

## **PROVINCIAL BRIEFING DOCUMENT 8: EXECUTIVE SUMMARY**

### **Training on Violence Against Immigrant, Refugee, and Non-Status Women**

It is essential for the safety of women and children that those in positions to respond to violence against immigrant, refugee, and non-status women be well trained. Lack of adequate training on domestic and sexual violence, including complexities and risks of this violence for immigrant, refugee, and non-status women, may put women and children at increased risk. Domestic violence poses a real danger for immigrant, refugee and non-status women, as it does for Canadian-born women. A significant number of immigrant women and their families have been murdered or seriously injured by husbands, ex-husbands or other family members in BC.

#### **Recommendations**

##### **Immediate**

1. Any training developed as part of BC's *Domestic Violence Action Plan* must include a focus on the needs of immigrant, refugee, and non-status women and their children.
2. Any inter-ministry committee developing or implementing training as part of BC's Action Plan should include Immigration and WelcomeBC Branch.
3. Provincial ministries serving women victims of violence and their children should work closely with federal and provincial ministries serving immigrants and with community-based immigrant and women-serving agencies to develop and deliver training curricula and resources. (ongoing)
4. Responders should be cross-trained with staff in other sectors, agencies, ministries, and levels of government wherever possible and appropriate, including personnel from Citizenship and Immigration Canada, to facilitate information-sharing and encourage a coordinated approach. (ongoing)
5. Training curricula and other resources should address both domestic and sexual violence and their potential impact on women and their children who are seeking status in Canada. (ongoing)
6. Training should include information that addresses the following factors integral to violence against immigrant, refugee, or non-status women (ongoing):
  - Need to identify safety as a priority in all actions and decisions regarding abused immigrant, refugee, and non-status women and their children;
  - Importance of understanding privacy legislation from a safety perspective;
  - Nature and dynamics of violence and how it may affect immigration and refugee claims;
  - Risk factors that may be exacerbated by immigrant or refugee status or lack of status;
  - Particular vulnerabilities of temporary foreign workers and of 'mail-order brides';
  - Relationship between child protection and safety for immigrant, refugee and non-status women;
  - Need to coordinate and share risk related information among federal and provincial responders;
  - Importance of having appropriate risk management mechanisms in place;
  - Need for effective referral processes for immigrant, refugee, and non-status women;
  - That a woman's need for an interpreter is a key safety issue;
  - That women who have been traumatized by gender-based violence or face certain cultural pressures may need their cases to be handled by females;
  - Women's need for accurate information about their rights, options, obligations, and status.

##### **Longer-term**

7. Effective methods should be found to educate immigration and family law lawyers about domestic and sexual violence and immigration matters respectively and the importance of coordinating with each other regarding the best interests of immigrant, refugee, or non-status clients and their children who are victims of violence.

## ***PROVINCIAL BRIEFING DOCUMENT 8***

### **Training on Violence Against Immigrant, Refugee, and Non-Status Women<sup>1</sup>**

**ISSUE:** It is essential for the safety of women and their children that all those who are in a position to respond to violence against immigrant, refugee, and non-status women be adequately trained.

#### **KEY POINTS**

- Lack of adequate training on domestic and sexual violence, including the particular complexities and risks of these forms of violence for immigrant, refugee, and non-status women and the particular needs arising out of these circumstances, may put women and children at increased risk.
- Domestic violence represents a very real danger for immigrant, refugee, and non-status women as it does for Canadian-born women. Since 1996, a significant number of immigrant women and their families have been murdered or seriously injured by their husbands, ex-husbands, or other family members in BC.
  - In April 1996 in Vernon, Mark Chahal shot and killed his estranged wife, Rajwar Gakhal and eight family members, as well as himself, in the worst mass murder in the province's history.
  - In July 2003, Rajinder Atwal stabbed his daughter Amandeep to death in a car near Cache Creek because he objected to her love affair with a schoolmate.
  - In December 2003, Denise Purdy was murdered by her husband, Kelvin Purdy, in Nanaimo.
  - On October 18, 2006, pregnant schoolteacher Manjit Panghali was killed in Surrey by her husband Mukhtiar Panghali. Her brother-in-law, Sukhvinder Panghali was also charged with offences related to the murder.
  - On October 19, 2006, Port Coquitlam nurse Gurjeet Kaur Ghuman was shot in the face and blinded by her estranged husband, Paramjit Singh Ghuman, who then killed himself.

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<sup>1</sup> For purposes of this document, immigrant women may include participants in temporary foreign worker programs such as the Seasonal Agricultural Worker Program or the Live-in Caregiver Program.

- On October 29, 2006, Navreet Kaur Waraich was stabbed to death by her husband, Jatinder Singh Waraich in Surrey.
- On July 5, 2007, school principal Shemina Hirji was killed in Burnaby five days after marrying Narinder Cheema who had a criminal record for violent offences.
- On September 4, 2007, Peter Hyun Joon Lee murdered his wife, Sunny Yong Sun Park, their six-year old son, Christian, and his wife's parents in Oak Bay on Vancouver Island.
- On August 28, 2009, Yan Lin was stabbed to death along with her ex-husband in Richmond. Her second husband, Chang Xi Wang, who had a history of violence against Yan Lin, was charged with the killing.
- On September 21, 2009, Lesney Valencia, mother of five, was murdered in Burnaby. Her estranged partner, Oswill Vergara, was charged with the murder.
- On January 5, 2010, Kamaljit Singh Dhanoa was charged with the murder of his wife, Tejinder Kaur Dhanoa, mother of their two small children, in Surrey.
- A particular focus of training on violence against immigrant, refugee, and non-status women should be on the laws, policies, and guidelines governing the rights and obligations of this client group, in order that immigrant, refugee, and non-status women have access to the rights, privileges, and services to which they are entitled, including accurate, consistent information.
- The full range of responders must be well-trained in domestic and sexual violence against immigrant, refugee, and non-status women, as an inadequate response by any service provider or any component of the system may place women or their children in jeopardy. These include: criminal and family justice system personnel, victim service and other anti-violence workers, health care providers, child protection workers, social assistance workers, BC Housing personnel, labour and employment programs, immigrant and multicultural agency personnel, settlement workers, English as a second language workers, interpreters, legal aid workers, and the private bar.
- It is essential that those responding to abused immigrant, refugee, and non-status women and their children understand that, while coordination and information-sharing are key to women and children's safety, they must be undertaken with an appreciation of:
  - The importance of having appropriate risk-management mechanisms in place in order to ensure that information-sharing between agencies does not place women and their children at greater risk
  - The importance of understanding both federal and provincial privacy legislation, particularly regarding the overriding concern for the safety of women and their children.
- Comprehensive training - including information on both domestic and sexual violence in general, as well as a specific focus on the circumstances, needs, and rights of immigrant, refugee, and non-status women - must be provided on an ongoing basis in order to address the needs of a mobile work force.

- The expertise of both community-based workers and lawyers who are knowledgeable and experienced in serving abused immigrant, refugee, and non-status women is key to developing and delivering effective training on the issue of violence against women and its particular relevance in the context of immigrant and refugee claims.
- Cross-sector training best utilizes available expertise and encourages collaborative and coordinated approaches to practice.
- It is important that any new government training initiatives developed as part of BC's *Domestic Violence Action Plan* include a focus on immigrant, refugee, and non-status women and their children.

## THE CONTEXT

- Mary Ellen Turpel-Lafond, in her report on the murder of Christian Lee, wrote:

Domestic violence occurs throughout the world and it cuts across social, cultural, economic and religious lines. Immigrant women who are abused by their partners have needs particular to their experiences as newcomers to the Canadian social service systems and justice systems.

and

If an immigrant woman has been sponsored by her partner...she may fear deportation if the sponsorship breaks down. An abusive partner may use the woman's immigration status against her; that is, threaten deportation if she reports the abuse to authorities. Often, the woman lacks information about her rights and options." (Representative for Children and Youth, 2009, p.61).

- Some important steps have been taken in BC to address the particular circumstances of immigrant, refugee, and non-status women and their children who are victims of domestic or sexual violence. These include, for example:
  - Funding of 12 Multicultural Outreach programs, now in the Ministry of Public Safety and Solicitor General;
  - Implementation of three regional consultations by Immigration and WelcomeBC Branch (formerly Multiculturalism and Immigration Branch of the Ministry of Attorney General) to bring together the settlement/English Language Services for Adults (ELSA) and anti-violence sectors to increase the safety and well-being of immigrant and refugee women;
  - Ministry of Housing and Social Development policy regarding suspension of sponsorship debt collection and interest accrual in cases of abuse;
  - It is also worth noting that, while there are significant restrictions on the provision of provincial services to women who do not have legal status in Canada, Victim Services, Stopping the Violence programs and Transition Houses can provide services to women regardless of their immigrant or refugee status<sup>2</sup>.

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<sup>2</sup> The only exception to this is enhanced services funded by MPSSG through federal transfer payments specifically for permanent residents who have been in Canada for one – three years.

- However, much remains to be done in order to afford maximum protection to abused women and their children, including the provision of adequate training to the full range of domestic violence responders.
- Most recently, BC's *Domestic Violence Action Plan* includes: an advanced course for criminal justice professionals involved in domestic violence response, including training on a standardized risk assessment tool; advanced risk assessment training for Ministry of Children and Family Development (MCFD) and other child protection professionals involved in domestic violence response; enhanced domestic violence training within the court system; and specialized training for front-line MCFD staff working with immigrant women.
- Recent consultations by Immigration and WelcomeBC Branch involving both the immigrant settlement/ELSA and the anti-violence sectors indicated the need for training for both sectors. One of the primary needs that emerged from the Vancouver and Lower Mainland consultation, for example, was the need for:

Better training on a range of topics, with a particular focus on issues related to violence against women for the Settlement/ELSA sector and immigrant and refugee issues for the anti-violence/Victim Services sector, and on cultural sensitivity training for all those working with immigrant and refugee women who are victims of violence. (Light, 2008, p. 4).

## RECOMMENDATIONS

1. Comprehensive, in-depth training on all forms of violence against women and its potential impact on immigrant, refugee, and non-status women and their children should be provided on a regular basis to those who may be in a position to provide advice, support, or other services to this client group.
2. Any training developed as part of BC's *Domestic Violence Action Plan* must include a focus on the needs of immigrant, refugee, and non-status women and their children.
3. To address the complexity of domestic and sexual violence against immigrant, refugee, and non-status women, provincial ministries serving women victims of violence and their children should work closely with federal and provincial ministries serving immigrants and with community-based immigrant and women-serving agencies to develop and deliver training curricula and resources.
4. Any inter-ministry committee developing or implementing training as part of BC's Action Plan should include Immigration and WelcomeBC Branch.
5. Responders should be cross-trained with staff in other sectors, agencies, government ministries, and levels of government wherever possible and appropriate, including personnel from Citizenship and Immigration Canada, to facilitate information-sharing and encourage a coordinated approach.
6. Resource material such as training manuals and guidelines on violence against immigrant, refugee, and non-status women should be shared across both provincial and federal levels of government, to facilitate information-sharing and encourage a coordinated approach.

7. Training curricula and other resources should address both domestic and sexual violence and their potential impact on women and their children who are seeking immigrant or refugee status in Canada.
8. Training should include information that addresses the following factors integral to violence against immigrant, refugee, or non-status women:
  - The need to identify safety as a priority in all actions and decisions regarding abused immigrant, refugee, and non-status women and their children;
  - The importance of understanding privacy legislation from a safety perspective;
  - Nature and dynamics of violence and how it may affect immigration and refugee claims;
  - Risk factors that may be exacerbated by immigrant or refugee status or lack of status;
  - Particular vulnerabilities of temporary foreign workers and of 'mail-order brides';
  - The relationship between child protection and safety for immigrant, refugee and non-status women;
  - The need to coordinate and share risk related information among federal and provincial responders;
  - The importance of having appropriate risk-management mechanisms in place;
  - The need for effective referral processes for immigrant, refugee, and non-status women;
  - That a woman's need for an interpreter is a key safety issue;
  - That women who have been traumatized by gender-based violence or face certain cultural pressures may need their cases to be handled by females;
  - Women's need for accurate information about their rights, options, obligations, and status.
9. Effective methods should be found to educate immigration and family law lawyers about domestic and sexual violence and immigration matters respectively and the importance of coordinating with each other regarding the best interests of immigrant, refugee, or non-status clients and their children who are victims of violence.

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This document is one of a series of eight provincial and six federal Briefing Documents produced by the Ending Violence Association's Community Coordination for Women's Safety Program as part of its Safety for Immigrant, Refugee, and Non-Status Women Project.