

ENDING VIOLENCE

Association of BC

2009 BC Provincial Election Sample Questions for Candidates

On Tuesday, May 12, 2009 join EVA BC and your colleagues across BC in ending violence against women and children by keeping these issues on the public agenda. Feel free to use these questions as your own, at individual meetings you might have with candidates, at all candidates meetings or send them in writing to the constituency offices of candidates in your community.

1. OVERALL RESPONSE SERVICES

BC should be very proud of the significant progress that has been made over the past three decades in providing a critical social safety net for women who are victims of violence, including specialized Community-Based Victim Services, Stopping the Violence Counselling Programs, Outreach Programs and Transition Houses.

However, services for women have been reporting increasing caseloads and waitlists for many years, which creates stressors on programs and staff. These increases in demand for services also increases women's vulnerability and threatens significant advances made in services for women who are victims of violence. Current levels of funding and services must be increased in order not to further jeopardize women's safety.

Question

Should your party be elected will you commit to the following:

- Increased funding for existing Community-Based Victim Services to meet current and growing service pressures, and for additional Community-Based Victim Services in communities without such programs. This would include lowering the community population requirement (currently at 20,000) to be eligible for a Community-Based Victim Service Program;
- Special efforts need to be made to address the needs of young women under 18 who are victims of violence. This includes funding to existing Stopping the Violence Counselling Programs and training for service providers on the needs of these young women;

- Adequate funding for interpreter services to facilitate immigrant women's and disabled women's access to appropriate community support services;
- Funding to increase the number of Multicultural Outreach programs and to fund Outreach programs for Aboriginal women who are victims of violence;
- Funding for specialized hospital-based responses to domestic and sexual violence, based on existing models in BC.

2. SERVICES FOR MARGINALIZED WOMEN

Many of the women and children killed or seriously injured in the context of domestic or sexual violence in recent years have been members of marginalized groups, facing particular barriers that make it more difficult for them to access critical support systems. The six Handel children killed by their father in Quatsino in 2002 lived in a very isolated setting. Sherry Charlie, battered to death by her uncle in Port Alberni in 2002, was an aboriginal child. Sherry Heron, killed at Mission Memorial Hospital in 2004, suffered from physical disabilities. Denise Purdy, killed in Nanaimo in 2003; Amandeep Atwal, murdered near Cache Creek in 2003; and Navreet Waraich, Manjit Panghali and Gurjeet Kaur Ghuman, murdered or critically injured in the Surrey/Delta area in 2006 (domestic violence suspected); were all immigrant women. The victims of Robert William Pickton were sex trade workers and drug users, many of whom were Aboriginal women. Most of the women who have been murdered or gone missing on Highway 16 are Aboriginal women.

Question

New services and initiatives are needed, as well as increased funding to existing community-based services assisting marginalized women and their children to stay safe. These services include accessible and professional translation services, diversity training for justice system personnel, legislative and policy provisions to support pro-active referral to specialized community advocates and adequate funding for groups representing marginalized populations. Funding is also needed for research and education to assist government policy and program decisions. If elected, will you consider funding these critical community based services?

3. SERVICES FOR ABORIGINAL WOMEN

Canada's history of colonialism and assimilation of Aboriginal people has resulted in lasting discrimination, racism, inequality and violence still felt today in Aboriginal communities. Aboriginal women, both on and off reserve, face high levels of violence and significant barriers to specialized, accessible domestic and

sexual violence services. A shortage of support services perpetuates Aboriginal women's experiences of violence.

Question

If elected, will your party increase the number of funded, Aboriginal specific and culturally based victim support programs in areas with high Aboriginal populations? In rural areas, will you consider Aboriginal satellite programs or Aboriginal outreach workers attached to programs serving the general population?

4. GANG VIOLENCE

Gang violence in BC has been at the forefront of most people's mind due to the recent media spotlight on the growing number of gang-related homicides in the last year. While gang violence poses a legitimate threat to the safety of our cities, the media's sensationalizing of the violence may cause people to lose focus on the everyday reality of domestic violence. In 2007, police reported 117 gang-related homicides and 136 family homicides in Canada; both numbers are devastating and result in life-long emotional trauma, but gang violence dominates our media due to the brazen nature of the crimes. It is important that the Provincial Government does not lose sight of violence against women and children and divert too many of its resources towards gang violence.

Gang violence as an issue is not separate from violence against women but highly related. This type of violence is affecting both the needs of women and the safety of antiviolence workers as well.

Question

If elected, will your party commit to ensuring that the current focus on gang related violence does not usurp the equally important work in policy development and service provision related to violence against women and children?

5. SEXUAL ASSAULT POLICY

Due to the prevalence of sexual assault, the very low reporting rate, its long-term impacts on victims and the high cost to society, it is crucial that the justice system places a high priority on developing effective responses to sexual assault, including a cross ministry policy. The justice system's *Violence Against Women and Children Policy* was intended as an overarching policy to guide police and

other justice system responses to domestic and sexual violence. However, despite years of work by inter-ministry committees, the *Sexual Assault* components of this policy were never implemented.

Question

If elected, will you commit to updating and implementing the *Sexual Assault Policy* and support specialized training for all justice, health and social services personnel on the dynamics of sexual assault?

6. CRISIS SUPPORT AND RESPONSE FOR SEXUAL ASSAULT VICTIMS

Trauma caused by sexual assault can affect a survivor's long-term ability to have relationships or gain and maintain employment due to an accompanying loss of self-esteem, sense of safety and trust, or the presence of debilitating symptoms of Post Traumatic Stress Disorder¹ and generally decreased mental health.²

In the year 2000, Stats Canada revealed that over 24,000 sexual assaults were reported to police in Canada. An extrapolation based on the victimization rate (only 6% of sexual assaults ever get reported to the police in Canada), reveals an estimated total for sexual assaults in that year alone to be over 400,000 women. A similar extrapolation of victimization rates of 2003 figures for BC indicate that the 3,700 sexual assaults reported to police in BC represented only 6% of an estimated 61,000 sexual assaults committed during that period.

In March 2003, government funding was cut to all of BC's Sexual Assault/Women Assault Centres providing crisis support and counselling to women who were victimized by sexual violence. Many of these services also provided emergency accompaniment to police and hospitals. These services were replaced only with daytime emotional support and a 1-800 number located in Vancouver. Each of these programs lost an average of \$100,000 in annual core funding and the counselling services they provided ceased to exist.

¹ PTSD symptoms include: re-experiencing trauma in the form of flashbacks, nightmares, intrusive symptoms and exaggerated emotional and physical reactions to triggers that remind the person of the trauma, emotional numbing and avoidance of activities or places that remind the individual of the trauma and symptoms like difficulty sleeping, hypervigilance, irritability and exaggerated startle response.

² Cascardi, O'Leary, & Schlee, 1999; Herman, 1992; Mouton, Rovi, Furniss, & Lasser, 1999 as cited in The Dollars and Cents Case for Increased Stopping the Violence Counselling, Training and Community Coordination for Women's Safety, BCASVACP

Question

If elected, will you support the development of a province-wide initiative to ensure that each community in BC has funded crisis and emergency responses for sexual assault?

7. LOW WAGES FOR ANTI-VIOLENCE SECTOR WORKERS

Chronically low wages for workers in the anti-violence sector have led to high turnover, stress and job dissatisfaction. Many who work in the anti-violence sector do so because of their passion to work towards equality and healing for women. This does not mean that their work should be under-valued. It is ironic to have practitioners in the mental health system refer to the “specialists” in the anti-violence sector to work with the most traumatized women in our communities, and to see those who are considered the specialists be so under-valued in terms of compensation and benefits.

Question

Do you believe that anti-violence sector workers deserve a competitive wage that reflects their experience and is on par with others in the counselling field? What would you be prepared to do about this?

8. VICTIM SURCHARGE SPECIAL ACCOUNT

Services for women and children who are victims of violence struggle with significant service pressures. Many programs have only one part-time staff person, and many communities have no Community-Based Victim Services at all. Over \$40 million has accumulated in the Victim Surcharge Special Account, earmarked specifically for initiatives to address the needs of victims of crime. Over the 15 years that this fund has been accumulating, very little of the funds have been spent on increasing community services. The millions in this fund would go a long way towards meeting the urgent needs of women who are victims of violence.

Question

If elected, will your party put the Victim Surcharge Special Account to work to meet the urgent needs (as outlined by the anti-violence sector) of women who are victims of violence?

9. PROTECTION ORDERS

Protection orders are court orders containing a condition to provide safety and security to one or more named people. These include *Criminal Code* orders such as s.810 recognizances (peace bonds), probation and bail orders, civil restraining orders under the *Family Relations Act* or the *Child, Family and Community Service Act (CFCSA)* and protective intervention orders under the *CFCSA*.

In domestic violence cases, a high degree of risk is associated with actual or potential breaches of court-ordered protective conditions such as no-contact orders. Any reported breach must be dealt with as a high-risk situation for victims and others associated with the victim, with an immediate enforcement response required because of the significant risk of escalating violence. The tragic deaths of Sherry Heron and her mother at Mission Memorial Hospital in 2004 illustrates this risk in stark terms. The lack of escalating consequences to address the escalating violence exacerbates this risk.

Question

If elected, would you and your party ensure strong leadership and develop a coordinated, cross-sectoral strategy involving the justice, health, social services and education systems, to ensure effective utilization and enforcement of justice and MCFD protection orders, including:

- Proactive investigation and prosecution, with escalating consequences for reported breaches;
- Inclusion of clearly worded enforcement clauses in all protection orders;
- Coordinated information sharing about risk factors and protective conditions, and the provision of information to victims.

10. DOMESTIC VIOLENCE DEATH REVIEW COMMITTEE (DVDRC)

The Ontario Domestic Violence Death Review Committee provides a model for a DVDRC for BC. It is a multi-disciplinary expert advisory committee that assists the Chief Coroner to investigate and review deaths that occur as result of domestic violence in order to identify systemic issues and shortcomings and make recommendations to help prevent future deaths. It maintains a comprehensive database on domestic homicide offenders, victims and their circumstances; helps to identify trends, risk factors and patterns in order to recommend strategies for intervention and prevention; reports annually to increase public education; and conducts appropriate research.

Another model for a DVDRC exists in Santa Clara County, California. In this approach, the Department of Justice asked the County's Domestic Violence

Council to create a DVDRC to review all domestic violence related deaths, identify any gaps in the system and recommend appropriate systemic changes. The DVDRC includes all system-based and community-based organizations dealing with domestic violence victims, offenders and their children.

Question

If elected, would you establish a Domestic Violence Death Review Committee for BC based on one of the models already in use in Canada or the US, including experts from community-based anti-violence organizations? Any model utilized must take account of factors particularly affecting marginalized groups, especially including cultural and immigration factors, and document demographic trends.

11. LEGAL AID AND RELATED FAMILY LAW SERVICES

While insufficient levels of legal aid adversely affect all abused women who are dealing with family law matters, some groups are particularly disadvantaged. These include:

- Immigrant women, particularly those who do not speak English, who may be unfamiliar with the justice system and available services, and in addition to family law issues, may have legal issues relating to immigration or sponsorship;
- Aboriginal women who, in addition to family law issues, may have legal issues relating to their Aboriginal status, housing and, in some cases, may have low literacy levels;
- Women in rural areas who, in addition to limitations faced by all abused women dealing with family law issues, often face a lack of family lawyers in their community, as well as difficulties getting to court because of a lack of transportation, particularly since recent court closures.

While innovative strategies undertaken by Legal Services Society, such as web-based resources, Law Line, training for family law advocates and piloting of “Family Justice Information Hubs” are potentially useful resources, they do not resolve the central problem of the need for more legal representation for abused women—and particularly marginalized women—dealing with family law matters.

Question

If elected, would you and your party enhance legal aid coverage for representation in both Provincial and Supreme Court for women who are victims of domestic violence, particularly for marginalized communities including Aboriginal women, immigrant women and women living in poverty?

12. AMENDMENTS TO THE *FAMILY RELATIONS ACT*

The Ministry of the Attorney General is in the process of considering amendments to the *Family Relations Act*, including amendments, which would more effectively address violence experienced by women and children in the context of family breakdown.

Question

If elected, will your party support amendments to the *Family Relations Act*, specifically designed to better protect women and children from domestic violence in the family law context, including:

- Provisions that define family violence consistent with existing definitions contained in the Ministry of Attorney General's *Violence Against Women in Relationships Policy*;
- Provisions which provide clear legislative authority for police and Crown counsel to vigorously enforce and prosecute any reported breaches of civil restraining orders in the *Family Relations Act*;
- Provisions that ensure information about known risk factors already identified by other sectors, including the criminal courts and child welfare, is available to family court judges and that it is not a woman's responsibility to bring this information forward to the court.

13. ALTERNATIVE MEASURES IN SEXUAL ASSAULT CASES

BC is one of the only provinces to allow Alternative Measures in sexual assault cases (a process that allows an offender to be provided with an alternative to being prosecuted). There is currently no research to show that use of Alternative Measures in sexual assault cases is safe for victims. The outcome is that sex offences are less likely than other violent offences to result in charges against a suspect and adults charged with sex offences are less likely than other violent offenders to be found guilty (Kong et al 2003).

Question

Are you in favour of amending the Crown policy to disallow Alternative Measures in sexual assault cases? Alternatively, will you commit to making the results of this policy transparent, i.e. providing information about program evaluation, victim satisfaction, etc.?

14. ASSAULTIVE MEN’S TREATMENT PROGRAMS

Treatment for assaultive men is an essential element of an effective, coordinated response to domestic violence. Due to the recurring nature of domestic and sexual violence, early intervention and treatment works to prevent violence by changing the attitudes, values, behaviors and social conditions that allow violence to occur. Assaultive men’s treatment programs lack the funding they need in order to make treatment accessible for non court-mandated men. Increased funding needs to be provided to programs for voluntary men in order to change abusive behavior patterns before the abuser is charged or convicted of an offence.

Question

If elected, will you commit to providing funding for assaultive men’s treatment programs for non court-mandated men? Will you support the development and implementation of domestic violence training for other treatment services assaultive men are likely to access, including addiction services, Aboriginal justice services and mental health services?

15. TRAINING

The area of violence against women is a complex one: the legal and policy landscape is often challenging and frequently changing. Responses are required from a broad range of sectors, coordination of both services and information sharing is key and the stakes are high—the lives of women and their children are often at risk. While some discipline-specific training on violence against women is clearly appropriate, it is important to recognize the particular value of inter-sectoral training that trains together those sectors that are expected to work together, such as police, Crown, victim services, counselling services, shelters, child protection, hospitals and other health care agencies, including community health, mental health and addictions services.

Question

If elected, will your party support all sectors, including police, Crown, corrections, court services, the judiciary, victim support services, child protection, MCS and health care, taking formal steps to ensure that training on violence against women:

- Is adequately funded for both system-based staff and community service programs and is built into budgets on an ongoing basis, using Victim Surcharge Special Account funds as appropriate;

- Focuses on the risks associated to victims and service providers and supplies service providers with consistent tools and direction on risk assessment and safety planning;
- Is delivered in basic post employment training and as well in the colleges, universities and professional schools that train future service providers and responders to violence against women;
- Is developed and delivered cross-sectorally, wherever appropriate, and involves those who will be expected to work together, including community-based service providers;
- Stresses the importance of proactive coordination and collaborative working relationships *as a key safety issue*;
- Incorporates a diversity analysis and involves representatives of diversity groups;
- Includes a gender analysis and an analysis of power-based crimes.

16. SAFE AND AFFORDABLE HOUSING

The lack of safe and affordable housing across BC is having a severe impact on women in abusive relationships, including:

- Many women stay in abusive relationships rather than risk being homeless;
- Some women are forced to move into crowded, unsanitary or unsafe situations;
- Women move often in their search for stable housing;
- Women are forced to leave their communities in order to find housing;
- Women stay with friends and family—not only is this often an untenable situation, but many women in this situation are not put on the priority list for BC Housing (only women in transition houses are);
- Women staying in temporary lodgings may find it difficult to get rent receipts, thus complicating applications for BC Housing or income assistance;
- Women may engage in survival sex to secure housing;
- Women are less able to access counselling and support services when they do not have stable housing.

Question

How will your party establish affordable long-term housing options for women who are seeking safety?