NORTHWESTERN ONTARIO WOMEN'S CENTRE

Women's Safety at the Centre (of the Systemic Response to Gender Based Violence)







NORTHWESTERN ONTARIO WOMEN'S CENTRE EMPOWERING WOMEN BY PROVIDING A SAFE AND SUPPORTIVE ENVIRONMENT TO EXPLORE THEIR NEEDS



Women's Safety at the Centre (of the Systemic Response to Gender Based Violence)

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About The Northwestern Ontario Women's Centre



The Northwestern Ontario Women's Centre (NOWC) was founded in the spring of 1973, following an event called the Northern Women's Conference organized by local women's consciousness-raising groups. Over the years, countless projects, initiatives and organizations have emerged as a result of women organizing together through the auspices of the Centre.

What we do: Northwestern Ontario Women's Centre provides frontline advocacy, support, and information to local and regional women experiencing violence, poverty, human rights concerns, or problems with legal (family, criminal) or administrative systems. We provide public education and training on these issues to women, the public, and community organizations. We also partner with others to raise awareness of inequalities and oppression and work to change the intersecting systems that impact women's lives.

How we make a difference: We are often either the first contact or last resort for women experiencing violence. We help women move from crisis to stability: we direct and support them to navigate and access other services, such as high-risk teams, shelters, income support, counselling, and legal and human rights services. We work towards the prevention of gender-based violence as well as economic justice and food security by engaging women, local organizations and the public in education, programming and systemic advocacy.

Who we serve: We serve self-identified women, trans, and non-binary people of all ages, ethnicities, cultures, abilities, orientations, citizenship status, and income levels from Thunder Bay and Region. A high proportion of women requesting our services identify as low-income, survivors of violence, sole support mothers, and/or Indigenous people, with statistics validating these trends. Stakeholder consultations also identified an emerging need for support among newcomer women, youth and young women, and survivors of trafficking.



Project Description

This 30-month project supported a feminist response and recovery from the current impacts of COVID-19 through systemic change. The Northwestern Ontario Women's Centre (NOWC) achieved this by operationalizing the implementation of the High Risk Navigation Protocol and promoting its use as a central tool among service providers to relocate the safety of women, trans, and nonbinary people and their children at the front end of the systemic response to Gender Based Violence (GBV).

- scaling up the GBV Navigation advocate position
- creating a Court advocate position to reinforce and monitor the use of safety measures in legal processes
- identifying gaps, examining links, and researching alternative measures
- creating and publishing recommendations to change GBV protocols and policies, disseminating information, encouraging systemic change
- promoting effective measures of accountability and prevention of GBV both inside and outside the criminal legal system.

Through this project, the NOWC has contributed to: addressing systemic barriers by advancing inclusive policies and practices; increasing networks and collaboration to accelerate systemic change; supporting positive distribution of authority, voices, and decision-making power; and addressing persistent harmful gender norms and attitudes to support women's equality.

Acknowledgment

This project would not be possible without the women we have the privilege to walk beside. At the NOWC, we learn from, for, and with all the women we come to know; this knowledge further informs our systemic advocacy and public education efforts.

Gender Based Violence in Thunder Bay

1000

Rates of GBV in Thunder Bay are among the highest in Canada and include a colonial legacy of missing and murdered Indigenous women. Most of the women we support have child custody, separation and/or child welfare issues which are complicated by intimate partner violence, including coercive control and/or poverty. Many face ongoing and increased risk of harm from controlling or abusive expartners; this risk is exacerbated by a lack of understanding of genderbased violence and coercive control by legal personnel, as well as structural gaps in the criminal and family law systems.

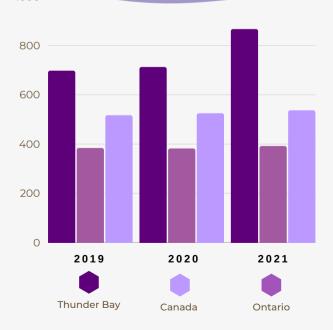
44% of women in Canada experience GBV, but Thunder Bay has among the highest per capita rate of IPV and sexual assault of any municipality in Canada. Our rates are consistently higher than both the provincial and national averages. In 2018, Thunder Bay ranked third out of 34 census metropolitan areas for the number of victims per 100,000 residents.

The housing crisis, substance use crisis, income and food security crisis, systemic racism, Missing and Murdered Indigenous Women, and human trafficking are not unique to Thunder Bay. However, these factors all exacerbate the negative effects of GBV.

IPV Epidemic Declaration

Following the inquest into into the 2015 murders of three women in Renfrew County on Sept. 22, 2015; Anastasia Kuzyk, Nathalie Warmerdam and Carol Cullerton, the Jury made 86 recommendations. The first recommendation was to the Government of Ontario - Formally declare intimate partner violence as an epidemic.

NOWC staff, including GBV Navigator, on behalf of the TBDCCEWA, and members of the Naadmaagewin Indigenous Domestic Violence Coordinating Committee presented jointly to City Council on September 25th, 2023 to request that City Council declare IPV an Epidemic in Thunder Bay. Thunder Bay City Council formally declared GBV and IPV an epidemic on September 25, 2023 immediately following our presentation..



Project Goals and Objectives

Identify and name racist and

misogynist structures, **Research alternative** Put women's safety at the centre of the systemic protocols and actions that are measures of accountability entrenching a justice gap for that are community based response to violence against women. women, trans and non-binary and perpetrator focused. people experiencing violence. Scale up and extend the Examine the links between Identify, publicize, and temporary Gender Based outcomes for women promote effective measures Violence Navigation position to experiencing racist and of accountability and coordinate systemic response misogynist violence and prevention of GBV outside of and risk assessment across decisions made in the legal criminal legal system service sectors system by evaluating existing policies and engaging an advisory group of women with lived experience Operationalize the existing Provide this analysis to Bring in speakers to present **High Risk Navigation protocol** these topics to the Criminal Legal system players regarding what legal decisions community and protocols put women at risk, how protocols could be made more effective, and publish on Action to Analysis on GBV website Create a full time Court Based Create and publish GBV advocate position to recommendations for change monitor the legal systems' to GBV protocols and policies response (sharing information, monitoring safety measures, communication across different

courts, data collection)

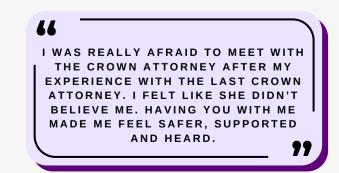
PUT WOMEN'S SAFETY AT THE CENTRE OF THE SYSTEMIC RESPONSE TO VIOLENCE AGAINST WOMEN.

HIGH RISK / GENDER BASED VIOLENCE NAVIGATION

In March 2021, the NOWC hired a fulltime, independent High Risk / Gender Based Violence Navigator to coordinate a systemic response and risk assessment for and with women experiencing Gender Based Violence.

Highlights from April 2021 - March 2024.

- Coordination and education of the community High Risk Protocol across service sectors in Thunder Bay and in the District of Thunder Bay. The GBV High Risk Protocol is largely known as a central tool amongst local GBV service providers.
- The GBV Navigator and GBV Court advocate supported **200** women and gender diverse folks who were experiencing intimate partner violence and/or sexual violence by:
 - taking notes and preparing strategic questions with women
 - educating women about their rights in court
 - accompanying women to court events or legal appointments
 - connecting women with appropriate supports and services in the community (i.e. housing, counselling, victim services)
- The GBV navigator monitored the needs of survivors and the structural gaps that limit the safety of survivors and their children.
- The GBV Navigator routinely engaged with and provided case consults with local VAW service providers.
- The GBV Navigator supported women connecting with the Luke's Place Virtual Legal Clinic, and participated in the Criminal Court watch programs.
- The GBV Navigator supported in the preparation and delivery of the legal clinics run by the NOWC.
- The GBV Navigator connected with VAW advocates from across the province, including attending the gathering to commemorate the 1 year anniversary of the Carol Culleton, Anastasia Kuzyk, and Nathalie Warmerdam inquest. The NOWC and the High Risk Protocol is recognized as promising practice in addressing systemic responses to GBV.



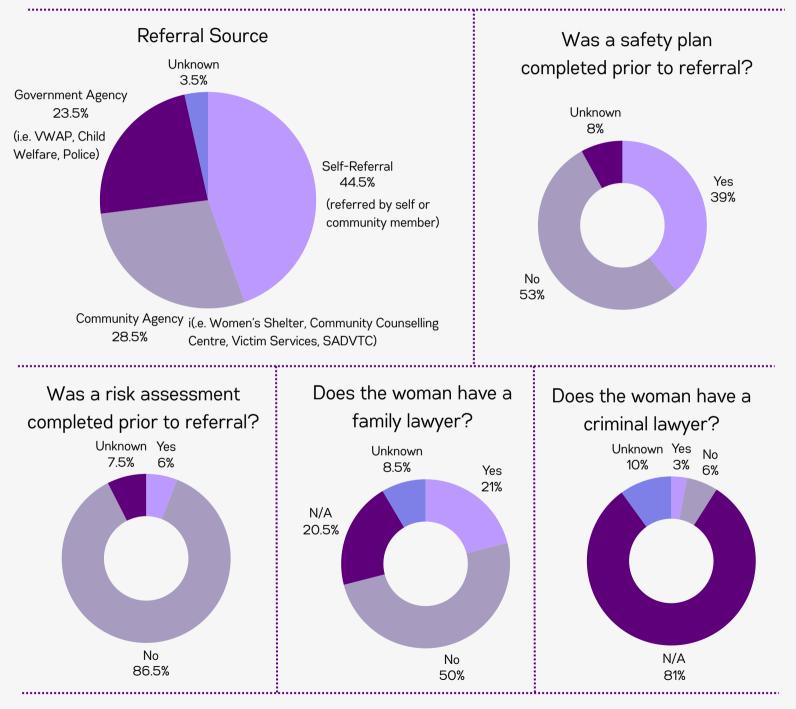


A QUOTE FROM A WOMAN AFTER THE GBV NAVIGATOR ATTENDED A MEETING WITH THE CROWN ATTORNEY AND VWAP STAFF

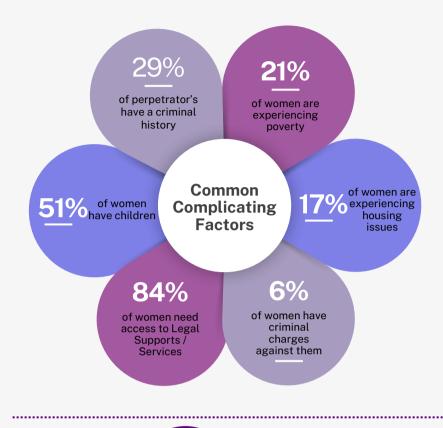
HIGH RISK / GENDER BASED VIOLENCE NAVIGATION INTAKE STATISITCS

The GBV Navigator created an intake form at the beginning of the project. This form was updated throughout the project to better understand and respond to the needs of survivors.

The intake form was completed either with the referring agency or with the woman directly. With consent from the woman, the intake information could be shared with supporting agencies; this information sharing was essential to reduce the need for the woman to repeat her experience to multiple service providers and to ensure that supporting agencies had up-to-date information related to the safety of the woman and/or her children.



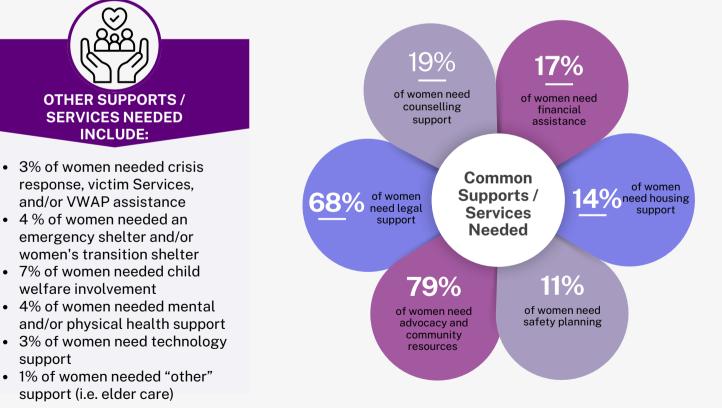
HIGH RISK / GENDER BASED VIOLENCE NAVIGATION INTAKE STATISITCS



support



- 3% of women have citizenship status challenges
- 2% of women are experiencing cyber violence
- 4% of women identify as having a disability
- 6% of women experience mental health challenges
- 3% of women experience addiction challenges
- 2% of women identify as having experienced systemic racism



Criminal Legal System

The NOWC participated in the Covid-19 VAW Task Force to highlight the systemic gaps and actions taken by local criminal legal system players. Each of the following gaps increases the risk of violence for women and children, while simultaneously decreasing sanctions and accountability for perpetrators of violence:



- Lack of daily accounts from Bail Safety to TBPS DV Coordinator
- More females being charged for Domestic Violence
- Misinterpretation of Bill C-75 (changes to criminal code re: GBV and release) by watch commanders at TBPS; all accused are being released (without conditions for nocontact) instead of using their own discretion
- Insufficient history being presented to JPs for endorsement appears on Crown brief, needs to be emphasized by officer
- Abandonment of the 524 they are being submitted to the court, but watch commander has condoned it being abandoned which results in conflicting release conditions
- Accused charged with IPV and have multiple breaches, but being released on a UTA without no-contact orders and without conditions that would reinforce the court-based conditions

 Vetting process: senior crowns used to support newer crowns when reviewing things like overnight arrests

understanding of the regional

context and community needs)

pushiness of undermining safety measures for women
Lack of accountability for accused by defence council; accused being encouraged to wait out the 18 months in hopes that charges will time

out



- Lack of use of release from custody table
- "Bail set not met" release on conditions because surety is not in court, which results in JPs acting on false information in quick turn-arounds, and no notice is being given to crown to examine
- Surety approved outside of public court process, and no background or approval of surety is presented, and no record of who is designated given to other sectors

- Long delays in court cases
- Difficulty in satellite court campus, release from custody is happening steadily with no connection to victims because V/WAP doesn't cover that jurisdiction

ALL

Family Court System

The NOWC participated in Luke's Place's Ontario Family Law Court Watch project. This provincewide project aimed to better understand the ways the family court system manages cases where there is intimate partner violence; throughout this project, the NOWC recruited and trained students and volunteers to observe family court matters at the Thunder Bay Courthouse.

Our observations from this project, as well as our work directly with women navigating the family court system show us, that the family court system can be used to further harm women experiencing intimate partner violence. Some of our observations include:

- There is an acute shortage of family law lawyers in Northwestern Ontario and family courts are experiencing significant backlogs.
 - Between April 2021 and March 2024, 68% of women we supported who were experiencing violence and navigating the family law system did not have a family law lawyer and/or did not know they needed a family law lawyer. Without access to a family law lawyer, women and children are at much greater risk of ongoing violence.
- Effects of family court on the survivor
 - Emotional abuse
 - Weaponizing of previous and/or current mental health
 - Fear
 - Financial abuse
 - Physical health issues
 - Losing time with children
 - Strains relationships with family and friends
 - Re-victimizes survivors
 - May create distrust with social agencies and the court system due to service providers having a lack of understanding on GBV/IPV
- Common forms of litigation abuse
 - Changing legal counsel multiple times
 - Not signing documents
 - Insisting on meeting in person to exchange documents
 - Starting excessive and unnecessary motions
 - Extending length of proceedings to increase legal fees, stress, anxiety etc.
 - Making false reports to Child Protection Agencies
 - Attacking the survivor's credibility and their ability to parent

Public Education

Our public education, training, advocacy, and other systemic efforts are designed to make the link between women's experience and the status of women in Canada. The legal information sessions and public outreach we led during this project were guided by the experiences of women we work with. We provide alternative methods of engagement (chat, Zoom, telephone or Virtual Legal Clinics) that is accessible for all, including those who experience visual, auditory and/or physical limitations.

Throughout this project, we saw a dramatic increase in women, community members, frontline workers, and legal professionals accessing our workshops and Family Law/ Legal Education Clinics.

LEGAL INFORMATION SESSIONS

Coercive Control and Criminalization of Women Experiencing Domestic or Intimate Partner Violence Learning objectives:

• complexity of intersecting issues especially for Indigenous and racialized women, local stats from bail court, approaches of women's PAR program and Survivor Support Assistance program

Panel Presentations by:

- Gwen O'Reilly, Executive Director NOWC
- Laura Cooper, Bail Safety Officer, TBPS
- Lisa Hadland, MSW, RSW, WIN Facilitator/Counsellor, CFDC
- Alana Morrison, D/Sgt. And creator/supervisor of Survivor Support Assistance Program, NAPS

Coercive Control and Intersections with Family Law Learning objectives:

• complexity of intersecting issues especially for Indigenous and racialized women, strategies for navigating family court under these circumstances

Presentation by:

- Gwen O'Reilly, Executive Director NOWC
- Lauren Cooper, Hybrid Duty Counsel, Legal Aid Ontario
- Ann Hamilton & Terri Zoccole, Gladue Case Workers, NAN Legal Services

Newcomer Women, Immigration Status and Intimate Partner Violence Learning objectives:

• intersecting legal issues, barriers to safety, how to get help and legal advice

Presentation by:

- Navigating Complex Systems: Realities Faced by Newcomer Women Experiencing Gender Based Violence in Thunder Bay (Gwen O'Reilly & Jennifer Hastings, NOWC)
- Immigration Status and Domestic Violence: Issues to consider and how to get legal advice (Jennifer Dagsvik, Lawyer, Anais Giasson, Law Student, Niloufar Sadroddini, Law Student, NLC)
- Domestic Violence: Where Criminal and Immigration Laws Intersect (Shelby Ernst, Pro Bono Law Student, NWOWC with Jennifer Dagsvik)

LEGAL INFORMATION SESSIONS

Laws and Policies Surrounding Sexual Harassment in the Workplace Learning objectives:

- explore how current harassment laws and policies have evolved and how they impact people within their workplace
- review case law examples that demonstrate what legal remedies may be available and current developments in the law

Presentation by:

• Esma Haider, Community Legal Worker, SHIW Project, Kinna-aweya Legal Clinic

Women Survivors Charged with Domestic Violence-related Offences Learning objectives:

- Reviewing impact of charges on survivors (including differential impact on Indigenous women) and their safety
- Reviewing NOWC court watch data and police statistics
- Explanation of mandatory charging (how it came to be and what it looks like now)

Presentation by:

- Gwen O'Reilly, Executive Director NOWC
- Vivien Green, Coordinator of Strategic Projects Counterpoint Counselling and Educational Cooperative

Parenting Plans: Strategies & Tips for Women Surviving Violence

Learning objectives:

- understanding the differences between parenting plans, separation agreements, and court orders
- gaining tips and strategies for navigating shared custody
- knowing when and where to get legal advice

Presentation by:

- Kristy Hansen, Family Law Lawyer, Henderson Family Law
- Gwen O'Reilly, Executive Director NOWC

Coercive Control, Parental Alienation & Institutional Gaslighting

Learning objectives:

- Identify the role of the system in parental alienation and those engaged in Intimate Partner Violence (IPV).
- Review the role of "feminized irrationality" in the court system.
- Examine the intersectionality of the pandemic, an Indigenous mother, coercive control, and parental alienation. (Case Study)

Presentation by:

• Dr. Frances E. Chapman, Full Professor of Law, Bora Laskin Faculty of Law, Lakehead University

RESEARCH ALTERNATIVE MEASURES OF ACCOUNTABILITY THAT ARE COMMUNITY BASED AND PERPETRATOR FOCUSED.

ALTERNATIVES TO THE CRIMINAL JUSICE SYSTEM

Our work directly with women who have experienced gender based violence and our court watch results clearly demonstrate the ways in which our systems (criminal court, family court, child welfare etc.) continue to silence, disregard, and further harm those who have already been subjected to abuse and violence; specifically, the criminal legal system prioritizes the perpetrator of violence, often compromising the safety of the women and children.

Since the beginning of Covid-19 pandemic, we have seen a dramatic increase in women, community members, frontline workers, and legal professionals accessing our workshops and Family Law / Legal Education Clinics.

Throughout this project, the NOWC identified, publicized, and promoted alternative measures of accountability and prevention of GBV outside of criminal legal system including:

MUTUAL AID AND ALTERNATIVE ACCOUNTABILITY

A gathering to network with community members, grassroots organizers, and advocates to share knowledge, build analysis, and unite for action around issues relating to gender-based violence in Thunder Bay and the region.

Criminal Court Responses to GBV in Thunder Bay: Initial Findings

This session focused on criminal court responses to gender-based violence (GBV), the question of accountability, and the current response to GBV in Thunder Bay. The Gender Based Violence Navigation Advocate and Gender Based Violence Court Advocate shared initial observations and findings from our Court Watch Project.

Keynote Speaker Dean Spade - "Safety through Solidarity: Mutual Aid for Survival and Mobilization"

This presentation focused on themes and action from his recent book. Dean talked about what mutual aid and its various approaches, why it is transformative for communities, and some of the challenges and obstacles commonly seen.

Mutual Aid & Building Solidarity: Discussions in Community

This panel focused on several topics at the heart of the NOWC such as: gender-based violence, reproductive rights, queer advocacy, disability justice, youth and family support, accessible housing and food security. Panelists discussed the role of advocacy and the impact of community organizing in addressing the issues of community safety, solidarity, and community well-being.

ALTERNATIVES TO THE CRIMINAL JUSICE SYSTEM

LEGAL INFORMATION SESSIONS

Enhancing Women's Safety: Survivor-Centered Perspectives

Learning objectives:

- strategies for enhancing safety/self-protection in addition to or in the absence of legal/structural/other supports; sharing local services/supports
- Panel Presentations by:
 - Katelin Karhunen, Outreach Worker, Geraldton Family Resource Centre
 - Two women with lived experience
 - Jen Hastings, GBV Navigation Advocate

Civil Litigation: An Alternative Legal Remedy for Survivors of Sexual Violence

Learning objectives:

- What the legal process involves in a civil case (and how it differs from criminal process)
- When and why a survivor might choose to pursue civil litigation
- Where to get legal help

Presentation by:

Natalie Gerry, Founder and Principal Lawyer, Gerry Law

FROM THE OTHER SIDE

The NOWC hosted an informal conversation with a woman with lived experience of intimate partner violence, criminal and family court systems, and child welfare. Now that the woman made it to the "other side", she generously shared her story and survival strategies with other women in similar situations. Specifically, the woman shared what was helpful and harmful as she navigated through the criminal, family and child welfare system; the woman also shared insights into what would have been more supportive and safe for her.



ALTERNATIVES TO THE CRIMINAL JUSICE SYSTEM

FULL (DIS)CLOSURE: A GATHERING FOR WOMEN AND GENDER-DIVERSE SURVIVORS OF INTIMATE PARTNER VIOLENCE

The NOWC partnered with the Thunder Bay Indigenous Friendship Centre to host a gathering for women and gender diverse folks who have experienced domestic violence and/or sexual violence. 21 women and gender diverse folks attended the gathering.

This gathering was a space to be heard, believed, and validated knowing that our systems continue to silence, disregard, and further harm those who have already been subjected to abuse and violence. Keynote presenter Marlee Liss talked about her experience as the first survivor in North America to pursue a restorative justice process through the court system. This presentation was followed by guided movement and arts-based activities to foster well-being, creative self-expression, and peer connections.

Facilitators / Presenters:

- Elder Brenda Mason
- Marlee Liss Award-winning speaker, survivor advocate and somatic educator
- Betty Carpick Interdisciplinary land-based artist and educator
- Michelle Derosier Mother, grandmother, artist, activist and filmmaker
- Stacey Hare Hodgins Facilitator, advocate, critical social worker, and community arts organizer



QUOTES FROM PARTCIPANTS

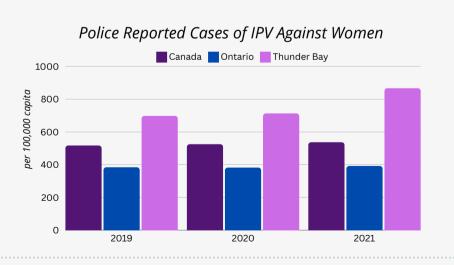
BACKGROUNDER: DECLARING INTIMATE PARTNER VIOLENCE (IPV) AN EPIDEMIC IN THUNDER BAY

Culleton, Kuzyk & Warmerdam Inquest (Renfrew County Inquest) Recommendation #1

Formally declare intimate partner violence as an epidemic.

As of August 1, 2023 more than **40 municipalities** in Ontario independently supported a declaration elsewhere or declared their own IPV epidemic On **September 25th** the NIDVCC and TBDCCEWA will bring a joint deputation to City Council to declare IPV an Epidemic in Thunder Bay

Rates of Intimate Partner Violence in Thunder Bay are 2 times higher than Ontario's provincial rate and 1.5 times higher than that of all of Canada





More than **4** in 10 (44%) women in Canada have experienced IPV in their lifetime



Thunder Bay District Coordinating Committee to End Woman Abuse (TBDCCEWA)

Naadmaagewin Indigenous Domestic Violence Coordinating Committee (NIDVCC)

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BACKGROUNDER: DECLARING INTIMATE PARTNER VIOLENCE (IPV) AN EPIDEMIC IN THUNDER BAY

- On the morning of September 22, 2015, in rural Renfrew County, Ontario, Carol Culleton, Anastasia Kuzyk and Nathalie Warmerdam were murdered by a man with whom each had had a past relationship. An inquest was held in 2022 and resulted in <u>86 recommendations</u>. The first recommendation is for the Provincial government to **declare Intimate Partner Violence (IPV) an epidemic.**
- Intimate partner violence (IPV) is a prevalent form of gender-based violence (GBV) perpetrated by a current or former intimate partner, dating partner, common-law partner or spouse, in public and/or private spaces, to maintain power and control. It can include physical abuse, stalking, sexual violence, emotional/psychological abuse, financial/economic abuse, spiritual abuse, reproductive coercion, coercive control, and/or technology-facilitated violence/cyberviolence (Women and Gender Equity Canada). IPV is also known as <u>Gender-Based Violence</u>, Domestic Violence, <u>Family Violence</u>, Spousal Abuse, <u>Woman Abuse</u>, or Violence Against Women.
- We use this definition of *epidemic* from *Merriam-Webster*: "affecting or tending to affect a disproportionately large number of individuals within a population, community, or region at the same time." The <u>World Health Organization</u> has declared violence against women "a global public health problem of epidemic proportions, requiring urgent action." In the Thunder Bay District, IPV / GBV is an issue that disproportionately impacts women, especially Indigenous women, in both immediate and long-term ways, and deeply affects our community.
- 44% of women (6.2 million) in Canada have experienced IPV in their lifetime (Statistics Canada, 2021).
- Indigenous women (61%) were more likely to have experienced IPV in their lifetime (since the age of 15) when compared to non-Indigenous women (44%) (<u>Statistics Canada</u>, 2021).
- Two-thirds of women who identify as lesbian, gay, bisexual or another non-heterosexual orientation have experienced IPV in their lifetime, and they are two times more likely than heterosexual women to experience most types of IPV (Statistics Canada, 2021).
- Three in five Trans women (64%) experienced intimate partner violence since the age of 16 (Trans PULSE Canada, 2019).
- Young women (ages 15-24) are at high risk for IPV; there is a high prevalence of physical and sexual assault among high school and post-secondary students. Some form of IPV was experienced by more than four in ten (43%) of young women aged 15 to 19 years in the 12 months preceding the survey (<u>Statistics Canada</u>, 2021).
- In 2019, police-reported rates of IPV in Canada were more than 3.5 times higher among women than among men (Women and Gender Equality Canada).
- Women are disproportionately subjected to the most severe forms of IPV (i.e., choking; sexual assault; threats with a weapon), and experience violence more frequently and with more injuries (<u>Statistics Canada</u>, 2021).
- Women victims of homicide are more likely to be killed by an intimate partner than anyone else (<u>Statistics Canada</u>, 2021). Every 2.5 days a woman or girl is murdered in Canada, and Indigenous women are six times more likely to be killed than non-Indigenous women (<u>National Action Plan to End Gender-Based Violence</u>, 2021). In 2021-22, there were 52 femicides in 52 weeks in Ontario (<u>OAITH: More than a Number</u>).
- According to Statistics Canada, for many years, Thunder Bay has had among the highest per capita rate of IPV and sexual assault of any municipality in Canada.
- In 2022, Thunder Bay Police report 2300 IPV reportable incidents, 703 charges and 267 individuals charged with IPV.
- In May, on behalf of <u>TBDCCEWA</u> and <u>NIDVCC</u>, a presentation by NWO Women's Centre to the City of Thunder Bay's Community Safety and Well-Being Committee resulted in unanimous agreement to bring a recommendation to City Council to make this declaration.
- Declaring IPV an epidemic would acknowledge IPV / GBV as an issue that disproportionately impacts women, especially Indigenous women, seriously <u>affects children</u> exposed to it, and deeply affects our community as a whole. It would acknowledge and validate the experience of survivors, recognize the tireless work of organizations
- that support survivors or respond to abusers with few resources, and it would put pressure
- on governments to act on the other recommendations.