develop a safety plan. A social worker or police officer can help you with this. Even if the person is trying to change, they may use violence again. Have a list of emergency numbers handy.

Whether you decide to stay or leave, if your children stay in the home where the abuse happened, you *must* tell child protection services about the abuse.

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

If you leave an abusive situation, you can still apply for custody of your children. If you think your children might be in danger, contact the police and ask them to take you and your children to a shelter or somewhere else where you will be safe.

Once you are safe, contact a lawyer to help you apply to the court for a custody or parenting order.\* If you can safely contact a lawyer before you leave, it might be helpful to get legal advice as early as possible. If your child will be visiting the other parent, you may want someone else (such as a grandparent or other relative or friend) to be there when the children go or come back from the other parent's home. In some places there may be a service available for supervised exchanges.\* If you are worried about your child's safety with the other parent, ask the judge to order supervised visits. In very rare circumstances, if the other parent poses a danger to the child even if they are supervised, you can ask the judge to order no visits.

You can find a list of family justice services where you live at: <http://www.justice.gc.ca/eng/pi/fcy-fea/lib-bib/tool-util/apps/fjis-rsgjf/brows-fure.asp>

The safety of your children and your safety come first. Do not stay in a dangerous situation because you are worried about money. Shelters can provide you and your children with short-term help while you look for housing and long-term support. They can help you look for financial support.



## Parental child abduction

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

Most abducted children are taken by someone the child knows. The person who takes them is most often a parent.

Parental child abduction happens when one parent takes a child without either the legal right or the permission of the other parent. Parental child abduction is a crime in Canada. An exception may apply when a parent takes the child to protect them from immediate harm.

## What to do if you are afraid the other parent may abduct your child

- Contact a lawyer.
- Contact your local police.
- Keep records of all important information about your child and store it in a safe place.
- Keep a copy of your custody or parenting order or agreement with you.
- Ask your local passport office to add your children's names to the Passport Control List. If your children are citizens of another country, contact that embassy or consulate to ask them to refuse passports for your children.
- Talk to your child about using the phone and explain how your custody situation works if you are separated or divorced.
- If it is safe to do so, try to maintain good relations with the other parent and any extended family.
- Keep photos, recordings or other proof of the family violence.

## If your child is abducted

- Contact your local police immediately.
- If you are out of the country, make sure to report the disappearance to the federal government's Consular Services at 613-996-8885. You may call collect, where available.
- If you are inside Canada and you think your child is outside Canada, call the federal government's Consular Services at 1-800-387-3124.
- Contact a child search organization in your province or territory and register your child as missing.

## If you are not a Canadian citizen

You do not have to live with abuse. If you are concerned about your status in Canada, speak with someone who has the right information such as an officer from Citizenship and Immigration Canada, a lawyer or social worker, or a member of the Immigration Consultants of Canada Regulatory Council. Keep in mind that you may still qualify for financial assistance and other services if you leave an abusive situation. Make sure you obtain reliable information.

If you are already an accepted refugee or permanent resident, separation from your spouse should not affect your status.





## Things to take with you if you leave

In an emergency, leave as quickly as possible. Do not stop to collect things, just go. However, if you do have some time, try and take as many of these things as possible:

- important documents such as birth certificates, health care cards, passports, immigration papers, child custody papers, court orders, social insurance numbers
- money, credit cards, bank cards
- cheque book, bank book, savings bonds
- medicine
- personal telephone and address book
- house keys
- driver's licence, car keys
- children's favourite toys
- clothing for a few days, and
- valuable jewellery.

If you are thinking about leaving, it may be a good idea to keep some of these things together, in a safe place so you can grab them quickly.

# Who can help?

## Help is available

There are people who can help you if you are being abused. You may be tired of telling your story, but keep trying to get someone who can help you to listen.

If you or someone you know is in immediate danger, call 9-1-1. If your area does not have a 9-1-1 service, call your local police emergency number. The police are trained to help you deal with dangerous situations. They are there to investigate and can also help you to get a peace bond.\* They can also refer you to victim services. Victim services or a lawyer can help you get a non-criminal protection order\* to keep the person who abused you away from you.

If the situation isn't dangerous right now, you can also call a health centre, victim services, community organization, shelter, or the local police and tell them about the abuse. They can help you to figure out what to do next.

When you ask officials like the police, a social worker or a lawyer for information, you can ask them to keep your concerns confidential.\*


The list below can help you find people or groups that might be able to help you with information, support or emergency assistance.

These numbers or links may change. Remember to keep them up to date.

## Community organizations

Many community organizations provide social services. These organizations may have someone who can listen to you and talk about your choices. They may be able to refer you to a lawyer if you need one or refer you to other services such as financial assistance. Some of these community organizations may have





services in your first language. Multicultural or immigrant serving organizations may be able to give you information and refer you to helpful services. See also, the Citizenship and Immigration Canada Directory of Newcomer Services at: <http://www.servicesfornewcomers.cic.gc.ca/>

### **Family doctor or public health nurse**

Your family doctor can give you advice on what to do if you are being abused. They can help you with your physical or psychological injuries or can refer you to someone who can. Many provinces and territories also have 24-hour health telephone help.

Call your provincial or territorial government for information about health and social support services in your community or ask your local community centre for advice. They may be able to offer information, counselling and provide referrals to social workers. You can look in your phone book or on the Internet for your local number.

### **Friends, family, neighbours**

Speak with someone you trust about the abuse. People cannot help you if they do not know what is happening to you.

### **Help lines**

There are many telephone services (sometimes called crisis lines) that you can call for free 24 hours a day without giving your name. The person who answers the phone will listen to you and can help you make important decisions to stay safe and to keep your children safe. Look in your phone book or on the Internet for phone numbers. If you choose not to call for help right away, then keep a list of these phone numbers in a safe place you can get to easily.

### **Hospital**

If you have serious injuries, you should go to a hospital. Hospitals have emergency staff who are there to help you if you are hurt or having a health emergency. They may also

have special knowledge about family violence. It is best for you to tell the doctors and nurses the truth about what happened.

If you are not a Canadian citizen, you may still have access to health care. If you are legally entitled to be in Canada—as a refugee, a permanent resident or a sponsored spouse—you may be entitled to free health coverage after three months under provincial or territorial health insurance. Refugee claimants may have access to health care coverage from Citizenship and Immigration Canada. Tourists or temporary visitors can buy health insurance. For any questions regarding your health coverage, see your province's or territory's health information Internet site or call your provincial or territorial health service. You may also go to the internet site of Citizenship and Immigration Canada at [www.cic.gc.ca](http://www.cic.gc.ca).

### **Legal Services**

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

### **Police**

Many police officers are trained to respond to family violence. Many police services across Canada have special domestic assault units with police officers and other professionals who will listen and try to help you. The police can also refer you to victim services. Check the first few pages of your telephone book for the phone number. **Call 9-1-1 or your police emergency number in an emergency.**

### **Public legal education and information programs**

These programs can provide general information about the law, the legal system, and your rights. See more information on family violence on the Department of Justice Canada's Family Violence Initiative Website:

<http://canada.justice.gc.ca/eng/pi/fv-vf/plei-vij/index.html>



## Religious organizations

If there is someone at your place of worship whom you trust, tell them what is happening.

## Shelters

If you or your children are in danger, a shelter can give you temporary help and somewhere safe to stay. Staff there have special training to deal with family violence victims and can give you advice on what to expect and how to stay safe and keep your children safe.

## Victim Services

Victim services organizations work with the police to help victims of crime. They can help you develop a plan and find ways to protect yourself. They can connect you with services for food, clothing and shelter and may be able to provide interpretation services so you can speak with someone in a language you are comfortable in. See the *Victim Services Directory* on the Policy Centre for Victim Issues website to find services across Canada, at:

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

**IMPORTANT**—If you call any phone number in the list above and your phone has a re-dial feature, then call some other number after calling the police, crisis line, women’s safe shelter or victim services worker. Or if you called from a cell phone, don’t forget to clear the number from your list of past calls. That way the abusive person won’t know what you’re doing or planning.



## What if your friend or relative tells you they are being abused?

Listen to them. Be aware that the situation might be more complicated or more dangerous than you think. Suggest that they get some help and that there is no shame in getting professional help.

It often takes someone a long time to decide to do something about abuse. Keep listening. Offer to go with them to see a counsellor. Give them some phone numbers of crisis lines\* or help lines. People who are abused often feel isolated, powerless, emotionally drained and lost. You are helping them just by being supportive.

There are many services to help victims and abusers. Police services often have or can refer you to special domestic violence services. If the situation is dangerous, call 9-1-1 or your police emergency number. Do not confront the abuser directly—it may be dangerous for you or the person being abused.





## What happens if you call the police?

If someone has abused you, you should tell the police. All provinces and territories in Canada have had police and Crown prosecutor\* spousal abuse policies\* since the early 1980s. These policies make sure that spousal violence is treated as a criminal matter.

The police might arrest the person if they believe the person has broken the law. The person might have to go to jail for a few hours until the bail hearing\* or maybe longer depending on what the judge decides.

If you are afraid for your safety, ask the police to notify you before the person is let out of jail. The judge may set rules for the release of the person who abused you. For example, the judge may order that the person is not allowed to contact you.

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

In some provinces and territories you may be able to get a non-criminal emergency protection order,\* such as a court order that tells the person who was abusive that they must not communicate with you. The order might make the person abusing you leave the family home for a period of time. You can ask for legal information on how to go about this. If an emergency protection order is not available, you may be able to get a peace bond.

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


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

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

If the person who abused you tells the judge that they are not guilty, then there likely will be a trial. It may be several months before the trial starts. You will have to be a witness at the trial, but there are several things the courts can do to make you more comfortable when you appear as a witness. You may be able to speak to the judge from behind a screen or from another room by closed-circuit television\* so that you do not have to see the person who abused you. You may also be able to have a support person near you while you testify. If the person who abused you does not have a lawyer, the Crown prosecutor can ask the judge to appoint a lawyer so that you do not have to be cross-examined\* by the person who was abusive.

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





## Remember, no one has the right to abuse you

The criminal justice system may scare you, but it is there to protect you and keep you safe. There are people who can help you get through it. Living with abuse is very difficult and can be terrifying. Especially if you are new to Canada, you may be dealing with many other issues at the same time. You may be facing culture shock. You may be experiencing financial stress. You may be worried about your children's future. Getting help is not an easy step to take but it is the best thing you can do for yourself and your children. Your choices are very difficult ones, but you **do** have choices.

If you are being abused, you are urged to get help. You don't have to face it alone. Help is available. You deserve to be safe.

# Words and phrases used in this booklet

**Please note:** These definitions may help you understand legal terms. They are not legal definitions. For a legal definition of these terms, you may wish to consult a lawyer.

## **Assault**

Assault is a crime. It is when a person uses force or threatens to use force on another person without their consent. It doesn't matter if the person makes the threat directly or indirectly.

## **Bail hearing**

A bail hearing takes place in court after a person has been arrested and charged. The judge decides whether that person should be released or held in jail until the court hears the case. The judge might release the person with conditions that the person must follow. For example, the judge may order that the person cannot contact the victim. Bail is also called *judicial interim release*.


## **Child abandonment**

Child abandonment is a crime in Canada. It happens when a person deliberately abandons or exposes a child under the age of 10 in a way that could endanger the child's life or could permanently injure the child's health.

## **Child protection services**

Every province and territory has child protection services that look into cases of child abuse and neglect that are reported to them. Child protection services are often called "child welfare," "children's aid" or "youth protection".





If the child protection service decides that a child needs protection, they can:

- provide counselling and support for the family; or
- remove the child from the home for a short time or forever.

### **Closed-circuit television**

This is the use of video cameras to give information to the court without actually having to be inside the court room.

### **Confidential**

Confidential means secret or private.

### **Consent**

To consent means to agree. But what the law means by “consent” is more complicated than just saying “yes.” If someone forces you to agree, for example by hurting you or threatening to hurt you, that is not real consent. If you consent because you were not given all the information you needed to understand the whole situation, then that is not consent either. Sometimes the law does not allow someone to consent. For example, children cannot consent to certain things, such as sexual activity with an adult. You cannot consent to sexual activity if you are unconscious or asleep, even as an adult. Silence is not consent.

### **Counselling**

This is a process where you can get help by meeting with a professional on a regular basis, to talk about the issues in order to solve problems. Counsellors are trained to help people work through their problems. Sometimes people get individual counselling (meeting with a counsellor one-on-one), couple counselling (meeting with a counsellor as a couple), family counselling (meeting with a counsellor as a family) or even group counselling (when several people who have experienced similar problems meet a counsellor together).

## **Criminal Code**

The *Criminal Code* is the law that outlines most criminal offences in Canada. Criminal offences are also called crimes. The *Criminal Code* applies across Canada.

## **Criminal offence**

A criminal offence is when a law in the *Criminal Code* is broken. This is also called a crime.

## **Crisis line or help line**

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

## **Crown prosecutor or Crown attorney**

This is the lawyer who represents the government. The Crown prosecutor presents the case to the judge when a crime has been committed. A Crown prosecutor will not be your specific lawyer if you have been the victim of abuse. They act on behalf of the general public.

## **Cross-examination**

This is a method used in the Canadian legal system during a trial. It is the interrogation (asking a series of questions) of a witness by the lawyer for the other side.





## **Culture shock**

When you arrive in a new place, especially a new country, you may feel confused or anxious because you are not used to your new environment. That feeling is called culture shock. You might have problems understanding the language spoken around you and you might feel like you do not belong. You might not be used to the weather, the food, the housing, the smells and the sounds around you. You might feel uncomfortable about the new influences on your children. Usually the feeling of culture shock goes away after you get used to things around you and you feel more “at home” or integrated.

## **Custody or parenting order**

If you have custody of your children, you are legally responsible for making the major decisions about their upbringing and schooling. If you have sole custody, your children usually live with you, but will likely visit the other parent. When parents have joint custody, they are expected to make major decisions together. Another term, such as “parenting order”, may be used in your province or territory. A parenting order sets out how decisions about the child are to be made, and how the child’s time is shared between the parents. Custody and parenting orders are made based on the best interests of the child.

## **Dowry fraud**

In some cultures, there is a tradition for the bride to bring with her some money or other valuables into the marriage, referred to as dowry. There have been cases where men have married not because they wanted to marry but because they wanted the dowry. They then leave the marriage but keep the valuables. This is referred to as dowry fraud.

## **Duty of care**

Duty of care is when someone has a legal obligation to provide minimal standards of care for another person to prevent harm to that person. For example, parents have a duty of care towards their dependent children. Spouses have a duty of care towards each other.

## **Failure to provide the necessities of life**

It is a crime for a parent, foster parent, guardian or head of a family to fail to provide the things a child under 16 needs to live. This may include not giving a child the food, shelter, or medical aid they need to survive. It is also a crime to fail to provide the necessities of life to a spouse or common-law partner. Providing the things a child needs is part of the “duty of care”.

## **Fine**

This is a court order that can be the sentence or part of a sentence for a person who committed a crime (an offender). It is an amount of money the person who was found guilty must pay.

## **Intimate partner**

An intimate partner is a spouse, including a husband, wife, common-law partner, or former spouse. It also includes a boyfriend, girlfriend, dating partner or anyone in a sexual or romantic relationship. It could also include a person with whom you share a child.

## **Legal aid office**

These offices provide legal representation and public legal education and information services to people with low incomes.

## **Peace bond**

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





## **Post traumatic stress disorder (PTSD)**

This is a serious anxiety disorder caused by witnessing or experiencing terrible things like torture, rape, killings, abuse, and other forms of violence. An anxiety disorder can be the feeling of having constant fears and worries about everyday things. Some victims of family violence can have PTSD. PTSD can also be caused from living through natural disasters like earthquakes. With PTSD, people can have flashbacks (vivid memories of the terrible things) even long after they have occurred and can have a hard time adjusting to day-to-day life. Usually people with PTSD need professional help to get them through it.

## **Probation**

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

## **Protection orders**

There are different civil (non-criminal) protection orders available to keep one person from contacting another. These are sometimes called no-contact orders or restraining orders. In addition, emergency protection orders or emergency intervention orders are available in most provinces and territories under specific family violence legislation. They can grant the victim temporary exclusive occupation of the home; remove the abuser from the home; set limits on contact and communication with the victim and other remedies.

## **Sentence**

If someone is found guilty of a crime, the judge's decision of what kind of punishment to give is the sentence. The sentence may include time in jail or a fine.



## **Sexual assault**

Sexual assault is any form of sexual contact or touching with another person without their consent. Sexual assault can range from fondling to forced sexual intercourse. A person cannot give true consent if the consent is forced, or if it is given out of fear or deception. Silence is not consent. A person who is asleep or unconscious cannot give consent. The age of consent for sexual activity is 16, but there are some exceptions if the person is close in age to the child.

## **Spousal abuse policies**

Policies are rules developed by an organization that people who work in the organization have to follow. Across Canada, different organizations that govern the police forces developed policies that police officers have to follow, to make sure they take spousal abuse seriously. Spousal abuse policies also mean that if a police officer sees that someone who was abusive broke the law, the police officer has to charge that person even if the victim doesn't want the person to be charged.

## **Supervised exchange**

When the parents no longer live together, the child still needs to see each parent. "Exchange" refers to the moment where a child goes from being with one parent to the other. If the exchange is supervised, another adult is there watching, to make sure that nothing bad happens to the child or parents during the exchange. Sometimes if there has been abuse between the parents, the exchange can be a dangerous time. The supervision makes sure that it happens safely.

## **Victim services**

Victim services and programs can provide support and resources to victims of crime. They can respond to any safety concerns you may have after a crime. They can also give you information about the court system.

Each province and territory offers its own programs and services for victims of crime.

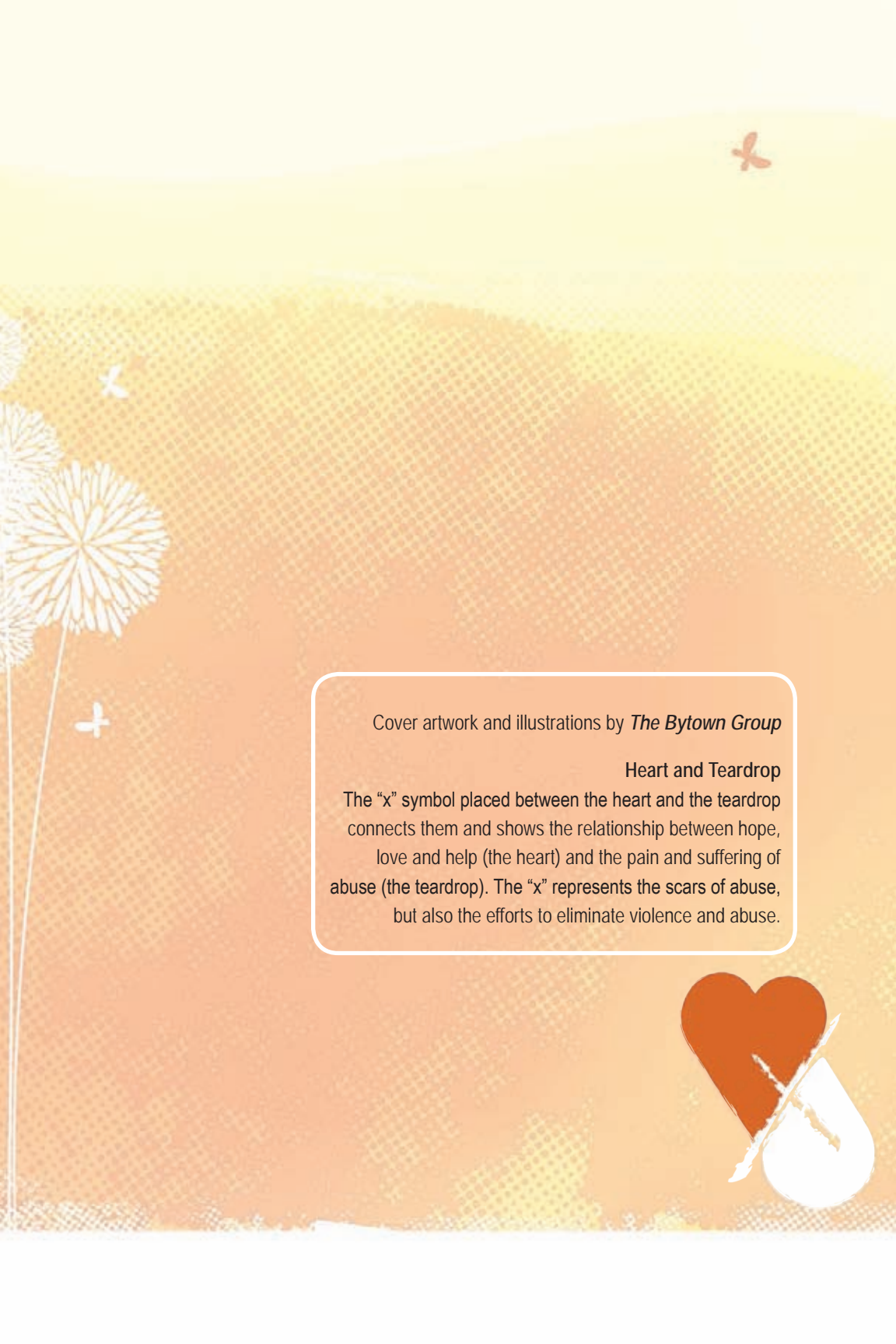


# Notes



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Cover artwork and illustrations by *The Bytown Group*

### Heart and Teardrop

The “x” symbol placed between the heart and the teardrop connects them and shows the relationship between hope, love and help (the heart) and the pain and suffering of abuse (the teardrop). The “x” represents the scars of abuse, but also the efforts to eliminate violence and abuse.



ABUSE IS WRONG IN ANY LANGUAGE

La maltraitance est inacceptable peu importe la langue

Xadgudbku waa khalad luqad kastaba ha ahaatee

El abuso es condenable en cualquier idioma

«Издевательство» звучит плохо на любом языке

욕설은 언어를 막론하고 나쁜 것입니다

بدسلوکی کسی بھی زبان میں غلط ہے

بد رفتاری در هر زبان غلط است

எந்த மொழியிலும் துஷ்பிரயோகம் தவறு.

إساءة المعاملة مرفوضة في جميع اللغات

虐待是有悖文明的恶行

ਦੁਰਵਿਵਹਾਰ ਕਿਸੇ ਵੀ ਭਾਸ਼ਾ ਵਿੱਚ ਗ਼ਲਤ ਹੈ।