

# Violence Against Women and Children

## Background

- Violence against women and girls can include physical, sexual, and psychological abuse as well as stalking or criminal harassment and other abuses of power and attempts at controlling and coercing women, including financial control.
- While women of all backgrounds are vulnerable to violence, some are more vulnerable than others, including young women and children, women with disabilities, women with lower incomes, Aboriginal women, and women of ethnic and racial minorities.
- Women in subordinate social or economic positions are particularly vulnerable. Obviously, immigrant and refugee women who are paid very little and work in private homes as domestic workers often do not know their rights or the legal services available to them and may be threatened with deportation if they report abuse. Sex trade workers are extremely vulnerable to physical and sexual violence and even murder and often do not receive support despite the fact that many young sex trade workers are fleeing abusive homes without other economic options open to them.
- The use of the term “spousal assault” conceals the gendered nature of this violence, most of which is committed by men against women and results in more serious injury than violence committed by women against their male partners.
- There are many reasons why women find it difficult to end an abusive relationship. Many women fear retaliation, or lack the resources to support themselves and the children they may be taking with them. Some may have tried to leave but did not receive support from the family, friends, or police they went to. Others may still be dependent on their abuser because of illness, disability, or immigration sponsorship.

- Most incidents of violence against women are not reported to police, and those that are sometimes are not even recorded, often do not lead to a conviction, and rarely result in an appropriate sentence. There are not only problems in recording and investigation, but also in court proceedings and sentencing practices, that have prevented the effective criminalization of the victimization of women.
- Not only do victims of violence against women have to cope with the trauma of the violence itself, they also have to face the sexism embedded in the process of holding their attackers accountable. In the case of *R v. Tyhurst*, women who were sexually assaulted by their therapist were attacked in court on the basis of the mental health issues that had first put them in the vulnerable position with their therapist that led to their victimization.
- Young women learn at a very young age that it is important to be nice, nurturing, and caring especially to their fathers, brothers and boyfriends. Any deviation in terms of personality, aspirations, body type, clothes, or even dreams is deemed unacceptable.
- Violence against women may result in death, injury or permanent disability, unwanted pregnancy or abortion, sexually-transmitted diseases, and/or emotional trauma, and in the longer term, abuse can lead to a range of chronic health problems.
- Violence against women affects the daily lives of all women, not just immediate victims. Violence creates fear, and this fear affects all women.
- Family relations that embrace traditional family and gender belief systems can, and do, operate to place girls on trajectories of low income because they often emphasize the importance of marriage and family at the expense of economic self-sufficiency.
- Women's relative poverty because of discrimination, puts them at risk of assault by leaving them in darkened streets waiting for buses or cabs, makes them rent inadequate housing including ground floor and basement suites with inadequate locks. That same enforced poverty makes them unable to avoid dependency on abusive partners and bosses.
- When government legislation, policy, and procedures treat women as deserving of inequality or just fail to treat women as worthy of equality, the

sexism of the whole society is reinforced.

- In 2003, Canada was criticized by the United Nations Committee examining Canada's record regarding the Convention on the Elimination of All Forms of Discrimination Against Women. Criticisms included: neglect of women, particularly with regards to social welfare, poverty, immigration policy; the treatment of Aboriginal women and trafficked women; funding for equality test cases; and funding for crisis services and shelters for victims of violence against women.
- Individual men who commit acts of violence against women must take responsibility for their own choices and the consequences of their actions. "No child could warp into such a man without the intentional collusion of some, the mindless cooperation of many, and the indifference of even more. And we are not talking about their mothers. We must ask ourselves, who introduced them to pornography, to weapons, to abuse, to being abusive, to sexualizing abuse, to abusing for sexual gratification? Who ignored, or even rewarded their actions, as they became more terrible and more terrifying."
- Gender based violence impairs or nullifies the enjoyment by women of human rights and fundamental freedoms and it circumscribes women's ability to function as full citizens in society.
- Charter obligations to the women of Canada are ignored by those responsible for emergency services, police intervention, and those prosecuting cases. The promise to women in the Charter of Rights and Freedoms is broken when it comes to women who complain of violence against women.
- The investigation into the disappearances and murders of numerous women from Vancouver's downtown eastside was handled in a manner of "gross negligence," as it was deemed in a subsequent civil suit against the government and police. The lawsuit suggests the failure of police to fully investigate these events directly resulted in the murders of more women before Robert William Pickton was arrested and charged on February 22, 2002. Charges against Pickton had been stayed back in 1997 because a witness against him was not seen as credible based on her being described as a "drug-addicted prostitute." Many of the women whose murders Pickton is now charged with were also known to police for their history of petty crimes. In the time it took for police to take these matters seriously and charge Pickton in 2002, it was noted that there was a significant increase in the number of

missing women.

- Paul Bernardo's and Robert William Pickton's sexist violence was assisted by mistakes of the police because of territorial wars, failure to co-operate between detachments, failure to follow policy and procedures, and failure to use common sense. In this category too, is the failure to adjust to technological change: to test DNA handed to them, to record evidence technologically, and to communicate with others electronically.
- While Canadians have been aware of violence against women for thirty years, it still fails to be made a priority for policy and resource allocation, within governments and within police departments, despite the fact that women make up 52% of the population. This lack of commitment by the government is seen in the dwindling financial and political support given to equality-seeking groups. Moreover, the most vulnerable women in Canada have been targeted by the government to be persecuted and prosecuted for welfare fraud and prostitution. Victims of trafficking have been jailed, and women who unsuccessfully complain of violence are threatened with nuisance, contempt and other criminal charges.
- Sponsored immigrant and refugee women, mail-order brides, and domestic live-in caregivers are especially vulnerable to abusive relationships. Dependent upon their partners and employers for immigration status and economic support, these women face threats of withdrawn work contracts, difficult access to legal help due to economic and language barriers, communication and cultural roadblocks, and distrust or fear of the Canadian legal system.
- Government rhetoric on women's issues has been used to justify policies that are not working for the advancement of women, like the recent American-led bombings and invasions in the Middle East.

### Statistics

- In 2000, women and girls were 86% of all sexual assault victims, 78% of all criminal harassment or stalking victims, and 67% of all victims of abduction or hostage-taking.
- Half of Canadian women, approximately 51%, have been victims of at least one act of physical or sexual violence since the age of 16.

- Women and girls victimized by partners, family or friends/acquaintances made up 77% of all women who are victimized in 2000.
- In 2001, 29% of all homicide victims were women, and 52% of these women were murdered by someone to whom they had been married or whom they dated. The corresponding statistic for men is 8%. In 2001, one in five homicides were spousal homicides, an increase from the previous year that may be due in large part to the increase in murder perpetrated by legally married husbands.
- On April 15, 2002, 6286 residents were in 482 women's shelters, of which 52% were women and 48% were dependent children. 73% of these women had suffered abuse, 85% of the abuse victims escaped psychological abuse, 74% physical abuse, 53% threats, 44% financial abuse, 36% harassment, and 29% sexual abuse. 66% of these women were abused by a spouse or partner, 10% by a former spouse or partner, 6% by a relative, and 6% by a current or ex-boyfriend. 54% of the abused women were admitted with children, 70% of which were under the age of ten. Of those women fleeing abuse who were admitted with children, 57% were protecting their children from witnessing the abuse, 43% were protecting them from psychological abuse, 23% from physical abuse, 21% from threats, and a further 12% from neglect.
- In 40% of spousal homicides with male victims it was determined by the police that the male victims were the initial aggressors in the incident, compared to only 5% of spousal homicides against women.
- A history of spousal violence was known to police in 74% of spousal homicides against women committed by ex-husbands, 57% of those by common-law husbands, and 41% of those by current husbands between 1993 and 2000. Based on victimization surveys it is believed that only 10% or fewer women sexual assault victims report the incident to the police.
- Women are three times more likely to be injured than male victims of spousal violence, five times more likely to need medical attention, five times more likely to be hospitalized, three times more likely to need time off to deal with the consequences of the violence, and twice as likely to suffer repeated assaults.
- Women made up 85% of all spousal assault victims in 2002, with the highest rates associated with women between the ages of 25 and 34 years of age.

- Girls made up 79% of all family-related sexual assault victims in 2002, with the highest rates associated with girls aged 11 to 14. Family-related physical assault rates against girls increased with age, with the highest rate at age 17 (362 per 100,000 females compared to the highest rate for boys, 196 per 100,000 males at the age of 15).
- In 2000, the majority (54%) of women who were victims of sexual assault were under the age of 18.
- Women represented 76% of all criminal harassment or stalking victims in 2002, and were stalked by a partner or ex-partner in 54% of cases, with the highest rates of victimization for women between the ages of 25 and 34 years. Rates for criminal harassment against a woman partner have increased each year from 1998 to 2002, with the 2002 rate 26% higher than that of 1998. One in five women (21%) are stalked by men with whom they previously had intimate relationships, usually an ex-husband or ex-boyfriend (60%).
- Family-related physical and sexual assaults for both girls and boys generally increased between 1998 and 2002, with the largest annual increase of 14% between 2001 and 2002 for sexual assaults against girls.
- Over the last decade, 59% of 1717 solved family homicides were committed against women with male spouses responsible for 62% of them. Over the same period male victims represented 41% of family homicide victims with only 24% of them committed by a wife or spouse.
- Of all homicides committed against women in the last decade, one-third was committed by a spouse. Only 4% of homicides with male victims were spousal homicides. In 2001, the number of spousal homicide in Canada rose, accounting for one out of every five solved homicides.
- In 2004, women made up 84% of all victims of spousal homicide. Amongst the spousal homicide-suicide rates between 1961 and 2004, women were the victims in 97% of these cases.

### **Criminalized Women**

- Cuts to social, health and educational services, combined with State practices which punish women for resisting abuse, like “gender-neutral” zero tolerance policies, help make women the fastest growing prison population in Canada

and around the world.

- Criminalized women are far more likely to have experienced abuse than other women are, and Aboriginal women are more likely than non-Aboriginal women to have histories of abuse. These experiences have devastating long-term effects, which can put these women more at risk of being criminalized and then shape how they experience prison. Prison can revive controlling aspects and experiences of abuse and feelings of loss of control and power over their lives.
- Prior to incarceration, 71% of federally sentenced women had experienced physical abuse and 56% had experienced sexual abuse.
- The victimization of federally sentenced Aboriginal women prisoners includes sexual and physical assault, emotional and psychological abuse prior to their imprisonment. There are numerous historical abuses suffered as a result of residential and mission schools, foster care and adoption, the lack of equal access to training and employment not to mention the societal oppression experienced generationally, resulting in internalized oppression.

### **Aboriginal Women**

- Both spousal assault rates and spousal homicide rates are higher for Aboriginal women than for non-Aboriginal women, with spousal homicide rates of Aboriginal women eight times higher than those of non-Aboriginal women (4.72 per 100,000 couples and 0.58 per 100,000 couples, respectively, between 1991 and 1999).
- The Royal Commission on Aboriginal Peoples linked the high rate of violence in Aboriginal communities to systemic discrimination, economic and social deprivation, substance abuse, and a cycle of violence across generations. The long-term effects of colonialism on traditional values and the disruption of family life created by residential schools are contributing factors.
- Violence against Aboriginal women in particular can be traced back to colonialism. Many Aboriginal communities were matriarchal or semi-matriarchal before colonization imposed patriarchal religious, economic, and political institutions upon them. Aboriginal women face both racism and sexism as a result and are commonly objectified and dehumanized in racist and sexist stereotypes that render them at risk of physical, emotional, and

sexual violence.

- While Aboriginal people are over-policed in that they are arrested and detained under circumstances in which non-Aboriginal people may not be, they are also under-policed in that they do not generally experience preventive and supportive police services.
- In a tragic example of police failure to respond, in February 2000, Corinne McKeowen and Doreen Leclair were stabbed to death after their five desperate calls for help were ignored by police.

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