

Written Brief for the Study on Intimate Partner and Domestic Violence in Canada

Submitted to the House of Commons Standing Committee on the Status of Women by
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Causes of intimate partner violence:

Research, including that described by Lundy Bancroft (1), has shown that the causes of intimate partner violence from a man to his wife or girlfriend can be traced to core beliefs: that he is central in the relationship, that he is superior to his partner, and that he is deserving of privileges and power in the relationship. Abusive men view relationships from a framework of power and control. This mindset is learned from other men, and is a product of a patriarchal society. Fathers and public figures/cultural icons who model toxic masculinity pass these beliefs and behaviours on to the young boys and men who look up to them. Happily, fathers and public figures/cultural icons who model healthy masculinity also pass on ways of being and beliefs about gender equality to the boys and men who look up to them. Public education around healthy masculinity would be timely right now.

Men use power and Control in relationships in a variety of ways. One of the best resources I have come across to understand power and control (abuse) in relationships is the Duluth Wheel Model (2), which describes a variety of tactics that abusers use to exert power and control over their intimate partner. These tactics include using intimidation, emotional abuse, isolation, minimizing/denying/blaming, using children, using male privilege, using economic abuse, using coercion and threats, and physical and sexual violence. It is common that women who have not been hit or sexually abused in a relationship don't understand or recognize that there are many other kinds of violence that occur within relationships. It is so important that the non-physical forms of violence become more widely recognized and identified. The Duluth Model has also developed wheels representing post-separation abuse, child-abuse, as well as equality in relationships. These are excellent educational resources that could be widely used with youth and adults.

There are many myths circulating in society that intimate partner violence can be traced to the perpetrator's difficult childhood, mental health issues, prior "bad experiences" in a relationship, or culture. This is not correct. Abuse is a result of a mind set or belief system in which the abuser sees themselves as central, superior, and deserving. There are other myths that blame the woman for her partner's abusive behaviour - she was wearing too short of a skirt, she pushed him to the limit and he "lost control", or "it takes two to tango". These myths around the causes of abuse have been dispelled, and it is critical that in any educational approach developed for young people, that they are not reinforced. Abuse is a choice. Generally, abusers are abusive behind closed doors and present as very decent, well respected figures who are NOT abusive to their colleagues and friends. This tells us that they are in control of how they behave. Lundy Bancroft writes extensively about this.

Ways to improve supports and protection for women and girls who are living in unsafe environments:

When a woman or child is behind closed doors with an abuser, there is very little anyone can do to protect them. The only way for women and children to be safe, is for men to stop being abusive.

Seeking support while in an unsafe environment and ultimately leaving an unsafe environment (home), is both difficult and dangerous for women. Research has shown that the most dangerous time for a woman leaving an abusive relationship is the time just prior to leaving as well as the period of time following her departure from living with the abuser.

Ensuring substantial and increased funding is available for organizations that support women in the leaving process, such as transition houses and legal aid for women fleeing abuse would be a starting point. Right now, for example, in BC, it is very hard to qualify for legal aid. Women who have any amount of savings or income are forced to plunge themselves into destitution through the legal system to seek the protection that the justice system might afford them. Many women are forced to navigate the courts alone, and are put at great disadvantage as a result. But even then, many women find that the family court system, which does not typically take into account the abuse women have experienced, often fails to provide any amount of safety or protection to women and their children who have fled abuse.

Ways to eliminate barriers facing women and girls seeking to leave unsafe environments, such as the financial, social and other factors preventing them from leaving:

The barriers to leaving are staggering. Many women fleeing abuse have limited access to finances, perhaps because they have been a stay at home mom, or because their partner controlled the finances. A system for financial support for women who have fled abuse would be helpful. For example, allowing women to receive income assistance for a longer period of time after leaving an abusive relationship. Single mothers fleeing abuse fell into a gap during COVID, and faced incredible financial distress due to job loss and decrease in support payments from ex's experiencing job loss. Single moms who had young children and were not employed did not qualify for government covid support, leaving them in severe financial vulnerability. The unique needs of single mothers fleeing abuse need to be considered in future disaster responses.

Finding safe housing that is affordable is such a significant problem that many women are forced to return to their abuser. Something that would make a tangible difference to women and girls seeking to leave unsafe environments would be accessibility to safe, affordable and possibly even supportive housing. This could look like more transition homes, more second stage transition homes, more funding for supportive, affordable long term housing. More subsidized housing in general, with priority for women fleeing abuse.

A federally funded education campaign for the public targeting all ages, including content on what coercive control and domestic abuse looks like, with a specific focus on the non-physically violent forms of abuse, is needed. Curriculum on abuse and healthy relationships in school should be included as core (not elective) curriculum. If young people grow up knowing what abuse is, we will eventually have a society that is able to recognize abuse and respond. We will have a society that does not normalize coercive control or toxic masculinity. We may have a lower prevalence of abuse if girls, teens, and women know that they will be believed, and know that they have the right to walk away from an abusive relationship, and that support will be there for them to help them get back on their feet.

Explore strategies to prevent intimate partner violence and to educate survivors and perpetrators of violence:

There is no doubt that education for survivors - and perpetrators - of violence is helpful. For survivors, understanding what happened to them - and that it is not their fault - is a crucial step towards healing and rebuilding their lives.

Sometimes education can be provided one-on-one, such as through private counselling or provincially funded programs such as the "Stopping the Violence" counselling program in BC. Although education and therapy are two different things, it is through therapy that many women come to understand what has happened to them and what abuse looks like. Increased funding for therapy for women who have been affected by domestic violence is needed. Therapists who support domestic abuse survivors should be trained through the When Love Hurts Program (3), to ensure their work is abuse and violence informed and does not harm the women they work with by making unhelpful assumptions or giving inappropriate advice. A shocking but common problem women encounter when seeking therapeutic support is that their therapists blame them for the abuse, saying that they did not have clear enough boundaries, they should have been more accommodating, or they should work on their "anger issues." This is because university programs for social work or clinical counselling do not typically have courses or content specific to abuse. Provincially or Federally funded programs such as the Crime Victims Assistance Program in BC could be expanded to include victims of domestic abuse and coercive control.

Another powerful form of support and education for women who have experienced abuse are support groups where women can listen to each other's stories. When women meet with each other, in a supportive and well-facilitated context, and are able to understand what is happening to them, they are able to come out of the fog of confusion caused by abuse (particularly emotional/psychological abuse) and decide for themselves what steps they want to take, and how to do so safely.

An incredible example of this kind of support are the When Love Hurts (3) support groups, offered for women in British Columbia. These groups are based on the excellent book When Love Hurts, and guide women through a process of understanding abuse, power and control dynamics, understanding how abuse

has affected them, and ultimately healing from the impacts of abuse. These support groups could be reduplicated through community agencies across the country. A curriculum and training for facilitators exists. I recommend this framework so highly because it is women-centred, feminist, and abuse, violence, and trauma informed. It is research-based and does not, ever, blame the woman for her experience of abuse. Funding for these kinds of therapeutic support groups across the country would make a significant impact on the lives of women recovering from abuse.

The material in the *When Love Hurts* book should be required reading for all Judges who deal with family matters at provincial and supreme levels, and a copy should be sent to each and every lawyer practicing family law in Canada.

Education for perpetrators of violence is also critical, although I do not think that we currently have the legislative framework to enforce any kind of mandatory education on men who have used coercive control or other kinds of abuse on their partners, unless it is part of a court order. However, many men who will never get a court order require this kind of education, and public policy addressing this gap would be helpful. There certainly are good examples of education programs for men run by community agencies across the country, and expanding on them in some way would be ideal. An example of such a program is the MenTOR Relationships for Men: Home Improvement Project facilitated by the Tri-City Transitions Society (4)

Consider various international legislative experiences regarding the criminalization of coercive and manipulative behaviours between intimate partners as well as consider the use of other public policy tools to eliminate these behaviours:

Parliament should pass private member's bill C2-33 "Kiera's Law." Family law system does not appropriately address court facilitated abuse or hold abusive people accountable for their behaviour. Legislative change is critical. One change currently being proposed by Private Member's Bill C-233 "Kiera's Law" (5), tabled by Liberal MP Anju Dhillon, would require judges to receive education on coercive control. Bringing this bill into law is a critical step to ensure that coercive control is recognized as a form of domestic violence, and that it is taken seriously in courts.

Canada should follow the lead of the U.K., Ireland, France and several American states, which now criminalize coercive control. NDP MP Randall Garrison had introduced a private member's bill to amend the Criminal Code to include coercive control, and although the bill died, such a bill should be reintroduced and passed.

It is also necessary for there to be an ability and expectation for judges to move past relying on past case law that overlooked or minimized the impacts of domestic violence on women and children and towards making judgements based on changes in family law. These new judgements can then be relied upon as caselaw that recognize and appropriately respond to, rather than minimize, the impact of coercive control on women and children.

Canadian courts must not recognize parental alienation as a legitimate concept. Parental alienation syndrome has been rejected by the DSM and the World Health Organization as a legitimate term (6). Parental alienation has become a common litigation tactic, often used by abusive men to discredit allegations of abuse made against them by their ex partner, and to attempt to remove children from the protective parent (usually the mother). In cases of "parental alienation", what is usually happening is that the abuser has estranged himself from the children by his own behaviour including emotional or other kinds of abuse towards the children or their mother. Rather than legitimizing parental alienation, the courts must become more attuned to recognizing coercive control and abuse, and its devastating impact on women and children, and ensure that children are placed in the care of the protective parent.

The Canadian government must ensure that our family courts do not move towards a presumption that 50/50 parenting time is always in the best interest of the child. In cases where domestic abuse - including coercive control - is present, a 50/50 parenting schedule places women and children at heightened risk of ongoing exposure to violence. In the worst case scenarios, courts that award generous, unsupervised parenting time to unsafe men with a history of abuse and coercive control, fail to protect children and this has lead to Canadian children being killed by their fathers.

Summary of Recommendations

- Implement public education around healthy masculinity.
- Substantially increase funding for transition houses, legal aid, and other support systems for women fleeing abuse. Ensure all women who have fled abuse have access to legal representation without losing all of their savings.
- Improve access to financial support for women fleeing abuse, such as increased access to income assistance while women rebuild their lives after abuse.
- Ensure that the unique vulnerabilities and needs of single mothers fleeing abuse are considered in future disaster / pandemic responses.
- Implement a nation-wide public education campaign targeting all ages to raise awareness on coercive control and domestic abuse, to raise awareness around the non-physically violent forms of abuse.
- Incorporate content on abuse and healthy relationships into the core curriculum of schools.
- Increase funding / accessibility to individual and group therapy for women who have left abuse, and ensure that the therapists covered by such funding are trained by a program such as the When Love Hurts program to ensure their approach is violence and abuse informed and women-centred.
- Pass Private Member's Bill C-233 "Kiera's Law" and require that judges receive education on coercive control, and begin to respond appropriately in family court cases where abuse is present.
- Amend the Criminal Code to include coercive control
- Formally reject the idea and use of "parental alienation" in family court.
- Provincial and Supreme courts dealing with family matters must refrain from moving towards a presumption of 50/50 parenting time as being in a child's best interests.

1. Lundy Bancroft has over thirty years' experience specializing in interventions for abusive men and their families. He has [authored several books](#), including the world's best-seller on domestic violence, "Why Does He Do That?" His work would be well worth considering and consulting. <https://lundybancroft.com/books/>
2. The Duluth Model is a model developed to describe common tactics of power and control used in relationships. An excellent set of resources including numerous versions of power and control wheels and videos explaining them more in depth. <https://www.theduluthmodel.org/wheels/>
3. When Love Hurts provides education around abuse and support for women who have experienced abuse. The support groups offered through When Love Hurts are an excellent example of appropriate support for survivors of violence. <https://www.whenlovehurts.ca/>
4. The MenTor Relationships for Men: Home Improvement Program <https://www.tricitytransitions.com/get-help/services-for-adults/>
5. Private Members Bill C-233 "Kiera's Law" <https://www.parl.ca/DocumentViewer/en/44-1/bill/C-233/first-reading>
6. This link explains the reasons for which the World Health Organization has moved away from the International Classification of Diseases. <https://www.who.int/standards/classifications/frequently-asked-questions/parental-alienation>