

The background features a large, abstract circular pattern composed of numerous overlapping, curved lines in various shades of green, ranging from dark forest green to light lime green. The lines are arranged in a way that creates a sense of depth and movement, resembling a tunnel or a vortex. The overall effect is dynamic and organic.

options choices changes



A Women's Directorate publication

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The Women's Directorate is committed to helping end violence against women and girls. We hope this booklet will help all women and girls who have suffered and lived in the shadow of violence.

We sincerely thank all of you who assisted us, particularly staff from Yukon Women's Transition Home (Kaushee's Place), in ensuring this information is sensitive to the concerns and priorities of Yukon women.

This publication is based on the Nova Scotia Advisory Council on the Status of Women's booklet "Making Changes: A book for women in abusive relationships" and the Calgary Women's Emergency Shelter's booklets: "Honouring Resistance: How Women Resist Abuse in Intimate Relationships" and "Choosing to Change: A Handbook for Men concerned about their abusive behaviours towards those they love." Options, Choices, Changes has been adapted and edited to reflect the current laws and services in Yukon.

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If you are a woman experiencing abuse or who has previously experienced abuse, this book is especially intended to help you.



Introduction

Women can be abused physically, emotionally, sexually, psychologically and financially. Maybe you are being abused by your partner, husband, boyfriend or some other person in your life. Maybe you think you are being abused, but you are not sure. If you are being abused by another woman who is your intimate partner, you may also be able to use this book.

This handbook was written for:

- women who have experienced intimate partner violence;
- the friends and family who love them;
- professionals who work in the field of domestic violence; and,
- perpetrators of domestic violence.

By reading this handbook, our hope is that:

- women will recognize the strength they have shown in resisting abuse;
- friends and family of abused women will have a better understanding of the many subtle ways women resist abuse;
- professionals who counsel victims and/or perpetrators of domestic violence will use a response-based approach; and,
- perpetrators will choose to consistently treat their partners with respect and dignity.

Many people have been raised to believe victims of domestic violence share some common “effects” of abuse by their intimate partners. They make an assumption that victims passively accept violence, and lack self-esteem, assertiveness or boundaries. Much attention is paid to these “effects” of violence. Unfortunately, this leads people to have a stereotyped, negative view of victims.

Victims are not passive when they are being abused. By looking at what victims do to oppose abuse and to keep their dignity, we hope people will form a more accurate view of victims. We also hope victims will reconsider any feelings that they are “damaged,” and instead, look at the strengths they have shown in resisting abuse.

We also look at what perpetrators do when they are abusive. Much attention is focused on trying to understand the reasons people are abusive. For example, it has been suggested that perhaps people are abusive because they themselves were abused as children, or they have mental health disorders. Unfortunately, this sometimes leads to excusing perpetrators from responsibility for their behaviour. In fact, it is our experience in working with perpetrators that they are in control of their actions, and they make deliberate choices about their abusive behaviour. We believe perpetrators can, at any point in time, choose to change and to behave respectfully towards others.

What you can do if you know a woman is experiencing abuse

- Read this booklet.
- Acknowledge the strength women show by resisting abuse.
- Educate yourself on women's resistance to abuse.
- Give her clear messages: violence is never okay; her safety and her children's safety are the most important issues; abuse of women is a crime; she does not cause the abuse; she is not alone; she cannot change her partner's behaviour; violence is a choice.
- Help her make an emergency safety plan (see page 32).
- Encourage and support her to make her own decisions.
- Don't put the abuser down (she may still have an emotional attachment to him).
- Believe her. Don't judge or lecture.
- Find out about the resources in her community (see the Directory at the end of this booklet).
- Don't ask why she stays.
- Don't buy into common myths about abuse or women.
- Be patient and understanding.
- Let her know there are no simple solutions, but that change is possible.
- Discuss different options and allow her to decide which is best for her.
- If you can, let her know you'll stand by her no matter what she decides.
- Be patient if she is confused or unsure about what to do.
- Respect her decisions.
- Make sure you are also safe.

Information about abuse

DEFINITIONS:

Abuse: deliberate behaviour in which one person chooses to dominate, control or harm another. Perpetrators abuse against the will of victims who never ask or choose to be abused.

Domestic Violence: domestic violence is widely understood to be a pattern of behaviour used by one person to gain power and control over another person with whom he/she has or has had an intimate relationship. This pattern of behaviour may include physical violence, sexual, emotional, and psychological intimidation, verbal abuse, stalking, and using electronic devices to harass and control. Anyone can be a victim of domestic violence, whatever their age, race, economic status, religion, sexual orientation or education. While men can be victims of domestic violence, women represent the overwhelming majority of victims of such violence.

Perpetrator: the person in a close relationship who chooses to behave in ways that harm, control or dominate another.

Resistance to Abuse: whenever people are abused, they do many things to oppose the abuse and to keep their dignity and their self-respect. This is called resistance. The resistance might include not doing what the perpetrator wants them to do, or standing up against and trying to stop or prevent violence, disrespect and oppression. Imagining a better life may also be a way that victims resist abuse.

People call abuse of women different things:

- wife battering;
- wife assault;
- domestic violence;
- family violence;
- wife abuse/spousal abuse;
- woman abuse;
- physical or mental cruelty;
- violence against women;
- assault; and,
- intimate partner violence.

Victim: the person who has been purposely harmed by the unwanted actions of another. The victim is in no way responsible for the abusive actions of another. Victims always oppose abuse and often show great strength in doing so.

Here are just a few examples of behaviours and types of abuse by perpetrators:

Acts that are offences under the Criminal Code of Canada

Physical abuse: strangling, kicking, punching, slapping, grabbing, pushing, shoving, spitting at you, pulling your hair, physically restraining you, stopping you from leaving, holding you when you say “no,” any unwanted physical contact, abusing your children, treating you roughly.

Sexual abuse: putting you down or comparing you sexually to others; getting back at you for refusing to have sex, sleeping around, or treating you as a sex object; forcing you to look at pornography; hounding you for sex or forcing certain positions; forcing unwanted sex.

MYTH: Women who are being abused can always choose to leave the relationship at any time.

FACT: Women who are facing abuse may have a number of barriers to leaving the abusive situation, including social, financial, cultural, religious and emotional obstacles.

Stalking or criminal harassment: creating fear by repeatedly following, communicating, or attempting to communicate with you or any member of your family.

Stealing things that belong to you like your pay cheque or your passport.

Threats to harm or kill: for example, telling you to stop crying... or else.

Other forms of abuse

Emotional/psychological: causing you to feel afraid, playing 'mind games' by not telling you what he is doing, lying, ignoring you, walking away from you in discussion (unless both of you have agreed to taking a 'time-out' period when arguments become heated); refusing to deal with issues; putting you down; finding fault in your behaviour; brainwashing; refusing to do things with you or for you (such as withholding sex), always getting his own way; and, criticizing how you look or act.

Financial/economic: controlling you by not paying the bills, refusing to give you money for groceries/clothing/things you need, spending all the money on things he wants, forbidding you to work outside the home, or not letting you take part in financial decisions.

Social isolation: making a scene in public; embarrassing you in front of your children; not letting you see your friends or being rude to your friends; being nice to others but changing his personality when with you; not taking responsibility for the children; turning your children against you; comparing you unfavourably with other women; not allowing you to express your emotions; denying your feelings; and, threatening to have you deported.

Spiritual abuse: ridiculing a victim's religious/spiritual beliefs; attempting to stop her from practicing or participating in spiritual practices; using spirituality/religion as a way to attempt to control and manipulate the victim; destroying spiritual scriptures or objects; attempting to force or pressure her to accept spiritual beliefs or engage in spiritual practices.

Verbal: calling you names, yelling, shouting, being sarcastic or critical, always blaming you for things that go wrong, insulting you/your family, laughing in your face, verbal abuse of your children.

Why does violence against women happen?

The root causes of violence originate in the belief that the needs, feelings, or beliefs of one person or group are more right or more important or valuable than those of another person or group. This fundamental inequality creates a justification to intimidate, humiliate, control, abuse and, even murder.

**PERPETRATORS KNOW THAT VICTIMS WILL RESIST,
SO THEY MAKE PLANS TO TRY TO STOP THE VICTIM'S
RESISTANCE.**

Perpetrators do not believe that victims will be passive. Therefore, perpetrators think about how victims will resist their abuse, and make plans to try to stop this resistance. For example, bullies do not pick on children who are bigger and stronger than they are. Bank robbers assume that tellers will resist, so they make plans to try to overcome that resistance.

Here are a few examples of ways that perpetrators can try to stop victims from resisting.

(This is not a complete list).

- One man's immigrant wife did not know Canadian law. He tried to convince her that she would be deported if she called the police for help, because they would know she was a "bad" wife. *He also told her that women's shelters were where bad wives went, and that this would also be a reason for her to be deported.*
- A perpetrator knew that his partner would find it harder to resist his violence if she had no money, so he made sure she never had any spare cash.
- A husband blamed his wife for his own behaviour. He played "head games" with her and tried to confuse her so that she would be easier to control.
- A perpetrator knew that his spouse would attempt to call the police for protection against his aggression. He called the police first, twisted events around and made up a story that she was assaulting him.

- A perpetrator said sorry and gave gifts to a victim following abuse, hoping that the victim would stop feeling angry at him. He believed that this would stop any plans she was making to oppose his mistreatment of her. (Note that it is sometimes difficult for a victim to know what the perpetrator's kind and loving behaviour actually means, because sometimes perpetrators are truly sorry and actually make changes in their behaviour).
- A perpetrator presented a “nicest guy in town” image, believing this would make it more difficult for his wife to convince others that he is abusive.

In our society, gender inequality exists in most areas in our lives, including politics, religion, media, cultural and social norms, and in our workplaces. We all receive messages — both obvious and hidden — that men are more important and more valued than women. Living in the context of this type of environment makes it much easier for a man to believe that he has the right to be in charge and to control a woman, even if it takes violence to do it.

Exercise for victims of abuse

Reflect upon some of your partner's abusive behaviours. Can you see evidence that these behaviours were deliberate, controlled or planned? Does he act differently toward you when other people are around? How has he attempted to stop your resistance to his abuse? Does he treat others with respect and you with disrespect? Write down all of the evidence you have that indicates his abuse was deliberate. What is it like for you to think of the perpetrator's behavior in this way?

This is not only wrong, it's against the law.

Violence against women continues in Canada and the North for many complex reasons. It is important to understand how power imbalances based on gender, race, culture, economic or immigration status, ability and sexual orientation (among others) contribute to and influence behaviour that furthers violence. Women in the North experience inequality based on their gender and for other reasons such as race.

Intimate partner violence has been identified as one of the most important issues facing Northern people in Canada. There are many reasons for this, including: a younger population, racism, discrimination, lower wages, the breakdown of family life resulting from residential school upbringing of Aboriginal persons, and the impact of colonialism on traditional values and culture. Poverty, alcohol and substance abuse, and overcrowded, substandard housing also contribute to violence.

Violence against women is underreported to authorities, so it is hard to get accurate statistics on its prevalence; however, statistics show that the rates of violence experienced by Aboriginal women are much higher and of greater severity than those experienced by non-Aboriginal women. Because of racist attitudes, society may look at Aboriginal women differently. This adds to the higher rate of violence as it furthers the feeling that an assault against an Aboriginal woman does not hold the same value as an assault against a non-Aboriginal woman, and reinforces the feeling that a meaningful response to violence against Aboriginal women is not warranted.

ABUSIVE AND VIOLENT BEHAVIOUR IS ALWAYS DONE DELIBERATELY

Perpetrators of violence often try to avoid responsibility for their abusive behaviour. They may blame someone or something else. They may find excuses for their violence such as, “they were in a blind rage,” or, “they were so out of control with their anger that they did not know what they were doing.”

As well, they may blame their behaviour on their partners, an abusive childhood, stress, alcohol problems, their cultural background, financial problems, or their personalities (i.e. an “intense” personality; a tendency to “overreact”). Unfortunately, sometimes professionals, such as counsellors and lawyers, also hold beliefs about violent behaviour that excuse perpetrators of responsibility for their own behaviors.

Nobody knows why some people are violent in their intimate relationships. Many studies have been done, but nobody has been able to find a “cause” of violent behaviour. In any case, we believe that there are no acceptable reasons for one partner abusing another in an intimate relationship. It is not surprising that many victims are also confused about their partner’s violent behavior, and do not understand why he does such mean and hurtful things. In our view, this “failure to understand” is another way that victims resist abuse. It shows that victims know that there are no acceptable reasons for abusive behavior. Perpetrator’s abuse is planned and deliberate. The most obvious ways perpetrators show that their abusive behaviour is deliberate is by trying to stop victims from resisting.

The following are some additional ways that perpetrators show they actually do have control over their behaviour:

- The perpetrator can suddenly change his behaviour in the middle of an abusive episode. They can switch their behaviour or change a verbal attack for example, when a friend unexpectedly shows up at their door. They can quickly switch from being enraged to pleasant and friendly.
- The perpetrator threatens to be abusive if the victim does not do as he wishes.
- By threatening to “get upset” (i.e. abusive), the perpetrator shows that he can predict his abusive behaviour. Another man, who had smothered his wife on several occasions with a pillow, threatened further smothering to attempt to control her.
- The perpetrator does not abuse others – only his wife. In one situation a victim noticed her partner excused his behaviour towards her by saying he was “overtired” or “stressed.” However, she noticed that he chose to be kind and considerate to others when he was tired and stressed. Apparently, he was able to choose the target of his “stressed” behaviour.
- The perpetrator makes decisions about the type and amount of abuse. Even when they become abusive, perpetrators have rules about how far they will go. For instance, he never physically hits her. His abusive behaviours included throwing objects towards her (*but never actually hitting her with the objects*), and being verbally abusive.

- Other perpetrators will push, grab, or slap but they will not punch their partner. Others will never use a degrading name but they will constantly criticize.
- Perpetrators are selective about where they will inflict injury on a victim's body. Victims of physical abuse often say that perpetrators bruise them on parts of their bodies where the bruises will not be seen. Abusing victims in this manner allows perpetrators to better escape the consequences of their actions from others. Other perpetrators have deliberately assaulted their partners on their faces, thinking that they will then stay home and not dare to show their bruises to others. Actions such as these by perpetrators suggest that they are quite purposeful about how and where they are physically abusive towards their victims.
- Perpetrators are selective about when and where they will be abusive. An example of this behaviour is when a wife disagreed with something her husband said while they were together in the mall, but rather than responding abusively in public, her husband waited until they were in the privacy of their car before attacking her verbally. In contrast, other victims report that their partners wait until they are in a public situation to humiliate the victim by insulting her in front of others.

Is there a pattern to abuse?

For many women, abuse and violence start early in the relationship, and often in very subtle ways. For others it may start later — quite often during pregnancy. There are also many types of abuse, which may be used in different situations.

Whatever the type of abuse or the pattern, violent and abusive actions and behaviour are his way of trying to maintain power and control over you.

There is no predictable pattern of violence. Sometimes there is a *cycle of violence* that many women recognize. It may look like this:

First, the *tension and anger build up*. Sometimes there's an argument. She may try to keep the peace. This is a form of resistance. But the abusive partner explodes and becomes violent or makes threats. He hits her, threatens her (or something she loves), verbally abuses her, or abuses her in some other way.

Then, there's a *cool-down, make-up or calm stage*. The abusive partner may say he's sorry or he may deny it ever happened. The abusive partner may promise it will never happen again and may reinforce this by doing something nice (gifts, dinner, flowers).

There is a *time of peace*, which is *usually temporary*. This time of peace is usually a control tactic to keep her in the relationship.

Sooner or later, the *tension builds up again*, his need to control increases, and *the abuse starts over*.

You cannot predict what will start or end the cycle, no one thing triggers the violence. Over time the phases are likely to get shorter, closer together, and his violence will increase in intensity.

Are you being abused?

Does your partner (or other significant person...)

- get jealous when you're around other people?
- make fun of you in front of your friends and family?
- destroy, or threaten to destroy, your possessions?
- praise you one minute and put you down the next?
- call you names or threaten you?
- ignore you or not take you seriously?
- make you choose between your friends/family and him?
- blame you when things go wrong?
- push you around or hit you?
- threaten to take the children?
- say abuse is wrong but hit the walls and yell at you?

Do you...

- have to ask permission to spend money or go out?
- feel isolated from friends, family and activities?
- have to 'make things right' just for him?
- have to do what he wants...or else?

Do you feel...

- afraid to make decisions for fear of his reaction or anger?
- that you have to check in if you go anywhere?
- that he is trying to run your life?
- afraid to tell him if you have a good time?
- that maybe all the terrible things he says about you are coming true or happening?
- that you have to put your dreams and goals on hold?
- afraid to express your own opinions or say 'no' to something?

- trapped, unable to go out without his permission?
- your joy in your life diminishing?
- afraid to break up with or leave him?

If you answer “yes” to any of these questions, you may be experiencing abuse in all areas. Women who experience abuse are from many different backgrounds. They have different levels of education and income. They are from all age groups, races, and cultures. Some have disabilities. They may have different experiences and their stories may not be quite the same as yours, but there will be similarities.

How do victims resist abuse

In working in the field of domestic violence, it has been found that:

1) Whenever people are badly treated, they always resist.

People always resist violence and abuse in some way. They will stand up against, not comply with, and try to stop or prevent violence, disrespect or oppression.

2) People tend not to notice that victims resist abuse.

Abuse can be very dangerous, so usually victims resist it in ways that are not obvious. Others probably will not even notice the resistance so they assume that victims are “passive” and “they do not do enough to stand up for themselves.” In fact, victims actively resist violence, and in real life, the so-called “passive” victim does not exist.

3) Perpetrators of violence know that victims will resist, so they make plans to stop the victims from resisting.

For instance, some women will resist their husband's abuse by leaving the house.

Knowing this, some men will try to stop this resistance by taking shoes, money, bank cards and car keys. Others might pull the phone out of the wall to prevent their wives from calling for help.

4) Violent and abusive behaviour is always done deliberately.

As shown in point 3 above, the fact that perpetrators make plans to stop victims from resisting indicates that their abuse is deliberate. Perpetrators also make decisions about how they will be abusive. For example, some men think it is "wrong to hit a woman", but they will push, grab and verbally abuse their partners.

5) When it comes to domestic violence, appearances are deceiving.

Onlookers cannot easily see what occurs in domestic violence situations. Typically, perpetrators and victims do not tell others what is happening. Perpetrators cover up their abusive behaviour. They may blame the victim and be friendly and charming to the

MYTH: Abuse happens because women make their partners jealous.

FACT: Love is about trust and respect. Abusive partners often get jealous for no reason. No matter what, people can always choose non-abusive ways to react.

outside world, so that they do not have to face the consequences of their actions. Victims do not often like to tell the full story of the abuse to others, because 1) it may not be safe to do so and 2) they do not want people to think negatively of them.

Children may:

- be scared, confused and unhappy;
- have physical complaints such as headaches or stomach aches;
- blame themselves;
- have night-time difficulties such as insomnia, nightmares or bed-wetting;
- behave aggressively, or become withdrawn;
- cling to their mother or try to take care of her;
- feel responsible for the violence;
- seek punishment by lying or stealing (believing punishment means love); and,
- be abused too.

Children exposed to abuse often learn that it's all right to hurt people they love. They learn that it's normal for someone who loves them to hurt them. But it's not! Children from violent homes may end up believing that:

- it's okay for men to hit, boss, bully or control women;
- this is the way that families behave;
- violence is a way to win arguments and get your own way;
- big people have power they often misuse;
- punishment means love;
- men are strong and should be in control;
- women can't take care of themselves or their children;
- you can only express anger through aggression and abuse;

- real men don't feel or show weakness, fear, sadness or confusion;
- women are naturally inferior to men, as they are weak and can be pushed around; and,
- people — particularly women — have to put up with abuse in relationships.

WHENEVER PEOPLE ARE BADLY TREATED, THEY ALWAYS RESIST.

Victims of violence do not comply with violence, disrespect or oppression. They always try to reduce, prevent or stop the abuse in some way.

Because they are in such danger, victims usually do not resist the perpetrator's abuse openly (although some victims do resist openly anyway). Often the only way victims can resist the abuse is in their thoughts, or through small acts that are sometimes not even noticed by others. A victim's resistance may not stop the abuse, because the perpetrator is making his own decisions about how he wants to behave.

A perpetrator's abusive behaviour is totally his responsibility, and he is the only one who can stop the abuse. However, the victim's thoughts or actions indicate that in no way does she "go along with" the abuse, or "let it happen." The victim's resistance shows her desire to escape the abuse, to keep her dignity, and to make a better life for herself. The following examples show some of the many ways victims resist abuse. We will take a look at what the perpetrator tries to do, and how the victim opposes him.

EXAMPLES:

| | |
|---|--|
| <i>What the perpetrator does</i> tries to isolate the victim | <i>The victim shows resistance by</i> trying to retain some relationships with others, imagining or remembering good times with her loved ones. |
| <i>What the perpetrator does</i> tries to humiliate the victim | <i>The victim shows resistance by</i> thinking or acting in ways that sustain her self-respect and dignity. |

Support/counselling for you and your children

You have been through a lot. You may have made a lot of changes in a short time. You may have a lot more changes to make. All of this can be very stressful for you and your children.

Maybe you feel afraid or confused. Perhaps you feel hurt, guilty, worried or angry. You may feel grief, loneliness, relief, or carry the feeling that you have let people down. Whatever you are feeling, you might want to talk about it with a professional counsellor. Counsellors are trained to help sort things out. They are there to listen.

Victim Services in Whitehorse (667-8500 or 1-800-661-0408, extension 8500) offers free, confidential counselling.

Some other agencies also offer free counselling, or have a sliding fee scale. It may take a while to get in to see someone. While you are waiting to see someone at an agency, you can get further support at a transition home (see page 66 for phone numbers).

The staff at transition homes are particularly used to dealing with women and children who have been in abusive situations. Staff there may be able to help you find a suitable counsellor. If you are not happy with the first counsellor you go to, try someone else.

In most Yukon communities you can call the Health and Social Services office, or the local Community Health Centre, or (if there is one) the local women's shelter for support. There are also many private counselling agencies, although the fees are usually higher.

Children may need to know it's still okay to love or miss their father. But they also need to understand that his abusive behaviour is not acceptable. They need to know that you are all right even if you cry and get upset. Children need to know the truth about what is happening.

Your children may need to blame someone. They may see you as the one to blame, because you are the one who left. Perhaps they often saw your abuser blame you for things, so they do the same. But remember, your children may show their anger and fear to you if they trust you. If they blame you, that may be really hard for you. But try to be patient with them. Try to help them see why you are doing what you are doing.

MYTH: *Alcohol causes people to abuse.*

FACT: *Alcohol may trigger abusive behaviour in some people, or make it worse. It doesn't cause the abuse. A person may stop drinking, but still be abusive.*

Remember, getting counselling for your children does not mean you have failed in any way. Your children have been through a lot. It's only normal that they might need some help. If you want to access specialized counselling and programs for your children, call Child Abuse Treatment Services in Whitehorse (667-8227 or 1-800-661-0408 ext. 8227).

Abuse of older women

Abuse of older women is a complex issue and in many cases is part of the continuum of family violence through the lifespan. Abuse of older women is usually carried out by a person in a position of trust, such as a spouse, adult child, grandchild, close friend or neighbour. There are many stereotypes of abuse of older women. Most older women who experience abuse are capable and reside alone in the community. A negative social attitude toward aging and older people (“ageism”) is often a key factor when abuse occurs.

Some issues and facts related to the abuse of older women:

- The abuse is often hidden, taking place within family relationships and shaped by generational experiences. As a result, the abusive behaviours may not be recognized as abuse.
- Older women may be less willing to disclose they are being abused by their spouse or adult children to the authorities for fear of losing relationships which are important to them.
- Older women may also have a large emotional and financial stake in their relationships, home and community.
- Older women tend to view support and options, such as transition homes, as being only a service for younger women.

- Some older women may be fearful to report abuse because of retaliation.
- It is common for abused older women to have protective feelings towards their children. Older women may feel guilty or blame themselves if their adult child becomes abusive, assuming it reflects something they did as a mother.
- Older women tend to have fewer financial resources and therefore can be more greatly affected by financial abuse.
- Women are more likely to have chronic health conditions than men, which makes injuries more debilitating. They are also more likely to be caregivers to husbands with, for example, dementia.

Spousal abuse also impacts older women, and happens in three main ways:

- Spousal violence in a younger couple can “grow old” along with the couple;
- Spousal violence may start with retirement, or at the onset of illness; and,
- Spousal violence can also happen in a new relationship between older people.

In Yukon, the Seniors’ Services/Adult Protection Unit is mandated to support abused older and disabled persons. They will honour confidentiality and the aged persons’ right to live at risk, and will offer the least intrusive and most effective support. They can also assist with special court orders to help those who are being abused and unable to seek help. You can call them toll free at 1-800-661-0408 (ext 3948) or 456-3948 in Whitehorse. For more information on abuse of older women, you can view fact sheets at http://www.hss.gov.yk.ca/abuse_infosheets.php

Is it Abuse or Human Trafficking?

Sometimes an abusive intimate relationship between a man and a woman becomes exploitative when the male partner forces or manipulates the woman to provide sexual services to others for his financial benefit. Another way of understanding what's going on is when the “partner,” the trafficker, initiates a staged dating or romantic relationship or friendship with the victim, to groom her and facilitate her sexual exploitation. When this happens, it becomes human trafficking under the *Criminal Code of Canada*.

IS IT HUMAN TRAFFICKING?

Does he...

- Force or manipulate you to provide sexual services to other people?
- Control your every move?
- Make you call or check in very often?
- Isolate you from your friends and family?
- Move you to an unfamiliar area or community?
- Play mind games, which may include blaming, shaming or blackmailing you to follow his orders?
- Threaten to hurt you or your loved ones?
- Hurt you physically, emotionally or psychologically?
- Take your money, and not let you buy anything?
- Take your possessions including your personal identification (such as your driver's licence, passport or health card)?

Are you able to...

- leave the relationship any time?
- move freely?
- make your own decisions?
- stop providing, or refuse to provide sexual services to others without fear of being harmed or punished?
- keep your own money?
- go to the doctor or hospital at any time?
- speak to other people freely?

If you answer yes to any of the first set of questions, or no to any of the second set of questions, you may be in a trafficking situation. If it is safe to do so, call 911 and ask for help, or you can also go to a transition home near you (see the back of this booklet for contact information). If you or someone you know is in this situation, you can also call Crime Stoppers at 1-800-222-8477.

So why do women stay?

Women stay for a variety of reasons. There are many barriers to leaving.

- They may be emotional, because of cultural or religious beliefs, or for financial or other practical reasons.
- Women from different cultural groups, immigrants, new Canadians, lesbian or disabled women, often face additional challenges. Language barriers, racism, discrimination, fear of deportation, isolation, or disbelief are just a few of the many barriers to reporting and dealing with abuse.
- Some professional women or women who are prominent in their community may stay with an abusive partner because

they are too ashamed to leave, or because they may face social repercussions.

- You may be unfamiliar with the laws of Yukon, or perhaps your faith or religious advisor tells you to stay with an abusive partner. You may have had bad experiences with the law, the medical profession, the court system, or government agencies. Some laws have changed and you have the right to be protected.

Whatever your background, if you are being abused, it is wrong and is a crime. You have the right to take actions to protect yourself. If you are a friend or counsellor to someone who is being abused, it helps to show some understanding of what the barriers are. But also offer practical help, advice and encouragement when she is ready to do something about the situation.

Barriers to leaving

Financial: pre-existing debts; debts that will be incurred as a result of leaving; no income, or income that is lower than partner's; having to leave the family home; lack of job skills; lack of affordable/available housing; belief that partner will not pay maintenance or child support; insufficient social assistance; shame at using social assistance.

Cultural/Religious: victim-blaming, denying, or minimizing the abuse; pressures on women to feel responsible for relationships; religious beliefs about women's roles, marriage; belief that a loving woman can change her partner; belief that a woman needs a man in order to be whole; social disapproval of separation and divorce; belief that the children need a father.

Emotional: feeling of not being able to cope alone; fear of threats by partner; fear that he will get back at you or seek revenge; fear of going to court or calling the police; feeling responsible for failing and for breaking up the family; fear of loneliness, of being unlovable; loving your partner and hoping that he will change; fear of being deported; believing partner when he blames you for his abuse; blame or fear of rejection by family or friends; fear of losing partner by leaving temporarily; fear of his threats to keep the children; fear of his threats to commit suicide or kill you and the children.

Social: lack of support or isolation from family and friends; inadequate support from police, legal system, etc.; lack of affordable child care and housing; lack of information about legal rights; isolation from community; threats from friends and family members.

Note: *Fear is a reasonable and appropriate response when safety is threatened.*

What can you do about it?

This book is not meant to tell you what to do.

Its purpose is to give you information to help you make whatever choice is best for you. The information in this section should help you to

MYTH: *“She must love him more than she loves her children, otherwise she’d leave him.”*

FACT: *Women stay in abusive relationships for a variety of reasons and face a number of barriers when leaving. They may stay in an abusive relationship because they believe it will protect their children or keep them happy.*

protect yourself and decide what to do next. But you may have some important choices to make. You are the only one who can decide what is best for you.

Making choices

You may feel scared or helpless. Most women do if they are being abused and they still exhibit resistance. You must find the help that is best for you. Many women who have been faced with these choices have left for a while or for good.

Whatever choice you make, there are people, organizations and agencies that can make sure you get support and help.

Talking about it

A lot of women find it really helps to talk to someone about what is happening. You may find it helps to talk with someone you can trust — a friend or relative, a spiritual leader or elder, a doctor, or a counsellor.

Lots of women don't know anybody they can talk to. But you could talk to someone at the transition home nearest to where you live. You don't have to be staying there in order to get help and support.

You could also look in the phone directory, or the directory at the back of this book, to find someone to help you. A good resource is Victim Services (in Whitehorse) at 667-8500, or toll free 1-800-661-0408 ext. 8500. After business hours, you can call the transition home closest to you.

All Yukon transition homes accept collect calls and are accessible 24 hours a day.

| | |
|--|----------|
| Kaushee's Place (Whitehorse)..... | 668-5733 |
| Dawson City Women's Shelter..... | 993-5086 |
| Help and Hope for Families (Watson Lake) | 536-7233 |
| Majedi Safe Home (Ross River) | 969-2722 |

You might feel ashamed to ask for help for something that seems so private. Maybe you can remember that all of us need help sometimes. It's okay to ask for help, even though it might be hard or embarrassing. It takes a lot of courage to reach out for help.

Most women have done a lot to try to make things work, to reduce the violence, to protect the children. But you also need to see when you have done everything you can. Think of all the things you have already done!

Deciding to leave

Most women who have experienced abuse have had to leave an abusive partner in an emergency more than once. It's important to remember that you can also decide to leave even if it's not an emergency situation. You can choose to leave for a while or for good.

This can be a very hard decision to make. Some women find that going away for a while works for them. It may show the abusive person that they are serious about the need for change. As mentioned earlier, perpetrators are often trying to prevent departure from happening. Other women find that despite promises to change, the abuse continues and the only way to stop it is to leave the relationship for good. It is important to have a safety plan in place.

You can also talk to counsellors at Victim Services in Whitehorse at 667-8500 or toll free 1-800-661-0408 ext. 8500. This agency has staff trained to counsel women who have been (or are being) abused, as well as men who abuse. Whatever you choose to do, believe in yourself.

What if you stay?

You may decide to stay with your partner, at least for now. Perhaps you feel there is still a chance to keep things together. You may feel that your relationship is really important and you've put a lot into it. Many women do. But you should know that while things may get better for a while, unless he gets help the abuse tends to get worse later in most cases.

If you decide to stay, you may want to document the abuse. Having a record of his abuses (type, date of the abuse, location where the abuse took place, names of witnesses to the abuse, etc.) may be useful to you later. It is very important, however, that you only document the abuse when it is safe to do so and that you keep the record somewhere he won't find it.

Setting limits and protecting yourself

If you do decide to stay, you may need to set some limits. You can decide how much time you will give the abusive partner to make these changes. It is his responsibility to change and if he doesn't within the time frame you have decided on, you may ask the person to leave, or, depending on the situation, you may decide to leave. If you do decide to stay with your partner, your safety and the safety of your children come first.

Protect yourself. You should have a personal safety plan.

Important: Keep in mind that when you attempt to set limits and make safe choices for yourself, there is a possibility that your partner will respond negatively. He could react with more violent behaviour. Be prepared for this, and have a safety plan in place.

Know what to do in an emergency

If you do have to act quickly, you should be prepared. Here are some things to think about:

- Where can you go in an emergency? It must be somewhere safe.
- How will you get there? Is there someone who can come and get you? Can you take a car, taxi, or bus?
- Is there someone you can call or text to tell what is happening and where you are going?
- Is there someone you can leave your pets with?
- If you need to go to a transition house, do you know how to get there? Do you know the phone number? The numbers are listed in the directory at the end of this book.

Make a safety plan

- Make photocopies of all your identification and important documents and keep them in a safe place where you can find them quickly. This is extremely important, and will save you a lot of time and inconvenience later.
- Establish an escape route. Know where you can go to be safe, if only to make a phone call.
- If you've been abused before, make sure the police are fully aware of the situation.
- Speak with your friends and people you can trust, and let them know what's going on so they can be watching out for you.
- Make safe arrangements for the care of your pets.
- Call a transition home and talk to the staff. You may want to work out a code word, so they know who you are if you have to call them in a crisis.
- Hide some money away if possible (you may need emergency taxi fare, although some transition homes, i.e. Kaushee's Place, will pay the fare for you).
- Talk to the children. They need to know which neighbour to run to in an emergency.

Pack an emergency bag in case you need to leave quickly. Just take what you'll need for a few days. You can leave the bag with a friend if you have to. If you don't feel safe doing that, you can make a list of things to take and remember where to find them in an emergency:

- birth certificates, marriage certificates, children's custody documents, immigration papers, passports;

- identification, drivers license, health cards, First Nation status cards for you and the children;
- money, bank books, credit cards;
- car keys, car registration, car insurance;
- copies of your lease, mortgage or other deeds;
- cell phone, address/phone book;
- clothes for you and your children, any medication you may need; and,
- other possessions (things that give you comfort — treasured family photos, books, children's toys, and other items that can never be replaced if they are stolen or ruined by an angry partner).

It's probably a good idea to get legal and other advice now, even before there is an emergency.

How to get help in an emergency

You may get help by screaming. It may be safer for you to run outside where other people can see and hear you. Try to get to a phone. If you are in Whitehorse, call 911. All 911 calls are recorded and kept as evidence. If you live in a Yukon community other than Whitehorse, call your local RCMP detachment emergency line by dialling the first three digits for your town and then 5555. If there is no answer there, your call will automatically be dispatched to 911 in Whitehorse.

When you dial the 911 number it takes about four seconds to connect. In an emergency that may seem like a long time. Stay on the line — do not hang up and dial again. You may not have long to talk, so try to be clear.

Tell them:

- your name;
- the location you are at;
- that you are being attacked;
- that you are afraid you are going to be hurt or you are afraid for your life; and,
- where your attacker is and whether he has a weapon or access to weapons.

It is illegal for anyone to assault you, and the RCMP have to come. If you are afraid of being killed or hurt, tell them. Remember, you don't have to be afraid for your life to seek assistance or support.

If you or your abuser has recently received Canadian citizenship, your call to the police doesn't mean the abuser will be deported or that his immigrant status will be affected, but your abuser may use this as a threat to keep you from calling.

What happens when you call the RCMP?

When the police come, they will do what they can to stop any abusive behaviour that is occurring and ensure your immediate safety. Then they will question both you and the abusive partner. They should not talk to the two of you at the same time or in the same room.

Tell the police what happened. Give them details. Show them any injuries or damage to you, your children, your belongings or your home. Tell them about anyone who might have heard or seen anything. They may interview neighbours or friends or medical staff.

The police may arrive with a camera and take pictures of you and of the scene. Or they may ask you to go to the police station to have photographs taken. These pictures may be used as evidence and help prove the case.

You can also ask for an Emergency Intervention Order under the Family Violence Prevention Act.

An Emergency Intervention Order (EIO): Immediate Help

- An EIO is issued over the telephone by certain Justices of the Peace (JP's);
- An EIO can allow you and your children to stay in your own home, if it is safe to do so;
- An EIO can have the abusive person removed from your home by a police officer (designate); and,
- An EIO will prevent the abusive person from contacting you, your family or any other persons listed in the court order.

In addition to the same type of conditions available in an Emergency Intervention Order, you can apply for a Victim's Assistance Order.

If you have any questions about the Family Violence Prevention Act and its orders, please call the Family Violence Prevention Unit at 667-3581 or toll free at 1-800-661-0408 ext. 3581 (all calls are confidential).

What happens if the police lay charges?

If the RCMP believe that there is any evidence that either spouse has been physically assaulted by the other, they must lay criminal

charges. They will arrest and remove the abuser. If this does not happen, ask why. Their main concern should be for your safety and for the safety of your children.

If the police lay charges, they may need your cooperation in collecting evidence that will help your case:

- Notify police of the location of any torn or bloody clothing and any weapons that he may have used to harm or threaten you.
- If you are hurt, go to the hospital, to a doctor, or to your community nursing station. Tell them you have been physically assaulted.
- Make sure they make a record of your injuries. You will be asked by the police to sign a medical release so that the police can obtain a copy of the medical report, which will be used as evidence in court.
- Save any threatening voice mails, letters, texts, etc. Texts may be photographed. Keep a record for yourself. Record times and dates, as well as what the abusive partner did to you.

Important: Be careful about where you store the information. Put your records in a safe place where they cannot be found and/or destroyed!

The RCMP will ask you to provide an audio or a videotaped statement. The testimony of the victim is the most important evidence in any court case. This statement will be taken under warning. The purpose of the warning is twofold.

First, if at a later date you have returned to the relationship, and decide to recant your statement at the trial, the statement may be presented as evidence.

The second purpose of the warning is to ensure that you understand that you can be charged with mischief if you lie on statements.

When police take an abusive partner into custody, it is usually overnight, and sometimes only for a few hours. Let the RCMP know if you want a “no contact order” or an Emergency Intervention Order put in place upon his release.

The RCMP in Whitehorse also has a Victims Assistance Volunteer Program (VAV). VAV is a team of two trained volunteers who provide an immediate short term response at the time of an incident. With your consent, the RCMP can call out the volunteers at any time. The VAV team can provide confidential, immediate, short term, emotional and practical assistance to you. The VAV volunteers can do things like stay with a person until family or friends arrive, provide safe transportation to another location, and provide information on services available.

RCMP can refer you to Victim Services. They will ask you for permission to give your name and number to Victim Services, and a worker will call you as soon as possible to offer assistance.

If an abusive partner is being charged involving allegations of domestic violence or other related charges, a court date will be issued for the accused to attend Domestic Violence Treatment Option (DVTO) court in Whitehorse. Under this new court option, those who accept responsibility for their actions will be assessed through the Spousal Assault Program. If the SAP finds that the abusive partner is an appropriate candidate for the DVTO, the sentence hearing will be postponed for several months during their completion of the Spousal Assault Program and any other treatment programs assigned by the court.

MYTH: *The RCMP won't press charges against an abuser unless they witness the abuse firsthand.*

FACT: *The RCMP are there to provide for your safety. If they believe abuse has occurred, they will press charges against the alleged abuser.*

To date, the DVTO is available in Watson Lake and Whitehorse. Women who have experienced violence get help with safety planning, referrals for counselling for themselves and their children, updates on the offender's progress and help with varying release conditions and preparation of victim impact statements for the court.

For more information, you can contact Victim Services at 667-8500 or 1-800-661-0408, ext. 8500. You may also contact Offender Supervision and Services at 667-5231 or 1-800-661-0408, ext. 5231.

The RCMP will provide you with a green card (YTG Victim Services Unit referral card) which has contact numbers for services and community resources, including women's shelters. The RCMP will ask for your consent to provide your contact information to Victim Services Unit in your community. Victim Services provides information and support to victims of crime even if no charge has been laid. Your involvement with Victim Services is voluntary and confidential.

What if you're still afraid of him?

If the RCMP don't take the perpetrator into custody, and you are afraid to be alone with that person, tell them that you think you will be hurt again if he is released. You can tell them in private during your interview.

If you decide not to leave, get the police officers' names and numbers, in case you need to contact them later.

If you want to leave, ask the police to wait while you get your things. Get them to take you to a safe place like a transition home. If you have children who are in danger, you have a right to take them with you. The police may not be able to assist you with getting the children later without a court order which specifically directs the RCMP to assist you.

If you have to leave in an emergency and you decide not to go back for a while, the RCMP can accompany you to a residence in order for you to get your most important personal necessities. The police are there to provide for your safety; in order to do this, they are unable to help you carry your belongings, neither are they able to transport them. You may want to prepare for this by bringing a friend along to help and/or drive you and your belongings.

What happens when they're charged?

If the abusive partner is charged with a criminal offence like assault or uttering threats, they will have to sign an undertaking before being released. An undertaking is an official document that tells an accused person he is required to appear in court, as well as abiding by certain conditions. Some of the conditions may be:

- that they are not to have any direct or indirect contact, or communication with you;
- that they are to stay away from your home or work address; or
- that they are to abstain from alcohol.

Note: *Failure on the abusive partner's part to abide by any conditions set out in the undertaking results in a criminal offence. Report any violations to the RCMP.*

If there is no Victim Services agency in your community, ask the police to notify you when he will be released. Ask if he has been required to sign an undertaking setting conditions on his release.

If the RCMP or the court does not give you a copy of the undertaking, insist on getting one. Contact either the police who made the arrest, or Victim Services.

When criminal charges are laid, if he pleads not guilty, you will probably be required to go to Court later to testify. It would help to call Victim Services at 667-8500 in Whitehorse (toll free 1-800-661-0408, extension 8500) for advice about this. Alternatively, you may contact the Women's Advocate at the Victoria Faulkner Women's Centre at 667-2693. You may be able to ask for someone to attend court with you for support.

Following guilty pleas or trials where the partner is convicted, you can submit a Victim Impact Statement to let the judge know the effects the abuse has had on you and your family. You can also comment as to the conditions which would best benefit you (i.e. probation with a "no contact order" for the perpetrator).

Note: If your first language is not English, the RCMP will make every effort to find an interpreter to assist you in making a statement and in giving other information. You will definitely be provided with an interpreter if you need to go to court.

If you are a Francophone woman, you can call Les EssentiElles at 668-2636 for assistance.

Where can you go to be safe?

You need to go somewhere safe. Will he look for you? Where might he look for you? Think about locations where you, and perhaps your children, could go where your safety is ensured. It may be possible for you to go to the home of a friend or relative. However, when your safety is at risk, the best option may be to go to a transition home.

Transition homes: how they can help you!

Transition homes are emergency shelters for women who have been abused — whether or not they have children — which provide services in a supportive environment. There are shelters in some Yukon communities and transportation can usually be arranged to get a woman to the nearest shelter when one does not exist in her community.

All shelters in Yukon allow children. Yukon transition homes, except the Dawson City Women's Shelter, are accessible to wheelchairs. Transition homes do not normally allow pets.

Remember: You do not have to be physically abused to come to a transition home. There are many forms of abuse from which women suffer.

There are shelters in Whitehorse, Watson Lake, Dawson City and Ross River. Although in Yukon the addresses of the shelters are not a secret, there are security measures in place at each home so women can be safe there. You can go to the transition home on your own, with a support person, or the police may bring you to the home if they are involved.

Yukon transition homes are accessible 24 hours a day by phone and if you tell the operator that you are a woman in need, your collect call will be accepted:

| | |
|--|----------|
| Kaushee's Place (Whitehorse)..... | 668-5733 |
| Dawson City Women's Shelter..... | 993-5086 |
| Help and Hope for Families (Watson Lake) | 536-7233 |
| Majedi Safe Home (Ross River) | 969-2722 |

At the transition home you will be safe. There will be someone there to listen to you. The shelter provides a setting where a woman can make decisions for herself in a supportive environment.

Everything will be private. They will not talk about your situation with anyone else unless you want them to.

Note: *Professionals who suspect that a child is being abused and/or neglected MUST report it to Family and Children's Services. This includes transition home staff, social workers, medical professionals, counsellors, teachers, child care workers and RCMP.*

Also, even if these professionals do not believe a child is being abused or neglected, they must provide information to Family and Children Services if there are children who are present or normally present in a home where there is an allegation of domestic violence.

There will probably be other women and children at the shelter. It can help just to talk with someone who has had similar experiences and has had to face the same problems as you.

The length of time you may stay at transition homes in Yukon communities varies. At the Dawson City Women's Shelter, the maximum stay is two weeks. At the Watson Lake Shelter and Kaushee's Place, women and children may stay for up to one month. In Ross River, the length of stay at the Majedi Safe Home is determined on a case by case basis. Keep in mind that all Yukon transition homes do try to be flexible with their guidelines for the length of time you may stay. Each woman's situation may be different, and exceptions can sometimes be made.

The shelter will provide food, information, referrals, support, advocacy and encouragement. You will be expected to help with the cooking and housework and to abide by house rules. In addition, women are expected to be responsible for the care of their own children.

If you are unsure of where to live after you leave an abusive situation, Kaushee's Place in Whitehorse offers longer-term housing options for women who require support and safety services. Longer-term housing is also available in Watson Lake. These apartments can be rented, and the rent is based on a woman's income.

Transition homes have outreach programs and workers who can continue to assist you once you have left the home. If you decide not to go to a transition home to stay, they can still help you with information, referrals, support and encouragement.

Once you've left, then what?

Once you are safe, you can take some time to decide what to do next. You need the time and the space to make decisions that are best for you and your children. At a transition home, staff can help you with this. If you don't go to a transition home, you can still call there for support. You can call their 24-hour crisis line (call collect if you need to) or arrange a visit with them.

You can also call Victim Services in Whitehorse at 667-8500 during office hours and arrange for a worker to meet with you somewhere safe. For First Nations support and information in Whitehorse, call the Kwanlin Dun Community Justice Program at 633-7850, the Kwanlin Dun Community Wellness Program at 668-7289. Watson Lake has its own Community Victim Service Worker: 536-2541 as well as Dawson City: 993-5831. If you live in another community, contact services in Whitehorse. Workers travel to outlying areas if necessary. You can also call Victoria Faulkner Women's Centre at 667-2693.

One of the first things you may need to do is to find out about your legal rights, how to get child support and child custody, and what to do if you don't have any money. The next section provides some information about these issues.

Legal matters

Getting information

If you want to find out more about the law, lawyers, and legal matters, call the Family Law Information Centre (456-6721 in Whitehorse or toll-free 1-800-661-0408 ext. 6721).

Don't sign any papers that might affect your legal rights until you talk with a lawyer. If you don't have a lawyer, you can look in the Yellow Pages under Lawyers, or call the Lawyer Referral Service in Whitehorse (668-4231). They charge a fee under \$50.

If you can't afford a lawyer, call Legal Aid in Whitehorse (667-5210). They may provide free legal services if you can't pay and if you qualify. The first appointment establishes your financial eligibility. The "real" appointment will be a week later

What about custody of your children?

If you have children and you want custody, you should apply for a custody order. Contact a lawyer or legal aid right away.

You can get information on how to apply for a custody order from the Women's Advocate at Victoria Faulkner Women's Centre (call 667-2693). Transition home outreach workers can also provide information and will help you with the process whether you are a resident at a transition home or not. The Victoria Faulkner Women's Centre (667-2693) or the Women's Directorate (667-3030 or 1-800-661-0408 ext. 3030), both in Whitehorse, may also be able to refer you to the appropriate services.

MYTH: *The police or Family and Children's Services will take your children away if they believe you are being abused.*

FACT: *The police and Family and Children's Services will do everything they can to protect you and your children.*

If you are afraid your partner may try to take the children to another country, you can ask the passport office to put the children's names on a security list so that you will be called if their father tries to get a passport for them. Call the Passport Office toll-free at 1-800-567-6868.

You must provide ID for yourself, birth certificates for your children, court documents (such as custody orders, restraining orders, etc.), and a letter detailing why you want their names on the security list. The passport office will provide you with security for 90 days. After that you must reapply.

You can write to them at:

Passport Office Canada
Foreign Affairs and International Trade Canada
Gatineau, QC K1A 0G3.

If your children have another nationality, contact the country's embassy or consulate to ask them to refuse to issue passports for your children. (Consulate and embassy phone numbers can be found at <http://w03.international.gc.ca/Protocol-Protocole/Missions.aspx?lang=eng#>).

If the abuse continues after you leave

Once you leave, his abusive behaviour may continue for a while or even get worse. He may try to control you financially, through the children, through the courts, through physical abuse, or by threatening and harassing you.

If this happens, he may be breaking the conditions of his no contract order, or he could be charged with criminal harassment. Make a written record of all contacts he makes and of what he does or says. Keep any written or recorded messages he leaves for you. Keep the police, his probation officer (if he has one), and your lawyer informed about what is happening.

He may try to make you feel guilty or sorry for him. He may be very loving and generous, showering you with gifts and attention. He may try to scare you into returning. He may try to wear you down until you give up and return to him. One way to handle this is to have as little contact with him as possible.

Transition home staff, the police, his probation officer (if he has been put on probation), Victim Services, your lawyer, a counsellor, or a supportive friend can support and help you get through this period. Don't be afraid to ask for help. You don't deserve to be harassed. You deserve a better life. If you are still afraid of him or he is threatening you, you can apply for a peace bond (see page 49 for info on this process).

How the law can help you

Family Violence Prevention Act:

The *Family Violence Prevention Act* is legislation that supports the victim by offering four protective court orders that provide several ways in which victims can seek help. They are listed and described on the following pages.

Some protective orders are:

***1. An Emergency Intervention Order:
(Immediate help – Averages 45 days)***

- is issued over the telephone by certain Justices of the Peace;
- can allow you and your children to stay in your own home, if it is safe to do so;
- can have the abusive person removed from your home by a police officer (designate); and,
- will prevent the abusive person from contacting you, your family or any other persons listed in the court order.

In addition to the same type of conditions available in an Emergency Intervention Order, you can apply for a Victim's Assistance Order.

***2. A Victim's Assistance Order:
(Longer-term help – Averages 90 days)***

- can give you temporary possession of personal property;
- can prevent the abusive person from taking or damaging your property;
- can require the abusive person to pay you or your children for any loss of income, medical expenses, moving and legal expenses;
- can require the abusive person to agree to the condition in the court order; and
- can only be issued by a Territorial Court Judge and you may have to attend court.

VAO kits are available by calling the RCMP or Victim Services. If a person has been denied access to you and fears that you may be in danger, they can apply to the court for a Warrant of Entry.

3. Warrant of Entry (Help from others)

- is issued by a Justice of the Peace or Territorial Court Judge; and
- can authorize a police officer to enter your residence, assist or remove you, and search the home for signs of violence to use as evidence.

4. Peace Bonds

A Peace Bond is an order made by a Judge or Justice of the Peace that tells a person to be of good behaviour and to keep the peace. The order may include conditions the person must follow for a set time to a maximum of 12 months.

The most common condition of a Peace Bond is that the person not have any direct or indirect contact with you. Direct contact means calling you, coming to your house, going to your place of work, stopping you on the street, etc. Indirect contact means getting messages to you through another person or leaving notes for you.

You can also ask the Court to place other conditions on the person if you believe they will protect you. Examples of other conditions you might consider are:

- no access to your residence; or
- no access to children except through a third person, e.g., a social worker.

The Court can also order a person to pay money into the court. If the person follows the conditions, the money will be returned when the Peace Bond expires.

All Judges of the Territorial Court have the authority to grant Peace Bonds. Some Justices of the Peace also have this authority. Ask the RCMP who is dealing with your situation to find out if the Justice of the Peace in your community can issue Peace Bonds. If he or she can't issue one, you will have to wait until circuit court, or come to Whitehorse to apply for a Peace Bond.

Note: *While a Peace Bond itself is not a criminal charge, it is a criminal offence to break any conditions of a Peace Bond.*

To get a Peace Bond, first go to the nearest RCMP and explain why you want one. The officer will help you start the process, which will require you, as well as your abuser, to appear in court at a set time. Victim Services in Whitehorse can help you with this process (667-8500, or toll free 1-800-661-0408, extension 8500).

In court, you will need details of when he hit or threatened you, or why you are afraid for your own safety.

You will have to convince the Judge or Justice of the Peace that you have good reason to be afraid. You (the applicant) and the other person (the respondent) will have an opportunity to ask each other questions on the stand.

After the Judge or Justice of the Peace has heard both sides, he or she will decide whether or not to order a Peace Bond, and if so, what conditions are necessary to protect you.

Note: *A Peace Bond cannot be extended once it expires. However, you can apply for a new Peace Bond if you feel you still need protection.*

What if the abuser breaks the Peace Bond?

Always carry a copy of the Peace Bond. If he breaks the peace bond, phone the RCMP and tell them what's happening. The person can be charged with breaking a Peace Bond. This is a criminal offence. A person guilty of breaking a peace bond may be fined up to \$2000, sent to jail for up to two years, or both.

If you choose not to report the abuser's breach of the Peace Bond, keep a written record of the incident anyway, in case you need it for future use.

An alternative to a Peace Bond is a Supreme Court Order. If you are involved in a fight over custody of your children or payment of support, and your spouse is annoying or harassing you or the children, you can apply for a Supreme Court Order. This is what people usually mean when they refer to a "restraining order." Contact the Legal Aid Office in Whitehorse (667-5210), or a lawyer for more information about Supreme Court Orders.

Continue keeping a record of his abusive behaviour and save things like answering machine messages from him.

Whenever you get any Peace Bond, make copies and keep these at home, in your glove box, your purse or in a safe place. Inform others (neighbours, friends, landlord, children's schools, daycares) about the Peace Bond.

Contacting a lawyer

You may need professional legal advice if you decide not to go back to your partner right away. Lawyers can give you professional legal advice if you want to get a peace bond, custody of the children, or a divorce. Many women are scared or nervous about going to a lawyer, but you can't put it off. It is helpful to take someone with you to take notes.

Things the lawyer will need:

- your social insurance number and date of birth;
- marriage certificate;
- the lease, deed or mortgage to your house;
- your partner's most recent pay stubs or income tax return;
- your income tax return;
- bank books;
- immigration papers/passport;
- your record of his abusive actions towards you; and,
- any court orders and notice of court applications.

Lawyers usually charge an hourly fee, but some will do a free initial consultation. Depending on the circumstances, you may be asked to pay a deposit (called a retainer). Bring a list of questions and as much information with you as you can.

You may want to ask about going to court, about trials, about separation and divorce, about who has the right to the house and belongings. You should also discuss the possibility of claiming spousal and/or child support (maintenance), and whether or not you should ask for a restraining order.

Issues to discuss with the lawyer:

- legal fees;
- the possibility of obtaining a Peace Bond or a Supreme Court Civil restraining order (a restraining order prevents the abuser from harassing you, and the RCMP can arrest him if the order is registered with them);
- custody and access to the children;
- spousal/child support (maintenance);
- questions the judge is likely to ask in court;
- the implications of your leaving the territory/country, with or without the children;
- property rights;
- credit cards/joint bank accounts; and,
- what to expect in court.

Know your rights

- You may be entitled to half of the money in your joint bank account.
- Your personal belongings are yours, and so are the belongings of your children if they are with you.

What about protecting your money?

Maybe you are expecting a cheque in the mail from your employer, from Employment Insurance, from Social Assistance, or that's a Child Tax Credit payment. You can call those offices and ask them not to mail your cheque to your home address. Call as soon as you can.

You can get all your mail sent to a new address. The post office will re-address your mail for up to six months. It takes 5 to 10 days for the post office to start sending your mail to a new address. There is a fee for this service.

If you have your own money you may want to open your own bank account and arrange for your cheques to be deposited directly into your personal (not a joint) bank account. This way, he cannot touch it.

Social assistance

What if you don't have any money, or you don't have enough? If you leave your home, and don't have enough money, you may be able to get Social Assistance. You may be embarrassed to apply for social assistance; but that's what these agencies are for. They are meant to help people through difficult times. You can think of it as just a temporary situation, as a way to protect yourself from an abusive partner. You can also think of it as a way to take more control over your life.

To apply for social assistance, you can phone, write or visit your local Health and Social Services office and ask for an application form. In Whitehorse, the office is located at 3168 Third Avenue, on the corner of Third Avenue and Black Street (call 667-5674).

When you apply for financial assistance you will be expected to:

- Explain why you are applying.
- Give your name and address (you cannot apply as a single parent/single person if you and your partner are still living at the same address).

- Provide identification for yourself and your children (such as birth certificate, Yukon health card, social insurance card, passport, First Nations status card, etc.).
- Provide information about any income or other money you receive (such as pay cheque stubs, bank statements).
- Show what your shelter expenses are, such as lease, mortgage, power, fuel, bills. (Note: If the mortgage is in both names, your partner may be required to pay for half.)

Usually, you are told right away if you qualify for social assistance, and how much you will qualify for. If you qualify, it can take up to seven days to receive a cheque.

Apply as soon as you can. You may be able to get some financial help right away for emergencies like housing or food.

If you are eligible for social assistance, you and your worker will do a monthly budget based on current social assistance rates for food, shelter, clothing and some miscellaneous items. Any money you get each month from other sources will be deducted from this budget. What remains is called your “budget deficit” and is the amount of money you will receive from social assistance. Rates vary, but in general it’s not a lot of money.

Note: *Social Assistance policy requires that you contact the Maintenance Enforcement Program and register as soon as possible. You can find more information by calling 667-5437.*

If you are receiving social assistance, your social worker will have you complete an information sheet regarding your partner which will be sent to the Legal Services Branch of the Department of Justice.

Applying for assistance can be a frustrating process, but help is available in finding your way through the system. It is also important to know that you can appeal any social assistance decision. Information is available from your local Social Assistance office.

Financial assistance for Yukon First Nations

If you are a member of a Yukon First Nation, you must go to their office in your community to apply for social assistance. If you are living in Whitehorse, but do not belong to a First Nation in that area, contact Aboriginal Affairs and Northern Development Canada, Room 415C in the Elijah Smith Building. You can call their office at 667-3888.

Maintenance and child support

If you have your children with you, you are entitled to receive child support/maintenance from their father. Transition home staff can provide you with information and may be able to help you apply. Or you can call the Maintenance Enforcement Program at 667-5437.

How to get a Court Order

In situations where abuse is involved, you should first contact Legal Aid in Whitehorse (667-5210) to see if you are eligible for legal aid assistance in making an application for maintenance. In the event that you are not eligible, you should then contact a lawyer to get the information you will need to make the application to the Court on your own. There are certain formats,

documents, etc., that have to be used according to the Rules of Court. If you are eligible, the Court will work out the amount of support to be paid.

Maintenance Enforcement Program

You must have a Court Order or legal agreement in order to register with the Maintenance Enforcement Program (MEP). A Maintenance Order which is granted by the Court is not automatically registered with the MEP. You must complete a registration form. These forms are available from the MEP office, most legal service offices, territorial agents, social assistance offices, transition homes, etc. Once you have completed the registration form, call the MEP office in Whitehorse (667-5437) to arrange an appointment with a MEP Officer to go over your registration form, to swear an Affidavit of Arrears (if required) and to answer any questions that you may have. The Officer will explain to you how the program works. At this time you should inform the Officer of the abuse history of the children's father.

The role of the Maintenance Enforcement Program is to collect any maintenance owing, either ongoing or past due. The MEP will do everything legally possible to collect the maintenance that is ordered by the Court, but it cannot guarantee collection of any money, nor can it guarantee when the payments will be made.

If the abuser threatens you or tells you to withdraw from the program, let Maintenance Enforcement know.

Child Support Guidelines

The Child Support Guidelines are a set of rules and tables for calculating the amount of support that a paying parent should contribute toward his or her children. The table amounts are based on the paying parent's level of income, the number of children, and where the paying parent lives.

In some unusual circumstances, the table amounts may not apply. In all situations, however, the Guidelines are designed to protect the best interests of children, and to ensure that child support is fair, predictable and consistent. The purpose of the Guidelines is to reduce conflict between parents about child support.

For more information, contact the Child Support Guidelines Office:

Child Support Guidelines

Court Services J-3

P.O. Box 2703

Whitehorse, Yukon Y1A 2C6

Phone: (867) 667-6721. Toll-free from within Yukon,
1-800-661-0408, extension 6721

What are your housing requirements?

When you call about an ad for housing, ask about the safety of the building, the cost, whether heat and light are included, the deposit required, the amount of space, and the location and distance to schools if you have children.

Ask yourself these questions before you begin hunting for a place to live:

Safety

- What do you need to be safe from your abusive partner?
- Do you need to be on the third floor or higher?
- Do you need a secure building with a locked entrance and intercom?

Cost

- How much can you pay for rent?
- How much can you pay for utilities?
- Social assistance and family benefits only provide a certain amount for living expenses. Find out how much that is.

Space

- How many bedrooms do you need?
- How much space do you need?

Location

- How close do you need to be to work?
- Do you need to be close to schools?

Other options

- Do you want to live alone or share an apartment?
- If you have children, would you like to share accommodation with another mother?

MYTH: Only certain types of women get abused, e.g., poor women, or racialized women.

FACT: Abuse has no boundaries based on income, race or culture.

If you own a house

Maybe you own a house, alone or with your partner. Or maybe he owns the house. If you are not married, whoever owns the house has full legal rights to it, but common-law partners may also have some rights. If you are married, you and your husband do have equal legal rights to the house. In any case, you should get legal advice immediately to protect your rights.

The Family Law Information Centre (FLIC) can offer information regarding assets and family law; they may be contacted at 456-6721 or toll free (in Yukon) at 1-800-661-0408, ext. 6721.

Finding a place to live

Where can you go after the transition house, the motel or your friend's house? You may be able to get low-cost housing. For help with finding rental housing, call:

| | |
|--|----------|
| Whitehorse Housing | 667-5712 |
| Grey Mountain Housing (for First Nations)..... | 633-4880 |

Yukon Housing has offices in the following communities:

| | |
|---------------------------|----------|
| Carcross | 821-4281 |
| Carmacks..... | 863-6411 |
| Dawson City | 993-5478 |
| Faro | 994-3113 |
| Haines Junction..... | 634-2202 |
| Mayo, Pelly Crossing..... | 996-2358 |
| Ross River..... | 969-2347 |
| Teslin | 390-2024 |
| Watson Lake..... | 536-7304 |

Both Whitehorse and Watson Lake have what is called “second-stage housing,” which is safe and affordable housing for abused women and their children. Usually you can stay for up to six months. For more information on this, call 668-5733.

Information about renting

If you need to find a place to rent, the newspaper is a good place to start looking. Check the classified ads. That may help you get ideas of what to look for and how much rent may cost.

According to the law, you cannot be refused an apartment or a house because you have children. You can be refused if you have pets.

When you find an apartment or a house to rent, you may need to pay for the first and last month's rent. Depending on the amount, social assistance may grant you the first month's and part of the last month's rent.

You may also have to sign a lease. A lease is a form which confirms that you are renting the place. It says how long you are renting for, and how much you pay each month. Make sure you understand your lease before you sign it. Make sure you get a copy.

Before you consider going back

At some point if you have left, you may think about resuming living with your partner. If so, you may want to talk it over with someone first, such as a trusted friend, family member or counsellor.

Many women who have experienced violence benefit from getting some help to change any unhealthy behaviours and/or attitudes that may be a barrier to their well-being. It is important that this help or support acknowledges a woman's resistance to abuse to validate her dignity and strength.

Self-help resources are available at many public service agencies in Whitehorse including Many Rivers Counselling and Support Services, the Women's Directorate, Alcohol and Drug Services, Kaushee's Place, and the Victoria Faulkner Women's Centre.

If you do not live in Whitehorse, the service agencies in your community may have resource libraries where you can borrow books.

Before you decide whether or not to return, take a moment to ask yourself what you need from a healthy relationship. If he's been getting some help to change his behaviour, don't return until you see changes have occurred.

Can programs for perpetrators help?

Sometimes the court will require an abusive man to enter a program to help him change his behaviour. In Yukon, there is programming offered by Adult Probation Services. To contact, call 667-5231.

Some men benefit from these programs; some do not. If counselling helps, it is only because he wants to change. First he has to admit he has a problem. Then he has to want to work on changing his behaviour. How he changes, and how much he changes, may depend on his reasons for getting help.

With counselling he may stop being abusive, or he may just change the way he is abusive. Some men stop the physical violence, but get more emotionally or verbally abusive. Some men don't change at all. There is no guarantee or quick fix. It is important that his counselling focuses on his abusive behaviour and on him taking responsibility to change.

He may quit the program or stop the counselling if you move back with him, or if it's no longer required by the court. He may tell you what he thinks you want to hear. You are the best judge of what is right for you. You should not feel pressured to give him any guarantees. Only you can decide if the abuse has stopped.

Whatever you decide to do, please remember this...

- No one has the right to hit you.
- No one has the right to hurt you in any way, or to make you live in fear.
- You do not deserve to be abused.
- You have a right to feel safe in a relationship.
- You have a right to be treated with respect.

Whatever you decide to do, your own safety and your children's safety should come first. Remember, you are not alone. There are people who care. There are people who can help. There are places you can go. There are ways to get money and jobs. Remember, you can make changes and there are people who are willing to help. Only you have the power to decide. We hope that the information in this book may help you along the way.

Statistics on abuse in Canada

- In 2010, over 800 admissions of women and children were recorded by the six shelters operating in Yukon that offered services to abused women. (Transition Homes in Canada: National, Provincial and Territorial Fact Sheets, 2009/2010)
- The territories consistently display higher rates of violent crime. In 2011, incidents of police-reported violence against women were four times higher in Yukon when compared to the provincial average. The rate of sexual offences was three and a half times higher.
- In Canada, the rate of sexual assault against a female intimate partner rose by 11% between 2009 and 2011, and rates of intimate partner homicides against women rose 19% between 2010 and 2011.
- Including both spousal and dating violence, police reported almost 97,451 victims of intimate partner violence in 2011 in Canada.
- Over 80% of the victims of intimate partner violence are women.
- Over 83% of cases of police-reported violence against women are perpetrated by men, most often an intimate partner, a friend or acquaintance.
- Rates of spousal violence were highest for young adults aged 15 to 34, Aboriginal people and those living in a lower-income household. Women who reported having experienced emotional or financial abuse by their current or previous intimate partner are 20 times more likely to experience physical or sexual abuse as well.

- Intimate partner violence against women is four times higher than it is for men, and is characterized by use of physical force rather than weapons. About half of these female victims will suffer a physical injury.
- When experiencing spousal violence, women are twice as likely as men to experience physical injury, nearly seven times as likely to fear for their lives, and more likely to experience multiple victimizations.
- In Yukon, 10% of the population reports spousal victimization by a current or former spouse; women make up 78% of spousal victims who experience the most extreme forms of violence.

CONCLUSION:

Victims always resist abuse and violence. Even when they oppose abuse only in their thoughts, their resistance is still very important because it shows that in no way do victims experience mistreatment passively. Victims feel empowered when they focus on their resistance and on the many ways they keep their own dignity and character in the face of mistreatment and degradation.

Work with perpetrators has concluded that they always anticipate that victims will resist their attempts to control, dominate and inflict pain. Perpetrators take deliberate steps to stop such resistance. Other evidence has demonstrated that perpetrators are able to control their anger. Their actions are planned and deliberate. Recognizing the deliberate nature of abusive behaviour is respectful of perpetrators, in that it expresses

confidence in their ability to control their own actions, rather than being “helpless victims” of forces beyond their control. Those who are providing support to victims and/ or perpetrators can focus their attention on victims’ resistance and perpetrators’ responsibility. Supporters can challenge messages from others that blame the victim or excuse the perpetrator.

Directory of Yukon agencies and services

RCMP (Whitehorse)..... 667-5555
Or (emergency) 911
Out of Whitehorse, dial the prefix in your community followed by 5555.

Transition homes

Kaushee’s Place (Transition Home) Whitehorse 668-5733
Dawson City Women’s Shelter..... 993-5086
Help and Hope for Families (Watson Lake
Transition Home)..... 536-7233
Majedi Safe Home (Ross River) 969-2722

Victims’ services

Victim Services (Whitehorse)..... 667-8500
or toll free ext.8500, 1-800-661-0408
Dawson City Victim Services Coordinator..... 993-5831
Watson Lake Victim Services Coordinator 536-2541
Victim Link..... 1-800-563-0808

Legal information/support

Yukon Human Rights Commission..... 667-6226
The Law Line (Whitehorse) 668-5297
Outside Whitehorse call toll-free..... 1-866-667-4305

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|---|--------------------------------------|
| The Lawyer Referral Service (Whitehorse)..... | 668-4231 |
| Legal Aid (Whitehorse)..... | 667-5210 |
| Family Law Information Centre | 456-6721 |
| Kwanlin Dun Justice Program (Whitehorse) | 633-7850 |
| First Nations Court Workers, (Whitehorse, Carcross, Teslin, Haines Junction, Burwash, Beaver Creek)..... | 667-3781 |
| Tr'ondëk Hwëch'in First Nation, (Dawson City or Old Crow)..... | 993-7100 or toll free 1-877-993-3400 |
| Liard First Nation, Watson Lake..... | 536-7925 |
| Ross River Dena Council (Ross River).... | 969-2430 or 969-2826 |
| Northern Tutchone Council, (Carmacks, Mayo, Pelly Crossing)..... | 996-2820 |

Counselling/support/referral services (Whitehorse)

| | |
|--|---------------------------|
| Alcohol and Drug Services..... | 667-5777 |
| Association Franco-Yukonnaise..... | 668-2663 |
| Child Abuse Treatment Services..... | 667-8227 |
| Family and Children's Services | 667-3002 |
| Victim Services..... | 667-8500 |
| or toll free | ext. 8500, 1-800-661-0408 |
| Les EssentiELLEs | 668-2636 |
| Mental Health Services..... | 667-8346 |
| Skookum Jim Friendship Centre | 633-7680 |
| YTG Employee Assistance Program..... | 668-3277 |
| Many Rivers Counselling and Support Services | 667-2970 |
| Many Rivers Dawson City office (also serves Mayo and Pelly Crossing)..... | 993-6455 |
| Many Rivers Haines Junction office (also serves Beaver Creek, Burwash Landing, Destruction Bay).... | 634-2111 |
| Watson Lake office | 536-2330 |

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|--|---------------------------|
| Yukon Government Employee Assistance Program (for Yukon Government employees) | 668-3277 |
| Skookum Jim Friendship Centre | 633-7680 |
| Kwanlin Dun Health Centre | 668-7289 |
| Victoria Faulkner Women's Centre | 667-2693 |
| Women's Directorate..... | 667-3030 |
| or toll free | ext. 3030, 1-800-661-0408 |

Housing

| | |
|---|---------------------------|
| Association Franco-Yukonnaise..... | 668-2663 |
| Whitehorse Housing..... | 667-5712 |
| Grey Mountain Housing (First Nations) | 633-4880 |
| Yukon Housing (Whitehorse)..... | 667-5759 |
| or toll free | ext. 5759, 1-800-661-0408 |
| Carcross..... | 821-4281 |
| Carmacks..... | 863-6411 |
| Dawson City | 993-5478 |
| Faro | 994-3113 |
| Haines Junction..... | 634-2202 |
| Mayo and Pelly Crossing..... | 996-2358 |
| Ross River..... | 969-2347 |
| Teslin | 390-2024 |
| Watson Lake..... | 536-7304 |

Miscellaneous services (Whitehorse)

| | |
|---|----------|
| Social Assistance | 667-5674 |
| Aboriginal Affairs and Northern Development Canada | 667-3888 |
| Maintenance Enforcement Program..... | 667-5437 |
| Victoria Faulkner Women's Centre (Women's Advocate)..... | 667-2693 |

Women's Directorate..... 667-3030
or toll free ext. 3030, 1-800-661-0408
Passport Office Canada1-800-567-6868

