



Probation Officers Association of Ontario
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Submission to the Status of Women Committee for its Study on Intimate Partner and Domestic Violence in Canada

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A brief background on Probation Officers Association of Ontario (POAO)

Established in 1952, the Probation Officers Association of Ontario (POAO) is a voluntary, non-profit organization representing the professional interests of the Probation Officers (PO) and Probation and Parole Officers (PPO) across the province of Ontario. POAO is not a union, but rather an Association of like-minded professionals who believe in the work they do and the role they play in the criminal justice community in Ontario continues to be an autonomous representative of Probation Officers and Probation and Parole Officers in Ontario. POAO is committed to the preservation of the fundamental role of the Probation Officer within community corrections. Our Association encourages its members to improve their knowledge and skills by engaging in continuous education, through seminars, workshops, and courses.

Intimate Partner Violence and Domestic Violence

An eloquent quote from the House of Commons Report (April 2021) on *The Shadow Pandemic* introduces what is seen by front line workers:

“Domestic violence is a serious violation of human rights that contributes to gender inequality. It can be defined as “any form of abuse, mistreatment or neglect that a child or adult experiences from a family member, or from someone with whom they have an intimate relationship.” As explained by the witnesses, domestic violence typically manifests within a context of coercive and controlling behaviour. Although coercive and controlling behaviour is not exclusive to intimate relationships, it “is present in 95% of relationships where there's domestic violence.”

As noted, Intimate Partner Violence (IPV) is a significant societal issue. Forty-four percent of women over the age of 15 report that they have experienced some form of intimate partner violence (Government of Canada, 2022). Only 30% of these incidents are reported to the police. Indigenous women, women with disabilities, women from certain cultural-ethnic groups, those involved in an 2SLGBTQIA+ relationship, and women between the ages of 15-24 are at increased risk of experiencing IPV. Furthermore, women who have experienced IVP before the age of 15 are at double the risk of experiencing IVP in the future (Government of Canada, 2022).

The term coercive control is broader in scope and more effectively captures the methods used to control behaviour in abusive relationships. Coercive control recognizes that domestic violence occurs on a continuum, and is often not limited to one event, but a pattern of actions used to control behaviours and dominate victims over a period of time. Coercive control includes but is not limited to: intimidation of the victim (perceived or real threats of harm to self, victim, family, children, pets), isolation from supports (family, friends, resources), withholding basic needs (medication, food, finances, documents, personal items), and violence (perceived or real physical or psychological violent tactics) (Centre for Research and Education on Violence Against Women and Children).

More recently, technology is employed as a means of coercive control. Abusers may monitor email, control who the victim can contact, supervise social media accounts, and may threaten to post intimate pictures or private information. These tactics are used by abusers to harass and control victims through social media. The impacts of technology-based coercive control are long-lasting. Once images are uploaded to the internet, they are essentially permanent, as it is extremely difficult to remove them (Women Against Abuse).

Probation Officers (working with young persons ages 12-17) and Probation and Parole Officers (working with offenders over the age of 18), have a unique role in the justice system in that they supervise individuals who have been charged with domestic violence offences, while also maintaining contact with the victim during the period of community supervision orders.

A notable percentage of the cases supervised by a Probation and Parole Officer are associated to domestic violence, with another significant number of offenders who also have convictions associated to sexual offending (SO) and human trafficking (HT) or sexual exploitation (SE). The percentage of cases that include convictions associated to human trafficking & sexual exploitation are growing at a fast rate. Drawing from professional experience, coercive control and manipulative behaviours are almost synonymous with IPV, SO and HT/SE supervised offender files. There is a strong need for front-line staff and agencies throughout Canada to receive training and education about coercive control, as well as the signs and impacts of this abuse.

Information from Statistics Canada indicates that psychological abuse is the most common type of intimate partner violence, reported by about four in ten women (46%). This means a significant portion of victimization and experience related to abusive behaviour is not formally recognized by the criminal justice system. Additionally, 58% of women who experienced this form of abuse also experienced at least one form of physical or sexual abuse, demonstrating an escalation in abusive behaviour (Cotter, 2021). A primary and ongoing challenge is the general lack of awareness regarding coercive control and its prevalence. Many women may be unable to identify if they are victims of abuse and coercive control in a relationship due to the manipulation involved by the perpetrator. It is therefore crucial for youth Probation Officers and adult Probation and Parole officers, along with other frontline staff, to better identify coercive control through the development of new screening tools and training on management of matters involving this type of abuse.

On average, it takes victims of domestic abuse seven attempts before successfully leaving an abusive relationship. For victims of human trafficking, it takes on average two years to successfully exit the abuse and/or leave the trafficker. These victims face several barriers when trying to leave, including fear of escalation, economic instability, lack of resources, and child custody issues (Government of Ontario, 2020). To further increase the complexity of this issue, is the findings that there is a gender bias in favour of fathers (noted as the primary offenders), in child custody court cases where alienation is used as an abuse tactic. A significant majority of court custody cases reported a result where father figures, who engaged in alienation tactics (including coercive control as a method of abuse), were more likely to be awarded custody over the victimized mother.

In Probation and Parole Offices, a large portion of the offender base is comprised of individuals from marginalized populations. Victims of domestic abuse are faced with more barriers that prevent them from leaving toxic relationships, including lack of access to a cell phone; lack of safe shelter; limited income; mental health issues; addiction issues; and lack of transportation. Many victims may also have distrust in the police and the justice system, noting concerns of not being heard, believed, treated fairly or investigated properly when reporting their victimization (House of Commons, April 2021). Additional barriers that hinder victims from reporting abuse are as a result of broader systemic racism, a lack of victim-centered case management in agencies, a lack of training in strength-based approaches when working with victims, and the overall lack of education and awareness training developed and offered by agencies and Ministries to acknowledge coercive control and manipulative behaviours. The lack of officer education further perpetuates a common report from victims remaining fearful that police (or justice officials) do not or will not believe their victimization experience. Furthermore, multiple elements of the criminal justice system are designed to benefit the rights of the offender over the rights of the victim (R. v. Jordan, 2016).

Youth POs and adult PPOs are trained in and use empirically validated tools designed to identify patterns and risk factors specifically for domestic violence. With POs/PPOs completing a comprehensive risk assessment, including the Ontario Domestic Violence Risk Assessment (ODARA), officers assess an offender's probability of recidivistic offences, their frequency, severity and potential for lethality. Although these assessment tools are essential in the effective supervision of domestic violence offenders, they cover minimal aspects of coercive control and manipulative behaviours. Additionally, there is a strong need for revised empirically validated tools that can encompass coercive control and manipulative behaviours as it is seen in Probation Offices across Ontario with DV, SO, HT & SE offender files.

Recommendations:

- Research and develop new screening tools that can better identify coercive control for front line staff/agencies.
- Increase funding for local agencies and improve access to a revised Partner Assault Response program.
- Increase funding for local agencies and availability of emergency shelters for victims of abuse.
- Develop training (with victim/survivor input) and offer education to probation officers, probation and parole officers, and front-line staff to better identify coercive control.
- Improve availability of relationship-specific programming for youth ages 12-17. Programming should be widely available and accessible in all areas of the province and country.

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