TENSIONS IN THE DOMINANT DOMESTIC VIOLENCE DISCOURSE AND THE
HIGH RISK CASE COORDINATION PROTOCOL

by

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DEDICATION PAGE

Feminism is about ending human suffering, for women who
experience it and for men who commit it. If someone is committed
to feminism they have to accept that it is also about engaging with
pain. As long as there is rape and violence against women there will
be no end of feminism (Andrea Dworkin, 1993).

For Amy, Rayanne, Heidi, Nancy, Tanya, Melissa, Doreen, Jennifer, Peggy, Phyllis,

Christine, Marlene, Marcienne, Kim, Tammy, Rebecca, Tara, Dahra, Bonnie and the

other women who did not want to be named.

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ABSTRACT

The feminist qualitative research undergirding this thesis focuses on the Nova Scotia high risk case coordination program, a protocol used to flag and coordinate woman abuse cases where there is a risk of serious injury or lethality. The research involved interviews with twenty-nine abused women in the high risk protocol, as well as focus groups with various service providers involved in implementing the protocol, including police, victim services, transition houses, men's intervention programs, corrections and child welfare. The data collected through this research illuminated three broad themes regarding societal responses to woman abuse: the need to rethink the approach to the abuser, the need to rethink the approach to the victim, and the need to avoid one-size-fits-all solutions. These themes are inter-related in that moving beyond essentialist understandings of both the abuser and the victim leaves open the possibility of finding more creative, varied and effective responses to woman abuse. The research also highlighted tensions and contradictions within the dominant domestic violence discourse. This thesis explores those tensions in order to challenge aspects of the dominant discourse. It is hoped that this will lead to a deeper and more nuanced understanding of the complexities of woman abuse, and that that understanding will in turn initiate discussions about how to improve responses to woman abuse generally, and the high risk case coordination protocol specifically. In particular, this thesis attempts to move beyond the dichotomous "either/or" thinking reflected in many of the current policies and programs relating to woman abuse. The thesis recommends a approach that focuses on both the victim and the abuser, and that recognizes the need for responses that acknowledge that not all abused women, or all abusive men, are the same. The recommendations are aimed at offering both protection and agency to abused women and assisting abusers both to take responsibility for past violence and to learn new non-violent ways of relating.

ACKNOWLEDGEMENTS

To the service providers from victim services, corrections, police, child welfare, transition houses and men's intervention programs who participated in the focus groups. Thank you for your open and honest discussions.

Finally to the woman who told me their stories in the hopes we could make a difference for women coming after them. Without you I would have nothing.

CHAPTER 1   INTRODUCTION

In 1996, in compliance with the Nova Scotia Framework for Action on Domestic

Violence, the Halifax Regional Police created a victim service unit to provide support for

victims of domestic violence. For the past 16 years, I have been the coordinator of this

unit. Just four years into the implementation of the Framework, a murder-suicide

occurred in Truro. Lori Lee Maxwell was murdered by her ex-partner Bruce George, who

then committed suicide. The victim and abuser were well known to police, child welfare

and the transition house. The Department of Justice ordered a review to determine what

went wrong with the Framework's processes. The review was carried out by Dawn

Russell and Diana Ginn from Dalhousie Law School. Their report concluded that the

Framework was solid; however, the coordination of domestic violence cases and

information sharing could be improved (Russell & Ginn, 2001). As a result of the review

of the Maxwell George case, the high risk case coordination protocol was introduced in

Nova Scotia in 2003. The protocol mandates criminal justice and community agencies,

such as police, crown, corrections, child welfare, women's shelters and men's

intervention programs, to coordinate their responses and share information on woman

abuse cases where there is a substantial risk of potential homicide of either partner

(Department of Justice; Community Services; Public Prosecution, 2003).

In my role as the Coordinator of Victim Services with the Halifax Regional

Police, I have spoken to hundreds of women, and heard many different reactions to the

criminal justice system's intervention in their lives. The pro-charge, pro-arrest and pro-

prosecution approach taken in the Framework was intended to hold abusers accountable

for their criminal behavior, and the mandatory aspect of the approach was intended to keep women from being threatened into opposing arrest or prosecution. The high risk case coordination protocol was in keeping with this thinking; cases of woman abuse were designated as high risk based on the assessed risk of lethality, not on whether the woman asked to participate in the protocol. However, research has documented the unintended results of various mandatory state interventions in woman abuse (Buzawa & Buzawa, 2003; Coker, 2001; Currie, 1998; MacLeod, 1994; Peterson, 2008; Renzetti, 2011; Schneider, 2000) and so I wondered whether the same concerns arise with the high risk case coordination protocol.

Originally, I intended only to explore whether the implementation of the high risk case coordination protocol was a liberating or controlling experience for abused women and then whether women's experience of the protocol could shed light more broadly on feminist and state interventions to woman abuse.

Specifically, I planned to analyze the perceptions of abused women and service providers so as to understand whether the high risk protocol is seen as reflecting feminist liberatory discourse, speaking to emancipatory ideals such as equality, equity, empowerment, and choice, or a crime control discourse, which reduces acts of violence to pathology rather than critiquing power hierarchies (Chesney-Lind, 2006; Ferraro, 1996; Finley, 2010) and which is less focused on supporting women in their choices. I was interested in which of these two perspectives seemed to motivate those who implement the high risk case coordination protocol and which seemed to better reflect the experiences of abused women who have encountered the high risk protocol.

Using a feminist qualitative approach, I reviewed the Nova Scotia High Risk Case Coordination Protocol by interviewing 29 abused women identified as high risk under the protocol. I also conducted two focus groups with service providers involved in the implementation of the protocol.

After completing the interviews and focus groups, reading the relevant literature, and reviewing and analyzing my data, I realized that my research questions as initially framed did not allow me to take full account of the rich data I had obtained, and in particular did not allow me to reflect on the significant tensions that emerged from my findings. What I discovered is a dominant domestic violence discourse that is generally predominant in the conceptualization of men's violence against women has been translated into the high risk case coordination program (Augusta-Scott, 2001, 2006, 2007a, 2007b). Tod Augusta-Scott (2007b) states the dominant discourses in domestic violence is the power and control story, where abusive men use power and control to maintain power over their partner (p 197). The author maintains this is part of gender essentialism where men are considered abusive and women are victims. Augusta-Scott (2007b) states that "grand narratives which purport to say everything on a subject" (p 198) can negate stories that don't fit the grand narrative. This is the case with domestic violence and the high risk case coordination program. If a story of abuse does not fit the dominant domestic violence discourse then it cannot be domestic violence, or there has to be another reason for it. For example, if an abused woman does not appear fearful of her male partner then he is not really abusing her so there cannot be domestic violence in the relationship. The dominant domestic violence discourse does not allow for the both/and nuances to emerge (Augusta-Scott, 2001; 2007a). For example men can be both abusive

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and loving and women can be both fearful and resistant to the abuse (Augusta-Scott, 2007b).

The dominant domestic violence discourse and the tensions inherent imply that woman abuse is a reflection of patriarchy and men's power and control over women. Abusers are male and violent and the victims are female and helpless. The only safe recourse is for the woman to leave. Abuse can happen to any woman regardless of class, culture or socio-economic status. The criminal justice system is often viewed as the most appropriate site for addressing the abuser's violence and the grassroots shelters are the most appropriate site for the victim. Treatment or therapy for the abuser use up resources better directed at women and such an approach inappropriately individualizes the problem thereby excuses men or diminishes their responsibility.

Tionda Cain (2010) explored what she terms as the dominant discourses in the perceptions of abused women as helpless and passive in their relationships and that this dominant discourse is narrow and constrictive to abused women who present otherwise. Cain explores domestic violence workers in Nova Scotia's pre-occupation with the belief that all victims of domestic violence are high risk and therefore require criminal justice interventions which may in fact be more harmful than helpful. Her research identifies that "dominant discourses and stories have led to a one size fits all approach to policy and practice with women who experience abuse by their intimate male partners" (p 7). Further she states that the dominant domestic violence discourse has influenced policy, practice and approaches to abused women and I would argue abusive men.

Therefore while I was still interested in how women and service providers perceived the high risk case coordination protocol, I also realized I would use the high risk case coordination protocol as a lens to explore and analyze the tensions which flowed from my findings and were reflective of the dominant domestic violence discourse such as: the abuser is an evil and bad person who must be punished and held responsible versus the abuser is a troubled individual who needs support and treatment; intervention should be focused on the woman to protect her from further violence versus intervention directed at the abuser to stop his violence; abused women are victims to be protected versus abused women are autonomous agents; abused women should be cooperative and grateful for those providing support versus abused women are resistant to offers of help; all domestic violence is high risk, so there is always the chance a woman will be killed versus there are different levels of risk in domestic violence; a criminal justice response is always appropriate to address domestic violence whether or not it is what the abused woman wants versus the criminal justice system is an inappropriate site; and system responses should direct their intervention to the best interests of the mother versus the best interests of the child.

As I wrestled with these contradictions and tensions, I realized that in order to gain a fuller understanding of woman abuse, I would need to challenge some of the core elements of the dominant domestic violence discourse on this issue. For instance, I realized I had initially approached my research topic through a dichotomous lens, asking questions designed to elicit either/or responses. This dichotomous approach, although largely rejected by the newer and more nuanced feminisms, can be found in the earlier feminist theories, which still largely shape the public policy discourse on woman abuse.

In the course of my research and analysis, I came to realize that dichotomous thinking would inhibit my ability to think broadly, creatively and holistically about woman abuse and about how society should respond to it. If the goal is to eradicate men's violence against women and to ensure that children are raised in a violence free environment, then we need to move beyond polarized approaches. The contradictions and tensions that emerged from my findings also challenged my assumptions in other ways. While I remain firmly committed to a feminist understanding of woman abuse, I realized that I needed to develop a broader understanding of what a feminist perspective might entail (building both on the more holistic feminist theories and also absorbing useful insights from theories that are not explicitly feminist). I also realized I could not shy away from probing gaps or inconsistencies in current responses to woman abuse, even if such responses bore the label "feminist".

Thus from a consideration of the tensions raised within my data, I realized that I needed to challenge the dominant domestic violence discourse on woman abuse and develop more nuanced insights into the issue, and then use those insights as a lens through which to view problems with the current response to woman abuse and as a foundation for recommendations for change.

1.1 Thesis Statement

In my thesis, I argue that attempts to address woman abuse have been hampered by flaws in how the issue has been conceptualized. Second wave feminists raised awareness about violence against women, analyzed the problem from various feminist perspectives and strategized around solutions. While these feminists are owed a significant debt for naming the degree of violence perpetrated against women by their

partners, ideological differences within the movement tended to lead to dichotomous thinking. The thinking of second wave feminists, particularly radical and liberal feminists, still permeates much of the response to woman abuse. To give just two examples: either one can work with the victim or the abuser but not both; either the focus should be on reforming the justice system in order to ensure that woman abuse is treated as the crime it is, or all involvement with the patriarchal state, including the legal system should be avoided.

This dichotomous focus has led to polarizing debates that have directed energy and focus away from what actually matters to abused women, and from the recognition that this may be may be different for different women. Thus, it has tended to direct attention away from the difficult realization that with a social problem this complex, no one response will offer a panacea. Neither complete rejection of the criminal justice system nor uncritical acceptance of state intervention in the lives of abused woman is likely to be the best approach. Some women may want to remain with the abuser and ensure he gets the help and treatment he needs to become violence free. Other women may want to leave the abuser and feel safe in their new living circumstances. Services and treatment for the abuser, as well as the victim, may be necessary to reduce the violence whether the woman decides to stay or leave. This suggests that policy makers need to move beyond dichotomous thinking and in particular need to find new, and less monolithic, ways of thinking about and responding to both the abuser and the victim. Our public policy on woman abuse must take into account the contradictions and "messiness" inherent in woman abuse and acknowledge there is no one perfect solution. Thinking on

woman abuse must move beyond the current dominant domestic violence discourse, to develop a range of responses which reflect the complexity of the issue.

1.2 Research Questions

The research questions that grounded my interviews and focus groups were: how has involvement with the high risk protocol affected the way in which abused women perceive their situation? More particularly, does the high risk case coordination protocol make abused women feel safer? What negative effects, if any, do abused women see as flowing from state involvement in their lives through the protocol? Did abused women or service providers identify missing pieces in the high risk case coordination protocol?

My review of the literature and analysis of my findings were guided by an additional research question: what tensions and contradictions arise in trying to develop appropriate responses to woman abuse? To answer this question I considered past and current approaches to woman abuse, with a particular emphasis on debates within the women's movement regarding the appropriateness of providing services or treatment for the abuser and regarding the role of the criminal justice system in responding to woman abuse.

My hope is that my research will contribute to the development of feminist theory and its application to social policy in order to improve the situation of abused women (Campbell & Dienemann, 2001; Hunnicutt, 2009; Kempt & Brandwein, 2011). While I offer recommendations regarding the implementation of the high risk protocol, I also offer broader insights regarding the most effective way forward on issues relating to woman abuse.

Throughout this thesis I use several different terms interchangeably to connote woman abuse. They are domestic violence, partner violence and woman assault. My preferred term is woman abuse, but other terms are used if they signify different author's statements on the topic, or if they need to reflect an argument that implies gender neutrality. All the terms mean the same as woman abuse unless specified otherwise.

My thesis is comprised of seven chapters. The introduction is followed by the literature review, which summarizes how woman abuse has been viewed across time, describes the prevalence of woman abuse and femicide today, reflects the research on abused women's experiences with the criminal justice system, and highlights some of the polarized thinking that has developed around woman abuse. The literature review sets the background for the chapter on theory which explores the theoretical debates regarding woman abuse and the dichotomous thinking which has largely guided the dominant domestic violence discourse on woman abuse. The theory chapter also examines newer, more nuanced feminisms as well as some theory that is not explicitly feminist in order to provide a foundation for a more holistic understanding of woman abuse. The fourth chapter on methodology discusses my data collection process of interviews with abused women in the high risk case coordination protocol and focus groups with service providers who implement the protocol. The fifth chapter presents my findings from the interviews and focus groups. These findings illuminate why I came to realize either/or thinking found in much of the dominant domestic violence discourse and reflected in the responses to it tends to mask the very different ways in which different women experience woman abuse and societal responses to it. In the sixth chapter I discuss and analyze my findings, paying particular attention to the tensions which emerged during my

data collection. I attempt to weave together the realizations developed from an exploration of those tensions with the best of current theories about woman abuse in order to make recommendations regarding societal responses to woman abuse generally, and the high risk protocol specifically. The final chapter is the conclusions.

CHAPTER 2   LITERATURE REVIEW

2.1 Introduction

The purpose of this chapter is to provide an overview of the literature on woman abuse. A general review of the literature was conducted. The chapter begins by providing context for the issue of woman abuse. This was achieved through a discussion on the prevalence of woman abuse, which includes statistics. Then empirical research is examined such as abused women's experiences with the criminal justice system, risk factors for femicide, and risk assessment tools. The final section reviews how woman abuse has been conceptualized over time and recognized as an important issue today. In particular, I examine the historical roles of women in western society and the extent in which laws and religious institutions reinforced and condoned the practice of woman abuse. Just as viewing woman abuse through a historical lens sheds light on the problem today, so too does a historical review of responses to woman abuse during the early days of the battered women's movement. This section also includes a piece on the intersection of oppressions. The final section outlines the criminal justice system's current response to woman abuse. Key elements of this response include a pro-charge policy for police, a pro-prosecution policy for the Crown, specialized domestic violence courts, coordinating committees, involvement of child welfare where there are children and the risk management of the abuser. I conclude with the dichotomous debate whether to engage with the criminal justice system in woman abuse.

The literature review illuminates current tensions about the best way to deal with the violence. In particular, some of the literature from second wave feminism reveals polarized thinking on a number of those tensions, such as whether to focus attention or

services on the victim or the abuser and whether to engage with the criminal justice system. The literature from the more recent feminist writers starts to reveal a more nuanced, holistic approach; such an approach opens up space within which to raise the tensions inherent in trying to respond to domestic violence, to challenge some aspects of the dominant domestic violence discourse on the issue, and perhaps even to start to point the way to more effective, less dichotomous policies on woman abuse.

2.2 Context

2.2.1 The prevalence of woman abuse.

Many women can be at risk for woman abuse. It occurs in all countries, all cultures and at every level of society without exception, although some populations (for example, poor women and racially diverse women) are at greater risk of violence by their male partner than others (Alhabib, Nur, & Jones, 2010; Johnson, Ollus, Nevala 2008; Renzetti, 2011; WHO, 2002; Taylor & Jasinski, 2011). For example, a study by the Ontario Women's Native Association revealed that eight out of ten aboriginal women are abused by their husband, boyfriend or ex-partner (LaRouque, 1994; Tutty, 2006). Research has identified that aboriginal native women suffer extreme brutalization, may experience 30-40 beatings before they call police and are twice as likely to be a victim of spousal violence compared to non-aboriginal victims. Some of this is due to the effects of colonization, the impact of residential schools, racism and poverty (Brennan, 2011; McIvor & Nahanee, 1998; Peach & Ladner, 2010). Women who are young, living in isolated communities or from cultural groups may not have access to services and resources which makes them more vulnerable and unable to leave relationships (Morgan & Chadwick, 2009). Women in common-law relationships and those who are separated

also report rates of woman abuse and are killed by their partners at disproportionate rates (Johnson, 2006). Women who are disabled are likely to experience more severe forms of violence for extended periods of time (Morgan & Chadwick, 2009). Immigrant women are often economically dependent and fear deportation (Erez, Aldeman & Gregory, 2009; Miller, Iovanni, Kelly, 2011). The majority of victims, 66 percent, do not access formal services for help, instead seeking help from informal supports such as friends, family and co-workers. Approximately 22 percent report their abuse to the police (Brennan, 2011).

Partner abuse is distinctly gendered. Women report being abused far more than men (Brennan, 2011; DeKerserdy & Schwartz, 2011; Johnson, 2006; Taylor & Jasinski, 2011). Further, when men report abuse by their spouses, the level of violence and its consequences seem to be significantly less severe: women are more likely to report injuries, lost productivity, multiple assaults, fear for their lives, and to experience negative emotional consequences (Brennan, 2011; Johnson, 2006; WHO, 2002). Women are more likely to be choked, beaten, threatened with a gun or knife, stalked, sexually assaulted or killed (Brennan, 2011; Johnson, 2006). Men are more likely to be pushed, shoved, slapped or kicked (Brennan 2011; Johnson, 2006). Approximately one in five women in the United States is sexually assaulted and more than half of those by intimate partners. One in six women in the United States is stalked and two thirds of the women were stalked by a current or former partner (National Centre for Disease Control and Prevention, 2011).

Recently there has been research examining women's violence against men, which has found that the violence is bi-directional, meaning that both the male and female were violent (Ansara & Hinden, 2010; Langhinrichsen-Rohling, 2009;

DeKeseredy & Schwartz, 2011). There is also discussion of gender symmetry where women perpetrate intimate violence at the same rate as men (Dutton, 2006 & 2012; Dutton, Hamel and Aronson, 2010; Kelly & Johnson, 2008). There appears to be different motivations for men and women committing partner violence. Men tend to use violence to assert power and control over a partner, when they are frustrated, or under the influence of drugs and alcohol, whereas women's violence is more likely to be retaliatory or committed in self-defence (DeKeserdy & Swartz, 2011; Henning & Connor-Smith, 2011; Kelly & Johnson, 2008; Miller et al, 2011; Melloy & Miller, 2011; Stark, 2010). According to the 2011 report from Statistics Canada in Family Violence in Canada, except for Manitoba and British Columbia, women report more incidents of spousal violence, are assaulted multiple times, experience more severe forms of spousal violence than men, and are more likely to be seriously injured or killed (Brennan, 2011). Results from the National Intimate Partner and Sexual Violence survey carried out in the United States in 2010 found one in four women experienced severe physical violence from an intimate partner.

In Nova Scotia 31,000 domestic violence incidents were reported to the police between 2004 and 2009. In 2010 there were 3,255 incidents of domestic violence reported to the police with 78 percent being female victims and 22 percent male victims (NS Advisory Council on the Status of Women, 2011). In 2006, 85 percent of victims of domestic violence were female, and dating relationships made up close to half of these cases. The average age of both victims and suspects was in the mid thirties. The most common offences were physical assault and criminal harassment, with force being used in more than two-thirds of cases. Thirty-six percent of victims sustained injuries. Close to

half of the cases had a prior history of domestic violence and 37 percent involved the use of alcohol and/or drugs. In 30 percent of the incidents children are present in the home (Nova Scotia Family Violence Tracking Project, 2006). According to the community group Silent Witness Nova Scotia, 30 confirmed intimate partner femicides have occurred in Nova Scotia since 1990. They estimate another 32 unconfirmed or suspected cases, including cases where no charges were laid or the case has not yet been dealt with in the courts (Hunter, 2005). In Halifax, the police responded just under 3,000 domestic dispute calls in 2011, 154 of which were classified as high risk for lethality (Singer, 2012). In these cases the police deemed that the victim, most often a woman, was at risk of being killed by her partner.

2.2.2 Intimate partner homicide.

The killers of women are primarily their partners or ex-partners; intimate partner homicide represents the largest single category of femicides. Further, more women than men are killed by partners or ex-partners (Basille & Black, 2011; Campbell, Sharpe & Glass, 2001; Giustina, 2010; Johnson & Hotten, 2003; Statistics Canada 2006 & 2011; Taylor & Jasinski, 2011).[1] In Canada, one in five homicides involves the killing of an intimate partner (Johnson, 2006). According to the Statistics Canada Homicide Survey, police documented 78 spousal homicides in 2006. Fifty-six of these homicides involved women who were killed by their husband. One-quarter of these homicides were committed by a separated or divorced spouse. Killing women is often an extension of earlier abuse the women experienced from their male partners (Campbell, 2004; Dawson, Pottie Bunge & Balde, 2009; Taylor & Jasinski, 2011).

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[1] According to surveys around the world, 50 percent of all women murdered in a given year are killed by their current or former husbands (Sev'er, Dawson & Johnson, 2004).

When women do kill it is often in self-defense. The battered women's self-defense legal argument and battered women's syndrome both attempt to explain the psychological and social factors that contribute to women's use of lethal violence (Giustina, 2010). Others have termed women's killing of their husbands as expressive aggression, a loss of control, whereas men's killing of their wives is instrumental aggression, a means to gain control (Haaken, 2010). Of females who killed or attempted to kill their spouse, 93 percent had no prior spousal violence offence reported to police, compared to 69 percent of males who killed or attempted to kill their spouse (Statistics Canada, 2006).

In Canada, common law spouses accounted for almost half of the intimate partner homicides in 2010 with married and dating couples each at 28 percent. In fact, over the last 30 years there has been a decline in married spouses being killed and an increase in common law and dating couple intimate partner homicides (Hotton Mahoney, 2011). The United States has the highest rate of intimate partner homicide in the industrialized world with approximately 1,400 to 1,750 intimate partner femicides committed annually by current or former partners during the period from 2000 to 2004 (Campbell, Webster & Glass, 2009). In the United States as in Canada there have been declines in the intimate partner homicide rates for women. Some of that has been attributed to improved status of women, higher divorces rates, increase in services, improved domestic violence laws, improved employment rates and education (Dawson et al, 2009; Taylor & Jasinski, 2011).

2.3 Empirical Research

2.3.1 Risk factors for femicide.

Several studies have retrospectively reviewed intimate partner femicides and identified variables common in most of the cases. These studies have found that typically the male partner has committed a prior assault on the woman. Woman abuse may be a predictable crime because it is repetitive (Applebaum, 2001; Block, 2008; Campbell, Sharpe, & Glass, 2001; Campbell, Webster & Glass, 2009; Hilton & Harris, 2005; Quinsey, Harris, Rice, & Cormier, 2006; Roehl, O'Sullivan, Webster, & Campbell, 2005). Prior abuse has been identified as one of the strongest correlates, when controlling for other factors, to be predictive of intimate partner femicide (Campbell, 2004; Dobash & Dobash, 2007; Hilton, 2004; Websdale, 1999). An increase in the severity and frequency of the domestic violence incidents and injuries is more likely to lead to death (Block, 2008). This relates to another factor which is access to and use of weapons such as knives and guns (Block, 2008; Campbell et al, 2009). Access to a gun may be more relevant in the United States where gun control legislation is less stringent; however, it still appears to have some application here: from 1991-2000, 31 percent of spousal homicide victims in Canada were killed with firearms (Johnson & Hotton, 2003).

Estrangement or separation is a particularly dangerous time for women as many abusers see it as the ultimate threat of loss of control over the woman. The adage, "If I can't have you, no one will" applies here (Block, 2008; Campbell et al 2009; Taylor & Jasinski, 2011). The period after separation during which a woman's risk of being killed is elevated, ranges from three months to one year. This is based on research carried out by Jacqueline Campbell (1986) who reviewed files of women had been killed and spoke

with women who were nearly killed and determined that the risk of being killed is most elevated at three months, lessening some at six months, lessening more at nine months and then lowest risk after 12 months (Campbell, 2004; Johnson & Hotton, 2003; Rohel et al, 2005). In a recent study on men who killed their female partners certain types of violence such as strangling and choking elevated the risk of femicide (Block, 2008; Dobash and Dobash, 2007). Consumption of drugs and alcohol by the abuser immediately prior to the murder (Block, 2008; Campbell, 2004; Campbell et al 2009; Roehl et al, 2005; Websdale, 1999) and intensified abuse during pregnancy is associated with elevated risk of intimate partner femicide. It has been suggested that men who abuse during pregnancy are particularly violent. Further, a jealous or controlling abuser may suspect that the unborn child is not his and kill the woman out of male sexual competitiveness (Campbell et al, 2001; Campbell et al, 2009; Taylor & Jasinski, 2011). Moreover having a child that is not the abusive partner's is another increased risk for intimate partner homicide (Block, 2008; Elke et al, 2011). Stalking behavior, threats of suicide and mental illness of the perpetrator are also associated factors with intimate partner femicide (Campbell et al, 2001; Campbell et al 2009; Roehl et al, 2005) as is jealousy or possessiveness (Dobash & Dobash, 2011), where the male partner is obsessed with the activities of the woman and convinced, rightly or wrongly, that she is being unfaithful. Daly and Wilson (1999) concluded that the underlying dynamics of intimate partner femicide are male sexual proprietariness and female attempts to escape male control.

The identification in the literature of possible risk factors associated with femicide led to the question of whether lethality could be predicted beforehand, based on the

presence or absence of such factors. This led to the development of various risk

assessment tools, which will be discussed more fully below.

2.3.2 Risk assessments.

Issues concerning the prediction of risk for violence posed by criminal offenders

and the mentally ill became prominent in the 1970s. One aspect of the debate then, and

continuing today, concerned balancing the need for public safety with the rights of

individuals to be released into the community. At issue was whether the prediction of

future violence of an accused was constitutional; meaning, could a court challenge an

accused person's constitutional right by relying on a clinician's prediction of future

violence with little empirical foundation, or would this be cruel and unusual punishment

if the court found the accused person guilty based on this prediction (Monahan, 1996;

Quinsey, 2006)? Key in this argument was there was little empirical research to assist in

predicting violence, and most predictions were conducted by relying on a clinician's

professional judgment (Quinsey, 2006). For example, in the well-known Tarasoff case in

California in 1976, a patient confided in his therapist the intention to murder his ex-wife;

however, the therapist did not disclose this information. The California Supreme Court

upheld the decision that mental health professionals who know or should know of his/her

client's perpetration of violence against others have an obligation to take reasonable steps

to protect the victim. Monahan (1996) argued this case law led to the concern that

liability is the motivating interest in the prediction of violence. Monahan (1996) states

further that research into violence prediction changed the focus from whether a clinician

can predict future violence to how violence prediction can be improved (p 112).

Currently, the assessment and management of offenders and the mentally ill is

part of the risk management approach practiced by criminal justice professionals. In

prison or a mental health institution, offender assessment is often conducted by non-clinical staff using common sense predictors combined in an intuitive manner, such as professional judgment, and informal manner such as checklists (Quinsey, 2006)**.** Society has an interest in knowing which offenders are likely to commit further offences. Sentencing, parole, probation, admission and discharge from hospital, and community supervision require thorough and standardized judgments be completed about the likelihood of future antisocial behaviour of released offenders (Quinsey et al, 2006).

Actuarial risk assessment tools are increasingly being used by police departments (Hoyle, 2008). Such instruments use empirical identification of relevant factors that demonstrate reliability and validity through repeated testing in representative samples (Hilton et al., 2004; Hilton & Harris, 2009; Roehl et al., 2005). The introduction of risk assessments by police arose out of two quite different motivations. One was a concern about the possibility of police liability if a woman was harmed because of police failure to act on identifiable risks (Monahan, 1996). The other was a desire to use the lessons learned from cases where women were killed by their husbands in order to reduce preventable killings in the future (Campbell et al, 2009; Dawson & Dinovitzer, 2001; Hoyle, 2008; Johnson & Hotton, 2003; Wilson & Daly, 1998).

Several risk assessment tools are used across Canada and each is specific to different criminal justice agencies. The police in Nova Scotia use the Ontario Domestic Assault Risk Assessment (ODARA). The ODARA is an actuarial risk assessment scale that predicts spousal assault recidivism. It calculates the likelihood that the male will assault a female partner in the future. The scale was developed from a review of spousal assault cases where the male was the offender and was known to police. Risk factors

were identified and statistical analysis was applied in order to identify the best predictors of domestic violence. ODARA includes 13 predictors that are scored numerically and then totaled. Some of the predictors are: whether the man had a previous criminal record; whether he assaulted an intimate partner in the past; whether he breached a conditional sentence; whether he was under the influence of drugs and alcohol; and whether he threatened the victim with a weapon. The total score ranks the offenders into low, medium and high risk where a score of seven out of 13 factors classifies the incident as high risk for re-assault or serious injury(Hilton, Harris, Rice, Lang, Cormier, & Lines, 2004). The tool has been validated and tested statistically (Hilton et al, 2011).

In Nova Scotia victim services, women's shelters and child welfare agencies also use the Danger Assessment Scale (DA), which assess for risk of lethality. This risk assessment tool was developed for use with a woman to determine her risk of being killed by her abuser. The scale includes a series of twenty yes/no questions that are weighted with different scores assigned to each. Some of the questions include: whether the violence has escalated in frequency and severity; whether the abuser owns a gun; has the abuser threatened to kill her; is the abuser unemployed; does the abuser use illegal drugs; and has the abuser ever choked the woman. The assessor, usually a shelter or victim services worker, completes the danger assessment scale with the woman and then discusses the score with the abused woman to educate her regarding her level of danger from the abuser and to discuss safety planning (Campbell, 1986). The Danger Assessment scale has been statistically validated (Cattaneo & Chapman, 2011; Roehl & Guertin, 2000).

The Spousal Assault Risk Assessment (SARA) tool assesses for risk of re-assault and is used by corrections in Nova Scotia. The SARA is a clinical checklist of risk factors for spousal assault. It comprises 20 individual items identified from an in-depth review of the empirical literature and by a review of articles written by clinicians with extensive experience in evaluating men who abuse their partners. The first ten risk factors on the SARA relate to violence in general. The next ten factors relate to spousal assault. To score the SARA the presence or absence of each of the risk factors is coded, the addition of any specific case risk factors is identified from case files, whether any of the risk factors present are critical, and the overall degree of risk of the offender is considered. The critical risk items identified and the overall degree of risk of the offender relies on professional judgment and discretion and is classified as structured professional judgment (Kropp & Hart, 2000). The assessment places the offender in the low, medium or high risk categories. The SARA can be used by psychologists, psychiatrists and other experienced clinicians, as well as correctional officers in making decisions regarding the treatment and release of offenders (Kropp, Hart, Webster, and Eaves, 1995). The tool was tested and validated that it could predict risk (Kropp & Hart, 2000).

The science on risk assessment tools to predict intimate partner violence is still young and there is much discussion on which tool is better. Often the debate revolves around whether the tool has been rigorously and independently validated. Other problems and promises associated with risk assessment tools are; determining whether the tool is being used with the right population, for example the victim or the offender. For a victim the concerns will be protection, whereas with an offender the issues will be level of security and monitoring in the community (Kropp, 2004; Robinson & Rolands, 2009).

Another problem is whether the tool is used to predict re-assault or lethality. Risk assessment tools developed to predict re-assault should not be used to predict lethality, as it can have implications for criminal justice agencies' sharing of information across jurisdictions (Kropp, 2004). Questions have arisen about whether the sample used in the original research of the risk assessment tool is homogenous or representative of different culture and ethnicities. Other issues concern the labeling of abusers or women as high risk, which may harm their reputations in the community, lead to excessive hardship in punishment, and affect child welfare and family court decisions (Roehl & Guertin, 2000). Further, underestimations of risk and overestimations of risk can cause cases to be inappropriately labeled with potentials for significant consequences such as failure to protect or allocating resources inappropriately (Connor-Smith et al, 2011; Roehl & Guertin, 2000).

Using validated risk assessment tools can help persuade the police, crown prosecutor, and judge to pay more attention to a file. The Federal-Provincial-Territorial Working Group on Spousal Abuse Policies Report (2003) suggested the value of the tools may be to increase criminal justice agencies' awareness of abusive behavior and improve responses and sanctions to women and abusers. Further risk assessment tools can share critical information among criminal justice service providers so as to better manage the abuser's behavior upon release. The tools can also communicate safety planning information to women (Eke et al, 2011; Kropp, 2004; Robinson & Rowlands, 2009; Websdale, 2000). Risk assessments can direct scarce resources in the criminal justice system to domestic violence cases that are most dangerous, with the hopes of preventing future violence (Conner-Smith et al, 2011) and, as part of coordinated community

responses, can assist in keeping other service workers safe by providing them with information on dangerous offenders (Robinson & Rowlands, 2009). An assessment of high risk may cause police or Crown prosecutors to act against the wishes of an abused woman who does not want charges to go forward; however, most researchers in this area believe that any risk assessment tool is better when used in conjunction with an abused woman. Her experience and knowledge of the violence she has lived through can enhance the accuracy of the risk assessment (Campbell, 2005; Hilton & Harris, 2005; Kropp, 2004; Conner-Smith et al, 2011).

Concerns with risk assessments are: some service providers believe risk assessments only predict future violence rather than assist with the management of risk, so are uninterested in using them (Catteneo & Chapman, 2011). There is a lack of clarity on how to use risk assessment scores once they are referred from one agency to the next, little research on victim's experiences with risk assessment, and practitioners using the information from the tools in a wide array (Catteneo & Goodman, 2011). Hoyle (2008) found there was inconsistency with the way police officers interpreted and completed the risk assessment tool which could be due to lack of adequate training. There is also concern that emphasis on high risk files may decrease the level of support and services to low risk cases. Hoyle (2008) also suggests that risk management practices have made abused women individually accountable for their safety through safety planning. While this may be empowering for some, others, who are emotionally committed or controlled by the abuser, could be blamed and deemed undeserving victims. Finally it is unknown how the abuser's identification as high risk might impact sentencing for future violence. In other words, how long does the high risk status follow an offender and could it have a

differential impact if the offender was of a racial minority (Hoyle, 2008). The accuracy of risk assessment tools depends on factors such as the practitioner's knowledge and implementation of the tool, and their professional judgment and skill level in assessing violence. There is still much to be learned about risk assessments and risk management.

2.4 Conceptualization Over Time

2.4.1 Historical overview of woman abuse.

2.4.1.1 Early ages to 19th century.

Most Western civilizations are derived from two major cultures, Roman and Christian, both of which embedded the subordination of women in their beliefs and families (Dobash & Dobash, 1979; Kelly, 2011). In Roman families, the male head of the family made all the decisions for the family, including who would marry and who was to be punished (Dobash & Dobash, 1979). Roman law gave a husband the right to discipline his wife for a variety of reasons including drinking wine or adultery. The punishment could range from divorce to death (Buzawa & Buzawa, 2003; Dobash & Dobash, 1979).

Many of the values and beliefs of Roman culture were accepted into Christian religious doctrine. Daly (1973) argued that Christian doctrine has primarily functioned to legitimate a male dominated society (p. 260). Biblical references to the proper role of wives and husbands reinforced the husband's ability to control his wife, interpret her behaviour as improper and place sanctions upon her; for example, "Wives be subject to your husbands as you are to the Lord. For the husband is the head of the wife just as Christ is the head of the Church" (The Living Bible, 1971, Ephesians 5:22-23; Buzawa & Buzawa, 2003). In other passages women are told to be silent and subordinate (The Living Bible, 1971, Corinthians 1, 14:35, Peter 1, 3:1; Daly, 1973).

During the Middle Ages, secular law in England was still strongly influenced by Christian doctrine (Calvert, 1974; Kelly, 2011; Pleck, 1987; Martin, 1976). The role of women in the patriarchal family of first their father and then their husband was one of subordination, obedience and restriction. Women were raised from childhood to serve the needs of the family. Failure to do so often led to physical chastisement. Beating one's wife was not seen as a crime and women who rebelled in any way could be punished severely (MacLeod, 1980; Martin, 1976). These practices and emerging legal doctrines came to form the legal basis of law in North America and supported the belief found in the dominant domestic violence discourse that intervention should be focused on the woman to protect her from further violence and the abuser is an evil and bad person who must be punished (Calvert, 1974; Kelly, 2011).

In the 19th century, some emancipatory legislative reforms occurred in England and North America. For example, the *Married Women's Property Act,* enacted in Britain in 1882 and subsequently in Canada, enabled married women to retain the property they owned before they were married or that they acquired during marriage (Bonnycastle & Rigakos, 1998; Hole & Levine, 1973; Martin, 1976; Pleck, 1987). Further the women's temperance movement in North America raised awareness of the physical violence women suffered from drunken husbands and successfully introduced the idea that legal reform to restrict the sale and consumption of alcohol was needed to respond to woman abuse (Hole & Levine, 1973). In the late 19th century the dominant societal views on the role of women in the family and more specifically on woman abuse began to change; however it was not until the mid to late 20th century that significant legal reforms and changes in societal attitudes toward woman abuse began to occur. This framework tends

to be from a white western European perspective and does not reflect the different historical and cultural nature of the inequality between men and women of different ethnicities and races.

2.4.1.2 1960s to 1970s.

The fledging women's movement emerged in the 1960s, at the same time as the civil rights, and anti-war protests were also occurring. While women participated in these protests they recognized their roles were secondary to the male leadership in these movements (Gray & Broddy, 2010; Kempt & Brandwein, 2010; Schechter, 1982). Their relegation to the sidelines highlighted the inequities between men and women. Through consciousness-raising groups, women discussed their roles as second-class citizens and began to agitate for equal rights, including: equal pay for equal work; access to divorce; affordable quality childcare; affordable and quality health care and abortion; freedom from rape; and freedom of sexual discrimination.

As part of this growing awareness of women's experiences, woman abuse was also identified as a social problem in England, the United States, and Canada. The identification of woman abuse first emerged in England in 1971 with Erin Pizzy's book *Scream Quietly or the Neighbors Will Hear* (Dobash & Dobash, 1979; Martin, 1976). In 1974, newspapers in the United States started to report on the abuse of women (Pleck, 1987).

Recognition of the extent and frequency of woman abuse led, in time, to recognition of its potential severity. Advocates for abused women raised public awareness of femicide, the killing of women by their abusers. Society had been largely unaware that woman abuse led to murder of women; however, researchers were

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beginning to make the links between woman abuse and femicide. For example, research in the United States in the 1950s noted that 41 percent of murders of all women were committed by their husbands (Dobash & Dobash, 1979, p. 16). In contrast only 10 percent of murdered men had been killed by their wives, most often when the husbands physically provoked their wives (Dobash & Dobash, 1979, p. 16). MacLeod (1980) found that female violence resulting in serious physical harm of the male was almost always violence triggered by self-preservation. National statistics on wife-assault in Canada first collected in 1975 identified 109 murders in Canada; 49 were women killed by their husbands and 8 were men killed by their wives (MacLeod, 1980, p 10).

In Canada the women's movement reacted to woman abuse by opening shelters, and critiquing the way in which the legal system dealt with violence against women. Both these responses, however, carried within them seeds for disagreement among feminists as to the appropriate role of the state in the struggle against woman abuse: the application of different ideological or theoretical discourse to the issue of woman abuse led to different views as to how best combat the violence. For example, some feminists did not want to engage with the state, seeing it as too patriarchal, while others thought law reform could be used to challenge the state's patriarchy. It was also the battered women's movement that conceptualized many of beliefs found in the dominant domestic violence discourse which were then practiced and developed into policy (Augusta-Scott & Dankwort, 2002).

As noted above, one of the first responses of the women's movement to woman abuse was to identify the need to establish safe shelters for women and their children fleeing abusive husbands (Kempt & Brandwein, 2010). Shelters for abused women were established in 1972 in British Columbia and Alberta and by 1980 there were 71 transition

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houses or hostels in Canada (MacLeod, 1980). These shelters provided safe housing, individual and group support for abused women and their children, and referrals to services and resources in the community. The length of stay ranged from one day to several weeks depending on the women's needs and wishes.

Many shelters operated from grass roots, feminist approaches that supported abused women by reflecting the woman's needs. The abused woman was seen as the expert on her situation and staff supported her in her decisions. For example, if the woman decided to return to her abusive husband, staff would still welcome her return to the shelter in the future. Shelter staff provided protection and offered choices to strengthen women's ability to follow through with their decisions.

While feminists agreed about the need to provide shelter for abused women, conflicts arose regarding questions of funding for shelters. Some women involved with the early women's movement considered themselves to be part of an outsider group composed of grassroots groups of women, many of whom viewed the state as: male oriented, patriarchal and fundamentally opposed to the ideas of liberation and equality. These feminists did not believe the state had a role to play in responding to woman abuse and many refused government funding for shelters, fearing that state involvement would force them to relinquish control and abandon their principles. Other feminists saw things differently and felt they could accept government money and still run a feminist shelter that met women's needs because they believed they could engage with state to bring about change (Kempt & Brandwein, 2010; Pleck, 1987; Schechter, 1982; Walker, 1990).

Feminists were also divided on whether the legal system could be an ally in the struggle against woman abuse. Initially, the women's movement identified the law's

response as a key impediment to reducing violence against women (Buzawa & Buzawa, 2003; Dobash & Dobash, 1979; Guistina, 2010; Kelly, 2011; MacLeod, 1980; Martin, 1976; Schechter, 1982; Valverde et al.,1995; Walker, 1990). A study in the United States in 1967 found that police arrested husbands accused of abuse in only 16 percent of woman abuse calls (Dobash & Dobash, 1979). Those findings revealed that police were untrained in and unaware of the dynamics of woman abuse.

Martin (1976) stated that police did not enforce the laws of assault in woman abuse cases for a variety of reasons: male police officers identified more readily with the husband; police viewed the wife as hysterical and gave more credence to the reasonable-sounding husband; police lacked training to fully comprehend the abused woman's situation and dependency; and officers believed that couples should try and patch things up (p. 97). It was also common practice for police departments to screen woman abuse calls and either respond later or not at all (Dobash & Dobash, 1979). Police responses at the time suggested they viewed woman abuse disputes as minor, requiring required civil responses not criminal ones, such as charges or arrest (MacLeod, 1980).

Research also revealed problems with prosecutors and judges. Prosecutors viewed woman abuse as primarily a private and civil matter. Often an abused woman had to convince the prosecutor not to drop charges, by showing that she was a worthy victim and intended to follow through with her complaint. Many judges were indifferent to abused women and sometimes viewed the woman as provoking the abuser's violence. In the 1970s, the most common sanction in the United States for abusers was a peace bond (Dobash & Dobash, 1979; Martin, 1976; Schechter, 1982). The lack of action about woman abuse was endemic in all aspects of the criminal justice system.

In response to the shortcomings in the legal system, some within the women's movement advocated reform, arguing that because woman abuse was a crime, abusers should be charged and arrested in the same way as anyone else who committed an assault. By likening woman abuse to the assault of strangers, some feminists challenged the legal system to take woman abuse seriously. Other feminists were wary of relying on the legal system, both because of distrust of the patriarchal state and because they recognized that while all women wanted the violence to stop, not all of them wanted criminal sanctions imposed (Schneider, 2000; Schechter, 1988; Walker, 1990). This dilemma remains at the heart of many current debates about how to respond to woman abuse today.

Over time, as woman abuse was acknowledged as a serious societal problem, the battered women's movement (as it was named then) moved from the margins and gained legitimacy in the eyes of the public and policy makers. The government responded in the 1980s and developed policies to address woman abuse as a criminal matter, where woman abuse would be addressed primarily in the criminal justice system. This in turn led to greater co-involvement with the criminal justice system, even as there continued to be ideological disagreements within the movement as to the effectiveness or appropriateness of state involvement. Arguably, the increased role of the state in responding to woman abuse, reflected in changes to legislation, policy and practice has had both positive effects and unintended consequences (Schneider, 2000) which continues to the present day and the tensions and contradictions outlined in the dominant domestic violence as discussed in the Introduction chapter and explored more fully in the

Discussion chapter on the high risk case coordination program are woven throughout the various societal responses to woman abuse.

2.4.3 Intersection of Oppressions.

The historical framework on violence against women as articulated comes from a white western framework. Women are a diverse group and any policy to address woman abuse needs to incorporate this reality. For example, immigrant women experience violence at the same rates as other women but because of isolation, cultural pride, and lack of culturally relevant services, they find it more difficult to speak out about the abuse and seek help (Erez, Adelman, Gregory, 2009; Javed & Gerrard, 2006; Pratt, 1994). Further, intersections of race, culture, and other structural barriers create multiple layers of oppression that affect First Nation, Métis and Inuit, black, and immigrant women differently and in fact these women's risk of violence can be increased due to these intersections of oppressions. According to a recent report on domestic violence in the Mi'kmaq community, aboriginal victims of domestic violence report a high rate of serious injury and fear for their lives in comparison to non-aboriginal victims (McMillan, 2011). Aboriginal men and women also are more likely to be victims of violent crime and victimized multiple times that non-aboriginal people (McMillan, 2011). These high numbers are attributed to internalization of colonial attitudes, racism, family breakdown, low socio-economic status, addictions and low education (McMillan, 2011, p 85-86).

Where these multiple layers are ignored or misunderstood, well-intentioned initiatives may not serve women from these communities well; thus, many black women have critiqued the women's movement for ignoring the racism, discrimination and exploitation that black women and men have encountered in Canadian society (Flynn &

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Crawford, 1998; Kempt & Brandwein, 2010). Kimberley Crenshaw (1994) argues that race and gender are treated as mutually exclusive categories therefore black women's experiences of violence could be ignored or distorted. Crenshaw states the intersectional experience is more than the sum of race and sexism however black women's experiences of violence are often treated as either issues of gender discrimination or race discrimination instead of both/and so that black women experience double discrimination (p 44). In the United States black women were more at risk for intimate partner femicide than other women (Campbell et al, 2007).

Same sex intimate partner violence has also been neglected in the literature and empirical research, while myths continue, and policies and programs have not kept pace with those for opposite gender intimate partner violence (McClennen, 2005; Ristock, 2002). Cultural groups such as racially visible men, members of the immigrant and lesbian, gay, bisexual and transgender community have identified how the dominant domestic violence discourse of power and control does not fully explain and account for their experiences of intimate partner violence (Augusta-Scott & Dankwort, 2002).

Critiques raised by minority groups reflect the women's movement's struggle to confront heterosexism, homophobia, and racism within the movement itself (Giustina, 2010; Lee, 2010; Russo, 2001; Schechter 1982). As a result of these struggles, some feminists are coming to recognize the need to understand and challenge the structural and cultural realities of different women's experiences (Solokoff & Pratt, 2005; Kempt & Brandwein, 2010).

Multicultural, global, and post-colonial feminists believe that gender is one among many oppressions and that the experiences of all women, not just white,

privileged women, must be reflected in the policies that feminists advocate (Kempt & Brandwein, 2010; Tong, 2009).

2.5 Criminal Justice System Responses

The criminal justice system became more involved with woman abuse after repeated assertions that domestic violence was not being treated as a crime. Specifically targeted for change were the police and the courts. Pro-arrest, pro-charge and pro-prosecution policies, along with specialized courts and coordinated community responses were developed. In Nova Scotia, the Framework for Action on Family Violence was implemented in 1996 and was the government's blueprint for the criminal justice system's pro-active response to woman abuse. The framework mandated criminal justice agencies such as the police and public prosecution service to implement a pro-charge, pro-prosecution response to woman abuse. The high risk case coordination protocol was later added to the framework in 2002.

2.5.1 Police: Pro-charge.

Many police departments across Canada have adopted and implemented a pro-charge policy for woman abuse (Johnson & Dawson, 2011). The policy usually states that police must lay charges if there are reasonable and probable grounds to believe a criminal offence has occurred in all woman abuse cases regardless of the wishes of the woman. In Canada in 2006 charges were laid in 77 percent of all police reported incidents of spousal assault. Police charging was highest in Manitoba (92%) and Ontario (90%) and lowest in Newfoundland and Labrador (56%) and New Brunswick (57%) (Ogrodnik, 2008). Manitoba and Ontario have specialized domestic violence courts which may increase the charge rate. Since pro-arrest the rate of charges laid by police in Nova Scotia has steadily

increased from 68 percent in 1998 (NS Family Violence Tracking Project, 2006) to 81

percent (Ogrodnik, 2008).

Positive interactions with police officers can encourage women to seek further

assistance, such as calling the police when the violence recurres, filing for a protective

order, or pursuing a violation of a protective order through the justice system (Logan,

Shannon & Walker, 2006; Bell el al, 2011). However, problems in implementing pro-

charge policies, such as lack of assailant arrest, cursory investigations, criticism of

victims, expressions of disbelief, failure to provide information, and discouraging pursuit

of criminal justice system remedies can exacerbate victims' sense of powerlessness

(Meyer, 2011; Russell & Light, 2006).

Researchers and commentators are divided on the benefits and harms of using

mandatory pro-charge policies to respond to woman abuse. Potential benefits may

include: that many abusers who beat their wives deny criminality or wrongdoing,

believing they have the right to discipline. The laying of charges may inform them that

violence will not be condoned or sanctioned. Moreover, being charged may be the first

step toward some abusers getting help for substance abuse or violent behavior. Charges

help the police to track cases of continued abuse and the laying of charges, particularly

when accompanied by arrest, may prevent future abuse or may make it more possible for

women and children to stay in the family home (Buzawa, Austin, & Buzawa, 1996;

Dutton, Hart, Kennedy, Williams, 1992; Miller et al, 2011).

Critics of the pro-charge policy fall into two categories: those who support the

thinking behind the policy, but highlight inadequacies with its implementation, and those

who question the very premise of the policy. An example of the former relates to the

compliance by police departments and officers with pro-charge policies. Some provinces have a significantly higher charge rate than others (Ogrondik, 2008; Schmidt & Sherman, 1996). This could be the result of lack of training of police officers on woman abuse where the officer's decision to lay charges may not be based on the seriousness of the crime and strength of evidence but instead on factors such as whether the woman is argumentative or cooperative; whether the abuser is violent when police arrive; and whether the couple is racially visible or low-income. (Balfour, 2008; Buzawa, Austin, Bannon, & Jackson, 1992; Chesney-Lind, 2006).

Some feminists opposed to mandatory arrest in principle argue that there is little evidence that pro-charge policies reduce violence. Critics point to the lack of modest research on whether charges have any deterrent effect on the abuser or keep women safer (Coker, 2001; Schneider, 2000; Snider, 1998; Miller et al, 2011). In some cases, charges can increase violence directed at the woman; the abused woman may experience an initial reprieve after the abuser is charged but the violence may escalate after that (Ivoanni & Miller, 2001; Schmidt & Sherman, 1996). Pro-charge policies have also led to women being charged for assault because they have fought back in self-defense. Even with dominant aggressor policies[2] in place, police departments still carry out dual charges or sole charges of women (Balfour, 2008; Buzawa, Austin, & Buzawa, 1996; Iovanni & Miller, 2001; Miller et al, 2011). Of further concern for critics is that victim preference is not considered in pro-charge responses. Women call the police because they want the abuser to know their actions are against the law, but not all women want the abuser

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[2] Dominant or primary aggressor policies allow for police to determine the most dominant aggressor in the domestic violence incident and then charge that person accordingly. The rationale is to reduce dual arrests, where both parties are charged and accounts for women who use self-defense in domestic violence (Halifax Regional Police Domestic Violence Standard Operating Procedure and Policy, 2012).

charged. The police can stop the abuse by interrupting and preventing it from escalating.

Diffusing the situation can give the woman a chance to leave the home or the abuser time

to consider his actions (Buzawa & Buzawa, 1996; Iovanni & Miller, 2001). Therefore, an

insistence on laying charges gives the abused woman little control over her own life and

may discourage her from calling the police again.

Is there a dichotomous response from police to domestic violence? How police

respond to domestic violence calls depends on victim characteristics and situational

factors. Victim characteristics such as race, income, and seriousness of injuries influence

police response (Russell & Light, 2006). Police decisions to pursue charges are also

based on their perceptions of whether the victim has been cooperative or not, the

worthiness of the victim, and police officers attitudes towards domestic violence (Meyer,

2011; Gover et al, 2011; Russell & Light, 2006). For example, if the police are negative

towards victims because they view domestic violence as an interpersonal problem rather

than the crime, victims can feel demoralized, blamed and will not call police again in the

future for help (Logan, Shannon & Walker, 2006). Police officers expressed frustration

with victims who did not follow through with the court proceedings, which resulted in

police returning to the home on further occasions to deal with domestic disputes. The

frustration is directed at the victim by assigning responsibility and blame to her for failing

to follow through with the criminal justice processes rather than the abuser for returning

to the home and continuing the abuse (Horowitz, 2011).

Arrest may not have a deterrent effect for all offenders' however, research has

found that offenders' reporting to police regardless of arrest has a deterrent effect

suggesting that police involvement could impact offenders current and future offending

behavior (Miller et al, 2011). There has been some research to suggest that offenders who have high stakes in conformity such as being married and employed are deterred by arrest whereas those who have low stakes in conformity, arrest has no impact (Dixon, 2008). This would be a more both/and approach, where supporting victims and working with offenders at the policing level is less bifurcated. Another method for police to deal with both the woman and abuser would be to have integrated teams of police officers working with other service providers, or involved with community coordination groups, who viewed their work on domestic violence files as broad and all encompassing, were aware of the resources available, and had access to the crown prosecutor (Russell & Light, 2006).

2.5.2 Crown: Pro-prosecution.

Most traditional and domestic violence court prosecutors have a pro-prosecution policy, also known as a "hard no drop", policy whereby the prosecution proceeds regardless of the wishes of the victim (Buzawa & Buzawa, 2003; Henning & Feder, 2005; Davis, O'Sullivan, Farole & Rempel, 2008). Pro-prosecution policies developed in response to changes in philosophy and directives in the legal system that abused women would be safer, and as a response to pro-charge policies by police which increased the number of woman abuse cases in courts[3] (Buzawa & Buzawa, 2003; Davis et all, 2008; Iovanni & Miller, 2001). In order to determine to proceed with prosecution, crown attorneys must examine whether there is a reasonable likelihood of conviction and if it is in the public interest to go forward with the charge (Saskatchewan Justice Public Prosecutions Policy Manual No. Pro. 4 1998). Pro-prosecution policies require crown

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[3] In Nova Scotia the pro-charge and pro-prosecution policies were developed in tandem under the Framework for Action on Family Violence (1995).

prosecutors to proceed if this test is met, even if the victim wants the charges to be

dropped.

As with police pro-charge policies, pro-prosecution policies are also critiqued as

two levels: either for ineffectiveness in implementation, or as an ill-advised approach,

however effectively applied. Criticisms regarding implementation tend to focus on the

crown's use of discretion and attitudes held by some crown prosecutors. Some

prosecutors have changed initial charges filed by police (Buzawa & Buzawa, 2003),

while others do not want to prosecute woman abuse cases, believing that abused women

will not cooperate and that without the woman's testimony the likelihood of conviction

may be slim (Hartman & Belknap, 2003). High caseloads and time constraints may also

make prosecutors reluctant to proceed with charges (Buzawa & Buzawa, 2003).

Frequently prosecutors' attitudes towards and perceptions of victims of woman

abuse are problematic. Victims of woman abuse are sometimes perceived as

uncooperative, combative, and difficult to deal with (Hare, 2010; Bell et al, 2011). A

small study in Ontario found that prosecutors blamed the victim in abuse cases, viewed

victims as uncooperative, failed to provide victims with adequate support and

information, and demonstrated little empathy (Gillis et al, 2006). In another study,

interviews with prosecutors revealed that battered women were often referred to as

"pathetic, stupid or even deserving of the abuse they experienced if they stayed with the

accused" (Hartman & Belknap, 2003, p.363). Women who actively pursued their cases

were often referred to as "vindictive, crazy or falsely charging domestic violence to meet

their own needs" (Hartman & Belknap, 2003, p.363). In addition to problematic

attitudes, some prosecutors dislike working on any case involving a relationship between

the accused and the victim (Buzawa & Buzawa, 2003; Beichner & Spohn, 2005; Dawson & Dinovitzer, 2001; Gillis et al., 2006; Hartman & Belknap, 2003).

Some feminist argue that the problem lies not with inconsistent application, or inappropriate attitudes, but with pro-prosecution policies themselves. They contend that proceeding with prosecution against the expressed concerns voiced by the woman for her safety replicates the fear and control she experienced from the abuser (Davis et al, 2008; Ford, 2003; Rubin, 2006). Critics question whether vigorous pro-prosecution reduces woman abuse. In Indiana researchers did not find the lowest levels of re-abuse of women in the no-drop prosecution category. Instead, they found that an abused woman was better off when she was provided with the choice of dropping the charges but persuaded to follow through with them (Ford & Regoli, 1993). In Wisconsin, an aggressive no-drop prosecution policy resulted in a backlog of cases, lengthy disposition times, and a decline in victim satisfaction (Buzawa & Buzawa, 2003). These studies suggest abused women may be the safest when they retain some power to influence whether the charges are dropped (Ford, 2003; Iovanni & Miller, 2001).

The bifurcated response from the crown prosecutors appears most frequently in how the crown proceeds with the prosecution. For example, they may not prosecute because the evidence is weak or slim, or rests on the victims appearing in court. Or the crown proceeds regardless of the interests or wishes of the victim; whether it will harm her and cause future violence from the accused. The dichotomy is that the courts either include the victim's wishes and or neglect her entirely. In including the victim's wishes, often the victim wants the abuser to be accountable and responsible for his role in the abuse and the victim wants to ensure she will be protected from him. However, in many

cases the victim is seen in isolation from the abuser and treated as such so that decisions regarding the prosecution of the offence are dictated on the victim's level of cooperation, compliance and compatibility with the court, rather than on the fairness of the outcome where both the victim is redressed and the abuser is accountable. There is a balance that is required for prosecutors to hold offenders accountable and victims safe however this appears difficult to accomplish and so prosecutors revert to holding one above the other (Miller et al, 2011).

2.5.3 Courts.

In most jurisdictions in Canada woman abuse cases are heard in the same courts as other criminal offences. These courts are sometimes criticized for applying the same approach to all cases. Their adversarial nature is seen as failing to deal with fundamental causes of woman abuse and thus unlikely to prevent re-offending (Bakht, 2007). Traditional courts have tended to problematize abused women as uncooperative and judges have urged couples to reunite (Miller et al, 2011). Court staff has been seen to lack understanding of the issues of woman abuse which has been reflected in lower sentencing and incarceration rates for abusers (Johnson & Dawson, 2011).

Specialized domestic violence courts developed in response to the assertions from the women's movement that the criminal justice system was not doing enough to combat woman abuse (Buzawa & Buzawa, 2003; Currie, 1998; Dawson & Dinovitzer, 2001; Miller et al, 2011; Rubin, 2006). The first specialized domestic violence court in Canada was developed in Winnipeg in the 1990s and specialized courts now operate in many provinces in Canada.

Specialized domestic violence courts can reflect a new attitude toward dealing with reported incident of woman abuse. Considerable emphasis is placed on early and

prompt intervention in woman abuse cases in order to enhance the woman's safety, send a message to the abuser the case is being taken seriously, and signal to the abused woman that her distress will not be ignored (Bakht, 2007; Hartley, 2003). Case coordination and information sharing are also key components of the courts. Court appearances are consolidated and expedited, improving court processing times; ensuring that court officers such as the crown, judge, police, probation, and victim services staff understand the complexities of woman abuse; and increasing communication among court officers working on woman abuse cases (Buzawa & Buzawa, 2003; Ivoanni & Miller, 2001; Mirchandani, 2006). Advocates often play a key role in working with the abused women and abusers are held accountable for their actions by the judge especially if they reappear on new charges. Often community treatment providers participate to monitor and advise on the abusers' treatment progress.

As with pro-charge and pro-prosecution policies specialized domestic violence courts have critics. Some researchers argue that the courts focus too much on the abuser's rehabilitation and the speedy processing of his case (Rubin, 2006). Further, the problematic attitudes of court officers and practices are still commonplace (Barata, 2007; Dawson & Dinovitzer, 2001; Gillis et al, 2006).

Bifurcated responses with the traditional court system is that they concentrate their focus and efforts more on the victim, whether she is cooperative or not, than the abuser. Domestic violence courts can undo that polarization by establishing processes to challenge abusers to be more accountable and responsible for their behavior. In fact that was the reason for the establishment of the domestic violence courts, so there would be both; improved offender accountability, responsibility, and victim safety.

For example, in one domestic violence court they use plea bargaining, where the abuser agrees to plead guilty for a suspended sentence and counseling program. The judge lectures the accused on his responsibility to address the violence and abide by the conditions set out in the sentence. The court has a tracking system which monitors the abuser's progress with the sentence. If the abuser does not comply he is back in the same court with the same justice officials to answer to his lack of accountability (Mirchandani, 2006). Other domestic violence courts try to ameliorate the bifurcated approach by focusing on both processes and outcomes to achieve maximum benefit for the woman and abuser. The courts try to identify and treat the underlying causes of domestic violence through treatment and rehabilitation, particularly for first time offenders, with the satisfaction rate being high for both victim and offender (Miller et al, 2011).

Other processes for a less dichotomous approach would be the use of specialized victim advocates and probation officers, coalitions comprised of court officers such as police, crown, judge and victim services, and along with specialized training. However, even in domestic violence courts the desire of a both/and approach are not realized. For example in a specialized domestic violence court in Ontario, immigrant women were problematized by the prosecutors in the court as uncooperative and blame worthy. The prosecutors failed to provide the women with adequate support and information, demonstrated little empathy, and treated them as case files instead of women. This was despite the extensive training prosecutors received on victim's issues and programs (Gillis et al, 2006). Moreover if sanctions for abusers are strictly limiting and narrow, then they are likely to have no better results than what traditional courts impose. However, if they include other components such as discussions with the offender about

behavioral changes needed and the consequences, meaningful interactions between the offender and supervisor, and incentives and sanctions then the outcomes could be more positive (Rempel et al, 2008). Here both/and can be demonstrated in how we engage with the abusers and women as well.

Criminal justice agencies may steer away from the both/ and concept because it can be very cumbersome to work with abusers and hold them accountable and responsible as well as provide care and support to them. It is much more work to monitor, enforce compliance, punish, support and provide programming than the more traditional methods of charging abusers and putting them in jail or on probation. Another factor may be that researchers and practitioners have been ineffective at coming up with reforms or theories to change abusive men so it is much easier to focus on the women as victims, much like social workers in the child welfare movement found that women were more self-critical and open to influence (Eichenberg, 2003; Johnson & Dawson, 2011; Moles, 2008).

2.5.4 Coordinated Community Responses.

A coordinated community response, sometimes also referred to as a multi-agency or inter-agency response, is a series of protocols and policies adopted by a number of agencies in the community and legal system working together on woman abuse. A coordinated community response to woman abuse can develop independently or as the result of a government initiative. In some cities coordinated community responses have organized as independent organizations, whereas others are part of an established program such as a shelter. Some operate on volunteer efforts where others have budgets and staff (Miller et al, 2011; Shepard & Pence, 1999). The oldest and most well known

coordinated community response in Canada is the London Coordinating Committee in Ontario, created in the 1980s. Coordinated community responses seem to be more widespread in Canada when associated with specialized services such as domestic violence courts (Johnson & Dawson, 2011).

Coordinating committees tend to share several goals including: protection of the victim; ensuring a range of services and options for the victim and abuser; promoting abuser accountability and rehabilitation; and changing the social climate of tolerance for woman abuse. A coordinated community response may be able to avoid duplication of resources, promote a consistent response, increase awareness and understanding of woman abuse, identify gaps in services and work to address them, and provide a more holistic intervention approach (Hanman-James, 2000; Miller et al, 2011). Because of the emphasis on consistency and standardizing responses to woman abuse (Shepard & Pence, 1999), an effective coordinated community response requires a shared philosophical framework.

Coordinated community responses have been lauded as a proactive response to woman abuse; such responses can develop best practices and policies to be part of an integrated response towards safety of abused women. Enhancing networking facilitates dialogue and communication among the agencies and enables tracking and monitoring systems to ensure accountability and solve problems. Nicole Allen (2006) examined the effectiveness of coordinating committees in the England to improve the response to domestic violence. She found that many coordinating committees attempted to deal with weaknesses in the criminal justice response such as access to and enforcement of protection orders, arrest practices, sentencing practices, prosecution practices, and the

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processing of court cases. They also looked at training issues for key service providers (p 54). Allen (2006) found that committees with an active membership and strong leadership were more likely to bring about change in arrest practices and protection orders and less likely to influence prosecution or court practices or practices in other systems such as child welfare (p 61). They were successful at providing training to service providers but seemed less interested in focusing their efforts to enhance community supports to abused women. The active members were more likely to be domestic violence service providers than criminal justice providers.

Difficulties also arise in coordinated community responses. These include power imbalances among the participating agencies, agencies protecting their turf, differences in working styles and practice, lack of resources, inconsistent attendance, disregard for victim-survivor's consent, controversies on whether there should be a lead agency, and differences regarding gender, race and equality issues can all become problems (Coy & Kelly, 2010; Hague, 1999). Although coordinated community responses can be creative and innovative, the key test is whether the response improves the safety of women and children (Gondolf, 2009; Klevens, Baker, Shelley, Ingram, 2008). Sometimes inter-agency coordination effects little or no change in the status quo, whether because involvement itself is seen as a sufficient achievement, or because internal changes are required at level of the individual agencies (Gondolf, 2009). Additional obstacles for coordinated community responses include a lack of guidance on how to structure the work of the coordinated response, lack of resources to complete the work, and agency representatives on the committee who have little or no authority to implement change in their own organization (Miller et al, 2011). Daly (1994) contends that community

coordination efforts may have negative effects, such as increased state intervention in abused women's lives, feminist organizations and support groups feeling coerced to cooperate with the state in systems of punitive justice, and the professionalization of victim services to the detriment of the abused woman (p 165). Periodic evaluation of coordinated community responses is required in order to identify what is working well and where improvement is needed (Gondolf, 2009; Shepard & Pence, 1999).

2.5.5 High Risk Case Coordination Protocol.

One example of a coordinated community response is the high risk case coordination protocol, which was implemented in Nova Scotia in 2003. The protocol was developed in response to an intimate partner murder-suicide that prompted a review of the provincial government's Framework for Action on Family Violence[4]. Because the murder-suicide occurred four years after the Framework's adoption, the government wanted to know what went wrong. The review identified a gap in how information regarding serious women abuse cases was shared among agencies. One of the recommendations from the review was that new protocols and confidentiality agreements be developed among police, child welfare, transition houses, corrections and men' treatment programs in order to share information necessary to protect and support abused women and their children (Russell & Ginn, 2001). Another recommendation was the development of a risk assessment tool for use by police, prosecution and corrections to identify abusers who pose a higher level of risk, to assess and manage risk to women, to assist in bail and sentencing matters, and to allocate probation and treatment resources (Russell & Ginn, 2001).

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[4] The Framework for Action on Family Violence was implemented in 1996 and is the Nova Scotia government's blueprint for the criminal justice system's pro-active response to woman abuse.

High risk case coordination protocols have been developed in most communities around the province; although not all agencies have had the same level of commitment as identified in the focus groups. With no provincial oversight to compel involvement by service providers membership on each committee is responsible for developing collegial relationships and cooperation. Attempting to build these relationships can be time consuming and frustrating, but when successful, can improve the way in which high risk cases are dealt with.

Coordinated community responses were proposed to work with both the offender and the victim; to keep the victim safe and hold the offender accountable. In an evaluation of three coordinated community responses in the United States the researchers found that strong judicial oversight and extensive graduated sanctions for domestic violence offenders, increased offenders accountability but had no significant effect on offender's repeat violence. There was also little evidence to suggest that offenders had a change in attitude towards domestic violence. Victim's perceptions of safety did not increase even though they had more contacts with service providers (Visher, Harrell, Newmark, & Yahner, 2008). Although we have the both/and focus in coordinated community responses there seems to be a gap in the outcomes which can further foster the bifurcated notion, to redirect our efforts on the woman or the abuser.

2.5.6 Child Welfare.

Shortly after the Nova Scotia Framework for Action on Family Violence was implemented in 1996, police agencies began to refer all woman abuse cases to child welfare authorities due to increased concerns identified by research on the impact of children witnessing domestic violence (Jaffe, Baker, Cunningham, 2004). When high

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risk protocol committees were developed, child welfare was identified as a key service provider to participate in the mandated protocol.

According to the *Nova Scotia Children and Family Services Act* (1990) Section 22 (i) a child may be in need of protective services if "the child has suffered physical or emotional harm caused by being exposed to repeated domestic violence by or towards a parent or guardian of the child, and the child's parent or guardian fails or refuses to obtain services or treatment to remedy or alleviate the violence". Further section 23 (1) provides that "Every person who has information, whether or not it is confidential or privileged, indicating that a child is in need of protective services shall forthwith report that information to an agency"[5].

While domestic violence services providers would agree that the welfare of the child is important, the mandatory reporting requirement creates tensions between women's agencies and child welfare. Moles (2008) identified differences in philosophy as underlying these tensions: women's agencies are likely to operate from a feminist perspective, linking woman abuse to societal factors such patriarchy and sexism. Child welfare agencies are more likely to see individual factors such as poverty, poor interpersonal relations and addiction as contributors to woman abuse. She further states:

> Other sources of tension are the differing and sometimes
> conflicting missions of child welfare and domestic violence
> professionals. The priority of child welfare organizations is
> the protection of children and the preservation of families,
> while the priority of domestic violence services is the safety

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[5] Retrieved electronic version of the statute of Children and Family Services Act , Chapter 5, 1990 from http://nslegislature.ca/legc/statutes/childfam.htm

and empowerment of women. Further child welfare can

disempower women while battered women's advocates

empower women with choice and information. Child welfare

is coercive in that it can mandate women to use services

leveraging their children while battered women's services are

voluntary (p 675).

These differences contribute to the perception that child welfare is not supportive of abused women. A study conducted by Douglas and Walsh (2010) with community workers and domestic violence victims on their experience and concerns with child welfare authorities in Australia indicated that women, rather than the abusers are held accountable by child welfare workers for the abuser's violence: if women do not leave the abuser, they risk having their children taken from them. The study found that abused women were reluctant to engage with child welfare authorities for fear that their children would be removed. Some child welfare workers were inconsistent in their efforts to compel the abuser to cease his abusive actions or participate in programs, unless these steps were ordered by a court (Alaggia, Jenney, Mazzuca, Redmond, 2007). Abusers may not even be interviewed by child welfare workers and even when they are, their case plans often fail to detail specific, measureable expectations of behaviour change (Mandel, 2010). Under current practices, workers can usually target their case outcomes by meeting with mother and the children with no explicit expectation to meet with the abusive father, even when he is having regular visits with the children or living in the home (Mandel, 2010 p 531). Many child welfare workers have a tendency to view the abused woman, rather than the abuser, as responsible for the abuse and to perceive a

woman who stays in the relationship as complicit (Moles 2008, p 675). Moreover, it is often the least experienced child welfare workers who are assigned to woman abuse cases, instead of the most experienced of workers (Douglas & Walsh, 2010).

Alaggia et al, (2007) in their interviews with abused women, police, domestic violence advocates, child welfare workers and health professionals found that the advocates expressed concerns with breaching the trust of their clients if they had to report the domestic violence to child welfare. They also address victim blaming and if women were involved with child welfare in the past then they are fearful for the next occurrence. There is also isolation among the various sectors who work in the area of domestic violence which does not help to understand each other's mandates and a lack of communication. The respondents also raised the question of the abuser's accountability and yet felt they did not have the tools or mechanisms to compel the abusers to be responsible. Adequate funding resources have not been provided to child welfare or other service sectors to implement innovative solutions to some of these recurring issues.

Bifurcation with child welfare can be seen between the agency's mandate to protect children and feminist organizations to protect women. It should not be an either/or approach. When abused women are supported their children will benefit. The bifurcated approach causes tension and distrust between the child welfare worker and abused woman, where the woman is perceived as antagonistic or hostile and in collusion with the abuser. This results in women disclosing less about the abuse to the child welfare worker (Devaney, 2009).

Child welfare agencies often lack policies to deal with both child protection and domestic violence; their workers lack training to support and protect women and

children, and the agency has difficulties challenging men about their behavior. Devaney (2009) in his work on child welfare and domestic violence in the United Kingdom queries why men have not been held accountable by child protection. He suggests that child protection assess the risk the man poses to both the child and the mother. He also suggests that work be done with men who are fathers, and issues such as the abuser's substance abuse and unresolved trauma be treated too. This would lead to a both/and approach from child welfare to domestic violence.

2.6 The Abusers

Battering is far more than a single event, even for the woman who is hit once, because it teaches a profound lesson about who controls a relationship and how that control will be exercised. Battering, whether it is premeditated or not, is purposeful behavior (Schechter, 1982, p 17).

Abusive behavior is defined as learned and intentional rather than the consequences of individual pathology or solely caused by stress, alcohol or substance abuse, or dysfunctional relationships (Dobash, Dobash, Cavanagh, & Lewis, 2000, p 51).

Many men who abuse their spouses and partners are deliberate in their violence, using it to frighten their female partners into compliance or to punish them for perceived misdeeds and misbehaviors (Dobash & Dobash, 2011; Ptacek, 1988; Wallach & Sela, 2008). Others state that domestic violence perpetrated by male abusers involves

aggression, intimidation, verbal abuse and physical violence to assert domination and control over a partner or is an impulsive act committed in response to emotions of frustration and anger, with no real expectation of achieving a set objective (Morgan & Chadwick, 2009; Kernsmith 2005). Abusers may act out of jealousy or in order to enforce their authority within the home (Dobash & Dobash, 1979 & 2011; Fenton & Rathus, 2010.) The abusers tend to minimize or justify their actions and deflect criticism by describing the violence as a response to something the woman has done or are unaware of and insensitive to the emotional impact on their partners (Dobash & Dobash, 1998; Johnson & Dawson, 2011; Wallach & Sela, 2008). Abusers may attempt to excuse themselves as simply having lost control, but this loss of control rarely manifests outside of the home (Ptacek, 1988; Wallach & Sela, 2008). Alcohol and drugs are often suggested as an excuse for violence; however, researchers contend that use of alcohol or drugs at most triggers or exacerbates a willingness to use violence as a means of exerting control within a relationship (Gondolf, 2001; Fenton & Rathus, 2010).

Usually the first formal intervention from an outside agency is not the first time violence has occurred in the family so changing an abuser's behaviour is more difficult because a pattern has already been established (Dobash et al, 2000). The justice system has been one place where men's violence has been addressed, through increased police response, protection orders, specialized courts, and specialized probation programs. In conjunction with the criminal justice focus, men's treatment programs have developed. Such programs have as a first and non-negotiable goal that the men involved stop the violence towards their female partner (Adams, 1988; Day, Chung, O'Leary & Carson, 2009).

Treatment programs involve ongoing risk management. The abuser's behaviour is monitored to ensure compliance with any conditions set out either by the program or a court. Such conditions might include abstention from alcohol or drugs, taking required medication, or continuing with mandated therapy. Monitoring is accomplished by checking with service providers and the female partner. If violence occurs, the abuser is confronted and the appropriate intervention occurs. That could range from contacting the police to intensifying the supervision of the abuser (Gondolf, 2001).

Most abusive men do not enter into a treatment program without criminal justice intervention. Moreover, abusers are less likely to stay with a voluntary treatment program than one mandated by the justice system (Dobash et al, 2000; Roffman et al, 2008). Further, when abusers have additional issues such as poverty, low education, unemployment, substance abuse, parenting difficulties and psychological problems, they will not succeed in a men's intervention program unless they receive additional referral services for these issues. The three referrals most often required by abusers are drug and alcohol treatment programs, treatment for mental health issues, and assistance with employment issues (Gondolf, 2008).

In a review of abuser intervention programs, men's intervention outcomes are likely to be improved with swift and certain court referral, periodic court review or specialized probation surveillance, and ongoing risk management (Gondolf, 2001; Visher et al, 2008). For abusers who are recidivist, a more intense response is required (Day et al, 2009). It is also suggested that for many arrested abusers gender-based, cognitive behavioural counseling is effective (Gondolf, 2001) while others think psychological programs can be just as effective (Dempsey & Day, 2011). Others think that arrest is not

a deterrent for domestic violence nor is men's intervention programs (Stover, Meadows & Kaufman, 2009). Instead they suggest couple counseling along with substance abuse treatment has yielded a decrease in recidivism (Stover, Meadows & Kaufman, 2009).

Some commentators have suggested that treatment programs need to address the variations in abusers and the types of violence they use (Kelly & Johnson, 2008; Barner & Carney, 2011). Pence and Dasgupta (2006) suggest the different categories of domestic violence should be addressed with different interventions. Categories include: intimate terrorism (also known as coercive control), involve mostly heterosexual couples and entail physical and sexual violence with control tactics such as threats; violent resistant, usually when women react to coercive control with a physical response; and situational couple violence, often the most common and usually when the couple uses mutual aggression towards each other (Johnson, 2011). A range of treatment programs need to be developed and abusers need to be matched to the treatment program best suited to them. Further, more culturally appropriate programs are needed. Mismatching an abuser with the wrong type of treatment program is unlikely to lead to substantive behavioural change (Cavanaugh & Gelles, 2005; Day et al, 2009).

There has been a bifurcated approach in domestic violence where the abuser and the woman are considered in opposition to one another. The abuser has been seen as secondary (Dobash et al, 2000) where intervention and practices appear as added on instead of integrated into approaches. Although the above research and knowledge indicates the abuser's behavior and actions are layered and complex, to be viewed from a multi-dimensional framework, services and practices have not often reflected this. What results is an over reliance on the criminal justice system, and an inability for meaningful

societal transformation that could move the issue of domestic violence to a new level. Given this we move into the bifurcated debate of whether to engage with the criminal justice system in woman abuse.

2.7 Engaging with the Criminal Justice System

Around the 1980s and early 1990s the battered women's movement struggled with whether feminists should engage with the criminal justice system to address the abuse of women. While many communities had shelters, women continued to be assaulted and killed. Police often did not lay charges and if they did the courts may not proceed. This prompted many feminists to demand the police and courts make the issue of woman abuse a crime, moving it from the realm of a private family matter to a public matter: police should lay charges in abuse cases and crown prosecutors should proceed with the charges (Balfour, 2008; Buzawa & Buzawa, 2003; Martin, 1976; Schechter, 1982). It was thought that criminal justice sanctions might well be a vehicle through which abused women could demand their abusers be treated or punished (Ursel, 1998). It would send a strong message to the abuser that his behavior was criminal and there are consequences, as well as to the public that woman abuse is wrong (Dobash, Dobash & Cavanagh, 2009).

Some feminists believed that mandatory state interventions such as police charges also helped abused women by temporarily stopping the violence (Ursel, Tutty & leMaistre, 2008).They further argued that specialized programs such as domestic violence courts, rather than siphoning resources from the other women's organizations working on domestic violence, tend to be established in those provinces which allocate more funding overall to combat domestic violence. Further, they stated that poor women and women of

color such as aboriginal women are over represented in the statistics not because of racism and bias but because those women call police to stop the abuse because there is no other twenty-four hour, seven-day week emergency response service (Ursel, Tutty and leMaistre, 2008).

Some researchers countered that state intervention through the criminal justice system should not be the only option (DasGupta, 2003; Snider,1994), and that community alternatives such as increased crime prevention efforts, improved resourcing of social supports and services and restorative justice approaches (Coker, 2001; DasGupta, 2003; Dixon, 2008; Websdale & Johnston, 2005; Ptacek, 2010). Others argued that criminal justice sanctions conflict with abused women's right to self-determination, in that women do not have a veto whether the case proceeds or not. Critics further stated the criminal justice system does not have the capability or structure to provide long term support and assistance due to its patriarchal structure and ideology (Barner & Carney, 2011; Ferraro, 1996). Moreover, recourse to the courts forces feminists "to ally themselves with and strengthen the same patriarchal and racist institutions complicit in practices of gender domination" (Bonnycastle & Rigakos, 1998, p 18). One of issues is resourcing the criminal justice system as the panacea for woman abuse instead of looking to alternative in the community.

Feminist demands for improvement to the criminal justice system's response to woman abuse has seen unintended consequences with mandatory interventions, such as the criminalization of abused women due to dual arrests or failure to appear in court, and increased state control in abused women's lives such as child welfare intervention particularly for racially visible, first nations, and poor women (Balfour, 2008; Barner &

Carney, 2011; Coker, 2000; Currie, 1998; Schneider, 2000; Snider, 1994). Mandatory interventions such as police reporting to child welfare and their subsequent investigations can discourage many abused women from developing partnerships with these state authorities to help manage the violence because they fear the loss of their children (Devaney, 2009; Mills, 1999). Finally, since most abusive men do not choose to address their violence towards their partners without the intervention of the criminal justice system to prod them, it could be argued that men's treatment programs in the community are part of the criminal justice system (Lewis et al, 2001).

Another criticism of engaging with the criminal justice system is that while the state accommodates higher law-enforcement costs generated in part by mandatory criminalization, areas such as income assistance, day care, health services, public housing and education are cut with the most impact on poor and racially diverse abused women (Ferraro, 1996; Merrindahl & Maddison, 2010; Snider, 1994). Further, when budgets are tight resource allocation becomes particularly pressing for policy makers and any discretion on policy directives is stalled. What tends to occur is the redirection of money towards increasing policing and building prisons which is considered to be essential services and away from prevention and educational programs (Valverde, MacLeod, & Johnson, 1995). Engaging with the criminal justice system for abusers can also be problematic for the abusers as there is little rehabilitative potential in prisons for men who are sentenced for abuse. Moreover some researchers posit that criminal justice sanctions have always been detrimental to poor, racially visible, and aboriginal men as they are over-represented in our courts and prison system due to racism and a lack of culturally appropriate alternatives (Currie, 1998; Snider, 1998).

Lewis et al (2001) argues that feminists can be skeptical reformers of the criminal justice system and believe that sometimes it is essential to use the police or courts as a way to keep women safe and that it is ethically necessary to engage with the criminal justice system when women rely on it. In cases of high risk for serious assault or murder the police and courts should be the site to oppose the release of the abuser. In situations where there is a simple assault such as a push or shove, the police may not be the best option, especially if they use a mandatory arrest policy that does not allow for discretion. These researchers maintain that social scientific thought often falls into the trap of dualism and suggests we look at the middle ground to seek what works well in both. Rather than looking at the criminal justice system or community, the argument is to understand what works in both. Critiquing the criminal justice system helps us to identify if it is resisting progressive demands. These authors state that "if we are seriously interested in how the justice system can deliver better justice for abused women, we must examine every aspect of it from the perspective of those who use it" (Lewis et al, 2001, p 123). Others believe there are small spaces within the criminal justice system where change can occur and we must always look to those small openings such as the changing attitudes of court officers from working in a domestic violence court, or abusers taking more responsibility to comply with probation orders because of attending a men's treatment program (Mirchandani, 2006).

Increasing state control of abused women through mandatory state interventions may reflect an overestimation of the state's ability to protect abused women from further abuse. This overemphasis on the effectiveness of the criminal justice system relies on abused women to be cooperative and problematizes abused women who are not

cooperative. It also minimizes the benefits of abused women using other strategies to stop the violence such as negotiation, threats, and engagement with the abuser. Dominant images of abused women as powerlessness often negate their resilience and resourcefulness (Balfour, 2008; Schneider, 2000).

2.7.1 Women's experiences with the criminal justice system.

Research indicates women contact police when the abuse increases, becomes more threatening, and children are involved (Meyer, 2011). Women's experiences with the police can be positive if the police perceive her as worthy, do not blame her for the abuse or for not leaving the abuser (Gover, Dodge, Paul, 2011; Horowitz, 2011). In her study with 29 women who experienced domestic violence Meyer (2011) found the women dissatisfied with the police. The police either lacked interest or understanding of their situation. Many felt they were not taken seriously because they had not permanently ended their relationship with the abuser. Therefore the officer's attitude that they would not help abused women because they would not help themselves, perpetuated beliefs of unworthiness with the likelihood that abused women would not call police in the future for help. The women also had dissatisfying experiences with judges, who did not understand their abuse situations, nor the risk they were at. The women found their experiences to be traumatizing and disrespectful. For example, when these women applied for intervention orders to be protected from the abusers the judges were reluctant to include the children because the abuser had not physically harmed them. The women raised the issue that the children experienced emotional harm by witnessing the abuser's violence towards their mother, however the judges did not agree. The women also discussed the dissatisfaction with the response to the abuser's breeches of his no contact

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orders. Either the police or courts did not enforce or minimized the breeches. The author

stated the abusers received immunity from committing the offences while the women

were accountable for keeping themselves safe (Meyer, 2011).

Abused women may not engage with the court because there is physical or

psychological trauma that prevents them from attending court. For example, many

women may be concerned about their mental health going through a trial and do not want

to suffer the consequences of reliving it through court. They want to move on with their

lives and do not want to put their families through any more trauma (Bell, Perez,

Goodman, Dutton, 2011; Hare, 2010). The relationship with the abuser and fear of

retaliation, fear of seeing him in court or still being in a relationship with the abuser can

prevent a woman from going to court. The abuser may threaten to take her children away

from her and her in-laws may strongly resist her attendance at court (Hare, 2010).

Women also find it hard to understand the court process and are given little information

on what to expect. They become frustrated with the attitudes of the court officers which

may not be helpful or supportive and the court process can be very slow (Bell, et al 2011;

Gillis, Diamond, Jebley, Orekhovsky, Ostovich, McIssac, et al 2006).

Hare (2010) asked women whether they supported going to trial in their domestic

violence cases. The study found that if the violence increased from the abuser, women

were more likely to desire the court process and were seen as cooperative with court staff.

They also expanded their range of help seeking from other support services. Also, women

who had left the relationship were more supportive of going to court than women who

were still in relationship with abuser. Hare (2010) did not find any less support for the

court process from black women therefore the assertion that black women do not

participate due to racism was not sustained. She also said women wanted the abuser

punished or rehabilitated but did not want to go to trial for this to be achieved. The author

suggests that prosecutors could effect this through plea bargains which send the abuser to

a treatment program for addiction as an outcome of a guilty plea and not trial. Finally, the

women wanted the abuser to be punished for his offence and for public acknowledgement

that what he had done was wrong. They were supportive of the abuser being in jail and

wanted to ensure he could not hurt them in the future which also included him getting

treatment for his problems. Other research found that abused women thought the system

should be responsible for the woman's safety, the abusers rehabilitation, and that justice

should be seen as being done. Further, they believed the abusers must be held

accountable and responsible for their violence, that the system recognize this, punish the

abusers and then work to help them get better (Barata, 2007; Bell et al, 2011).

There are many barriers for abused immigrant women when they encounter the

criminal justice system. Immigration intensifies the vulnerabilities of immigrant women

experiencing domestic violence. For example, immigrant women arrive with

disadvantages like not being linked into networks such as family and resources in the

community. They experience economic fragility, lack of access to translators, and

disclosing abuse to outsiders taints the community (Erez, Adelman, Gregory, 2009).

Balfour (2008) found that aboriginal women in the Prairies and black women in

Toronto have experienced an increase in being co-charged in domestic violence incidents

since pro-arrest. She states marginalized women often must resort to defensive violence,

only to be criminalized, because the government has failed it to examine the gendered

nature of the pro-charge policy and the intersectionality of women and men's experiences when developing policy.

Abused women are portrayed as cooperative or uncooperative with the criminal justice system which leads to a dichotomist framing of the issue. The literature suggests the variety of women's experiences with the criminal justice system indicates more complexity and less dichotomy. This should help criminal justice system providers to understand that abused women should not be contrasted as wanting help or not, and that accountability of the abuser factors as a prominent feature for abused women to engage in the criminal justice system.

2.8 Conclusion

The literature review examined the complex issue of woman abuse and how the complexities have often been polarized into debates where an opinion or school of thought is held above another. The conceptual framework of the dichotomous debates such as whether to address women or men and whether to engage with the criminal justice system were illustrated in sections such as: the practices, policies and concerns with police, prosecutors, and the courts attempts to address woman abuse. It also examined the polarized view on whether to engage with the criminal justice system in woman abuse, the abuser's role in the violence, and range of programming and sanctions developed to address that violence.

Any effort to address abusive behavior by men must have a multi-faceted approach: the individual level, the organizational level, and the societal level, which encompasses community values and norms (Dobash et al, 2000). Jackson Katz (2006) believes we have to "dream big and act boldly" when it come to addressing men's

violence against women. Men's violence needs to be challenged at its roots, at the social norms in our culture that state it is acceptable for men to objectify and denigrate women, even if it is a joke. Katz states the misogynistic views of women are often perceived as normal by men and women, and inappropriate behavior is excused by saying "he drank too much", or "boys will be boys".

Katz (2006) asks how many more survivor stories have to be heard before society realizes that violence against women is not caused by women, and suggests that speaking solely of "violence against women" obscures men's role in the violence. Instead of focusing on what women can do to change their lives (p 17) or debating whether the best place to respond to woman abuse is in the community or the criminal justice system, Katz advocates grappling directly with men's violence. Further Katz argues that men's involvement must become central in the struggle against woman abuse: while men's guilt can be immobilizing, men's responsibility can be energizing. It is men's responsibility to speak out about men's violence against women and to hold other men accountable for their violence.

Katz concludes that we have to focus on boys and young men as violence against women is a learned behavior. By the time violent behaviour comes to the attention of police or the courts, it is too late. Boys are being influenced by their peers, community and media to be dominant which equals masculine whereas feminine characteristics are considered less desirable; therefore, boys have to be provided with alternative ideas of manhood based on egalitarian sharing rather than control within relationships.

CHAPTER 3   THEORIES OF WOMAN ABUSE

3.1 Introduction

This chapter explores the ways in which different theoretical approaches have conceptualized woman abuse. Second and third wave feminisms, as well as of several non-feminist approaches to violence against women, are discussed and critiqued. Each of the theories presented here is examined both for its perspective on woman abuse generally and, in order to provide concrete points of comparison, for its views on two specific questions: whether services and programs should be provided solely for the woman or also for the abuser, and whether engaging with the criminal justice system is an effective strategy for abused women. Furthermore the theories begin to shed light on the dichotomous thinking inherent in the theories which influenced how the tensions developed in the dominant domestic violence discourse. The first portion of this chapter outlines feminist theories from a chronological perspective, using the broad categories of second and third wave feminisms. Given the fluidity of social movements and the difficult of tracking exactly when certain changes in thinking occurred, there is of course some degree of artificiality in attempting to map theories chronologically; however, the categories of second and third wave feminism are fairly widely used in the literature and do seem to usefully reflect broad trends within feminist thinking. The focus on feminist theories is followed by a briefer section on how non-feminist theories have conceptualized woman abuse, and then a section on recent integrative approaches to woman abuse which, while feminist in philosophy are also willing to borrow from some of the non-feminist theories in order to provide a more holistic way of thinking about woman abuse.

After providing this overview of various theories, I then consider how the different theories apply to my research. Once I realized that my research questions were designed to elicit binary responses, reflecting my largely unquestioning acceptance of much of the dominant feminist discourse on woman abuse, I became open to challenging some of those assumptions, while still retaining an overall feminist perspective. In my final chapter, I use the metaphor of a spiral, to represent both a renewed interaction with the whole array of feminist (and to some degree, non-feminist) thought in order to retain the best insights from the various theories, while also moving forwards to develop new insights. In this chapter, I set the stage for that discussion. After the overview of different conceptualizations of woman abuse, I reflect on both the valuable elements of such conceptualizations and also those tensions (sometimes unacknowledged) that exist within and between different theories. It is only by asking sometimes uncomfortable questions, which may unsettle accepted orthodoxies, that newer and better strategies can be developed to respond to woman abuse. For example, some of the strengths of earlier feminist theorizing about woman abuse include the emphasis on the gendered nature of the violence, and the refusal to take a completely individualized view of abusive relationships while the failure to include a significant focus on the abuser, the tendency to treat all abused women as simply victims, and the search for universal, one-size-fits-all solutions to woman abuse have proven less helpful. Non-feminist theories also have something to offer on these issues, particularly around the need provide treatment programs for abusive men.

Thus, the goal of this chapter is to trace changes in the way in which woman abuse has been understood and to identify the strengths and weaknesses of the different

understandings. The chapter also attempts to trace the trajectory from theory to practice, by identifying which theories have had the most impact on societal responses to woman abuse.

3.2 Feminist Theory

3.2.1 Second wave feminism: Overview.

The second wave of the women's movement began in the 1960s and 1970s. The time was ripe for dissention, given the antiwar/peace, student and civil rights movements. As women participated in these two movements they realized their concerns and issues were not being addressed in the primarily male led movements (Brownmiller, 1999; Kelly, 2011). Inspired by writings such as Betty Friedan's *The Feminine Mystique* (1963), women gathered together in consciousness raising groups to discuss their personal experiences, focusing on topics such as housework, work outside the home, motherhood, physical and sexual violence, and abortion. The examination of personal realities led to political analysis of patriarchy and the status of women in society. Increasingly, this analysis was presented at meetings of feminist organizations and published in newsletters and feminist newspapers and, in time, researchers and academics started to turn their attention to women's issues. The prevalence of male violence against women was made visible in books such as Susan Brownmiller's work on rape, *Against Our Will* (1975) and Del Martin's *Battered Wives* (1976). In turn, the analysis offered by feminists started to have an impact on social policies, including the ways in which woman abuse was dealt with. Thus, women's personal experiences led to feminist theory which influenced feminist practice which in turn refined feminist theory (Kempt & Brandwein, 2010; Schneider, 2000).

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Second wave feminism saw the development of liberal feminist theory, radical feminist theory, socialist/Marxist feminist theory, and black and lesbian feminist theory. Each of these theories shared core beliefs such as the right of women to have freedom of choice and control over their own lives, and core goals such as the eradication of inequity and oppression of women (Gray & Boddy, 2010; Tong, 2009). Beyond this, however, the theories diverged. Brownmiller (1999), a radical feminist reflecting on the second wave feminist movement, states that "deep distrust, serious divisions, emotional charges and counter-charges always characterize the inner life of a movement for social change and the women's movement was no exception (p 41)". Arguably, however, at this stage in the development of theories about women's issues, the array of approaches was largely a strength and not a weakness as there was a need for experimentation, and an examination of issues from variety of perspectives (Deckhard, 1979, p 466).

Liberal feminists were reformers, focused on dismantling discrimination based on sex, changing prevailing societal attitudes and norms, securing the same rights for women as men had, and ensuring equal opportunity through initiatives such as affirmative action programs. They joined national women's rights groups to apply pressure on institutions to improve women's status.

Liberal feminists did significant advocacy work in the legal arena, trying to change legislation and initiating court cases relating to abortion, employment equity, access to child care, and welfare and poverty rights (Gray & Boddy, 2010). Thus, liberal feminists wanted to "free women from oppressive gender roles that give women a lesser place in the academy, the forum and the marketplace" (Tong, 2009, p 34). They also

advocated for enhanced government funding for programs needed by women, such as affordable housing, education, health care and social security.

In keeping with their law reform agenda, liberal feminists saw the law as an appropriate resource for abused women (Currie, 1998). This included strengthening the criminal law response to battering and sexual violence, to ensure that the full weight of the criminal law could be brought to bear on men who assaulted or raped their wives and girlfriends. Liberal feminists also advocated for legislation that would make it easier for women to exit abusive marriages, through measures such as protection orders (Currie & MacLean, 1992). While liberal feminists would have wanted to see abusive men held accountable through the criminal law, beyond that, they did not tend to focus on the abuser. In time, the liberal feminists' focus on the criminal justice response, while critiqued by some other feminists, had a significant impact on policy. As discussed elsewhere in this thesis, pro-charge, pro-arrest and pro-prosecution policies became the cornerstone of societal strategies for reducing woman abuse in many jurisdictions, including Nova Scotia.

Radical feminists saw themselves as revolutionaries (Brownmiller, 1999; Gray & Boddy, 2010; Schechter, 1982; Tong, 2009). Declaring that "the personal is political", radical feminists "insisted that men's control of both women's sexual and reproductive lives and women's self-identity, self-respect, and self-esteem were the most fundamental of all the oppressions human beings visit on each other" (Tong, 2009, p 49). For instance, the Redstockings, a radical feminist group from New York in the late 1960s, conceptualized male supremacy as the foundation of all domination and oppression in society. Not surprisingly, then, this approach tended to lead to universalist perspectives,

such that at least some radical feminists argued that "*all* men receive economic, sexual and psychological benefits from male supremacy and that all men have oppressed women" (Tanner, 1970, p 109).

In particular, radical feminists identified the state and the family as patriarchal sites of oppression for women (Calixte, Johnson & Motapanyane, 2005). Radical feminists conceptualized power as male power or patriarchy "which creates, sustains and justifies hierarchies, competition, and the unequal distribution of power and resource on an endless variety of levels" (Schechter, 1982, p 45). [6]They perceived patriarchy as a system of power conceived and perpetuated by men which shaped everyday life and negatively affected women. The state was seen as governed and controlled by men, and therefore not to be trusted as an ally in the struggle for women's liberation. Radical feminists believed that the traditional family, with its ideology of romantic love and its focus on reproduction was oppressive, keeping women bound and dependent. Instead, they promoted alternative, more egalitarian, family arrangements (Pleck, 1987).

Radical feminism had a strong focus on gendered violence such as rape, which they defined as representing domination rather than sex, and on woman abuse, including that perpetuated by husbands and boyfriends (Gray & Boddy, 2010). Generally, however, radical feminists did not advocate using the criminal justice system; rejecting any reliance on the patriarchal state, they preferred grass roots counter-institutions such as rape crisis centres, women's centres and feminist medical and counseling services. The eventual hope was that these counter-institutions would replace traditional services

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[6] Radical feminists were thought to be man haters as some of their early declarations denounced marriage. Therefore many moderate feminists, such as women's rights feminists did not want to ally themselves with the radicals.

(Deckhard, 1979). Radical feminists accused liberal feminists of being naive in believing that the state would provide an appropriate feminist response to woman abuse and cautioned feminist activists to be more critical and mindful when working with the state (Coker, 2001; Currie 1998; Schneider 2000; Snider 1994, 1998). Some radical feminists also warned that a focus on criminalization and crime control diverted resources away from feminist liberatory practices which addressed women's choices and needs such as affordable and accessible child care, housing, adequate employment opportunities, and support systems (DasGupta, 2003; Ferraro, 1996; Minaker, 2001).

Radical feminist ideology did include a focus on men: it was believed that the liberation of women would also be the liberation of men as oppressors, and that "we do not need to change ourselves, but to change men" (Tanner, 1979, p. 10). Radical feminists did not see all men as oppressors, however, they felt that any man who did not work to eradicate men's domination of women was opposing the interests of women and was just as guilty as the more obvious violent man (Dunbar & Leghorn, 1970). However, the focus tended to be on men generally, who were all seen as reaping benefits from patriarchal norms, and so there would have been little interest in treatment or services for abusive men. This were seen as redirecting resources away from women; further, discussion of treatment was seen as individualizing and medicalizing the issue, rather than naming woman abuse as a natural outgrowth of a profoundly patriarchal society. Because of a tendency among radical feminists to use essentialist categories - men were evil and women were victims - men were often not even seen as possible allies in the fight against woman abuse (Gray & Boddy, 2010).

Second wave radical feminism has had a significant and continuing impact on the ideology associated with woman abuse, particularly in the identification of such abuse as a reflection of broader structures of patriarchy, and the tendency to discuss abusers and all abused women in sweeping generalizations. Their distrust of the state and therefore of the justice system has formed an ongoing counterpoint to liberal feminists' desire to reform and then use the criminal justice system to combat woman abuse. Radical feminists have affected the practices, as well as the discourse associated with woman abuse, particularly through the emphasis on women's shelters and the lack of emphasis on men's treatment programs. Liberal feminists were seen as "let us in" while radical feminists were "set us free" (Deckhard, 1979, p 458).

Marxist or socialist feminists regarded classism as fundamental to women's oppression, seeing capitalism and patriarchy as equally complicit in the oppression of women, where women were subject to paternal oppression and the pursuit of wealth in the nuclear family. Many of the socialist feminists came from the intellectual left movement (Deckhard, 1979). Socialist feminists lauded past cultural practices that were seen as more egalitarian, arguing that a breakdown of maternal clans into a class divided system eroded women's equality (Deckhard, 1979). Socialist feminists also identified race and sexual orientation as relevant factors (Gray & Boddy, 2010; Tong, 2009). Because of their focus on the sexual division of labour which marginalized women as a secondary labour force, socialist feminists raised issues such as disparity in wages for equal work, sexual harassment and unpaid domestic work. Abused women were seen as staying in violent relationships due to a lack of well paying jobs.

Given their focus on dismantling the capitalist system, socialist and Marxist feminists were less likely to engage in debates about using the criminal justice system or the wisdom of providing treatment programs for men. Instead, the assumption would have been that as economic exploitation was reduced, various forms of violence, including woman abuse, would also be reduced.

Black feminists argued that the issues of race and class were as important as gender subordination, when analyzing the societal inequalities faced by many women. Black women felt that the feminist movement did not reflect them or their issues (hooks, 1984). Nor, however, did they find their issues taken seriously by the predominantly male leaders of the black power movements (Deckhard, 1979). So black women decided they needed to develop their own black feminism, organized around issues of white privilege and domination. Black feminists coined the term womanist to distinguish black feminists' issues from mainstream feminist concerns (Gray & Boddy, 2010). Some of the issues the black women's movement tackled were adequate wages for domestics, enhancing the rights for mothers on welfare (Deckhard, 1979) and issues of white privilege and domination (hooks, 1984). Black feminists argued that race and class were as important as gender subordination and saw the need to work with both the women's and black liberation movement to enhance their demands. Given racism within the legal system and ongoing struggles between racialized communities and the police, black feminists generally were unlikely to see the criminal justice system as a useful ally. Further, many black feminists would have seen the abuser as well as the abused woman as victims of racism. This identification of the abuser as also having been wronged might imply a

willingness to allocate resources for services for men as well as women, but there is little explicit discussion of this particular issue in the literature of black feminism.

Lesbian feminists also emerged within the second wave feminist movement. Initially some lesbians hid their sexual orientation even within feminist circles, for fear of being rejected and for hurting the movement (Deckhard, 1979). While the National Organization of Women, a women's rights group in the United States, called lesbians the "lavender menace" in 1970,(Brownmiller, 1999; Deckhard, 1979) within a fairly short period of time, the women's movement came to recognize the double oppression of women who were lesbian, and lesbian feminism became an acknowledged strand within second wave feminism. Lesbian feminists challenged the heterosexual norms of feminist theory and expanded the equality discourse to include issues relating to sexual orientation (Gray & Boddy, 2010). [7] Second wave lesbian feminists seem to have had little to say on the specific issues of whether the criminal justice system offered an appropriate response to woman abuse or whether strategies for reducing woman abuse should include treatment programs for men.

3.2.2 Third wave feminism: Overview.

As the feminist movement matured, theories of diversity gained a more central place, incorporating some of the insights of the second wave black and lesbian feminists, and extending these insights to other aspects of women's realities. Third wave feminisms are more inclusive and more comfortable with uncertainty than were earlier feminist theories (Bruns, 2010). Third wave feminism embraces the not knowing which flows from multiples perspectives: there is no one grand narrative but many narratives. Thus,

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[7] The issue of women abusing each other was difficult for the women's movement and lesbians to engage with so it would be many years before it was fully discussed and examined .

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third wave feminists deliberately seek out the inclusiveness of all women's voices, which includes all possibilities of feminist identification and recognize that there must be dialogue across social and cultural differences. Third wave feminists tend to rely on personal narratives to present their analysis, recognizing that others, bringing their own experiences and insights, may ascribe very different meanings to their writings (Zimmerman, McDermott, Gould, 2009). There is recognition of the need to have access to all the information necessary to make responsible choices, based on a "full understanding of personal power and a balanced assessment of another's power without seeking to control the other" (Zimmerman et al, 2009, p 81). Third wave feminists look to bring about change first through changing themselves, which then influences their way of being in the world, which transforms local community, which then impacts the global community (Zimmerman et al, 2009).

Thus, as plurality, multiplicity and difference became core principles, and the complexity of contradiction was embraced, third wave feminism emerged, exemplified by intersectional, post structural, and post colonial feminist theory (Gray & Boddy, 2010; Kempt & Brandwein, 2010; Tong, 2009).

Intersectional feminism developed in response to the critique that second wave feminism did not take sufficient account of difference among women. "Feminist intersectionality is a body of knowledge that is driven by the pursuit of social justice and seeks to explain the processes by which individuals and groups in various oppressed social positions, such as gender, race, ethnicity, class, age, sexual orientation, disability status, and religion, result in inequitable access to resources, which in turn results in societal inequities and social injustice" (Kelly, 2011, p 44). "Intersectionality situates

oppression within a matrix of domination that socially and historically locates oppression as well as reinforcing and maintaining it" (Bruns, 2010, p 32).

Intersectionality moves feminist theory beyond a focus on gender alone, allowing feminists to examine the multiple meanings and experiences of woman abuse for different individuals and communities. For instance, intersectional feminism identifies race, ethnicity, class, age, sexual orientation, disability status, and religion as significantly affecting a woman's experience of abuse (Cramer & Plummer, 2009). Since intersectional feminists examine how structural inequalities enable woman abuse, and affect both women's and societal responses to abuse (Kelly, 2011), they would be more likely to recognize the inadequacy of one-size-fits-all approaches. In particular, a focus on intersectionality would emphasize the possibility that some abused women might be more likely than others to be believed and validated by the criminal justice system, and that factors such as race and class might also affect how abusers were viewed by police and courts (Cramer & Plummer, 2009). Intersectional feminism should therefore acknowledge that the appropriateness of reliance on the criminal justice would depend on the context and the individuals involved. It is less clear whether intersectionality would lead to an interest in providing services for both the woman and abuser; arguably, however, the move away from a sole focus on gender and a recognition of the multiplicity of factors that contribute to one's identity might at least leave space for considering a broader and more comprehensive response to woman abuse.

Post-structural feminism focuses on ways of knowing, asking how knowledge is constructed and by whom. It also examines language and meaning, interrogating terms such as power and gender (Rosenberg, 2005; Wendt, 2008; Wendt & Boylan, 2008). A

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feminist post-structuralist lens supports the view that the world of lived experience needs to be understood from the point of view of those who live it because meaning is socially constructed, that is, people in a particular place and time construct meaning through social interaction. Yet, it also allows for the recognition of power relations between men and women in society because of social arrangements and structures that perpetuate patriarchy (Wendt, 2008, p 145). According to post-structuralists, power is a created relationship, it flows from various sources, its effect can be either destructive or productive, and both agency and resistance exist within power relations (Wendt, 2008). Post-structural feminists also question assumptions about the dichotomy and fixed nature of gender, arguing instead that there are a variety of genders and that one's gender develops over time instead of being fixed at birth (Frisby et al, 2009; Rosenberg, 2005).

While post-structural feminism might have less to say on the specific debates around use of the criminal justice system or treatment programs for men, its recognition of agency and resistance within power relations provides a useful antidote to the tendency within the dominant discourse on woman abuse to view abused women as simply victims. The less polarized view of women and men (Gray & Broddy, 2010; Rosenberg, 2005) taken by post-structural feminists moves the discourse away from universalist assumptions about men as perpetrators and women as victims. This could lay the groundwork for contemplating the possibility of addressing woman abuse through multiple and diverse strategies, including a focus on both women and men. The post-structuralist move from either/or thinking to both/and approaches should also allow for engagement with both the criminal justice system and community to address woman

abuse. Moreover the both/and approach is not additive and non-integrative but instead fluid, allowing for nuanced and multiple interpretations to emerge.

Post-colonial feminism highlights how Western feminisms have created generalized and universal categories of woman, ignoring the real experiences of many women in the Third World and in poor and marginalized communities in the developed world (Gray & Boddy, 2010). One post-colonial feminist critique of some other stands of feminism charges them with having "appropriate[ed] and coloniz[ed]" the fundamental complexities and conflicts which characterize the lives of women of different classes, religions, cultures, races and castes in these countries. It is in this process of homogenization and systemitization of the oppression of women in the third world that power is exercised in much of recent Western feminist discourse, and this power needs to be defined and named"(Mohanty, 1984, p 335).

This approach contributes new ways of thinking about relations among and between women and men across cultures, while raising serious questions about the politics of speaking for and writing about others (Frisby et al, 2009). With regard to woman abuse in Canada, post-colonial feminists have examined the colonization and oppression of indigenous and local cultures, exploring the violence experienced by aboriginal woman in their communities both on and off reserves (Gray & Boddy, 2010). This violence is seen as stemming from Western imperialism and colonization generally, and the residential school experience specifically, all of which have had devastating consequences on aboriginal communities as a whole (Peach & Ladner, 2008).

Post-colonial feminism has the potential to offer several helpful insights to discussion on woman abuse, particularly the emphasis on context and the unwillingness

to accept essentialist depictions of either abused women or abusers. Thus, efforts to end woman abuse through community intervention with both women and men through a restorative justice model might well fit with this approach to feminism. Given the post-colonial perception of the law as inherently racist, and given the over representation of aboriginal men and women in Canada's jails, post-colonial feminists might not, however, view engagement with the criminal justice system as an equitable option for aboriginal people in Canada.

Third wave feminisms do seem to offer ways of moving beyond the dichotomies that plagued second wave feminisms, and by extension, their approach to woman abuse. However, interventions and services often lag behind knowledge (Eisikovits & Bailey, 2011) and it still seems to be the case that much of both the debate and the practice around woman abuse reflects the thinking of second wave feminism rather than the newer perspectives. Further, while third wave feminisms do have valuable contributions to make in terms of re-conceptualizing both woman abuse and societal responses to it, arguably, the solution is not simply to embrace third wave feminisms unquestioningly. Any theory carries within it its own particular weaknesses, and certain aspects of third wave feminism may in fact be problematic when used as a lens through which to view woman abuse (Dutton, 2012; Hunnicutt, 2009). Thus, whereas the second wave of feminism can be seen as too universalist and essentialist, leading to bifurcated thinking and sweeping generalizations that did not always serve women well, it may be that the third wave feminisms are too fragmented and unfocussed (Bruns, 2010; Kelly, 2011). The emphasis on the diversity of women's experiences tends to neglect the similarities in favor of the difference (Duffy, 2005) and thus may lose sight of certain important truths,

such as the largely gendered nature of violence between intimate partners. Further, in embracing the idea of multiple narratives and multiple truths (Gray & Boddy, 2010), with the concomitant reluctance to try to remake anyone into a more acceptable image, third wave feminisms may risk accepting moral relativism such that it becomes difficult to condemn violence within relationships, or to hold up equality and non-oppression as non-negotiable principles. Some would also contend that third wave feminists may forget or ignore oppressive structural conditions (Duffy, 2005), or may abandon the goal of transformational action at a societal level (Gray & Boddy, 2010; Merrindahl & Maddison 2010).

3.3 Non Feminist Theories: Overview

Psychologists and sociologists have examined the issue of violence against women from an individual and family focus, which challenges the feminist understanding of such violence as structural and gendered. This different understanding is reflected in a shift in language from gendered terms such as woman abuse and battered woman to more neutral terms such as domestic violence, intimate partner violence, or family violence. From this perspective, the problem is "created within troubled families rather than male-dominated institutions and … social change means changing bureaucracies to make them work effectively so battered women's problems can be solved without fundamental social transformations" (Bulmiller, 2008; Schechter, 1982, p 189). Male violence is attributed to such things as intergenerational violence, where men grew up witnessing their mother being abused by their fathers (Johnson & Dawson, 2011), psychological factors such as men having uncontrolled aggression or feelings of powerlessness, and sociological factors such as the stress of unemployment (Dekeserdy & Schwartz, 2011; Schechter,

1982). Thus, even for those who acknowledge the impact of family violence to be gendered, its source is individualized, rather than traced to gendered and oppressive societal norms (Hunnicutt, 2009; Katz, 2006; Wendt, 2008).

Some non-feminist theorists have gone farther, however, and questioned whether even the impact of family violence is gendered. Donald Dutton (2012) contends there is empirical research documenting the use of violence against men by women, and argues that the gender analysis used by feminists is a political argument not grounded in research findings. According to Dutton, a national domestic violence hotline found men reporting severe violence from their female partners. Others use the paradigm of common couple violence - where each partner is violent toward the other - to argue that domestic violence is complex and cannot simply be assumed to be male violence against women (Ansara & Hindin, 2010; Eisikovits & Bailey, 2011).

Non-feminist theories about woman abuse that are based on the treatment model, or that question whether abuse between intimate partners is actually as gendered as feminists have claimed are unlikely to see issues in such polarized terms as do some feminists, particularly second wave feminists. Providing treatment and programs for both the abuser and the woman would be very much in keeping with psychologists' and sociologists' focus on individual or family dynamics to account for the violent relationships. Indeed it was non-feminist practitioners who introduced joint counseling for couples experiencing domestic violence (Mills, 1999). Similarly, these non-feminist theorists would probably have less objection to engaging with the criminal justice system to address woman abuse; the state would probably not be conceptualized as patriarchal and oppressive and there would be less emphasis on challenging state institutions. That

said, some might have concerns about excessive criminalization on grounds other than feminism - for instance, a preference for restorative justice and accountability over retribution.

3.4 Integrated Theories of Woman Abuse

Traditionally feminists have rejected theories of woman abuse that focus on individual factors rather than on gendered social norms. Recently, however, there has been interest in the ecological model to examine violence against women. This is an integrated model that examines individual, family, community, and societal factors that contribute to abusive relationships (Heise, 1998; Johnson & Dawson, 2011). It also seems to allow for the incorporation of useful themes from a variety of perspectives, including sociological, psychological, and feminist. The ecological framework can be portrayed as a series of concentric circles that consists of four levels of analysis. The first level represents the personal history that a person brings to their relationship. The next level identifies the context where the abuse takes place, such as the family. The third level represents the institutions and structures both formal and informal, such as the neighbourhood, work, and friends. The final level is the macrosystem which influences general attitudes and cultural views (Heise, 1998). The factors in the levels are dynamic allowing an interplay between the levels in order to understand violence. The benefit of this approach is that it may allow for a deeper and more nuanced understanding of woman abuse, a recognition of the different ways in which individuals experience abuse and the societal response to the abuse and the complexity of abuse. A potential risk is that interventions will be so broadly focused that they become fragmented and ineffective (Kelly, 2011).

Given the theory that has been reviewed on how men's violence against women is conceptualized there are two discourses that seem to predominate in policy and practice; feminist liberatory and crime control discourse.

A feminist liberatory discourse, when applied to woman abuse, would place the abused woman at the centre of the response to the abuse, endeavoring to enhance her options and her ability to direct her own life. Feminist liberatory discourse would focus more broadly on her life circumstances rather than just the incident of abuse and so would advocate not only for her right to live a life free from violence; whether she was in an abusive relationship or not; but also to have access to adequate material resources such as safe and affordable housing and childcare; adequate financial resources through income assistance or a living wage; access to education and transportation. Recognizing the complexity of women's lives, a feminist liberatory approach would strive to empower women, and support women in their choices, even when that choice (for instance, staying in an abusive relationship or refusing to report the abuse to the police) might run counter to what others would consider a sound choice (Bulmiller, 2008; Coker, 2001; Currie, 1998; Howe, 2008; Schneider, 2000; Snider, 1994).

A feminist liberatory approach to woman abuse policy and programs would be based on the premise of providing material resources to abused women such as housing, childcare, work, and safety. These policies or programs would be developed considering the intersection of issues and concerns that impact poor, disabled or addicted women, women with mental health issues, aboriginal women, women of colour, and immigrant women because then *all* abused women would benefit from the policy or program, not just a few (Coker, 2005; Snider, 1998). Policy makers who do not consider the

intersections of issues for all abused women can develop policies that have unintended consequences.

Conversely, a crime control approach would focus on criminalizing violent behaviour, rather than enhancing women's options and ability to choose. Crime control discourse attempts to "govern through crime". Governments may be particularly attracted to this approach when they have cut spending on social welfare and where citizens are disillusioned with the government's ability to provide for other aspects of communal life such as improved health care, employment and the economy. A heightened focus on crime control results in "an increase in surveillance, control, punitive measures and fear of crime to shape social behavior" (Coker, 2001 p 804), and an orientation toward retribution and imprisonment, rather than alternative measures such as restorative justice (Garland, 2001). The funding of crime control strategies decreases the states funding to other material resources and programs that abused women need such as affordable housing, employment, and childcare.

While crime control discourse may seem to bear some similarity to those strands of feminism that have advocated for violence between intimate partners to be viewed just as seriously as violence between strangers, feminists who support the use of the criminal justice system would separate themselves from crime control advocates. For instance, such feminists are more likely to identify the criminal justice system as one part of a larger strategy that would also include a focus on other resources that abused women need such as improved health care, affordable housing, employment, and childcare; further, reliance on the criminal justice system by feminists would often carry with it the long term goal of social transformation and the eradication of oppression. Feminists who

have been more distrustful of the criminal justice system would, not surprisingly, be particularly critical of crime control approaches arguing that the millions of dollars spent on policing and criminal investigations of domestic violence limits the resources available for other interventions: that the focus on criminalization increases the degree of unwanted state intervention in the lives of abused women (Bulmiller, 2008; Howe, 2008); and that a crime control discourse is insensitive to particular difficulties that poor or racialized individuals may encounter within the legal system (Coker, 2001; Garland, 2001; Websdale & Johnson, 2005).

3.5 Application to my Work: Spiraling And Challenging

As mentioned in the introduction to this chapter, I hope to find ways to challenge the dominant discourse on woman abuse, while also spiraling back through the feminist theories which undergird that discourse, in order to retain those elements that contain useful insights, and discard those which do not. In this portion of the chapter, I provide the context for my conclusions and recommendations by both highlighting those feminist principles which I see as integral to any effective response to woman assault and interrogating the unquestioned assumptions and contradictions within feminist thought that may impede the development of such responses.

Various strands of feminism have made significant and valuable contributions to conceptualizations of woman abuse - contributions that should not be lost in the search for better understandings of, and responses to, such abuse. These contributions include an insistence that questions about the gendered nature of abuse continue to be asked. This does not mean closing one's eyes to the violence within same sex relationships or the violence perpetrated by women on their male partners, but it does mean doing a careful

analysis of research such as Dutton's on gender-neutrality, to ensure that such studies do not focus solely on incidents of abuse without also accounting for severity of the violence or whether the violence in fact represents self-defence.

If there truly is a strongly (though not exclusively) gendered aspect to violence between intimate partners - as surely seems to be the case given the numbers of women severely injured or killed by their abusive male partners - then feminist theory also contains the crucial reminder to look beyond individual relationships, to ask what norms and structures in society justify or continue male violence and perceptions of women as lesser, or deserving of chastisement and control.

Further, any attempt to craft effective strategies on woman abuse must heed the challenge of black and lesbian feminists, as well as third wave feminisms more generally, to avoid essentialist thinking based on the experiences of women who are white, heterosexual, able bodied or otherwise less subject to intersecting oppressions. The more nuanced thinking of some of the more recent feminist theorists also highlights the need to recognize individual differences among abused woman - for instance, as between those who are continuing in a relationship and those who have ended or are ready to end it, or as between women with children and those without - which may well account for some women experiencing a particular program positively and others experiencing it negatively. The move away from universalist, one-size fits-all approaches also opens up greater possibilities for respecting women's agency.

Finally, the need to refrain from a binary framework where not only are abused women factored but abusive men are as well, reflects the conceptualization that examining both aspects of the issue will generate far better results than one or the other.

Further, it is a more accurate portrayal in the complexity of the issues of men's violence against women.

Tensions and contradictions that exist within and among various feminist approaches to woman abuse also require attention. For instance, a renewed call for respect for women's choices, even those choices that might seem problematic to an outsider (for instance, staying in an abusive relationship, refusing to report the abuse to the police or calling the police but asking that charges not be laid) is an important aspect of avoiding one-size-fits-all thinking (Bulmiller, 2008; Coker, 2001; Currie, 1998; Howe, 2008; Schneider, 2000; Snider, 1994). However, it also runs the risk of obscuring the obstacles to agency that may exist where there is abuse. Pro-charge, pro-arrest and pro-prosecution policies were advocated by feminists because of the very real danger that abused women could be intimidated into backing away from criminal justice involvement, or might suffer greater violence as punishment for insisting on going ahead. Valid concerns about the mandatory aspect of these policies are now being raised, but simply to scrap them in the name on increasing women's agency, without giving real thought to how to deal with intimidation and coercion, would not necessarily serve women well. There is no easy answer on how to achieve this kind of balance, but feminists interested in woman abuse must at least be willing to acknowledge and strategize around the difficulties.

A tendency among feminists to take essentialist views of the abuser (he is always abusive and therefore, there cannot have any redeeming features) has stifled the discussion in several ways. First, when taken in conjunction with the attitude that any resources spent on abusive men automatically take away from resources for abused

women; this thinking has been resistant to treatment programs for men. Secondly, refusing to consider the possibility of any redeeming aspects to the abuser has limited discussion on why some women stay in abusive relationships. Some feminists have already recognized this - thus as early as 1999, Brownmiller noted that fear, economic dependence and lack of options were seen "as the only permissible answers" (Brownmiller, 1999, p 276) to why women might choose not to end a relationship; however, Brownmiller's insight has continued to be largely ignored by the dominant discourse on woman abuse.

A willingness to delve more deeply into the reality that some women return repeatedly to abusive partners would also raise hard, but necessary questions about whether such choices may ultimately affect the kinds of responses society can offer to that a particular woman or may affect the degree of protection that can reasonably be expected from society. This is not to suggest that women who return should simply be abandoned to their fate, but might it ultimately be impossible to prevent serious injury or even death? And if so, is this something to be acknowledged when critiquing societal responses to woman abuse?

Similarly, the tendency to view women as victims first and always, not only does a disservice to women who want to have some say in how their situation is dealt with or women who do not fit stereotypes about how a "nice" victim would behave; it also sidesteps painful realities such as women who abuse their partners or their children (Brownmiller, 1999). It should be possible to name these uncomfortable realities without being accused of abandoning feminism or demonizing women.

Feminist have frequently been at pains to emphasize that woman abuse happens irrespective of poverty, addictions, etc. This approach has several useful aspects - it warns about complacency that any woman is automatically protected from abuse, and it reminds those working in the area not to make unwarranted assumptions about poor families or men with addictions. However, there is evidence to suggest that more abuse occurs in working class and poor families (Alhabib, Nur, & Jones, 2010; Brownmiller, 1999; Coker, 2001; Johnson, Ollus, Nevala 2008; Renzetti, 2011; Snider, 1994; Websdale & Johnston, 2005; WHO, 2002; Taylor & Jasinski, 2011). There is also research on the high level of abuse suffered by aboriginal women.

In my interviews with abused women, they identified drug and alcohol use as bringing on the violence. Therefore, while staying alert to the dangers of feeding stereotypes about already marginalized communities, theories of woman abuse will have to find a way also to recognize and take account of the fact that the abuse does seem to be higher among certain populations.

One of the lasting legacies of radical feminism has been the focus on structural inequalities faced by women, rather than treating each abusive relationship as an isolated, individualized, phenomenon. While this is a profoundly valuable insight, statements such as "Structural intervention is potentially more powerful than the approach of the criminal justice systems, which are limited to astructural interventions such as arrest, conviction, incarceration or counseling" (Websdale & Johnston, 2005, p 412) tend to make binary assumptions (criminalization versus social programs). Such statements also tend to obscure the fact that structural interventions cannot bring about social transformation overnight, and in the meantime, shorter term solutions may be needed.

Further, automatically assuming a dichotomy between a criminal law response to woman abuse and efforts at social change ignore the fact the criminal justice system is predicated on two premises – specific deterrence (facing conviction and punishment will deter this particular abuser from re-offending) and general deterrence (knowing that woman abuse can lead to conviction and punishment will ultimately reduce the incidence of woman abuse). As evidenced by changing societal attitudes to drunk driving, clamping down on criminal behavior can, over time, effect more widespread change. This is not to minimize the difficulties inherent in invoking the legal system including delay; the possible trauma of testifying; the possibility of encountering negative and stereotypical thinking from police officers;prosecutors or judges; increased state surveillance through the involvement of child welfare; the fact that some women may want to be able to call the police without having charges laid; the dangers of dual arrests; etc. (Snider, 1998). However, simply asserting that criminal justice intervention is inferior to community based programs, or that the legal system offers no opportunities for social change seems to place rhetoric above careful consideration of how a comprehensive response to woman abuse might include a variety of complementary strategies.

However there is the tension where governments have decreased funding to social welfare programs and increased resources to the policing and criminal investigations of domestic violence. This focus on criminalization has increased the degree of state intervention in the lives of abused women through arrest and child welfare involvement, which may not open the space for dialogue on other considerations that might be more helpful and reflective of individual women's choices (Bulmiller, 2008; Howe, 2008). Moreover governments can point to the criminal justice system response that something

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is being done about woman abuse while ignoring calls for responses to address women's issues in the larger social and political arena (Currie, 1998).

Talk of holding the abuser accountable is fairly common in the dominant discourse on woman abuse (even if it has not necessarily translated into concrete action such as increased numbers of men's treatment programs), yet some of this same discourse (particularly that element which distrusts the criminal justice system) is also critical of the idea of punishment. Raising concerns about the concept of punishment contains useful elements, particularly if it works to remind those developing policies or laws that incarceration is not always an appropriate response, and that alternate interventions also need to be made available. However, to suggest a complete dichotomy between accountability and punishment closes the door on discussions about whether punishment (including but not limited to) incarceration, can ever play a role in placing responsibility for the abuse where it belongs - with the abuser, rather than the victim. Coupled with abuser accountability has been the lack of directed focus in many policies and programs on the abuser's responsibility to address his violence. The inability to address this issue has resulted in an overreliance on the victim to comply with safety rules and regulations that often limits their choices and strategies. It can also reflect that woman abuse is a women's issue and tends to negate the men who are allies and the contributions and support of men who have worked to raise awareness on men's violence and to address men's violence with men.

As noted elsewhere, feminists have tended to be quite critical of child welfare agencies: women's advocates and child welfare workers may have very different mandates and philosophies, often leading to friction between the two. Certainly in some

instances, the criticisms may be well founded, as when intervention is unnecessarily intrusive, reflecting the perennial problem of inadequate training and resources, or when child welfare workers blame the woman rather than the perpetrator, or make unwarranted assumptions about the ability or willingness of an abused woman to keep her children safe. At times, however, the tendency of the dominant feminist discourse to view child welfare as the enemy, and always in the wrong where there is a clash between the child welfare mandate and feminist theory, suggests an underestimation of the difficulties of keeping children safe. If protecting children from violence is a valid societal goal, then difficult questions have to be asked about what to do when that goal conflicts with supporting a woman's choice (for example, when that choice involves staying in an abusive relationship) or conflicts with trying at all costs to avoid harm to the abused woman (for example, the harm of having her children removed). These questions have been almost taboo under the dominant feminist discourse, yet require serious consideration.

3.6 Conclusion

From my review of different theoretical perspectives, I conclude that second wave feminism, which still today plays a significant role in shaping the thinking around woman abuse, tended to take a bifurcated view on issues relating to woman abuse. Groundwork for a more nuanced and contextualized approach can be found in a number of the third wave feminisms, but these theories also carry the potential risk of an overly diffuse approach and a diminished focus on social transformation. Non-feminist theories offer useful insights regarding factors that may contribute to violence, but run the risk of erasing gender and societal norms from the equation.

Feminist theory on woman abuse must evolve in order to respond to the needs of both the women who are abused, and the men who commit the abuse and to incorporate the insights learned from practice. Dichotomous thinking in our understanding of, and response to, woman abuse undermines our commitment to end violence against women and does a disservice to those who find themselves in abusive relationships. In order to move to more holistic and integrated theory and strategies, it is necessary both to identify those aspects of the dominant discourse on women abuse that serve women well and to disrupt those aspects that are based solely on ideology or ungrounded assumptions.

CHAPTER 4   RESEARCH METHODOLOGY

4.1 Introduction

This chapter describes the methods used to conduct my research. I discuss the elements of feminist principles as the conceptual framework for my methodology and describe how I applied them in my research. I conducted individual interviews with abused women and focus groups with service providers. My data collection processes, such as the details on the recruitment of the abused women and services providers, and the necessary ethic considerations such as confidentiality and anonymity are reviewed. As my research was a qualitative study I conclude with a segment on reflexivity, which is how the research impacts the researcher and how the researcher impacts the research.

4.2 Theoretical Orientation

4.2 1 Feminist research.

When I finished graduate school in the early 1980s, my first job was at a shelter for abused women. The staff member who trained me asked whether I was a feminist. My response was no, I was a humanist. She told me I would be a feminist by the time I finished working there. She was right. Since that time my analysis of woman abuse has been a feminist analysis that examines not only the micro level of power and control exhibited by the abuser towards the woman but the macro level of the patriarchal state and its power and control over women's lives.

As a feminist I have chosen to use a feminist theoretical framework to guide my research. I have been mindful to represent the research participants' words respectfully and accurately, so that I do not undermine the relevance of their experiences. This

approach should increase the possibility that my research will have an impact on woman abuse policies in Nova Scotia.

Feminist research incorporates a number of principles. First, feminist research focuses on gender and gender inequality (Allen, 2011; Eichler, 1997; Frisby, Maguire, Reid, 2009; Kelly, 2011; Schneider, 2000; Wendt & Boylan, 2008). Feminist research on woman abuse frequently starts with the premise that because most abuse is perpetrated by men against women the violence needs to be examined from the perspective of gender and power. This provides an understanding of the ways in which gendered power differentials in relationships allow men to oppress and abuse women. For example, feminist researchers such as Rebecca and Russell Dobash (1979), Susan Schechter (1982), and Linda MacLeod (1980) have used historical research to trace women abuse as a function of the social institution of the family and societal understanding of the appropriate roles for wives and husbands.

The second element of feminist research is the reduction in the distance between the researcher and the researched. Rather than viewing the research participant from above, the participant is viewed as an equal, who is informing the researcher with their knowledge, insight and life experience (Eichler, 1997; Wendt & Boylan, 2008). The researcher is not the expert, only the gatherer of the information. The researcher needs to continually question their subjectivity and positioning in the research process to challenge power differentials (Frisby et al, 2009). The research relationship is characterized as respectful and with open communication (Reinharz, 1993; Wendt & Boylan, 2008). Despite having heard hundreds of abused women's stories over the years of my professional working life, I approached each interview with my research

participants with respect and humility. I was honoured that women would share the most intimate details of their abusive relationships with a stranger and I admired their courage. I extended respectful listening and acknowledgement to the focus group participants, many of whom were colleagues, to gather the collective wisdom in the room. My relationship with the focus group participants was one of equality, in that I did not have power over them in our working relationships. The fact that many of the focus group participants knew me was a benefit in that they could be more frank in their comments. The focus groups were a facilitated conversation and most of my comments were to clarify questions I asked or respond to a question from a participant.

Feminist research also situates the researcher and the participants through a consideration of history, politics, culture, ethnicity and power differentials (Frisby et al, 2009: Tilley, 1998; Wendt & Boylan, 2008). This means recognizing that research participants are not homogenous, that each person is different, and that the history of their family politics and community shapes their experience and understanding of their experience (DeVault, 1993; Frisby et al, 2009). My research participants were white, heterosexual women who came from different communities and class backgrounds. My focus groups included both genders and people from diverse racial backgrounds. Factors such as race, gender, and community must be considered when making conclusions about policy and further research. For example, without women from ethnic communities my policy recommendations may not be generalizable to other cultural communities.

My situation as a researcher and victim services worker made me aware that many of the women I interviewed may be concerned about the power I wield. I assured the women their information would be confidential unless they gave me permission to

make it known. As it happened I changed roles from researcher to advocate for several of the women I interviewed, however always with the express permission and knowledge of the woman[8]. Although my scientific objectivity could be questioned, recognizing the subjectivity of my position helped me to better understand the concerns of the women.

A fourth element of feminist research is the importance of allowing the voices and experiences of the researched to be heard accurately. While I identify themes from the participants' interviews, and I recognize that my interpretation of the data may not be their interpretation, it is my responsibility to be accurate and as faithful as possible to the participants' words. To ensure accuracy I sent each of the research participants their transcribed interviews (Tilley, 1998; Wendt & Boylan, 2008). The women were invited to clarify or change their transcripts however none choose to do so. Further, in my chapter on findings I quote extensively from the research participants, thus allowing the reader to hear the voices of the women.

Like other kinds of activist research, feminist research aims to both develop theories and practices that reflect women's lived experiences, and use these to advocate on behalf of women (Allen, 2011; Eichler, 1997; Campbell & Dienemann, 2001; Frisby et al, 2009; Wendt & Boylan, 2008). Thus a fifth element of feminist research is to ensure that the research findings have an impact on policy, are linked to feminist struggles and social change, and are directed at improving women's lives (Bograd, 1988; Bruns, 2011; Clark; 2010; Edleson & Bible, 2001; Wendt & Boylan, 2008). I intend to present my research to various senior department heads in the provincial government who

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[8] Several women told me of situations where they were being harassed by their abuser or were unable to access resources. I then became the victim services worker to advocate on their behalf.

have a mandate for responding to woman abuse, in an effort to improve the provincial response to woman abuse.

A sixth element of feminist research is reflexivity; the researcher reflects on how she affects the research and how the research affects her. This includes examining power, assumptions, beliefs, sympathies and biases (Allen, 2011; Eichler, 1997; Wendt & Boylan, 2008). At the end of this chapter I have included a reflexive section.

Feminist research frequently uses qualitative methods. This methodology can be an emancipatory experience for the researcher and the participants, in that it allows both to experience the politicising aspects of being a woman (Allen, 2011; Clark, 2010; Reinharz, 1992). In my interviews, I used qualitative open-ended questions in order to gain an understanding of abused women's experiences with the high risk case coordination protocol. The emancipatory and politicizing aspect of this approach became evident when many of my research participants inquired how they could use their stories to help other women or one young woman hoped to go into high schools to educate youth about dating violence. The qualitative nature of my research design is described more fully below.

Feminist researchers, like all good researchers, must ensure that their work will do no harm to the participants, always keeping in mind issues of informed consent and who benefits from the research (Allen; 2011; Clark, 2010; Tilley, 1998). Conducting research with abused women is fraught with potential difficulties. Women who have been abused or are still living with the abuse are vulnerable to further violence, may have compromised physical and mental health, may be experiencing problems with the criminal justice system, and may face stigma from society. Abused women who come

from diverse backgrounds may have additional barriers to surmount. Abuse is a sensitive issue and may bring up painful memories for women which could create emotional stress (Campbell & Dienemann, 2001; Clark, 2010). Further, while confidentiality is a concern with many kinds of research, it may be particularly so for vulnerable individuals such as abused women who are revealing very personal aspects of their lives. Therefore, when embarking on a research study with abused women, thoughtful consideration must be given to the design of the study, what the researcher hopes to accomplish and possible barriers and obstacles. In particular, thought must be given to the participants' safety and to how to deal with any trauma that may be caused by retelling their experiences of abuse. Measures that were used to alleviate these concerns are discussed in the following sections.

4.3 Research Methods

My goal with the data collection was to examine the perceptions of abused women and service providers regarding the implementation of the high risk case coordination protocol in two Nova Scotia sites: Halifax and Sydney. I planned to accomplish this through two distinct research streams. The first included interviews with abused women who have been classified as "high risk" to determine whether they felt that the high risk case coordination process had benefited them or harmed them or neither. The second research stream involved focus groups with service providers to hear about their experiences and perceptions regarding the delivery of the high risk case coordination protocol.

Qualitative research best suited my research questions. Qualitative interviews and focus groups can yield rich, deep details and specific information, providing researchers

with more detailed and complex knowledge of the issue. Further, a qualitative approach allows for a relationship to be developed between researcher and participants and the exploration of the construction of knowledge between the participants and the researcher (Allen, 2011; Clark, 2010; Westmarland, 2001). Open ended questions can guide the research direction but allow a conversation to develop and flow between and among the researcher and participant(s). Clarity can be achieved by asking pointed questions that may initiate and open up further thought and discussion on the initial point. These questions can lead to the co-construction of knowledge. For example, in my interviews and focus groups consistent themes were repeated, which I would then probe further in the interviews or focus groups with questions and comments to gain a better understanding of its significance.

It was important to use face-to-face, one-on-one interviews with abused women. Given the highly personal nature of the issue, the social stigma surrounding abused women, and concerns about confidentiality and safety, other methods might have worked but this seemed the best approach. Individual interviews with abused women convey that their stories are important and their experiences valuable. Face-to-face interviews provide an opportunity for clarity between the researcher and the participant by attending to facial expressions and gestures. This allows questions to be reframed so the dialogue can move forward.

The same concerns did not exist for the latter group. Focus groups were appropriate for learning more about the perceptions of service providers involved with the high risk protocol. Focus group interviews create opportunities for a productive level of analysis not available with individual interviews. The researcher can not only analyze

what participants reveal about themselves, but can also observe how people negotiate issues with each other, noting which ideas the group accepts and which statements spark disagreement. Instead of simply aggregating individual data, the researcher can directly observe the extent and nature of agreement and disagreement among participants (Montell, 1997).

4.4 Recruitment

4.4.1 Interviews.

The Domestic Violence Case Coordinators (DVCC) with the Halifax and Cape Breton Regional Police were involved in the first stage of recruiting interview participants. The DVCCs identified potential research participants from among abused women in the high risk program.[9] The DVCC's selected women with whom they had developed a rapport over a long period of time. They telephoned the women to inquire about their interest in participating and if so, to obtain their consent to be contacted by the researcher. During these phone calls, the phone number of the DVCC was blocked, in case any of the women were living with the abuser and he monitored incoming phone calls. Each woman was asked if it was safe for the researcher to contact her and if there was a better number to use.

When a woman expressed interest and gave consent for me to contact her, I telephoned her to discuss the study in more detail and set up an appointment for an interview. As with the initial phone call, my telephone number was blocked. A letter of introduction was sent after the phone contact to explain the interview more fully.

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[9] See Appendix C for letters of permission from both police departments.

I used a phased consent approach [10]which ensures that consent was an ongoing process at each stage of the research. Initial consent was requested when the DVCC contacted the women to inquire into her interest in the research. I requested consent when I contacted the women to set up an interview time and again at the beginning of the interview. At the end of the interview, I requested consent to use quotes in the research report[11].

4.4.2 Focus groups.

I conducted two focus groups with services providers who sit on the high risk case coordination protocol committees in Halifax and Sydney. The purpose of the groups was to ask about the service providers' perceptions of implementing the high risk case coordination program and whether they believe it had a positive or negative impact on abused women.

I contacted the chairperson of the high risk case coordinating committees in each city to request permission to conduct a focus group with committee members and sent a letter of introduction outlining my purpose for the focus group.[12] Participants were given the opportunity to speak individually with me, rather than in the focus group, however no one requested that option. I sought consent initially when I contacted the chairperson to request to meet with the high risk committee members.[13] I also requested consent from each participant when I began the focus group and at the end of the focus group to use quotes in the research report. At the beginning of each focus group I reviewed the

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[10] The term was used by one of my committee members Diane Crocker in a personal conversation.
[11] See Appendix D for consent forms.
[12] See Appendix B for the letter of introduction to focus groups members.
[13] See Appendix E for consent.

purpose of the meeting and the rights of the participants including the right to withdraw

consent up to the end of the group.

4.5 Data Collection

4.5.1 Interviews.

I interviewed 29 women over a seven month period; 18 women in Halifax and 11

women in Cape Breton. The first interview in Halifax was conducted in August 2009. I

conducted approximately five to six interviews a month until November. I conducted the

interviews in Cape Breton over four days in February 2010, where I carried out between

three to four interviews a day. The interviews ranged from one to two hours and took

place in a location that was private and of the women's choosing. I conducted several

interviews in the women's homes and others took place in private meeting rooms in the

police department in Dartmouth, the victim services office in Sydney, and a local

community centre in Halifax. I recorded each interview using a digital recording device.

Once background information was gathered and rapport established through

closed ended questions, I moved to open-ended questions to uncover details of the abuse

such as type, frequency and intensity. Open ended questions also focused on the impact

of the high risk case coordination protocol process such as the type and quality of the

support received from the primary service providers. The remaining questions asked

women about their recommendations for improvements to the high risk case coordination

protocol.[14]

Immediately after each interview I completed field notes, recording how the

woman appeared during the interview, whether she was emotional or matter of fact, her

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[14] For a complete list of questions asked of the women please see the Appendix F for the interview guideline.

general demeanour, and how I felt after the interview, as well as any comments, ideas or recommendations that I wanted to highlight. The field notes were a useful tool for recording salient points made by the women as well as my initial impressions (Emerson, Fretz & Shaw, 1995; Gerstl-Pepin, Patrizio, 2009).

Some demographic information from the interviews was that all the women were white, Canadian and heterosexual with an average age of 37.5 years. The youngest was 18 years old. Most women had children, 45 percent had post secondary education and 45 percent completed high school. That there were no women of colour in the sample could indicate a limitation in that the results may not be generalizable to all abused women. One comment from the Cape Breton Interagency Committee was that it took the aboriginal community a long time to come on board with the high risk program. Much of their inclusion into the program now is due to the work of an aboriginal police officer working in aboriginal communities to raise the profile of the high risk program and domestic violence. The numbers of aboriginal women in the high risk program has increased significantly since then. Another suggestion was that the Domestic Violence Case Coordinators may have screened out women who were still in a relationship and that the women who did participate in the research might have wanted to say no but did not want to be uncooperative to the case coordinator.

4.5.2 Focus groups.

I conducted the first focus group in Halifax in December 2009 in a boardroom at the Dartmouth police station. The ten participants represented corrections, probation, domestic violence case coordinators, victim services, and men's intervention program. Invited but missing were service providers from the Halifax Regional Police and RCMP,

the transition house and child welfare. The second focus group was held in February 2010 in Sydney. The nine participants were from the transition house, child welfare, Cape Breton Regional Police, corrections, victim services and domestic violence case coordinator. Invited but missing were the men's intervention program and Mik'maq Family and Children Services, which is a new partner to the Sydney high risk case coordination protocol committee. Some of the missing focus group participants could not attend due to scheduling conflicts for the focus groups, however others were missing because although they are signatories to the high risk protocol they do not regularly attend committee meetings.

Both focus groups lasted for two hours. There was animated discussion and respectful listening.[15] Many of the service providers on the protocol committees have worked with each other in the area of woman abuse for several years, so members had an ease and familiarity that facilitated the discussion. The focus groups provided rich detail on the topic of the high risk case coordination protocol and what service providers felt was working well, what the gaps were, and recommendations for improvement. A note taker attended the focus group in Halifax and took notes of the key points. The focus group in Sydney was recorded. Field notes were completed after both focus groups.

4.6 Possible Risks and Benefits

4.6.1 Interviews.

My research did not exceed the minimum risks to participants as identified in research ethic codes. According to the TriCouncil Policy statement C.1 on Minimal Risk; "The standard of minimal risk is commonly defined as: if potential subjects can reasonably be expected to regard the probability and magnitude of possible harms

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[15] See Appendix G for a list of the focus group questions.

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implied by participation in the research to be no greater than those encountered by the subject in those aspects of his or her everyday life that relate to the research then the research can be regarded as within the range of minimal risk." Every effort was made to keep women safe while participating in the research such as recruitment screening to determine if she was living with the abuser, to blocking my phone numbers when I called her, not leaving messages, interviewing her in a safe place, and providing her with a support person after the interview.

One concern in interviewing abused women is whether describing their experiences and memories will be traumatic. These are, however, emotions they face as a fact of their life and not something created by the interviews. The inferred risk is that women will be distraught after the interview and therefore something could happen.

To help deal with this risk, prior to the interviews, I discussed with each participant the possibility of bringing back memories, and arrangements were made with a counsellor for the women to contact to debrief if needed. Although many of the women became tearful during some parts of retelling their stories of abuse and one woman wept throughout her interview, none required counselling after the interviews.

Another ethical consideration surrounds disclosure of ongoing abuse or contact with the abuser. During the interviews several women informed me they were experiencing ongoing, persistent harassment from their abuser. All the abusers were on conditions to have no contact with the women. Some of the women had called police and/or their domestic violence case coordinator. In their view, these people listened to their concerns, but did nothing else. Police did not lay charges nor did the domestic

violence case coordinator advocate for them. The women felt hopeless and abandoned, and questioned the point of calling authorities as they were doing nothing.

I decided to temporarily switch roles from researcher to advocate. In each case, I asked the woman's permission to go back to her domestic violence case coordinator and explain what was going on so that the coordinator could set up a case conference to resolve some of the ongoing harassment. All the women who were experiencing on-going harassment agreed to my advocacy intervention.

In my view, my advocacy did not undermine the integrity of the information I received in the interviews. As a practitioner, in the field for many years, it would have been unethical for me to ignore the women's very real concerns. Further, as noted earlier, the goals of feminist research include the reduction of distance between the researcher and the person being interviewed and a focus on improving the lives of women. Thus, as a feminist researcher it was my responsibility to advocate on behalf of those women who were not receiving the assistance necessary for their safety.

My research may have had other benefits for the women I interviewed. The women may have wanted the opportunity to tell their stories and reflect on their experiences. Further, they may have gained satisfaction from knowing that their experiences can influence policy and possibly improve the high risk case coordination protocol (Snyder, 2005). In line with one of the principles of feminist research, my research may contribute to social change in the conditions for those being researched. All of the women I interviewed were eager to tell their stories in the hopes it might make a difference for women using the high risk program in the future.

4.6.2 Focus groups.

The focus groups with service providers were associated with different risks. Individuals in the groups may not have felt trust within the group to freely express their opinions due to differences in points of view, lack of trust, or poor working relationships. I did not see any evidence of mistrust in my focus groups. The collegiality that has been developed in each protocol committee seemed to contribute to a safe space for free expression of opinion.

The chief benefit for the focus group participants was the opportunity to be part of an effort to bring about constructive change. The service providers were animated and keen to share their experiences with the high risk program, as they too saw it as an opportunity to be part of a collective voice to bring about change to the program.

4.7 Confidentiality and Anonymity

4.7.1 Interviews.

Prior to beginning an interview I discussed confidentiality with each woman, what confidentiality meant, and how I would keep their information and identities confidential. Each woman signed a consent form. In several interviews the women requested help to resolve problems they were experiencing with abusers or service providers. In each case I asked their permission to break their confidentiality and each woman agreed.

Confidentiality and anonymity was provided at each stage of the research process and women were given the choice of being anonymized or acknowledged in the research report. Absolute anonymity is not possible in face-to-face interviews with research participants and this was discussed with the women. Each woman was advised she could

choose a pseudonym if she desired to be used from the initial transcript through to any publication or presentation.

While some research participants will prefer anonymity, others may want to have their voices recognized as contributors. Several of the participants chose to be acknowledged and their names are noted in the 'Acknowledgements' section at the beginning of the thesis. Those who wanted to be identified were provided with a copy of a written agreement, stating that they will be acknowledged in any future dissemination of the research.[16] This agreement clearly indicates that although the outcome of the research is to be shared with the participants, the final report, which is a doctoral dissertation, will be authored solely by the researcher.

If a woman said anything during the interview that could identify her, I deleted it from my notes and did not include it in my transcripts. During the transcription process all identifying information was removed such as names and locations. In some instances the women's stories might reveal details where a service provider could recognize them. In those instances, I have generalized the identifiable details enough to keep the integrity of the quote but not reveal the identity of the woman. Normally the information used to contact the woman was to be destroyed after the interviews were finished, however their contact information has been retained.[17]

4.7.2 Focus groups.

At the start of the focus groups each participant signed a confidentiality form. This form did not promise anonymity, as this might be difficult given the nature of the a

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[16] A copy of the written agreement is attached as Appendix J

[17] Upon learning there are few longitudinal studies of abused women once they exit a service program, I requested approval from the Research Ethics Board to contact the women in this study in 3-5 years to see how they are doing. Women were contacted to request permission to follow-up in 3-5 years with them. This consent was given and their contact information will be retained in a locked filing cabinet.

group process and the fact that the participants are colleagues who regularly work together; however, the form required participants to agree, in writing, not to disclose anything said during the focus group.[18] A note taker was present at the Halifax focus group and she too signed a confidentiality agreement.[19] Focus group participants were given an opportunity to request that their names not be used in the writing and dissemination of results. Any such requests were taken into account during the transcription of the focus groups sessions and will be adhered to in the writing and dissemination stages as well.

Participants in the focus groups were also given an opportunity to be identified. Those who chose to be acknowledged signed the same form regarding authorship of the dissertation as did the individual participants.

4.8 Data Analysis

Data analysis is the interaction between the researcher and their data. It is the stage of the research process where the researcher moves from individual stories to a more general understanding, searching for commonalities of experiences and meanings which enable the researcher not only to suggest common patterns of experience, but which can in turn illuminate the individual story (Allen, 2011, p 34). Data analysis of the interviews requires repeated and close listening to the audio recordings through transcribing the data. Once the transcription is completed, the repeated reading of the text line by line yields labels and codes. The codes can be developed into themes either inductively, from the ground up, or deductively, by the process of assimilation or elimination, or by both processes. The themes from the interviews can be compared so as

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[18] See Appendix H.
[19] Appendix I.

to move from a lower level of abstraction to more conceptual, overarching themes (Allen, 2011).

Reismann (1993) stresses the importance of the researcher maintaining awareness, described as levels, when analyzing the research data. The first level of awareness is the researcher's attention to the experience of the interview, noting what phenomena captured the participant's attention and what meaning they give to such phenomena. This awareness also extends to the researcher and what phenomena capture their attention. This level of awareness assists the researcher to pull out the concepts and themes that describe the world of the participant, and which areas should be examined in more detail. Field notes enhance this attentiveness. As noted earlier, I made field notes after each interview and focus group. The notes contained more detailed descriptions of the events and interactions with the participants and captured observational information about the interview including the setting, the time of the interview, and the body language of the participant. The field notes also enabled me to keep an on-going record of my thoughts and emotions.

The next level of awareness is the researcher's questions of the participant's narrative often through field notes, of their experience. This questioning process helps the researcher to construct meaning from the interviews and raises issues to be considered more thoughtfully.

The third level of attentiveness is during the transcription phase, as the researcher makes conscious choices about what to include from the audio recording. Transcripts can include only words or also sighs, sobs and other non-verbal forms of communication. Non-verbal communication enhances the context of the narrative which lends to the

nuances and complexities of the participant's story. This provides the researcher with more information on the emotion and impact of the participant's story and can alert the researcher to what the participant considers important in their narrative.

Initially I had planned to transcribe the interviews with individuals and focus groups myself. I attempted this after my first interview but soon discovered I did not have the typing skills or patience. Some may suggest this impacted a level of my attentiveness as methodic transcription can often lead to insights that shape how we choose to represent an interview narrative in our text (Riessman, 1993). However my frustration of trying to capture words and non-verbals with slow typing skills would have erased any insight I might have achieved through methodic transcription. With the approval of the Research and Ethics Committee at Dalhousie a transcriber was hired.[20] The first interview participant was contacted again to obtain her permission to use the transcriber for her interview. The transcriber was instructed to record all features of the audio-taped conversation such as whether the research participant was crying, laughing, or whether there were long pauses [21].

The fourth level of awareness in analysis occurs when the researcher tries to identify similarities, tensions, patterns and themes. After the first sets of interviews in Halifax were completed, I listened to the audio-recording of the interviews while waiting for the transcriber to produce typed copies. I also analyzed my field notes and studied the transcripts once they were available. I started to identify themes, recommendations and concepts, both my own and those that came from the women. I compiled a list of topical

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[20] See Appendix L for the transcriber's confidentiality agreement.
[21] In reading the transcripts of the interviews I wondered how the transcriber dealt with hearing the women's stories. I provided her with the opportunity to debrief on what she was hearing.

codes that were then developed into thematic codes related to broader concepts on violence against women and to my research questions. I used a software program called Atlas-ti, which is a system that allows a researcher to take text documents, select text, create quotations, assign codes, group data, query data, and retrieve data. Some of the themes generated were men's violence, women's safety, and the high risk program.

Although I had various themes in mind that I wanted to explore; I was open to themes that I had not initially anticipated. After using some of my research data to write a conference paper on fear and resistance relating to woman abuse, I realized that although I had a few interesting insights, I was not saying anything new. I started rereading the transcriptions of my interviews and focus groups, as well as my field notes, in an effort to find new and creative ways of seeing violence against women.[22] After repeated readings of my data, several floating, surprising ideas began to emerge. I recognized that both theorizing about woman abuse and the development of policies and programs to address the issue had been impeded by a polarizing dichotomous approach-for instance that focusing on the needs of abused women precluded a focus on the abuser as well, or that the use of the criminal justice system was always to be embraced or always rejected as a valid response to woman abuse. This recognition freed me to view woman abuse from a more integrative perspective and to make recommendations synthesizing the insights of various feminist theories.

4.9 Reflexivity

A necessary element of feminist research is reflexivity, where the researcher reflects on the impact she has on the research and the impact the research has on her (Eichler, 1997). It is also a thoughtful self-awareness activity on the dynamics between

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[22] Personal conversation with Dr. Russell Westhaver on how to read qualitative research data, June 2010.

the researcher and the researched (Allen, 2011). One principle is that reflexivity can open up the space for the researcher to document changes in understanding and engage in a more in-depth discussion about experiences and interpretations (Gerstl-Pepin, Patrizio, 2009). The researcher learns to recognize that interpretation of the data is partial and only one slice of the reality (Gerstl-Pepin, Patrizio, 2009) that there is no one truth from the data, yet multiple truths and interpretations and another person reading the data may arrive at other insights. It is about becoming 'uncomfortable with your own truth and theories in your reflections' (Gerstl-Pepin, Patrizio, 2009, p 304) which allows for wider perspectives. Another principle is to examine the impact of the position, perspective, and presence of the researcher (Allen, 2011).

In terms of the research affecting me, the interviews with the women had the most profound impact, followed by my realization during the development of my theory and analysis section that I needed to re-think how I view violence against women. My impact on the research arose primarily out of the fact that I had years of experience working with abused women.

The interviews with the women opened up some raw places within me. After twenty-five years of listening to women's stories of abuse I thought I would not be shocked at what I heard; however, I found it deeply troubling to hear about the physical and verbal abuse these women endured. The impact was so profound that one night in Cape Breton I dreamt that I was trying to protect my friend from her male abuser. In the dream, she was breaking up with him and initially he appeared to accept her choice. When we went back to her room he showed up, tried to break in and intimidate her. She ran down the street and I was very afraid, for her and for myself, because he was

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unpredictable and capable of harming either of us. The fear I felt was very strong and immobilizing. Thankfully I awoke, and lay in bed thinking I had caught a glimpse of how abused women might feel.

Writing was a way to process and to release some of the emotion experienced by listening to the women's stories, which often contained dark images of violence and terror. After one interview, which was very emotional for the woman and for me, I wrote the following;

> Participant was probably the most emotionally fragile woman I have interviewed. She wept throughout the interview. She has great pain and sadness and is still living with the effects of the abuser and his manipulation and psychological control. This is brought about through the abuser's access to the children. I wanted to hug her at the end of the interview and tell her it would be alright. But I did not. Afterwards I went into the manager of the victim services office to debrief on the interview. I started to cry; this is the first time I was so emotional from the interviews. I think it may have been a cumulative effect because the interviews were back-to-back and condensed into the short time frame of a week, whereas in Halifax I had space between the interviews. And her interview was so emotionally raw- it struck a real chord within me [23].

The second example of reflexivity occurred in the context of developing my analysis. After writing up a draft of some of my finding from the interviews another researcher read the data. This other reader helped me to see deeper into the data, by questioning my assumptions and beliefs. This enabled me to gain a greater awareness and

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[23] Fieldnotes from Cape Breton February 25, 2010.

understanding of my assumptions and allowed me to read more deeply into what the participants were saying. What emerged was a new framework for how to look at woman abuse and the recognition that men were the missing piece. I discovered that the more I learned about men's violence against women, the less sure I became in certain aspects of my thinking about the issues. The core certainties-that woman abuse is wrong and that it reflects skewed gender relations and patterns of control remained unchanged. But many of my assumptions about the best way to respond to woman abuse shifted. I have learned that there are multiple ways to think about this issue and each has its kernel of truth and wisdom. I came to think of feminist theory as a spiral, always digging deeper, coming up with new insights which incorporate old insights. Rather than despairing about the lack of easy answers, I found the spiral imagery hopeful because it suggests that feminist theory is dynamic and fluid, open to development and growth, but always carrying the seeds from which it germinated.

I have also reflected on how I have affected the research. My experience in the field influenced the questions I asked and how I probed for information as I was familiar with interviewing abused women, knew how to listen closely, and how to read body language. I also knew how to probe further to get at the underlying layers of the women's stories. My experience allowed me to interact more comfortably with the women than someone who was completely new to the issue. So when I heard some of the women's despair and frustration over a lack of help from service providers I switched roles from researcher to victim service worker to advocate for the women. If I had not been a victim service worker I may not have been aware of what could be done to assist the women, and ethically I had to do something when I knew I had the capacity to make a

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difference. Finally, as I had already built up contacts, who knew and trusted me I had no trouble connecting with the domestic violence case coordinators to make initial contacts. My work in the field no doubt contributed to the high risk protocol coordinating committees' willingness to meet with me.

4.10 Conclusion

This chapter attempts to bring together many of the aspects of feminist research to describe the data collection process. Feminist research is as much a politicizing process as it is a methods design. It opens up a space for researchers to pause and reflect on how others and the self are interconnected. It involves reflecting on the state of women's issues, in this case men's abuse of women, individually as well as collectively. The concepts and issues explored in the study hope to reveal truths and insights to improve social conditions and bring about change that can lead to further research and dialogue. This study on abused women's perceptions and experience with the high risk case coordination program contributes to the ongoing research collection of exploring the impact the criminal justice system has on abused women and men. While often a small qualitative research study may not be generalizable to the larger population, the evidence it produces is useful to the public, policy makers, and other researchers.

CHAPTER 5   FINDINGS FROM THE INTERVIEWS AND FOCUS GROUPS

5.1 Introduction

In this chapter, I present the findings from my interviews with women in the high risk protocol and from the focus group sessions with service providers. As described in Chapter Four on Methodology, I interviewed 18 women in Halifax and 11 in Sydney, Nova Scotia who had been designated as fitting within the high risk protocol. I also held two focus group sessions, again in Halifax and Sydney with service providers who are involved with the high risk protocol. All the women interviewed had ended or were ready to end their relationship. Further, almost every woman interviewed in Cape Breton had used services and programs offered by the transition house, while this was not necessarily the case for women interviewed in Halifax.

The high risk case coordination program is initiated by risk assessments; either the ODARA or the Danger Assessment. The ODARA is completed by police when they attend a domestic dispute call and there was an assault or a threat with a weapon in hand. The officers fill out the ODARA and if the score is seven or higher (out of 13 indicators) the file is designated high risk. The domestic violence case coordinator receives the high risk file and makes contact with the victim to offer information, support and safety planning. The case coordinator also notifies the protocol service providers (Department of Justice Victim Services, child protection (if children are in the home), transition house, men's intervention program, corrections, crown prosecutor, and police) via facsimile that provides the name of the accused, victim, contact information and details about the domestic violence incident. The Danger Assessment can trigger the same process, however is carried out by the non-police service providers. A score of 18 or more factors

indicates serious danger and the file is designated high risk. A process of ongoing information sharing among primary service providers is initiated, the case is flagged by all parties to the protocol and a system is devised for tracking. The earliest possible court dates are scheduled. All service providers have an understanding of the roles of each agency in relation to risk assessment, referral, and coordination in high-risk cases.

My focus at the time of the interviews and focus groups was on whether the women felt that the protocol helped or harmed them, and whether the protocol reflected a feminist liberatory discourse or a crime control discourse. As discussed in Chapter Four, on reviewing the transcripts of the interviews and integrating what I heard from the women with my readings, I realized that while I had framed my questions so as to elicit either-or responses, in fact the responses highlighted several tensions in the high risk protocol that reflected the tensions found in the dominant domestic violence discourse. This range of responses illustrates the complexity of domestic violence and suggests there is no one narrative or experience that fits for everyone. Thus my research findings illuminated a broader line of inquiry as I reflected on the way that complexity reflected the complexity of woman abuse and societal responses to it, and I came to see my findings as offering insights into broader, less dichotomous themes than I had originally anticipated. One goal of my research is to encourage discussion on the tensions and difficult issues relating to woman abuse, even where that discussion challenges elements of the dominant domestic violence discourse. In this chapter, I begin with a definition of the dominant domestic violence discourse as it is a theme referred to throughout the chapter. While the focus of this chapter is on my research data, I provide this definition

as context against which to consider the data I gathered during the interviews and focus group sessions.

I first discuss my findings in relation to the overarching themes that I discovered in the responses of abused women and service providers to the questions I originally asked and I explore the tensions that emerged within those themes. While my research data led me to a consideration of issues and paradoxes beyond my original questions, I did not want to lose sight of those questions. Therefore, after setting out my findings regarding the overarching themes which emerged through my research, I go on to explore those findings which more directly respond to my original questions about whether the high risk protocol is helpful or harmful and whether it operates from a feminist liberatory or crime control discourse. As noted in the discussion below, even the findings that responded directly to my research questions sometimes highlighted the tensions inherent in attempting to frame workable policies on woman abuse and thus I see the more specific original lines of inquiry and the broader questions which subsequently opened up through the interviews and focus groups as working well in conjunction with each other.

5.2 Dominant Domestic Violence Discourse

According to the dominant domestic violence discourse (Augusta-Scott 2007a, 2007b; Cain, 2010) woman abuse is a widespread manifestation of patriarchy and reflects the desire of men to control and maintain power over women. Thus, the abuser is always male, and unremittingly violent, while the victim is always female and frequently helpless (Martin, 1976). The only reasonable response to abuse is for the woman to leave the relationship (Schechter, 1982). Abuse happens across all spectrums

of society and is unrelated to poverty, addictions or mental illness. Because the abuse is a reflection of larger societal patterns, systemic solutions are favoured over individual ones (Dobash & Doabsh, 1979). Further, responses that arise out of established societal structures (for instance, the justice system or child welfare system) may not be as effective, or may not even be genuinely directed at assisting abused women; thus responses that are seen as having grass roots origins (for instance shelters or support groups) are often given greater validity (Schechter, 1982). The criminal justice system is often viewed as the most appropriate site for addressing the abuser's violence (Ursel, Tutty, & leMaistre, 2008). Other options such as proposals for treatment or therapy for the abuser are to be viewed with suspicion as they would use up resources better directed at women and because such an approach inappropriately individualizes the problem and may be used to excuse men or diminish their responsibility (Adams, 1988).

5.3 Overarching Themes and Tensions that Emerged from the Interviews and Focus Groups

Reviewing the data I had collected caused me to rethink my approach to this research. In particular, I realized that in framing my research questions I had accepted much of the dominant discourse on woman abuse. As I proceeded, I realized that while some aspects of this dominant discourse offered valuable insights, my findings indicated the need to disrupt some of the accepted assumptions.

While some of the more recent feminist theories have developed more variegated and holistic understandings of woman abuse, much of the policy and dominant discourse on the issue is still based on the more dogmatic and dichotomous thinking found in some of second wave feminist theories. In reviewing the transcripts from the interviews and focus group sessions I was struck by several tensions that emerged repeatedly: the abuser

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is a bad person who must be thoroughly castigated, held responsible and punished versus the abuser is a troubled and often broken individual who needs support and treatment to make him whole; intervention should be focused primarily on the woman to protect her from further violence versus intervention with the abuser to stop his violence; abused women are victims to be protected from their abusers versus abused women are autonomous agents equipped to determine the best choices for themselves; abused women should cooperate with and be grateful to those offering supports versus abused women who are resistant to the options offered to them; all domestic violence is high risk, therefore power and control is always present, so there is always the risk that a woman will be killed versus there are different levels of risk in domestic violence; a criminal justice response is always appropriate to address domestic violence whether or not it is what the abused woman wants versus the criminal justice system is a reflection of the state and particularly the crime control interests of the state and therefore not an appropriate site; system responses should direct their intervention to the best interests of the mother versus the best interests of the child.

These were tensions that I had not considered when shaping my research questions, but became apparent as it became increasingly clear the responses of the women I interviewed and the discussion of the focus groups would not fit neatly with the dichotomous assumptions underlying my original questions.

5.4 Rethinking the Approach to the Abuser

The tensions revolving around the abuser as revealed in the findings is that he is a bad and evil person who must be punished or he is a troubled individual who needs help

and treatment. The other tension is where the best use of resources to address woman abuse is; interventions with the abuser or the abused woman?

5.4.1 Characterizations of the abuser: Bad or troubled?

Perhaps, not surprisingly, given that all the women I interviewed were or had been in domestic relationships identified by the police as involving a risk of serious injury or death, many of the women's responses revealed the extent of their partner's violence; the abusers were described as brutal, narcissist, and frightening.

It started with this fury that wasn't in relation to me, then it was fury that it was in relation to me but it wasn't physical, it was physical around me but not to me, and then it started to be, as soon as my child was born, it started to be physical with me.

He would get in my face and then it would get to pushing and then head butting. I ended up getting heads butted three times, one time with three big bumps there and when that went away it moved down and gave me two black eyes. And, he punched me in the face with a closed fist at one time, so I got a black eye from that.

And then there was a time when we were outside here. He has a pellet gun and he pointed to my head and pulled the trigger (pause) but it was, jammed so it didn't go off and that was the second time.

He'd throw bottles at me or pour beer on my head, if he was mad, he'd spit in my face. Name calling was just a daily thing you know. Sometimes if he was mad and we were having an argument in the kitchen, he'd come at me with a knife if he had a knife in his hand or a raised fist.

Then the next door neighbor, Oh (sigh), thank God for her. She's like 70 some odd years old and she's like yelling my name, and I'm like, Oh My God. And then the abuser just runs out the door. I'm trying to get outside and my neighbour asks, are you okay, I said shh… it's okay don't… and she said, are you okay? She said, I heard everything, I'm calling the police. And I mean she's an older, elderly woman. I'm trying to hold back the tears as much as I can and I said, just don't do it, don't call the cops, please don't call the cops. Because I mean, I'll just get it twice as bad, please don't. And then the neighbour said, please, please just come with me. And I said, (whispering) I got to find out where he's at first, because if he knows I'm talking to you, I'm going to get it twice as bad.

Further, they did not give up - frequently the abuse intensified once the women left. One woman described the abuser *"as a master manipulator who I took back either through guilt, compassion or threats"*. Women also described the abusers' rage as so intense that it made them seem like different men. One woman likened the abuser in his rage to someone with a split personality, a completely altered person. Other women said the abuser's eyes would bulge or go dark, "spit" would fly from his mouth, or he would "bark" in their face.

> *He took my work boot and he beat my arm right here, three times, I couldn't even breath. I don't know if I was in shock, petrified, hurt. I couldn't move, I was scared, I didn't know which way to turn. And he was like barking he was so mad, and just barking in my face and I didn't know what to do.*

In one case, the abuser's intermittent violence and mood swings, which kept the woman on edge, were calculated to keep her too fearful to leave. Many women said it was important to maintain contact with abuser so they knew what he was up to. When they hadn't heard from him, they worried about their safety.

The abusers' cruelty also extended to their children. In one example, the woman had the abuser removed from her home. Upon her return the next day with her five children she discovered javex poured on the couch, bed mattresses slit, glue thrown on the carpets, cupboard doors torn off, and a hole punched through the television; clearly, in his desire to punish his wife, this husband was unconcerned about the effect on his children. In another example the woman was in bed with her two sons who were seven and nine. Her husband repeatedly entered the room saying *"you fuck, you're a cunt "*. Another woman told of an incident during one of her pregnancies where she wrapped herself in a blanket and slide down between the bed and the wall because the abuser was

jumping up and down on her saying if he couldn't have the baby with her, then she

couldn't have it either.

Often the abuser showed no interest in the children during the relationship but

once the woman left him he was single-minded in getting access and visitation to

continue to harass and control her. As one woman put it:*"it's never about the kids"*. The

following exchange between the researcher(R) and a woman (W) speaks to the abuser's

hostility and use of the children to harass her.

R   *Is he out of your life? Or not?*
W   *(quivery voice) No, he isn't. We have joint custody. He has, a significant amount*
      of time with our two kids. Through that he uses them as a vehicle to communicate
      with me, even though time and time again, I've asked for no communication or
      contact. Any time he sees me in public with the kids, he makes every effort to
      approach me and to be hostile towards me. Just almost trying to provoke a
      reaction and I do everything I can to stay away from him.
R   *Okay, and the joint custody, how do your kids feel about going to see him?*
W   *At first it was like feeding a lamb to the lion. They fought it tooth and nail,*
      literally, you had to tear them out of the vehicle in order to get them to go.
R   *And where are they now? Are they just accepting and resigned?*
W   *They've accepted and they understand the routine now. However, my little guy*
      especially, he's always been the brunt of his anger, from the beginning. And he
      comes back, he's just absolutely not himself. It's almost like he's half starved. He
      has asthma, he's been hospitalized three or four times while in his care. Even
      when he was in hospital, hospitalized with asthma, I always felt like he was doing
      that as a way to get to me, cause at one point when my son was in the hospital, the
      exchange was supposed to take place that day and the exchange ended up taking
      place at the hospital as opposed to the third-party facilitator. In the room that my
      son was in the abuser made sure that he had an audio tape, taped to the underside
      of the sink in my son's hospital room.
R   *To what? Record you?*
W   *To record me*
R   *Talking to your child?*
W   *Yes*
W   *It's it almost seems like he puts my son at risk in situations where he's getting so*
      sick and waits, and waits, and waits until he's hospitalized on the days of the
      exchange to have contact with me, because it's happened three or four times.
      There is a pattern there.

While themes of violence and fear ran through all the interviews, I was most

struck by the persistence with which the abused women emphasized the need for

programs for their abusive partners. This reveals the tension between essentializing the abuser as always bad or as someone who needs help. Since I did not ask the women about their loving moments with the abuser there may be less in my findings to indicate the characterization of the men as troubled rather than evil, but the frequent reference by the women of the need for treatment programs (discussed more fully below) may suggest that at least some of the women saw some redeeming qualities in some of the men.

5.4. 2 Focus of intervention: With the abuser or the woman?

A significant portion of findings related, either directly or implicitly, to the tension between responding to woman abuse solely through a focus on women or having a broader focus on both the abuser and the abused. The findings related to this theme tended to fall into two broad clusters: explicit statements of the need for treatment programs for men or the need to include men in the scope of the high risk protocol, and observations that more obliquely illustrated the pitfalls of focussing solely on the abused woman.

Many of the women identified alcohol, drug abuse, and mental health issues as exacerbating the violence. For one woman the sign was, *"anytime he was drinking, that was when the fists got cocked"*. Another woman said that most of the violence occurred when her partner was under influence of drugs. Many of the women stated that their abusers regularly use alcohol and hard drugs such as cocaine, crack and dilaudid and the severity of the violence intensified with the alcohol and drugs. One woman noted the change in her partner's demeanour and attributed it to his no longer using drugs. In another example the woman noted the changes the abuser had undergone.

> *I have a weird situation, because my abuser has a relationship with our son who lives with me, so I supervise all the access visits myself. So, I see the abuser*

almost on a weekly basis usually in a public place. We've gone to McDonald's, so the abuser can have supper with our son. I don't sit with them, I'll sit apart. They've gone to the playground and to the park and to the mall. He doesn't seem like he's the same person. I'm assuming maybe it's because he's not on drugs. He's even different than when I first met him. He's very respectful. He doesn't assume anything. He asks my permission to do stuff with our son.
I'm not going to let my guard down. But for my son's sake, I'll be there.

While all the women I interviewed had left or were ready to leave the violent relationship, and while most as a result of being in the high risk protocol would have been the focus of significant intervention in their lives (ranging from safety planning to police intervention to the involvement of child welfare) a significant number still spoke strongly of the need for drug, alcohol, and mental health treatment programs and services for men as well as supports for themselves.

> *Well he needs to go into a program for addiction services and what he's going through.*

> *It's him who needs the help, you know? Get him in an alcohol program and I'd be fine.*

> *All that I wanted to come out court, was the he would have to get help; anger management or whatever he'd have to get some, some proper help. But none of that happened. I don't think jail would have helped and I don't think he would have gone anyways because it was, you know, a first offence and there were no sort of long-term injuries.*

One woman said she would be willing to talk with the abuser provided he got the help he needed.

> *I did pass the word on (to the abuser) that if he is serious about getting help and I don't have to worry, and we can get rid of the resentment that we have towards one another, then I'd be willing to sit down and talk. He's going to have to prove to me that I can trust him.*

The need for a holistic approach and the possibility for change are also reflected in the following statement by a service provider in a focus group:

And you know, I have come to believe, truly, that if you educate the abuser, the abused, and the children, that you may be very surprised at some of the decisions that get made. The abuser may decide that it's time for him to change; the abused may decide that their abuser is never going to change and I'm out of here. Give them some of that power and stop taking so much of it away from them. And I think that if that happened, we might see a real decline in high risk for lethality because I think, maybe some of those cases may never get to that place.

The issue about how or whether the abuser should become part of the intervention focus also arose when some women criticized the protocol for not requiring that the abuser be notified of the high risk designation. It was felt, by some of the women interviewed, that such notification might lead to more accountability and responsibility for his violence.

The only thing that I would change is that I think maybe they (service providers) should meet with the abuser. Because I was in that relationship for so long and he always said it was my fault. I really sort of believed all of it was my fault and (pause) you know, sometimes I kind of thought, maybe they (service providers) think it's my fault too. I just felt maybe it was a bit one-sided. I know that he went to this men's group and they would call me to get some input from me so they would know both sides. And I thought maybe victim services should do the same thing to let him know what's going on because he was furious that he couldn't talk to me due to the restraining order. He tried to contact victim services a number of times to talk to them and I wish they had answered and said, this is what's going on. This is what category (high risk) we've put her in based on what we know; so he would know just how bad it was. Cause he doesn't believe me and I just wish that someone else had told him. Because we get to read all kinds of stuff about abuse; what's emotional abuse, and financial abuse. They don't, so I don't think he realizes what abuse is.

The value of extending the scope of the high risk program to include a focus on the abuser was also discussed at the focus groups as these comments from service providers illustrate:

At least once if not two of our meetings the topic of who and at what point do you advise the perpetrator that he is in a relationship that has been deemed as high risk and I don't think there's ever been anything clarified. And the men's treatment programs aren't here, but I know that is a big one for them because

they are working with people they know who have been designated and they don't know what to do with it.

From time to time we also have a conversation about how great it would be if sometimes, instead of having the victim come to a case conference, we have the abuser come, so that we can talk to them about how we are all very concerned and what things we all are doing, because sometimes it may really work well.

There was one or two case conferences where they did one with the victim and they did another one with the abuser, and the victim was quite enthusiastic about it, actually.

This focus group member would like to see it become mandatory to address the abuser:

In terms of dealing with these guys, when there is a designation of HRL there should be something a little more stronger, a little more mandated for these guys to say to them this is what you're doing to your family. We've got to juggle where we are in terms of workload and caseload and make decisions on what situations we are going to go out to speak to the guy that's been charged, but we should be doing it all the time.

As became evident in some of the interviews of responding to woman abuse solely with a focus on the woman can have the unintended consequence of placing too great a burden on the woman - she becomes responsible for escaping the violence, rather than the abuser being held responsible for ending it. The partner of one of the women I interviewed was being released from jail the following day, and she felt her only option was to go to a transition house. Stating *"I hate having to run"*, she went on to say:

I've had to start over too many times. Too many times. You know, I'm finally starting to collect some good stuff, you know. I'm proud of what I have right now and…And damn, I don't want to have to let it go again. You know what I mean (sniff). Cause you start off with little trashy stuff; you throw that out and you get something better. When you get something better than that, you can throw that one out, you know. And that's the way I've been going and I think my place looks kind of alright. I got nice furniture, and whatnot. Like I don't want to have to give this away and give that away and hope to get a few dollars for this and a few dollars for that. And not be able to buy it all again. Just to (sigh) get away from some idiot.

A focus group member echoed that with the following comment:

We hear it all the time, you know. That I shouldn't have even call the police, or I called the police, now he's charged, taken out and you guys are here telling me that if we get back together that we may lose the children, and a lot of women have said, next time I'm not calling. I'm not calling. And for those of us whose job mostly is with the victim, we look at this and say, you know, the woman has to leave, the woman has to be protected, the woman has to make sure she does things so that Children's Aid don't come and get her kids, and he's just out there. The victim is the one that suffers for everything.

This burdening of women was also evident in some of the comments around safety planning, a tool emphasised by service providers with abused women. Women in the high risk protocol spend significant time and effort on planning (often in conjunction with service providers) and carrying out safety measures. While most of the women involved in the high risk case coordination program recognized the need to be alert to the danger from the abuser and to try to reduce that danger, some of them were ambivalent about how safety planning, with its emphasis on constant vigilance, made them feel.

She told me to be cautious of my surroundings and when I was driving home and stuff to look around and make sure people weren't following or cars weren't parked somewhere where they shouldn't be and stuff like that. I have changed the way I do a lot of things now. I am careful, and I think that it's become a habit. I mean for a long time there, I would be up all hours of the night checking to make sure the doors were locked. And you know, the kids are not little kids, but I'd be going and making sure they were all right at night. I don't do that any more but I'm careful, I'm careful. I make sure I have my cell phone with me. I make sure I park in well lit areas; I make sure people know where I am, and when I expect to be back.

Having safety plans in place, always letting people know where I'm at, having a cell phone with me, having a camera with me, being very mindful of my surroundings. Even going to a vehicle at night, I should always have somebody with me to make sure everything is safe there. All those types of things in that situation where you are going through a separation and divorce, it's very stressful and having somebody constantly remind you that you need to have, in the back of your mind, a safety plan.

Some women resented the burden and the implication that they were responsible if the safety measures did not work. Some women internalized this implication, blaming themselves if their safety measures did not prevent further violence. One woman said the

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high risk designation made her feel like a caged bird and that she just wanted out of the relationship. Another woman described how frightened she became as the domestic violence case coordinator reviewed safety plans with her, fearing she would have to do this for the rest of her life:

> *It freaks me out a lot (to be called high risk). I hate hearing it so much and, the first couple of times I was talking to her (the domestic violence case coordinator), she would say, always have your cell phone on you, always have it charged, never go anywhere alone, never do this, never do that. And it was just like, it blew my mind. I can't believe that now for the rest of my life, or for a good part of it, I'm going to have to be so much more cautious all the time.*

While fostering accountability should involve finding ways to shift this burden from the woman to the abuser, this will not necessarily be easy to do; even where an abuser does go through the criminal justice system, he cannot be sentenced to jail indefinitely, and so the dilemma is how to keep women safe not only where there is no resort to the criminal justice system but also during the process or on release from jail. As this woman states:

> *I think they (criminal justice system) did everything they could to try to make me feel safe, even though us victims will never feel safe. I mean, I may feel safer, but I'll never feel safe if he should relapse, he could just want to finish us all. I don't know, you can't trust him like that.*

The difficulty of the issue should not cause policy makers to shy away from it, and my findings indicate that the need to seek ways of placing primary responsibility on the abuser should be a central consideration. This will be more fully articulated in Chapter Six, the discussion and analysis chapter.

Another part of the approach to accountability may be to reconsider child welfare policies. My research indicates that some women feel that child welfare penalizes them for not protecting their children from the violence, while not sufficiently limiting or monitoring the father's access to the children. In this example a mother believes abusers

designated high risk are a safety risk to children therefore child welfare should monitor

his access.

> *I think one of the ways the high risk protocol is failing, is that child protection are only concerned about access for the high-risk for lethality designated case if the woman doesn't have a safety plan. So the only thing that I needed to do to appease child protection in their concerns around the high risk for lethality designation, was tell them that I had a safety plan. They are not concerned that a high-risk for lethality designated offender has unsupervised access with a toddler. There is something really askew there.*

> *Child welfare had said that if we were ever to get back together, they would take the kids out of the home and that's what I keep telling him but he doesn't believe me. They promised me that they will and he just doesn't believe any of it. He doesn't think anything was wrong with our relationship, I'm telling him I'm applying for a divorce and he's like no, don't, we were so good together and it was so great. And I was like, you know children's services will take the children away if we are back together.*

This could be due to an unease and lack of experience system staff have working with

abusers which perpetuates the dominant discourse that men are limited in their abilities to

be responsible and offered fewer options to be accountable.

However there is an example where a child welfare agency is attempting to

address the tension. In one focus group session, a child welfare representative

acknowledged that child welfare was sometimes seen as re-victimizing the woman, but

added that he his agency is starting to remedy this by meeting with the abuser for "a

serious and frank discussion" on the impact his behaviour had on the family, with the

warning that the violence had to cease or he would be denied contact with his children.

> *What we've started to do in the last year and a half, is bring him in to say, listen, this is what you are doing to your family, right, and just to give him a little educational piece. It's direct and outlines this is what you brought into your family, this is what you're doing to the people that you say you love, you say you care about, and we are against you going back into that home until these things are done.*

5.5 Rethinking the Approach to the Abused Woman

Two significant tensions regarding the way in which abused women are viewed: first are women primarily victims who need to be protected or autonomous agents who need to be given room to make their own decisions; and second, what are the experiences of women themselves and the expectations of others, regarding abused women co-operating with or resisting interventions in their lives.

5.5.1 Characterizations of abused women: Victim or agent?

5.5.1.1 Women as victims.

A number of women indicated that when they called police because the abuser was violating his release conditions, or harassing or stalking them, police responded by asking, "what do you want us to do?"

> *The last time he ran me off the road I called the cops again and they just said, what do you want, what do you want us to do?*

As another woman said, *"I tell the cops I have a peace bond and they ask me what do you want us to do about it?"*

> *The abuser was doing some roof work on a house next door to me. He was looking, staring at me, waving, and being provoking. I thought if I call the cops on him then I'm making him mad and he's that close, he could do something at night. (I think) maybe I should just leave it alone. So I called my friends and they said, you have to call because you know it's going to look bad on you if you don't. So, I said okay, I'll call. And they (the police) said, well what do you want us to do about it, they said. The cop's saying, what do you want us to do? I said, I don't know, I've got a peace bond, I just don't feel like I'm comfortable here with my son.*

Another woman commented, *"What is the point of having conditions if you can violate them and not have anything happen? "*

> *I have file numbers. I have probably written down, at least six of them. There have been other times that I have made phone calls and I haven't been given a file number. It's just been added onto another file or whatever. I even went to the police detachment after work one day to give a statement. It was the day that he*

called me 32 times in one day; 32 times I counted on that phone. And they never laid any charges.

In this example the police officer admonishes the woman for having contact with the abuser.

I had been designated (high risk) and I phoned to report the breaches of the phone contact to the police officer in the community where it was designated. Now remember my complete vulnerability because the abuser would only phone me when he had our daughter. So I knew that if I didn't take the call or if I was hostile or unreceptive to him our daughter would suffer and she was always near him when he phoned. So I would take the call in order to keep him okay, so that our daughter would be alright. And the cop said, did you take the call? and I thought how do you explain this, especially to a man, about this dynamic, and he said, well that's just like giving 24 beers to an alcoholic. That it was my responsibility. I shouldn't have accepted the calls because that was giving beer to the alcoholic.

A number of comments did suggest that not all women are able, particularly initially, to act in their own best interests. For instance, one agency member likened an abused woman to an alcoholic, in that she will only access help when she is ready to accept it, so some agencies continuously offer her help.

I might oversimplify it….. It's like an alcoholic, if an alcoholic wants help, then this is where the help is. A woman in an abusive situation, the help is there for her and I think we are all willing to do that. It's really tough and it gets frustrating (for those service providers) who are dealing with them and they don't want to buy into the program. And you got to credit the service providers who are around the table, they keep going back and police keep going back, and we don't give up.

5.5.1.2 Women as agents.

A woman wanted the police to pay attention to her assessment of the situation and what she needed.

I didn't call you guys to go and arrest him. I need you to tell him that you're on my side, that you're not putting up with the crap and that you're going to start charging him and putting him in jail. I don't want you to just take him and put him in jail. The poor guy has been in jail his whole life, that's why he's fucked up. His family sexually assaulted him and stuff, years ago….. So, anyways, I was terribly upset with the police and I was uncooperative because all I wanted them to do was just do it my way for once, just once, not do it their way how every

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other police officer does, do it my way for once. Just go tell him to smarten up, that you know what's going on.

I never felt like I was a victim. Even though I knew that he had the capabilities of killing me, I denied being high risk. I denied being high risk, right up until recently because I didn't want to be a victim. I didn't want to be a statistic. I just wanted to take my life and move on.

One woman expressed her frustration with the police response as follows:

Take me seriously. When I say that I know, trust my gut. Trust my gut because I've been through it. I think that they (police) need to know that, when women who have lived this, they know their men. And they know what they are capable of and when they're their worst, so I think that's definitely something the police need to believe us.

You don't know what you did to me. By not listening to me, you have no idea of the hell you put me and the kids through.

Another woman starts reviewing sections of the criminal code to see if there are other ways of charging the abuser for his repeated harassment.

There is this section 127 under the criminal code, which states that if anybody without just cause or legal justification, that if they don't follow a court order, that they can be charged for not following that court order. If there was anything, at all, that could be done to keep this guy on the straight and narrow, it's to catch him every time he pushes the envelope and if there was an appetite to do that sort of thing, maybe, eventually, he'll grow tired of playing these types of games.

This woman consistently felt her agency to protect her child by refusing the abuser access was used against her.

I went back once I had the EPO (Emergency Protection Order), and they used that against me in family court too. That was used as evidence that I was trying to stop the child from seeing her father. What I found is that, consistently, when I would take a step to protect us it would be used against me. I would try to stop him from coming near us, (because I was the only mechanism that we had), and that would be used against me in family court because they would say that I was trying to sabotage my child's relationship with him.

Service providers in the focus groups did seem aware of the tensions between some of the current responses to woman abuse (mandatory charging policies, mandatory notification of child welfare where children are involved, the focus on safety planning,

etc.) and the need to respect women's autonomy. Thus, some agencies involved in the focus groups stressed that their services were voluntary and abused women could opt out of using the service.

> *Our program is voluntary. This gives the victim control over what happens.*
>
> *When I deal with a client I try to ensure that I'm not putting my judgment into her life and I try to accept what her decisions are. I try to help with her decisions and try not to be condescending or judgmental in any way. Always in the top of my head is that they are living their life experience and I have to accept what she's telling me. So, for me, that's important.*
>
> *From a policing perspective as a result of training that has taken place over the last fourteen years when we talked with our officers, we not only talk about the laws that have changed with respect to EPOs and high-risk assessment, dominant aggressor, but we also encourage our officers to be aware that many times victims do suffer victimization through domestic violence prior to the one time that they do call us, so it's important that our officers are very sensitive to what the dynamics of the views are. So when we do talk about domestic violence with our officers, we talk about having a sensitivity and understanding as far as the dynamics and why self-respecting victims are sometimes reluctant to come forward with information and overall, we want to create as comfortable an environment as we can.*

One agency representative explained that they examined their "white privilege" and tried to avoid imposing their values on the women while another stated that women are experts in their lives; and therefore, they do not do anything without the women's permission.

> *Our agency tries to find out, from the woman's perspective, what coping strategies are working for her. When staff debrief, they are conscious of their 'white values' approach and make an effort not to impose their own values/prejudices on the client. We are very conscious of not blaming the client.*

The need to refrain from judging women and to accept women's choices and decisions was echoed by others in the focus groups. Another service provider said she listens and does not promise things that she is unable to deliver on.

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The only thing that I have to add is listening. I find it's the best skill that we have, not to do any harm. And not making promises that I personally cannot keep.

One participant stated that knowledge is power and so it is important to ensure that the woman is fully informed regarding the criminal justice system, and to advocate on her behalf if the system re-victimizes her.

Give the client the opportunity to get information regarding their own case. Many clients have fear of the police – I hope to be able to show them not to be afraid to call the police.

Just as the findings revealed tension between viewing the abused woman as a victim needing assistance and protection or an autonomous agent needing the freedom to make her own choices, the findings also offered multiple understandings of where abused women were (or should be) on the spectrum between cooperative and resistant. On the issue of cooperation and resistance during a focus group session, one participant remarked that that the high risk protocol works well for women who accept the high risk designation and who choose to leave their partners or have already left, but not for women who want the relationship to continue:

For women who want everything that is offered (from the service providers), these qualities are enhanced. Through case conferencing and knowing that all of the services are there supporting them. If they are open to that then absolutely I can think of a number of women who have blossomed. They've just grown. But if you aren't accepting of the high risk designation, this is a burden. You've wrecked my family, he can't come home, who's going to pay for my oil, you know. Who's going to pay for the groceries, I have three kids to feed. It's a burden and for those women… no, it's not helping them feel better about themselves.

5.5.3 Characterizations of women: Cooperative or resistant?

5.5.3.1 Women as cooperative.

You know, but then, I couldn't argue with police because I didn't want them to not be there for me. So, I really had to go along with them, whether I agree or I don't.

This woman felt very strongly that she had to be seen as deserving in order to get the

assistance she needed:

> *You have to be very careful, right, because you have to be kind of a good victim, you can't be ungrateful. I mean, that's naturally how I am anyway, like I really believe you need to be polite and grateful, especially when so many people are working so hard. But, it's very easy to not be a good victim and if you have people in a position of power where they can either take your case seriously or not, label you as a bitch, which has a direct correlation to the level of service, and therefore your safety.*

Another woman perceived the same need to "be nice" and conform to stereotypes

of the deserving woman in interactions with her domestic violence case coordinator:

> *I got the call from the case coordinator saying we're just phoning to tell you that we think this guy is coming down to kill you and you know your child is going to go on her two-day visit and there is nothing that we can do to stop that. And I remember saying to the woman, what am I supposed to do with that information? And it was like a rhetorical question. I was literally saying, what am I gonna do with this and then I learned that she had gone to the police chief and told him that I was really ungrateful and that she was doing her job by telling me and I just threw it back at her. So you have to be very careful, right, because you have to be kind of a good victim, you can't be ungrateful.*

The following example involves a judge:

> *As for the courts, I mean nothing really comes of it …… because the last time I went into the courtroom, the judge told me, be nice. You have to co-parent together so you may as well get along and be nice about it. I looked over at the judge cause I thought, I'm not hearing this right. You know, we're in here because he's breaching his probation, but you're telling me to be nice, to co-parent nicely. And that's when I just thought, right there, I'm done. I'm not ever making another call. I'm not going through this process.*

5.5.3.2 Women as resistant.

This woman was frustrated at having to tell her story to a different officer every

time she called the police.

> *I looked the officer dead in the eyes and I said, unless you promise to be standing by my bed, I'm not doing any of this because, at the end of four days, it's your day off and where are you going to be for four days? You're going to be home with your family, but you don't know where he is. Oh you can dial 911, you say. Great, so now I get another officer involved and another one and before you know it, I have 37 officers that all know my name, all know all this. I'm tired of retelling my story and I'm frustrated and I'm mad.*

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Then we encounter women's experiences with the police that were not particularly helpful or responsive, despite the high risk designation. This woman's experience is that she does not call the police about the abuser's behavior because on three separate occasions when he violated his no contact order they did not charge him. The next incident she goes to the shelter where the staff encourages her to call police, who then blame her for her predicament:

> *I did not call the police at that point, the abuser had come three times within a short period of time on three different occasions, nothing was done, naïve, stupid, whatever you want to call me. I did not believe at the time that the police believed me. There was no way, because if they did (believe me with) all these incidents, something would have been done. They (police) wouldn't have been saying to me, well you shouldn't have did this or you shouldn't have did that, you shouldn't have let him come to see his kids or whatever. There was always something that was my fault. So I didn't call. There was so much and to feel like you're not believed, it was really hard.*

These next examples illustrate abused women's resistance to reaching out for help because they perceive child welfare as being too intrusive, or conversely not interventionist enough so women believe they need to resist and challenge that inaction.

Some women expressed great anguish and frustration regarding their experiences with child welfare. They felt blamed for the violence and feared losing their children. In one case the woman was continually harassed and assaulted by the abuser but didn't call the police until she saw blood because she knew the police would notify child welfare and feared she would never get her children back from foster care. As she said about her decision not to call the police until she was seriously harmed: *"I shouldn't have to go that far"*.

> *I made a comment, which I wish I never made, to an officer when they asked me if I wanted to make a statement, I said I didn't because I don't want children's aid to find out. So children's aid comes to my home and they said well why would*

you tell the officer that you don't want us to find out? Why did he have to run back and say I said that?

However, according to several women, child welfare gave little credence to their reports that their partner or ex-partner was a threat to the children so this next woman enlisted the help of an advocate:

> *After my child's father assaulted her during a visit, child protection failed miserably. They investigated and then closed their file and said they couldn't substantiate harm, despite the hospital report confirming the bite and everything. On the grounds that my child's story was at odds with her father's, as she was four years old. And so, they closed their file. The police dropped the criminal charge on the grounds, that the agency charged with the protection of children hadn't substantiated abuse….. The criminal court charges were dropped on the basis of the child protection, the family lawyer said that she couldn't go to court to protect my child or ask for restrictions on access because there were no charges and because child protection didn't substantiate harm and why did that shift? Because I contacted an advocate who contacted the head of child protection and said, you'd better look into this case. This is totally unacceptable, this child was assaulted, ….. The head of child protection had her person re-examine the file….. They did a ten-week investigation and found that my child was at risk of mental, emotional and physical harm and then her father was so aggressive that they had to have two case workers supervise his access and have the police on alert. So, it went from no protection to total protection.*

5.6 Avoiding a One-Size-Fits-All Approach

Three tensions emerged from the dominant domestic violence discourse about the problems with a one-size-fits-all approach. The first tension is that all domestic violence is high risk, which negates the low and moderate risk domestic violence, has implications for interventions that could be harmful. The findings indicate that some women as well as service providers had concerns about the over-inclusivity of high risk. The second tension is that if all domestic violence is high risk the most appropriate site to deal with it is the criminal justice system. This has implications for harmful interventions with the abusers and the victims. The final tension is when a system response to domestic violence is more

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appropriate and right if it privileges the best interests of the mother over the best interests of the child or vice versa.

5.6.1 Women's concerns with high risk.

While some women were relieved to be designated as high risk, feeling that the seriousness of their situation was finally being acknowledged and welcoming the services provided through the protocol, other women questioned whether they were in fact at risk of serious injury or death and so questioned some of the more intrusive elements of the protocol. One woman I interviewed suggested that perhaps the designation of high risk was "*a little bit of an exaggeration. I don't know yet if it fits for me*".

In this example child welfare mandates a woman stay in a shelter for over a month based on her high risk status and erroneous information:

> *Basically what it came down to was they (child welfare) received a phone call and jumped the gun on it. One of the workers did admit to my sister that they may have jumped the gun but they can't pull back now.*

Some women noted the need for further reassessments to determine whether a case that was initially high risk continued to be so. Due to the ambiguity of when the designation of high risk ends and no clear policy, some service providers viewed the case as high risk in perpetuity, while others felt that the designation ended with the final court disposition. This ambiguity brought no sense of closure for women who want to move on to the next phase of their life.

> *I'm sick of being a victim and I'm sick of having an alarm in my house. And that's not to do with the program. That's like, I'm moving on with my life and I don't want to look at that alarm any more. I don't want to remember where that button is. I don't want to have contact and be asked how I am anymore. And I know enough to know that if there is a risk, that I know exactly when to call them and I know that I can ask for it again….. So how does one become undesignated? I think that we need to have the right to say that we don't want to be part of this protocol anymore.*

5.6.2 Service providers concerns with high risk.

While service providers were varied in their opinion about when a case is no longer high

risk, they are looking for direction and standardization:

> *There should be a standardized de-designation model so that everybody can work under the same guidelines. So if we are going to de-designate someone from that list, it should be the same protocols, the same standards right across the province. And that has to be driven from the provincial level; it can't be driven from the local level.*

Some focus group members stated that the ODARA risk assessment score (where

a file is high risk at seven out of thirteen risk indicators) sets the threshold too low and

brings families into the high risk program that should not be there.

> *I think that for some people being designated high risk is harmful because the seven score in ODARA is high risking people who I don't think should be designated high risk. It's putting them into a whole category that is causing a dynamic in that house, which I don't think should happen.*

> *Maybe the answer is to raise the score on the ODARA. Where should the cut-off be for high risk – nine or ten?*

> *Increase the ODARA score to actually reflect lethality. I don't think we are reflecting it. I think we are dealing with cases now that don't even come close to being high risk for lethality.*

Other focus group participants suggested that many women may not understand the

implications of being designated as high risk and so may not, initially at least, question

their inclusion in the protocol.

> *When I explain the high risk designation to them, I truly believe the reason why they don't say no, is simply because they think that I must know what I'm talking about. And I've had women who've actually even said to me, well you know, I don't agree with the high risk, I don't think he's going to kill me. But I understand why maybe you think that or why the police think that so if you guys are going to share information, then that's fine, I don't care. So is that really an agreement, or is it compliance, you know?*

Several focus group participants questioned whether too much attention has been directed

at high risk families, yet state that domestic violence has the potential to be dangerous.

> *And that's always been a fear of mine, is that we are putting so much energy, so much resources and focusing on this group of people who we are calling high risk for lethality, that we forget, that all domestic violence is serious. I mean, all domestic violence has the potential to end in a very bad place.*

5.6.3 Use of the criminal justice system.

One of the tensions that emerged from the findings is whether the criminal justice

system is always the most appropriate site to respond to woman abuse or should there be

other options. Focus groups members suggested there should be alternatives to the justice

system:

> *Put a diversion program in place. Cause the domestic violence files are out of control in terms of numbers and people are truly being ignored cause we are too busy dealing with numbers.*

> *When you talk about pro-arrest, pro-prosecution, the other day I talked to a woman who was breaking up and the guy had spit at her. The police came and she didn't want charges. It caused this whole mess in this situation that was breaking up because someone spit at somebody and while I don't think he should have spit at her, I don't think they should have went through the court system either. I think there should have been an alternative place to deal with that.*

> *Several years ago we put in a proposal to the Department of Justice to talk about low-end domestic violence in cases. So if it is a low-end charge they could be deferred in another way where it wouldn't go to court, it would go before either a panel or a JP and with a group of agencies together similar to this, would agree that this is low-end and that this can be worked on. And then if the offender agrees to plead guilty and agrees to counseling, and there would be counseling available for him, for the victim, and for the children. And at the end of it, there would be a family counseling, if they successfully completed all of those, and if that all took place, and was favorable then the charges would go away.*

> *Some of the things we had talked about as a community and as an interagency is that we have so many people who are charged with domestic violence crimes where the woman won't talk or she ends up going back, and we don't really deal properly with those kinds of cases. We talked about the possibility of having some kind of program where we could work with all of them, the abuser, the woman and the children.*

This next example reveals one woman's frustration with the inability of the criminal justice system to keep her safe.

> *The abusers is threatening me with a gun and I am now in the transition house. The police came to me and asked me to write a statement and I didn't want to because I'm terrified. Because I know he has it and I know it's hidden and he told me if he does go to jail, that one other person knows where this gun is and they are going to shoot me. I didn't want to write a statement up, but the police kinda convinced me to do it. They said they would protect me and that he wouldn't get out of jail for awhile. So they looked for him for ten days. He finally got arrested. He was only in jail for five days and then he's had 18 charges, and they released him on conditions. So he's out there again. It makes me angry because it doesn't make me safe at all.*

5.6.4 Best interests of the mother or the child.

At issue in this tension is that system responses with a one-size-fits-all approach such as child welfare do not balance the best interests of the mother with the best interest of the child and may not be as effective, or may not even be genuinely directed at assisting abused women. There were a number of concerns regarding the implementation of the high risk protocol related to child welfare because once a domestic violence situation has been identified as high risk, if the woman has children, child welfare is notified.

Some women felt that child welfare did not understand the difficulty of their situations. In one example, a child welfare worker told a woman with five children that she had to leave her house as the abuser has nowhere to go. Another woman said:

> *You know, they said I'm not a bad mother, it's just the men I choose. However how do you get away from a man who continually breaks into your house and beats you to a pulp?*

> *I had a children's aid person come into my house and tell me that if the abuser was ever back in my house that I was losing my children. Alright, that's great, can I have that in writing please, because that will help me to keep him out of my house. No we can't give you that in writing. Well, what if something happens to me, to have that in writing from the children's aid society would show a judge that he shouldn't mistakenly think that the abuser's changed.*

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In this example, the woman's children are in care; however, child welfare is notified when there are any developments involving the woman or abuser. As the woman states:

Why does child welfare have to be notified for every little thing? There are no kids here. All the progress that I make goes right down the dump.

One of the women interviewed identified her worker's youth and inexperience as problematic:

The child welfare worker I have is very young. She doesn't have kids of her own so she doesn't understand. She just sees one picture, she doesn't see the big picture. And she's deciding my life.

In another situation, inexperience caused a child welfare worker to force a woman go to a shelter based on unfounded information.

I've just had these people telling me, you have to do this or you have to do that, or we take your child. You know, as any parent, you're going to do whatever it takes. So I go to the shelter and they asked me, okay, why are you here, tell us your story. "I don't know, I'm just told to be here (by child welfare)."

Another focus group member commented that child welfare workers have little training on the dynamics of domestic violence and that child welfare positions are frequently staffed with inexperienced social workers. Focus group discussion also identified inconsistencies in how child welfare workers interpret their policies as creating safety risks for abused women and their children.

I'm finding that we don't get near as many women with children coming in to our shelter because of Section 22.2 of the Family and Children's Services Act. They know that we are going to be calling child welfare so in order to protect themselves and their children they are not coming in.

We hear it all the time. That I shouldn't have even call the police, or I called the police, now he's charged, taken out and you guys are here telling me that if we get back together that you know, we may lose the children, and a lot of women have said, you know, next time I'm not calling. I'm not calling.

In this interview, the woman stated that the abuser used child welfare intervention to make false accusations against the woman:

> *As soon as child protection were involved his whole family reacted by saying that I was a risk, a risk to my child, which I had to battle for three years being investigated for false allegations that they made up intermittently, like I was going to sell her, for example. Which was just awful, the child protection experience was one of the worst parts of this whole story.*

In another example the mother felt the child welfare worker blamed her for the children witnessing the abuse and violence from the abuser.

> *What she said to me was, you're kids are so messed up they couldn't give me a straight answer if they wanted to, because of what they witnessed. And it was my fault, every time that he would do anything like this.*

In one situation, the child welfare worker initially advised the woman that the abuser was a risk to her children and would not be allowed visitation without supervision or enrolling in a treatment program. The woman believed child welfare had acknowledged her concerns about her children's exposure to his violence. However after interviewing collateral contacts provided by the abuser, the child welfare workers reversed their decision and testified in family court that the abuser was not a risk to his children. In another example, a child told her counsellor of her fear that her father was going to kill her mother. The counsellor reported this to child welfare but they did not re-open the file.

Child welfare stated they had to be intrusive based on their mandate.

> *We are, we have to be. That's why we try to involve everyone, because we're not the experts on domestic violence. When we're coming and knocking and if there is violence and there are children, we're coming. No matter if she is saying she doesn't want to lay charges, no matter what is said, we are knocking on the door and we are starting an investigation.*

However, there are also occasions where child welfare is perceived as having protective and supportive services for women. In one focus group it was stated:

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It's also fair to say that in most cases when we have a woman in and child welfare become involved, that when they come and visit with her, it's really in a very supportive manner because she's in the shelter, she's getting the assistance. The woman has felt supported and not been feeling afraid.

Some women said that it was child welfare's ultimatum about removing their children that made them leave the abuser. Several women were grateful for being put between "a rock and a hard place" as it helped them to understand their children were more important than the abuser. In one case, child welfare established guidelines to protect the children; for instance, the abuser was not allowed unsupervised visits, the woman had to move, and she was not allowed to reconcile with the abuser. If the conditions were breached, the children would be removed. The woman appreciated being able to *"pass the buck to child welfare"*, rather than having the abuser blame her for imposing limits.

I went in to child welfare and got this worker and apparently his specialty is domestic abuse, which is nice. He was supportive and said, you're obviously here because you need help. And then he said, you're not to have contact with him. If you allow the kids to see him unsupervised or if you don't move and I ask you to or if you get into a relationship with him again, I will apply to take the children away. I said, no problem. I was not nervous because it was almost like my little savior there, because, I could pass the buck. I didn't have to say (to the abuser), you can't do this because you're a raging drunk.

Another woman found weekly home visits from a child welfare case support worker very helpful. These visits allowed the woman to talk about her children and the progress they were making developmentally, physically, and emotionally. The support worker also listened to the concerns and fears she expressed about her relationship with the abuser. The support worker was able to link the woman to other resources which benefited her family. This woman said child welfare was the best part of the high risk program.

Children's aid has been the greatest as far as helping me cope and understand things and just you know, showing me all the different kinds of support.

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In one focus group, the child welfare participant stated he was aware that "*their knock at the door is going to frighten women so they quickly try to reassure women they are not there to take their children and discuss some of the resources available to the women in the community*". One focus group member stated:

> *If the mother is not, you know, if she is not able to be safe, then obviously, the child's not able to be safe.*

This next section of findings moves from the overarching themes and tensions to the address some of the remaining issues as identified and raised by my original questions about the high risk case coordination protocol.

5.7 The High Risk Protocol: Helpful or Harmful?

Some women expressed anger and frustration with the intrusiveness or ineffectiveness of state intervention; some viewed the protocol as providing support, validating the woman's experience and offering the woman the possibility of greater control over her life; and still others had mixed feelings about the protocol. Concerns with the high risk protocol included both criticisms of the protocol itself and criticisms of its implementation.

5.7.1 Criticism of the protocol.

Other criticisms related to the scope of the protocol such as the over-inclusiveness of the high risk designation to woman when they may be moderate or low risk, and who is not involved in the protocol. One woman noted the lack of involvement of family lawyers:

> *See one thing that I think is really missing from the high-risk protocol is the family lawyers. The women are very often the most vulnerable in relation to the post-separation parenting arrangement and we need to start to recognize that that is the weak link. The family lawyer's job when she's representing or he's representing the victim is to keep the child safe and to try to negotiate safe access arrangements. And if you don't include family lawyers in your protocol, you're*

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missing, I would say the most significant piece. Where else do abusers have contact with the women on a regular basis?

Some service providers echoed the concern that not all relevant service providers participate in the protocol committees, thus decreasing the effectiveness of information-sharing. This one focus group member mentioned that the crown does not participate in the high risk case coordination protocol committee meetings:

> *It's been on our agenda to invite the crown to come to one of our meetings because we have questions that we just need to have answered and we were hoping that in talking to them and bringing them to the table, they might get some insight into what we are really trying to do.*

Some of the women interviewed criticized the criminal justice and family court system for failing to take woman abuse seriously. Specific criticisms included the crown failing to proceed with charges, the court releasing the abuser on conditions, and the family court judge not believing the case was high risk. Women also raised concerns on how the court deals with high risk cases. In some instances the courts do not go forward with the charges despite their severity and the fact the cases are high risk, they release the abuser on conditions, and the crown does not spend enough time with the victim to understand her story. In this example the abuser was charged with assaulting the woman and her son, endangerment, cruelty to animals, threats to kill, firearms charges, and illegal possession.

> *The crown said they were going to throw it out as it was a pretty low level assault, and the other charges couldn't be proved. He said these domestic cases fill up the court docket and he just didn't feel it was in the public's best interest, it wasn't worth the court's time, he said. So the next time, I said, I should have some teeth missing and maybe some bruises or a broken arm. I said, will you listen to me then? He said, there is nothing I can do for you with regards to this case. And I remember thinking, you know, I'm like a piece of garbage out there floating around, nobody wants to bother.*

In this example the woman believed the crown should spend more time with the victim.

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It's too bad you only get to spend 20 minutes with the crown before you go down to court. I think had we had more time and I could have told them more, you know, it could have been a bit different.

No, the only time I didn't have any control was the day of court. It was like I lost it. I had nothing. It was like he was the victim. I felt like two pieces of shit.

Another woman raised the lack of acknowledgement of her high risk status by a family court judge as discouraging and not protective.

That (family court) judge, that day who threw the case out, the things she said were very discouraging. That she did not feel that the case was high risk at that time so she did not feel that there was any need for an emergency hearing. She actually said that I had tormented this poor man and was not going to hear the case. I was so shocked because I remember sitting there and everybody stood up and I remember thinking, what the hell just happened here. And I knew it wasn't good because he was clapping his lawyer on the back and leaving with his arm around him with a big smile on his face. And he marched right out the front door and it was humiliating to feel that your life is being torn away from you and this one person, this one person had the power and she kicked my ass to the curb that day.

5.7.2 Criticism of how the protocol is implemented.

While some women and service providers critiqued the protocol itself, much of the dissatisfaction expressed focused on the way it was implemented. Concerns regarding lack of communication, lack of advocacy and practical support, and just general ineffectiveness of the protocol were voiced by some of the women interviewed. One woman said that she did not understand how to use the services of the domestic violence case coordinator, what services could be provided to her through the program, or how to access services in her community. Another pointed out that it is hard to make use of something you do not know exists.

*You know, you can label me high risk, but that's not what I am is a label
Let me know what you can do for me. So why tell me I'm high risk and then do nothing, because that's all that's been going on. You're high risk. Oh, am I? Gee does that mean I get a red folder? Cause that's all (it is), a different color folder. If I had known there was these people that I could use, somebody's resources for this or that, I would have been all over that like a wet blanket, but*

it's hard to utilize something that you don't even know is there.

Another woman stated she "*didn't know what resources are out there and how she could use them so, (high risk) just feels like a label, that's all.*" One woman said she stayed with her abuser for twenty years because she did not know the available resources and even when she was made aware of existing services she found them unhelpful:

> *The reason I didn't leave years ago is because I was afraid that I didn't have the outside help. I didn't know where to turn to. That hasn't changed….. They (service providers) just keep passing it off. They want the next person to do something about it and in the end, nobody does anything. I still have to rely on myself.*

This woman felt the high risk program was so ineffective she often thought of taking matters into her own hands.

> *A woman has to rely on herself. Like, she can't rely on those facilities that are out in the public to help high-risk women and that hasn't changed. And I said to the group here that day, I would be better off, (and I look right at the cop) going to the end of my yard with a gun, shooting him in his truck and pleading insanity because I'd be rid of him and I'd be rid of this stress that I go through day after day that I shouldn't have to do.*

Another woman said that "*high risk meant nothing*"; for her, the program "*failed all the way through*".

For still another woman, the supposed concern of service providers felt hollow, and time spent on her case resulted in no practical assistance in keeping her safe:

> *It did nothing. I went from the police, to victim services, back to the police, back to victim services, back to the domestic violence (case coordinator), trying to get a hold of them to finally get the peace bond. In the meantime waiting for the peace bond, I have a meeting here with probation, the domestic violence case coordinator, Victim Services and the police officer. To more or less, relay to me that they were doing all that they could and they wanted to make sure that I felt at ease with this process and that I would be okay. And basically to keep my eyes and ears opened and be careful and telling me ways to be careful with him, and that if I saw or heard anything to make sure that I called 911, because I was high risk. I told them it was crap. Crap. Here I am, still no peace bond… because [they] are only protecting themselves and it's no good to me.*

The focus group discussions also identified ineffective or slow government responses as hampering the effectiveness of the high risk protocol. One focus group

member likened it to items "*fall[ing] in a black hole*". Where issues discussed at meetings of the high risk protocol committees require clarification, or where proposed solutions require clearance from senior department managers, it was the committees' experience that the Department of Justice tends to respond quickly, but this is not always the case with the Department of Community Services. Focus group participants surmised that this may reflect a lack of knowledge or interest in, or guidance regarding the high risk protocol within that department.

5.7.3 Positive experiences with the high risk protocol.

While some of the women interviewed found the high risk protocol (or at least some elements of it) unhelpful, some viewed the high risk case coordination program very positively. Many acknowledged they needed support from the service providers and were relieved to have their situation designated as high risk as it acknowledged the extent of the abuser's violence. The program reassured some women that service providers understood that they were at risk of being killed. Some of those interviewed reported that prior to the establishment of the high risk protocol, some women who believed their lives were at risk could not convince authorities such as police, crown, and child welfare of the threat.

> *That's huge, because you don't have to convince people any more. I think that is empowering. It is really tiring to try to convince people, as it requires a kind of repetition of your story that's really tiring. So that is significant.*

One woman said she had always believed the abuser would kill her, as did police and crown off the record, but she never had anything tangible for family court. *"so, finally what everyone's been telling me and what I've finally learned myself, gets wrapped up in a nice neat little package called, High Risk for Lethality"*.

> *There is a lot of power in a name (high risk for lethality) and I felt like it named*

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what I already knew.

Thus, the program not only validated women's experiences but also alleviated the tremendous burden of collecting and maintaining all relevant information about the violence and harassment to pass onto the next agency; instead, the level of risk was communicated via the domestic violence case coordinator to police, crown, victim services, corrections, probation, shelters and men's programs. Case information sharing, coordination and communication could identify women who were in danger of "falling through the cracks" and could also reveal the weak links in community services and systems established to assist abused women. Focus group members stated:

> *There is communication among partners, particularly with probation because they are really well positioned to judge where the abuser is at.*

> *Case coordination is absolutely essential because these guys have Jekyll and Hyde personalities and they have more than two. So, until you have people from each sector coming together and comparing notes you're not going to have a full picture of them. And until you come together, you don't see what the weak links are at all and where the vulnerabilities are and where the risks are. And so by coming together and being coordinated then that gives people an opportunity to do that.*

> *But I think that the best thing that happens, and especially if we get someone to a case conference table, is that there is a gentle honesty that happens at that table for that women and I think that, um, they understand their situation better. I think they understand what's available to them better and I think the fact that they actually see faces to the voices on the telephone because unfortunately, our agencies aren't um, funded well enough or have the person power enough, to give each of those people the individualized attention that they rightfully deserve.*

As one woman said, "*that [coordinating of information] was taken out of my hands. It's pretty nice to hang your hat on a high risk for lethality designation*". Another woman felt the high risk program was like a circle of support around her and her child.

> *When you are high risk for lethality designated, it all gets pumped up, stepped up. The domestic violence case coordinator was keeping me informed and updated. People took my abuse more seriously and I felt like there was a circle of support around me and my child that I did not have to create.*

While some women saw designation of high risk as confirming their own assessment of their situation, for other women, it was that designation that fully awoke them to the dangers of their relationship. Some women said they were initially reluctant to believe the high risk designation because they did not think the abuser was capable of killing them, they did not see themselves as a victim, or they minimized the risk in order to cope with the fear. Over time, however, some came to see the designation as accurate:

> I've heard of worse cases, you know. I'm not in danger, I can handle it. Now with all the time that has passed and we're not together and a little bit more clear thinking, I see the potential of what could have been.

Another woman reported that having strangers tell her to be careful caused her to realize they might be seeing things she could not, and another said that having service providers discuss the abuser's tactics of control, violence, and their fears for her safety helped her to finally believe the abuser was capable of serious harm.

> And the RCMP said you know this is what we need for you to do. And I started thinking, maybe, I don't know him and when you have total strangers reacting like that and my counselor saying to me, are you concerned about this behavior? And she was upset. I thought, well maybe I'm missing something here and I just started listening .

Another said it was child welfare's demand to choose between the abuser or her children that led her to accept that her situation was actually high risk. One woman indicated that she needed help and support from service providers to keep her safe, and to send a message to the abuser and the community that woman abuse is not acceptable:

> I need self-confidence. I need the strength to stand up and say we don't deserve this. And I need someone to stand beside me and say you're right, you don't deserve this, now what are we going to do about it? And other agencies will come online and support me… I don't want you to do it for me, but I would sure like to know that I am not alone.

In terms of specific aspects of the high risk case coordination program that were

particularly helpful, women identified support groups for abused women, the education

worker with the transition house, and Victim Services as validating the women's

understanding of their own experiences and empowering women to make their own

decisions.

> *I always felt listened to and supported by way of victim services. If ever I had concerns or worries or whatever, I could easily speak with somebody there. There were times that, when I didn't hear from him, or when he wasn't calling or things like that. Not knowing where he was, or the silence from him was more frightening than if he was calling and bothering me because at least I knew where he was. So, if there was a week or two that went by, I would call victim services and say, okay has he been picked up and jailed for anything. Can you tell me if he's in our out? And they would. So they were very beneficial that way and every time the court proceedings happened, you know, did he plead not guilty, is released or what not and they always filled me in. And I've had a great deal of help from them.*

The woman said the domestic violence case coordinator kept her updated and

would "*talk me through or just be there*". Questions such as "*what can I do to help you?*"

or statement such as "*I believe you* ", encouraged women to identify their issues and

speak their concerns. It also conveyed that the service provider was prepared to listen.

Another said*, "Just having their support, telling me I'm doing the right things, that I am*

not the crazy one was very helpful."

The transition houses were considered helpful by the women as they supported

the women with their children and gave them the information necessary to make

informed decisions.

> *I felt very safe (at the shelter) and as well, I learned a lot from being there. How to control my temper how to handle the children, they were forceful in regards to getting things done that needed to be done, like my lawyer. I never ever thought I'd have to be there and I am glad that they were there for me.*

> *The shelter taught me a lot in regards to how to manage my children and how to discipline my children.*

> *At the shelter they've never forced me to, you know, they've always let me make*

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my own decisions whether I went back with him or not. They taught me ways to keep myself safe - they are always helping me, you know, that way.

If it wasn't for the transition house, I may have went back, but they made me see things and accept things.

The case conference model, where service providers met with the abused woman to discuss and strategize about her high risk situation, was also found to be helpful.

We had a case conference with my worker, my family, the police, the domestic violence case coordinator and victim services.

You know I had a whole conference at (the transition house) with people supporting me. It made me safer in that it sent him a little bit of a message, perhaps because he didn't come back after that. I haven't seen him since we did the case conference.

And in my case, because of victim services, there was a case conference that included my family lawyer, so that was pretty radical, progressive and really important.

The Domestic Violence Emergency Response System (DVERS), a silent alarm installed in high risk situations in the Halifax area, was also seen as useful by some of the women interviewed. One woman said it was *"empowering to have it installed and just as empowering to have it removed"*. Another felt that the DVERS program was *"like having a police officer standing at the side of her bed"*.

I was not aware of this alarm system that was put in the house, free of charge. That was so wonderful to have because I was told it the local police are aware of who's got the alarms and they respond immediately and that was a real peace of mind for me.

I wouldn't leave the shelter, I was determined that I was not going unless I had a DVERS .

Despite criticisms of police response from some of the women interviewed, many of the women reported a positive relationship with the police, whom they saw as taking their concerns of physical abuse seriously, as reflected by the laying of charges.

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One officer looked at me, and he goes, "I believe you. I can see how terrified you are." And just the believing piece, especially from the male authority figure was so important.

One woman described how the classification of the abuser as a high risk offender triggered a specialized police team who worked with the woman to monitor the abuser's behaviour. Another woman said the police department did their job whether she liked it or not and kept after the abuser, charging him, and putting him in jail:

> *When others weren't doing their job like never pushing the paperwork along and no one ever seen how dangerous this guy was and how much damage he can do, ..., the police department did. And they said, no, listen we're not going to let this keep going.*

Another woman said the police kept a check on her and helped her the most.

> *When the abuser was released, I mean, cops were in my co-op, and checking on me day and night. I got drives to work out (at the gym). They would follow me on the bus or they would drive me. The community officer would send officers and still checks on me to this day.*

A police representative in a focus group session stated they try to ensure the safety of the victim by fully investigating the allegations and the complaints. Domestic violence training was seen as:

> *encourag[ing] our officers to be aware that many times victims do suffer victimization through domestic violence prior to the one time that they do call us, so it's important that our officers are very sensitive to what the dynamics of the views are. So when we do talk about domestic violence with our officers, we talk about having a sensitivity and understanding of the dynamics and why self-respecting victims are sometimes reluctant to come forward with information and overall, we want to create as comfortable an environment as we can.*

In asking about the service providers' experiences and perceptions of the high risk case coordination program, I was interested in determining how the high risk protocol operated in each city and what practical recommendations service providers had for improvement. I hoped also to find out whether those involved with the protocol saw the increased state intervention occasioned by the high risk designation as helpful or harmful

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to abused women. The tensions that emerged from the data were not what I anticipated and did not always link to the questions I asked. Focus group participants identified a number of ways, which in their view, the high risk case coordination protocol improved the lives of women. These included increasing women's access to information about available services and options, respecting women's decisions in their interactions with agencies, providing referrals and counseling, offering safe places for women to discuss their situation, letting women know that they are not alone, and helping women to regain self-esteem and confidence. One participant offered the following example:

> *Well, you know, some of us in this room were at a case conference a couple of weeks ago, and wow what a difference it made in that woman. Ever since then I have seen her confidence increase. When the police walked through the door that day, she visibly started shaking so bad, because her experience with the police was as an addicted person, who had issues. By the time the officer left the room and she realized that he was really there to help her, it was amazing and ever since, it's been amazing what that case conference did for that woman.*

Another service provider said it is more effective for women without children, then those with children, because of the mandatory intervention from child welfare and the woman's fear about child welfare. One agency member said it improves the lives of women who are leaving the relationship but causes more hardship for women who want to remain with the abuser.

> *I think it improves the lives. When I'm dealing with clients, it improves the lives of women who are ending a relationship. For them, they are at the end of their rope, and to be supported in the way they are through the protocol, I think, is wonderful. Who it doesn't help, is women who are not leaving the relationship. It makes it much more difficult for them to continue the relationship.*

> *For those who are at the end, they are really the most afraid and what we've been hearing is they really have felt like people are working together to help protect them so they feel a little bit better.*

Another agency said the high risk program improves the lives of women who have no family support.

> *Women that don't have the family support all of a sudden they become involved with the agencies here, and their services, and you see their self-esteem take a spike in the right direction, you know, and their self-worth. That's a benefit of this committee.*

The involvement of corrections and probation was also seen as an important element of the high risk protocol, since these agencies can enhance the safety of women by monitoring the abuser's behavior and enforce conditions placed upon him by the court.

> *For my part where I monitor people, where I see there's a no contact order and I find out there's contact, I check it out and I find this guy has called her 100 times in two weeks, so I say, okay let's record this and see what's going on.*

Focus group members believed that case conferences also offered a helpful opportunity to the ability to problem solve on difficult cases:

> *The case conference was helpful because we were at our wits end with a woman's situation and how it appeared she was falling through the cracks. And the case conference allowed everybody to be aware how serious the situation was and we could really plug along with what had to be done.*

The education and information-sharing aspects of the protocol were also seen as valuable for the service providers themselves; members of the high risk coordination committees are trained on issues such as what constitutes high risk, how to manage high risk cases, how to share information and what types of information to share. The meetings help the various service providers understand each other's practices, and sometimes, challenge those practices.

> *I think we've been very lucky to sit at this table, and too bad that everybody from all the agencies couldn't sit at the table because we've come to understand each other's jobs, and that everyone has limitations, and everyone has frustrations.*

Communication and trust building were also seen as key factors:

Opening the lines of communication and being able to talk about a touchy issue or situation and talk to the right person and the next thing you know, it's explained or it's resolved. That's a huge factor here.

5.7.4 Feminist liberatory discourse or crime control discourse?

I was interested in uncovering the theoretical perspectives of those implementing the protocol in order to determine whether the protocol could be best understood as emanating from a feminist liberatory discourse or a crime control discourse. Focus group members indicated aspects of their practices such as informed consent, education and support, providing safe spaces, and operating from an anti-oppressive and feminist framework as attempts to implement the high risk case protocol in a feminist liberatory manner.

We make sure that when women come into our agency they know that it's safe for them to talk to us. And, if we give any information we always make sure to have her permission.

I try to be mindful of anything that I do or say, not to re-victimize them but to also talk to them about the possibility of being re-victimized in the system and if there is any place where I can assist, then I certainly would.

Our agency offers a private, confidential opportunity for women to discuss safety issues. The centre offers a safe place for women where the physical environment is a safe place for women-presents no danger.

The staff works within an anti-oppression framework – recognize our own cultural values and respect differences. We use a feminist analysis where women are experts in their own lives. We takes no action unless permitted by the woman.

Feminist liberatory practices were also discussed in an earlier section when some focus groups members indicated their programs were voluntary so it gives the victim control over what happens and others accept women's decisions.

Our program is voluntary. This gives the victim control over what happens.

When I deal with a client I try to ensure that I'm not putting my judgment into her life and I try to accept what her decisions are. I try to help with her decisions and try not to be condescending or judgmental in any way. Always in the top of my head is that they are living their life experience and I have to accept what she's telling me. So, for me, that's important.

Certain criticisms which focus group members made of the high risk program also reflected a feminist liberatory discourse. Thus, some focus group members felt that the high risk case coordination policy was by its very nature intrusive. *"Isn't it always intrusive? If so some women appreciate it and some don't"*. Other service providers identify that African Nova Scotian and Aboriginal women have had negative experiences with police and would like to see another approach. One agency member said, *"the protocol represents a social control not a social justice approach so the agency response is controlled by the protocol. An evaluation may show that this is the worst thing"*.

Moreover the pro-charge policy and child welfare policy were viewed by some service providers as unwarranted state intrusion that has harmed women. On the other hand, others thought that police officers' discretion would compromise the safety of the victim and argued against giving officers discretion on whether to lay charges. Arguably this may reflect more of a crime control perspective.

The concern that I have, that if we were to ever revert back to the decision to be made solely by the officer or the victim themselves, that we are compromising their safety which I think is paramount as far as the victim's needs.

In terms of doing no harm I think just by (child welfare) knocking on the door sometimes, causes immediate harm. They try to quickly explain what their involvement entails in terms of they are not here to take her child, they are here to ensure her child is safe, that she is safe... But that initial knock on the door, like I said, is sometimes, the focus, unfortunately for some women, not the violence.

Crime control discourse was evident in the rigidity of some service providers practices and paternalistic thinking where workers think they know what is best for

women. In this quote a focus group member states they monitor both the abuser and victim for high risk with new partners:

> *On our computerized system, we've flagged both the man and the woman in terms of high risk for lethality. So that if she goes on and she gets involved in another relationship and there's a hint of violence, it's repeated, right, it doesn't have to be extreme, it doesn't have to be you know, that bad of the situation, or it doesn't even have to have violence involved. If we get a referral about physical abuse or anything like that, then that's something that we go out, and that's flagged with her for her new relationship and it's also flagged with him. And we make the call that this fella has moved in with this woman, he may have no history with her, but we've got him flagged HRL, then looking at the entire situation we may go knock on that door, you know. Just to let her know, who has moved in, right. So that's, how we've handled it.*

These next two comments from focus group participants indicate the victim's perceptions and wishes will be over-ruled, and overlaps with victim agency.

> *We all know there are lots of women that don't see a problem or don't see it (domestic violence) as a major issue, which is frustrating, and we don't give up on that. We just can't, right. That's when we run into some of our major road blocks, and headaches, court wise. And we are going to court, and it's a major issue for us to try to get a woman who doesn't see it as being a problem whether she was raised in that type of environment, or whether she thinks she deserves it.*

> *The police have told me; send out the initial designation (form), even if the victim says no.*

5.8 Conclusion

This chapter represents the findings from the interviews with abused women and the focus groups with service providers, about their perceptions of and experiences with the high risk case coordination protocol. It introduces the concept of the dominant domestic violence discourse and some of the tensions that are inherent in the discourse. The chapter is organized around overarching themes and the tensions that apply within those themes. Some of the themes that emerged from the interviews and focus groups were anticipated while others were new insights. The chapter uses the findings to

illustrate the themes and the tensions that service providers and policy makers grapple with in the field of domestic violence. The chapter also uses the findings to answer some of the original research questions such as whether the protocol is harmful or helpful and whether it is feminist liberatory or crime control.

In the next chapter, the findings are discussed and analyzed in order to shed light on and explore more fully the tensions as well as on the original research questions. The goal is to gain a greater understanding of woman abuse, identify ways in which the dominant domestic violence discourse on woman abuse needs to be challenged, and provide a foundation from which to make recommendations.

CHAPTER 6   DISCUSSION AND ANALYSIS OF THE FINDINGS

6.1 Introduction

The original concept for this research was to examine the high risk case coordination program which deals with cases of woman abuse where there is a high risk that either the victim or the abuser will be killed. In particular, I wanted to know whether women in the protocol felt that it had helped or harmed them, and whether the protocol represented feminist liberatory discourse or crime control discourse.

While I did gain some insights on these issues (although not in the dichotomous way that I had originally expected), my research and reading also gave me unexpected insights into woman abuse, and the societal responses to it, more generally. I came to realize that the dominant discourse on domestic violence fails to take sufficient account of the abuser, frequently thinks of the abused woman in essentialist ways, and offers one-size-fits-all solutions that do not reflect the complexity of the issue, nor the multiplicity of women's and men's experiences. While some of the more recent feminisms do offer more nuanced accounts of woman abuse, these theories are only beginning to impact the dominant domestic violence discourse. Further, as noted in the chapter on theory, some of the third wave feminist theories, while offering valuable new insights, have shortcomings of their own that need to be considered when developing more fulsome responses to woman abuse. Above all, the data I gathered as well as the insights I gained through my reading brought home to me the need to move beyond debates about which brand of feminism is better. As Lewis et al (2001) point out:

Dualistic thinking, creates an internal gaze upon debates between

feminists rather than an external gaze upon the meaning and effect of

law in people's lives, and is not a useful way to develop effective legal

responses to abused women and abusive men (p 116).

Further, my research led me to reject the trap of easy dichotomies and rigid either/or

solutions.

This chapter begins with an attempt to weave together the best insights gained

from various feminist theories on woman abuse, in order to address some of the

dilemmas that arise in the dominant discourse on woman abuse. These insights are

grounded in an understanding of woman abuse that rejects the possibility of developing

one over-arching theory that provides a complete understanding of the issue and that is

able to refute all other understandings or theories. Following this is a more fulsome

discussion on the tensions identified in the findings chapter with a view to providing

some policy recommendations both on the high risk coordination protocol and on

strategies to combat woman abuse more generally.

6.2 Insights

All interesting theories, at least all interesting social theories,

constitute an attack on the taken-for-granted world of their audience.

This audience will consider any particular proposition to be 'worth

saying' only if it denies the truth of some part of their routinely held

assumption-ground. If it does not challenge but merely confirms one

of their taken-for-granted beliefs, they will respond to it by rejecting

its value while affirming its truth. They will declare that the

proposition need not be stated because it is already part of their

theoretical scheme: 'Of course'. 'That's obvious'. 'Everybody knows

that'. 'It goes without saying'. The other component is that it has to

have a practical utility that others will want to engage with this theory

in a new practical way (Davis, 1971, p 311).

When presenting any new or different ideas the writer always hopes to be

contributing something that the reader will say to themselves, "well that is interesting" or

"I hadn't thought of it that way before". In reading Ruth Mann (2000) she presented

several insights on woman abuse which made me pause to reconsider some of my own

thinking on woman abuse. In her discussion about the dichotomous viewpoints on

woman abuse Mann states that the issue of either/or comes down to the "need for power

and the fear of powerlessness, which undermines the possibilities of *authentic*

connectedness, respectful communication and mutual accommodation" (italics added) (p

217). She states that the issue of violence against women may be viewed through varying

lenses which bring varying aspects of the issue into focus. No one lens allows the viewer

to see all the issues; however, when one group claims that their lens has the complete

view, they are attempting to render other views as competing or erroneous. Moreover,

"when we recognize or privilege partial, imperfect truths - truths circumscribed by the

irresolvable limitations of historically situated human consciousness-we foster something

very different, something aimed less at winning and more at accommodation and

reconciliation" (Mann, 2000, p 222). She concludes that with the issue of violence against

women:

Many activists and researchers imply that there is an unequivocal

'right' side; that, we rightfully focus on women's safety or men's

accountability; or individual issues instead of societal attitudes and

structures. Explicitly or implicitly, this 'either/or'

conceptualization promotes and justifies efforts to assert all-out

control or ownership; it promotes reifications and bad faith. In

contrast, a 'both/and' approach recognizes that it is troubled

persons who participate in and who seek and receive support from

education and counselling services; that personal troubles are

rooted in prevailing sexist, racist, and classist social structures; and

that solutions to both components of 'the problem' are elusive.

This approach promotes and fosters efforts to negotiate an

invariably difficult balance, one that draws on the strengths of our

competing and unavoidably flawed lenses (Mann, 2000, p 223).

Therefore, in order to move away from a dichotomous framework on woman

abuse to a more inclusive and multifaceted framework, the following factors should be

considered: identifying and implementing mechanisms for the abusers accountability in

tandem with the woman's safety that have been demonstrated in some specialized

domestic violence courts (Mirchandani, 2006; Ursel, Tutty, leMaistre, 2008);

acknowledging the differences among women who are abused and the services available

as well as the differences among abuser's violence levels; ensuring there is a balanced

approach in accessing the criminal justice and community systems; and advocating for

the transformation of societal norms towards a rejection of violence.

In the course of researching this thesis, I have reviewed various feminist and non-

feminist theories, each offering beliefs, values, research, conceptualizations and

dilemmas on the broad issue of violence against women. I have come to realize that no

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single theory fully explains or responds to this complex issue. However, while I see the necessity of questioning certain feminist certainties and of absorbing any wisdom offered by non-feminist theories, I still consider that recognition of a fundamental truth-gender oppression and inequity-must be present and indeed front and centre in any attempt to understand, theorize about, and offer practical responses to the abuser. Building on this truth and on ideas gained from my interviews with abused women and focus groups with service providers, certain insights have emerged which I hope will aid in discussing the tensions and contradictions in the dominant domestic violence discourse. Further, I will draw upon these insights in developing my recommendations on woman abuse generally and specifically for the high risk case coordination program.

These insights:

1) are feminist; that is committed to gender equality;

2) acknowledges the intersections of oppressions based on race, class, ethnicity, ability and sexual orientation and attempts to find more multi-faceted, thoughtful solutions which respond to these intersections;

3) have a dual focus on the abusers' accountability for their violence and on women's safety. In particular,

(a) the focus on men who abuse is directed at responsibility, prevention and intervention, and

(b) the focus on abused women is directed towards providing supportive options that will enhance the safety of women and children, and avoid punishing women for the the abuser's behavior. Further, supporting women would include a focus on adequate material resources such as

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housing, employment, child care, health care, education and social services;

4)   acknowledge that there is no one solution that will work in every situation;

5)   acknowledge that not all women will have the same goals, want the same level of intervention or support, or respond in the same way to programs and supports that are offered; therefore, the response to woman abuse should, as far as possible within the resources available, endeavor to respect women's choices, and ensure that women are aware of the options available to them;

6)   recognize that most men are non-violent and many are also concerned about violence against women, and these men need to be brought in as allies;

7)   avoid dualistic thinking. This includes: moving away from the perception that including a focus on abusive men leads to minimizing their accountability or means relegating the safety of women to second place; discarding an "us" and "them" mentality based on the assumption that there is only one correct understanding of, or response to, woman abuse; avoiding the extremes of either relying unquestioningly on one system such as the criminal justice system, or rejecting it entirely; and recognizing that the violence needs to be studied and addressed at both the individual and societal level;

8)   include a component on public education, particularly for young people, on healthy relationships and the unacceptability of violence;

9) integrate the best insights from different theories and also integrate lessons

learned from the past, recognizing that sometimes we may need to circle

back and reintegrate aspects of earlier approaches. Thus, this approach

conceptualizes progress as a spiral rather than a direct line from the past to

the future. A spiral allows us to revisit issues with accumulated wisdom,

constantly seeking a deeper understanding;

10) incorporate the intellectual humility to recognize that these insights too

will have their flaws, and that recommendations based on these insights

will inevitably have some unintended consequences and will have to be

revisited in the future.

In the following pages I will use these insights to reflect on and analyze the data collected

through the interviews and focus groups and then reframe the tensions revealed in my

findings chapter. For ease of reference, those tensions are set out below. While the

tensions identified here are one way to conceptualize some of the contradictions inherent

in the dominant domestic violence discourse on woman abuse it should be noted that they

inevitably overlap and intertwine with each other, are fluid and connecting, and do not

represent distinct compartments.

6.3 Rethinking the Approach to the Abuser

The findings from the interviews and focus groups revealed two key tensions

relating to the abuser. First, should the abuser be viewed as a thoroughly bad person who

needs to be punished or should he be seen as a troubled individual who needs help? As

seen in the findings, some women described the abusers as vicious and frightening where

their cruelty extended to the children. But the women themselves also offered insights

that made it impossible to take a completely uni-dimensional view of the abuser – thus they recognized that the abuse was often fueled by addictions and mental health problems, and at least sometimes, recognized the possibility of change as in the case where the woman supervised the abuser's visits with his son and noted changes as he was not using drugs anymore.

The seeds for this tension are found in the early feminist writings on violence against women. Some radical feminists were definitive in essentialising the abuser as evil and incapable of responding to (or perhaps even unworthy of being offered) therapy and rehabilitation. Some feminists were concerned that non-feminist theorists focusing on men's abuse as influenced by individual factors, such as childhood experiences or substance abuse, would deflect attention away from the entrenched patriarchy. While the desire to keep the spotlight on societal norms which perpetuate gender oppression is a valuable insight, essentializing abusive men assumes that all men are the same and that they gain such benefit from the violent expression of patriarchal norms that none of them will ever want to, or be able to, change their abusive behavior. This fails to take account of individual differences, fails to recognize that all abusive men are not the same nor do all abusers present the same level of risk, and fails to acknowledge the human capacity for change. Michael Johnson (2000, 2011) has created typologies of domestic violence that has disrupted the notion of power and control by men and states, "Partner violence cannot be understood without acknowledging important distinctions among types of violence, motives of perpetrators, the social locations of both partners, and the cultural contexts in which violence occurs" (Johnson & Ferraro, 2000, p 948).

Regarding the second tension rethinking the approach to the abuser not only requires a move away from essentialist portrayals but also calls into question the validity of the debate whether societal responses to woman abuse should focus primarily on the abuser or the victim. A fairly frequent theme in the dominant domestic violence discourse has been the fear that resources spent on treatment or other services for the abuser would direct resources away from programs working with women or that abusers are being indulged at the expense of women's programming (Boonzaier, 2008; Coker, 2001).As Lewis et al (2001) points out:

> "…., feminist work against domestic violence has always involved working with women only. Working with men to protect women, while services for abused women are miserly, is unpalatable for many in the movement and can seem like an unaffordable luxury. Consequently, discussions about abuser programmes amongst feminists often involve implicit accusations of 'selling out' and losing sight of 'real' feminism (p 121).

Moreover, feminist objections to treatment programs for abusive men may be "exacerbated by ignorance about the aims and methods of abuser programmes"; and may fail to recognize that such programs "challenge men to take responsibility for their violence rather than offering sympathy and counseling" (Lewis et al, 2001, p 121). Ellen Pence (2001, 2006) a feminist who developed the power and control wheel from her work with abused women also developed intervention programs for abusive men.

Certainly, undertaking this research I too shared these concerns. As a practicing

feminist in the battered women's movement I spent little time considering issues about the abuser as I was caught up in the dichotomous belief that I could only work with either women or men, not both. When I told others about my research, some inquired if I was going to interview the abuser as well. I was curious why they would ask that as I could not imagine how abusers could contribute to my research. I believed that to study abusers might lead me to make excuses for their behavior or minimize their violence and therefore jeopardize my feminist perspective. During the interviews hearing such questions as: what happens to the abusive men? Who is doing something about them? Are they being punished or helped? How can we keep these men from committing the abuse? Who is going to stop them or treat them? I realized the abusive men were the missing piece in many feminists' work with abused women.

Generally speaking, abusers have been relegated to the margins of responses to woman abuse (Dobash & Dobash, 2011; Hunnicutt, 2009; Lewis, Dobash, Dobash & Cavanaugh, 2001). This became very evident during my research that a number of women, even though they had ended or were ready to end the relationship, still spoke of the need to provide treatment for their abusers. Further, a number of the women suggested that I should also speak with the abusers, thus clearly seeing their insights as also relevant to understanding woman abuse. Providing treatment for abusers or requiring abusers to address the consequences of their abuse has been neglected in favor of focusing primarily on the woman's safety. Both focus group participants and the women I interviewed pointed out that abusers were not part of the high risk case coordination program; while their behavior triggered the designation of high risk, they were not informed of this, or of the consequences of such a designation. Thus, listening to the

women I interviewed protest that abusers were not held accountable and responsible for their abuse led me to realize that the risk management of abusers is not fully factored in the high risk case coordination program and to a lesser degree in responses to woman abuse more generally. A less dichotomous approach would recognize the validity of a more multi-dimensional approach. Accepting that getting abusers to take responsibility can reduce future violent behavior removes the argument that a focus on men precludes or is in opposition to a concern for women's safety; their safety will be enhanced if abusers can be taught to take responsibility. Further, if treatment programs are based on an acceptance of responsibility this should alleviate feminists concerns that the treatment programs will simply adopt a "poor you" attitude to abusers, or allow abusers to blame others for their violence (Augusta-Scott & Dankwort, 2002).

While interventions with abusers should not supersede, or be developed in isolation from supports directed at the abused woman, it makes sense that a societal problem as complex and wide spread as woman abuse should be tackled from more than one angle. To suggest that treatment should be available for abusers and that all abusers should not be essentialized as beyond hope of change is not to minimize the need for the abuser to "acknowledge the significance and existence of the abuse and understand the potential impact the abuse has on the victim and others. He must accept his culpability for his actions and bear the full onus for ceasing his abuse and changing his behavior" (Jenkins, 1991, p 187). The Dobashes (2011) concur and state:

> The offender must look back to his offense, accept responsibility
>
> for his actions, and enter the painful process that inevitability
>
> follows if this is done in an authentic and meaningful fashion.

Blame, criticism and censure must be burdensome and the offender

must accept the process of being confronted with his wrongdoing

(p 130).

Some would argue that abusers are held accountable for their violence through criminal sanctions which could include jail or mandated treatment. Others, such as Alan Jenkins (1991) have argued that the abuser's responsibility is often overlooked or ignored, in favor of a focus on the victim's needs. Paradoxically however this focus on women may in fact reduce the options available to victims thus service providers tell women they do not have to put up with the abuse, but there may in fact be few real alternatives, so long as the abuser continues his violent behavior. Recognizing the need for increased treatment for men does not of course mean that any treatment, from any perspective, is appropriate. Abuser's programs need to be grounded in an understanding of the gendered nature of woman abuse, have a focus on getting men to acknowledge their responsibility for the violence they commit, and be appropriate for the level of violence committed. Sharon Lamb (1999) states that if we focused more on men's violence than on women's victimization we would redirect our attention to address the systemic and cultural issues of violence against women instead of individualizing it. Jenkins (1991) further states:

Approaches to intervention in spouse abuse too often appear to

assume that abusive behavior, like death and taxes, is inevitable.

We only try to help victims avoid or cope with victimization. We

fail to expect responsible behavior from abuse perpetrators and

often inadvertently excuse them from responsibility for their

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actions (p 188).

It seems clear that holding abusers accountable for their violent behavior must be a key element in society's response to woman abuse; however, a move away from essentialist thinking about abusive men allows for deeper and more transformational thinking about what responsibility and accountability should look like. Questions such as: how is violence tied to traditional ideals of male masculinity; how can society provide different messages regarding acceptable norms and healthy relationships; and how does woman abuse interact with other forms of violence may be useful starting places.

Questions such as these remind us of the societal factors that may make it easier for some men to resort to violence within their relationships. Equally, individual factors, such as having witnessed, or experienced violence when growing up, drug or alcohol addictions or mental illness must also be kept in mind. Consideration of these factors is not intended to make excuses for abusers, but does offer the possibility of approaching abusers-and the question of how to make abusers accountable-with more understanding and compassion.

Further, the fact that male violence and particularly male violence against women is deeply embedded in our society should not cause those working in the field of domestic violence to give up in despair. Instead, it may be useful to draw inspiration from responses to other kinds of culturally embedded violence (for instance South Africa's Truth and Reconciliation Commission) and ask whether they provide insights into how to encourage abusers to take responsibility for the harm they have caused, without focusing on punishment alone or forever placing such abusers outside the pale of civil society.

Through my research I have come to realize that as a feminist committed to ending violence against women, I have to be interested in what I have called the 'the men piece, the missing piece' because without intervention with men nothing will change for women. There are some feminists who have worked with abusive men and developed treatment programs. One example is the Duluth model, which aims to make abusers more accountable through their participation in group programs using a psycho-educational approach to explore men's violence against women (Shepard & Pence, 1999). Closer to home, the shelter staff in New Glasgow, Nova Scotia worked very closely with other community groups to establish a men's intervention program, and continues to work collaboratively with those who provide services for abused women. Staff with the New Glasgow program regularly checks with the woman to determine whether the abuser has ceased his violent behavior.

Based on the insights that not all men are the same, that some may be able to change through intervention that requires them to take responsibility for their violence, that reducing male violence is a key element in keeping women safe, and avoiding a one-size-fits-all solution, those working to end woman abuse need to be open to rethinking their approach to the abuser. In the following part I move from general recommendations for addressing abusers to more specific recommendations for how the high risk case coordination protocol should include a focus on the abuser as well as the victim. Before making recommendations for policies and programs directed at abusive men, it is worth taking a moment to consider who might be involved in developing an effective societal response to woman abuse, and in particular to consider the role that non-violent men might play. With some exceptions, feminists have been reluctant to see non-violent men

as allies in the struggle against woman abuse, yet surely men should be enlisted as allies both in general educational work regarding abuse, healthy relationships and men's violence against women (Katz, 2006), and in the more specific task of implementing effective intervention programs for abusive men. All these recommendations should take as a starting place Jenkins (1991) position that all work around woman abuse should aim to end and prevent abusive behavior, and increase responsible and respectful behavior in the community.

Thus far, there has not been significant engagement by men in initiatives aimed at addressing violence against women (Katz, 2006). There may be various reasons for this including: violence against women has tended to be conceptualized as a woman's issue; some within the women's movement have portrayed all men as potential abusers; a focus on the immediate safety needs of abused women and their children may have left little time or energy on connecting with possible male allies; and a belief by some feminists that men should take the initiative to work against woman abuse, without waiting to be invited into the struggle. Arguably, however efforts to eradicate woman abuse are likely to be more effective if non-violent men play a role in developing and delivering such efforts.

6.3.1 General recommendations regarding rethinking the approach to the abuser.

First, more research is needed on abusers including research from a feminist perspective. Such research should focus on a range of questions including what factors tend to lead men to abuse, and what is working and what is not in prevention and intervention. Such research should include an inquiry into the current effectiveness of the criminal justice system in responding to woman abuse and into ways to expanding the

criminal justice system to include more options for dealing with abusive men. For instance, research into the appropriateness of restorative justice programs, as well as into the factors that would make a restorative justice approach most likely to be effective in a given case is also needed (Daly & Stubbs, 2006).

More evaluative research on abusive men's experiences with the law and the effect it has on their behavior should be undertaken to ensure the most effective matching of particular interventions to particular contexts (Lewis et al, 2001). Risk management programs, particularly comprehensive local programs, need to include an evaluative component that regularly reviews what works well and what needs to change. Evaluations of such programs would also involve the development of standards to enhance the application of the program, and to increase the likelihood that the program could be transferred effectively to other communities.

Research of the sort advocated here would require collaboration among academic researchers, those working within government to develop policies and programs, activists, those currently involved in delivering services to victims or abusers, and staff within the criminal justice system. It might also benefit from collaboration between feminists and non-feminist theorists. Some feminists may initially be uninterested in, or even resistant to research that focuses on the abuser-certainly that was my initial thinking in tackling the issue of woman abuse. However, I have come to see it is vital that feminists be willing to rethink engaging directly with the issues relating to abusive men. Gaining greater insight into such questions is imperative in order to improve the policies, programs, and practices for both abused women and abusive men.

Another recommendation is for the justice system to explore options to foster

abusers taking responsibility for their behavior. One way would be to increase incentives

for guilty pleas by using diversion programs that require the abuser to attend a treatment

program (Ursel, Tutty & leMaistre, 2008). Another way is where an abuser who has been

ordered by the court to avoid contact with the victim, applies to have the no-contact order

varied, the court should require proof that the abuser has accepted responsibility for his

previous violence and taking steps to prevent its recurrence, before granting the variation.

A final recommendation is to develop policy that equally addresses the issues

relevant to both the victim and the abuser. That way both are being attended to in the

intervention or program; the abuser being held to account and the victim being provided

with support.

6.3.2. Specific recommendations.

6.3.2 .1 Recommendations regarding the high risk case coordination program.

The four pillars of a comprehensive response to high risk woman abuse cases are:

risk assessment; working with children at risk; risk management and safety planning.

Currently the high risk case coordination program's weakness is the risk management of

the abuser. The recommendations that follow are specifically for the high risk case

coordination program and are based on the assumption that a file has in fact been

accurately classified as high risk, thus there is a significant risk of death or serious injury.

Currently the service provider implementing the high risk program rarely, if ever,

notify the abuser that his behavior has been assessed as high risk. The need to inform the

abuser of the high risk designation was highlighted by a number of the women I

interviewed as well as in the focus group discussion. The following should be

communicated to the abuser: that the designation of high risk has been made by the

police; what this means, with an emphasis on the seriousness of the designation; an educational component on the dynamics of abusive relationships; what steps the police or other agencies will take as a result of the high risk designation; what conditions (such as no-contact with the victim) have been imposed upon him by the police or the courts; what the consequences may be if he engages in further violent behavior or violates any conditions; and options, such as counseling or treatment programs exist to help him to deal with his violence or with other related problems (for instance, such as addictions). This information could be conveyed by a domestic violence officer, if the police agency involved has such an officer, by a probation officer if the abuser is on probation, or by the staff of a men's treatment program if the abuser is currently enrolled in such a program.

The second recommendation involves ongoing risk management of the high risk abuser in the high risk case coordination program. If the abuser's behavior escalates and there are subsequent charges, a case conference could be held with the abuser, police, and where relevant, probation, and any other involved service providers such as men's treatment program or addictions and mental health workers. There may be concerns about the abuser's right to confidentiality if a broader spectrum of service providers are included in the case conference; however, since the abuser has been criminally charged and there is a significant risk of harm to the victim, the health and safety concerns for the victim should over-ride the issue of the abuser's right to confidentiality. The case conference would reiterate the information given to the abuser at the time he was notified of the high risk designation, with a particular emphasis on the seriousness of the abuse, his responsibility to ensure that no further abuse happens, and his options for assistance and treatment (if such options exist and are not already being utilized).

6.3.2.2 *Recommendations regarding the criminal justice system.*

A further opportunity for intervention would be available if the abuser in the high risk case coordination program is charged and dealt with in the criminal justice system. Arguably, the abuser classified as high risk would be unlikely to have the option of a restorative justice or other diversion program; therefore, the likely outcome of a guilty plea or a finding of guilt would be a suspended sentence with the imposition of conditions, or a jail sentence, whether or not followed by probation. Where conditions are imposed, a meeting should be held between the abuser and a domestic violence police officer or probation officer to review and explain the terms of the conditions and the consequences of any breach.

Further, the imposition of conditions will only be effective if accompanied by strict monitoring and consistent intervention for wrongdoing (Adams, 1988; Gondolf, 2002 & 2008). If any further abuse is not followed with real consequences, this undermines the message of accountability (Day et al, 2009; Gondolf, 2002). If an abuser does violate any court orders, consequences should be swift, certain, and consistent (Gondolf, 2008). Further, the domestic violence police and probation officers would also keep the woman informed about the abuser's release conditions. Monitoring could include establishing specialized probation officers, trained in the dynamics of domestic violence and high risk abusers, to work in tandem with police domestic violence officers, to supervise and to ensure that any court-ordered interventions (such as attending a treatment program) are adhered to. Even when treatment is not court-mandated, probation officers or domestic violence police officers should encourage the abuser to find help or treatment, where programs are available.

6.3.2.3 *Recommendations regarding child welfare.*

Child welfare approaches should also be reviewed to ensure that, as much as possible, their involvement also includes a focus on the abuser's accountability in the high risk case coordination program. As my findings indicated when child welfare becomes involved in a high risk case, for the most part, they ignore the abuser. Although child welfare can request the family court to remove the abuser rather than the child from the home, to order supervision of the abuser's access to children, or to order the abuser to avail himself of certain services and programs, (Mandel, 2010; Moles, 2008, p 684), these are often not employed. It may be that child welfare workers are not well informed about the legislation under which they operate, or they may simply find it is easier to work with the non-offending parent. Child welfare workers need to be trained regarding the powers at the court's disposal and on the situations where it would be appropriate to seek such a court order. While these orders can only be sought where it would be in the best interests of the child, requiring the abuser to leave the home or engage in treatment, or preventing the unsupervised access to his children would not only increase the safety of the child where used appropriately, but would also have the beneficial side effect of placing responsibility for the violence on the abuser's shoulders.

6.4 Rethinking the Approach to Abused Women

A clear theme that emerged from my research is that, just as essentialist views of abusive men should be avoided, so too should essentialist views of women who are abused. While it may be important to emphasize that women in abusive relationships are victims in the sense that they are not to be blamed for the violence, the tendency within the dominant domestic violence discourse to view all abused women only as helpless

victims does not acknowledge the differences among women in terms of how they may wish to respond to the violence and in their resources to do so. The second tension is where abused women should be nice and cooperative and not resist the services and supports offered to them.

As identified in the findings chapter, abused women wanted to be listened to and have some choice when they encountered various service providers. While many individual service providers indicated they give women a choice to participate in their services, generally in the high risk case coordination program women are not given the option to consent to participate or to withdraw. When abused women do not want to be involved in the program they simply disappear and go underground; they do not return phone messages, or they disconnect or change their phone numbers, and move their residence so service providers are unable to contact them.

One corollary of an essentialist view of abused women as helpless victims who need to be rescued is the assumption that leaving the abusive relationship is the only sensible response, and therefore women who stay are deficient in some way or else have exaggerated the extent of the violence. Equally it is assumed that the relationship between an abuser and a victim cannot have any positive qualities, thus in the interviews with the women I asked them to tell me about the violence they experienced from their partners. I did not ask them to tell me about the loving moments in their relationships as I was not interested in that aspect. The dominant domestic violence discourse leaves little room for understanding a woman who may want the violence to stop but still finds some value in her relationship with the abuser nor does the dominant discourse acknowledge that some

women develop skills that may help them reduce the violence or provide some measure of protection for their children.

Having only one acceptable script for women in abusive situations decreases the likelihood that the woman's voice will actually be heard and thus decreases the likelihood of finding solutions that best fit her particular circumstances. Treating women as passive victims who are unable to read their own situations may also result in some service providers over-emphasizing or conversely minimizing the threat of violence. Failure to listen to abused women can lead to paternalistic solutions (Jenkins, 1991). This may explain why some women in my interviews regretted ever getting involved with service providers. Conversely, some women do want protection and are frustrated and upset when they feel this is not forthcoming. As some of the interviewed women indicated they wanted to be listened to and taken seriously when speaking with service providers. Protection is one important aspect of societal responses and though many women may want protection, and may want the intervention of the police and other aspects of the criminal justice system, not all will, or not all in the same way or to the same degree. A range of recommendations and responses will be in the avoiding one-size-fits-all sections, but my purpose here is to highlight the tensions and contradictions that emerge if society takes a uni-dimensional view of abused women. Abused women are complex and diverse. Not only do they come from a multitude of ethnic and cultural backgrounds, but their families and life experiences help to shape how they respond to the abuse. Even in a relatively small sample of abused women such as mine, the diversity of their responses indicated not all the women wanted the same type of response to their abuse situations. Just as the dominant domestic violence discourse tendency towards an essentialist

portrayal of abusers is unhelpful, so too is an unnuanced perception of abused women.

Another tension highlighted by my findings relates to the perceptions about how victims should respond to interventions. When an abused woman is seen as resistant rather than cooperative it may be that the woman is responding to what she perceives to be condescending or unhelpful treatment, or it may be that the woman has her own ideas about what is best for her. Her resistance could also reflect a sense of fear and distrust occasioned by the abuse. When abused women are not cooperative and "nice" and reject the services offered, they can be further marginalized in the types of services and support they will receive. Certainly some of the women I interviewed feared that any failure to act as a "grateful victim" could have negative repercussions. Expecting abused women to be grateful for interventions provided is paternalistic and reinforces patriarchal ideologies of what is expected of women. As in the previous section, my recommendations relating to rethinking the approach to abused women are divided into more general recommendations and recommendations that focus specifically on the high risk case coordination program.

6.4.1 General recommendation regarding rethinking the approach to abused women.

Policy regarding woman abuse should be developed to include women's decisions to engage with the system and devise programs that allow women to make decisions on when they want to pursue help. Mandatory domestic violence policies often remove women's options and choice to become involved with the state. To help reverse this, counseling support could be provided to abused women as well as informed consent options where women are educated on the consequences of proceeding or not. Abused women need time to make decisions that may include considerations such as her

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economic position, her children's situation, and safety issues. Therefore, policy should attempt to support women making decisions for themselves, in order to improve and not decrease their dignity (Johnson, 2010).

6.4.2 Specific recommendations for the high risk case coordination program.

There are all kinds of implications for the role of the police, the role of the state and the role of criminal law if service providers in the high risk case coordination program label abused women high risk only if abused women want to be labeled. Clearly, if a woman says she does not want to be part of the protocol, this could mean that she does not think her situation is high risk, or that it is high risk, but she still does not want to be part of the protocol. The first concern does not raise the issue of autonomy so much as the need for good, reliable risk assessment tools; however the second concern does raise the issue of autonomy. Therefore, it is recommended that a woman should not be included in the high risk case coordination program against her will (i.e. once she has been offered lots of information with regards to the assessment) but this raises larger questions of the role of the state in preventing serious injury or death arising out of criminal behavior, so these issues should be further studied, with the proviso that any such study should factor the importance of individual autonomy into its analysis.

The next recommendation is for service providers involved in the high risk case coordination protocol to have regular and ongoing discussion regarding how to respond to potential tensions between providing protections for abused women and respecting agency. Such discussions would offer service providers an opportunity to talk about some of the obvious and not so obvious reasons behind abused women's choices, explore how to preserve an abused woman's dignity when her choices conflict with agency's policy,

and to express the perplexity and frustration that may arise from trying to resolve such

tensions. Since many of the committee members have built a level of trust with each

other they may be more open to exploring difficult issues such as this.

6.5 Avoiding a One-Size-Fits-All Approach

According to my findings there were many diverse responses to the high risk case

coordination protocol. Some women found it helpful, others found it unhelpful. Some

women appreciated the state interventions while others found them intrusive. Some

women were relieved to be high risk, while others were reluctant. While some of the

diverse responses can probably be attributed to inconsistencies in the application of the

protocol such as the risk assessments, my findings suggest a deeper reason as well: when

confronted with difficult social issues, there is a temptation for the state to fall back on

cookie-cutter responses that do not fully meet the needs of those involved. Further when

the tensions from the dominant domestic violence discourse such as all abusers are bad

and all abused women are helpless become integrated into the high risk case coordination

protocol, or child welfare's and the courts' policies on woman abuse, how the polices are

then interpreted and implemented can lead to the concerns that were identified in the

interviews with abused women and the focus groups. Therefore, my findings led me to

consider the following tensions in a one-size-fits-all approach: that all domestic violence

is high risk and about power and control; that the criminal justice system is the most

appropriate site to address woman abuse; and when developing system's responses to

interventions for woman abuse the intervention should be directed to the best interests of

the mother versus the best interests of the child.

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The first tension in the dominant domestic violence discourse and illustrated in my findings is the belief that all domestic violence is high risk and the dynamic of power and control is present in every situation of woman abuse so there is always the risk that a woman will be killed. This defies the research about the different levels of risk in woman abuse such as low, moderate and high risk, so when a one-size-fits-all approach is the over-arching approach to victims or abusers, their individual needs are neglected, and the intervention may cause more harm, or have unintended consequences. A one-size-fits-all approach to woman abuse reflects the difficulty of predicting anything in human relationships, but it may also reflect the unease that some service providers feel about being judged or penalized for having failed to take abuse sufficiently seriously. By appropriately identifying the level of risk through risk assessment methods abused women and abusers can then be provided with the most appropriate resources and services to address their needs.

Given that my research focused on the high risk protocol, not surprisingly, the problems inherent in a one-size-fits-all approach were most apparent in relation to using the criminal justice system to respond to woman abuse, which is the second tension in the dominant domestic violence discourse. My findings reflect a significant source of the debate within the literature as well. There is the first order debate over whether feminists should ever advocate reliance on the criminal law. Some, particularly radical second wave feminists argued that the criminal justice system is an integral element of the patriarchal state and thus can never be trusted to advance the interests of women. Some more recent theorists have attached criminal law as reflecting a crime control discourse that is antithetical to feminist values. Further, some have argued that the criminalization

only touches a fraction of abusive men and may brutalize them further, making them more violent and oppressive to women (Morris & Gelsthorpe, 2000). Jenkins (1991) suggests that acceptance of the criminal justice system as the appropriate response to woman abuse allows society to avoid facing deeper questions about the extent to which violence and constraint are embedded in our culture.

The imprisonment of a few abusive men discourages members of the community from examining restraining values in our culture which support and promote the context for abusive behavior. We take the tiny minority, generally those who have committed the most severe or shocking crimes, along with those who have been the most responsible by acknowledging their guilt-we label them as deviant and we punish them. In this manner we can avoid examining the broad continuum of abusive behaviors, some of which are legitimate and even admired in our culture. We avoid facing the fact that much abusive behavior is over-conforming to commonly accepted ideas about entitlement and responsibility, rather than deviant. Thus as a community, we continue to avoid a critical social responsibility (Jenkins, 1991, p 190).

Despite these critiques, however, the dominant discourse of woman abuse tends to accept both that since woman abuse is criminal behavior it should be treated as such and further that the involvement of the police, courts and corrections is essential to provide some protection for victims (Ursel, 2008), some level of accountability for abusers, and some possibility of deterring future violence. Further, it became accepted in the dominant

discourse that the only way to ensure that abused women received the protection of the criminal justice system was to introduce pro-charge, pro-arrest, and pro-prosecution policies, thus preventing the abuser from coercing the woman to drop charges.

During my interviews with abused women, it became evident that the issue of woman abuse is multifaceted and nuanced, and that it is not helpful to assume that the criminal justice system is either a panacea for violence against women or that is always harmful and to be distrusted. There are times when the criminal justice system is the most appropriate response to woman abuse, and there are other times when to rely upon it entirely is inappropriate. If the criminal justice system is going to be used in some cases then there needs to be a confidence that it works as well as possible. Lewis et al (2001) maintain that "if we are seriously interested in how the justice system can deliver better justice for abused women, we must examine every aspect of it from the perspective of those who use it"(p 123).

The third and one of the most difficult tension's relating to woman abuse arises when the best interests of the mother do not align with the best interests of the child. In this tension child welfare's one-size-fits-all response, where the needs of the child always trump the needs of the mother, does not balance the best interests of the mother with the best interest of the child and may not be as effective, or may not even be genuinely directed at assisting abused women or ultimately their children. Certainly there will be times when supporting the abused woman in her choices will be the best way to protect her children. Comments from some of the women I interviewed and from some of the focus group participants indicated that sometimes child welfare workers may be unnecessarily interventionist because of the perennial problem of inadequate training and

resources, the tendency to blame the victim rather than the abuser, or unwarranted assumptions about the ability or willingness of an abused woman to keep her children safe. At times however, the tendency by some agencies to view child welfare as always the enemy, and always in the wrong suggests, a facile underestimation of the difficulties of keeping children safe. If protecting children from violence is a valid societal goal, then difficult questions have to be asked about what to do when that goal conflicts with supporting a woman's choice (for example, when that choice involves staying in an abusive relationship) or conflicts with trying at all costs to avoid harm to the abused woman (for example, the harm of having her children removed). While my findings did not reveal any easy answers to these questions, they did highlight the need for those working with woman abuse to be open to discussions about the tensions even though the acknowledgment that women's and children's interests will not always align has been almost taboo under the dominant domestic violence discourse.

6.5.1 General recommendations for avoiding a one-size-fits-all approach.

A continuum of responses and options for low, moderate and high risk woman abuse cases should be developed, resourced, and standardized across the criminal justice system. This would be done in collaboration with community agencies that work with abused women and abusive men, involve comprehensive and coordinated risk management for the abuser and safety planning for the abused woman, and include alternatives such as restorative justice practices and community treatment programs.

The most dangerous domestic violence is coercive control violence where power and control is predominant, violence is more often frequent and severe, stalking is frequent, and fear is high among the women (Kelly & Johnson, 2008). Where there is

severe or frequent abuse, recourse to the criminal justice system is appropriate and a jail sentence may well be necessary to protect the abused woman and make it clear to the abuser that such behavior will not be tolerated. Incarceration will be most effective if the abuser is required to take part in a men's intervention program, and where applicable treatment for mental health and addiction issues. (This of course requires that such programs and treatment are available). For less serious abuse the criminal justice system may still be involved; however, where the victim consents and the abuser accepts responsibility, it may be appropriate to move the case into a restorative justice process in the criminal justice system. Or, even if the case goes to trial, a shorter period, or no incarceration may be appropriate, although the abuser should still be required to abide by conditions that the court thinks necessary.

Many of the women I interviewed wanted the criminal justice system involved in their cases but had serious concerns about the system's shortcomings in keeping women safe. For example there were repeated occurrences of problems with the police and court staff, and it was felt that abusive men were not held accountable for their violence. Even if one accepts that the criminal justice system has an important role in society's response to woman abuse, this does not answer the difficult question of whether there should be mandatory pro-charge, pro-arrest, and pro-prosecution policies. When analyzing abused women's negative experiences with the criminal justice system, it is important to distinguish between those women who want the intervention of the criminal justice system -in other words, who have no quarrel with the pro-response policies but feel that the policy was poorly implemented, and those women who do not want charges laid, or a prosecution to proceed. The solution for the former problem might involve such things as

better training for police or court personnel (including crowns), more resources for police and crowns, shorter wait times for trial, increased victim services support for abused women navigating the system, greater consistency in sentencing, increased funding for court mandated treatment programs, increased resources for probation services, and a more consistent and rigorous response to breaches of court orders.

However, the second source of discontent with the criminal justice system requires a fundamental re-evaluation of mandatory charging and prosecution policies. Such policies were introduced at the behest of abused women and those who worked with them in order to remove the burden of laying charges against the abuser from the abused woman and to decrease the possibility of the abuser intimidating the victim to drop charges; however, such policies also had the unintended result of removing choice from women. In some instances, the policies have also led to higher rates of dual charging. In my interviews, some women highlighted the fact that these mandatory responses leave little choice for the woman who has assessed her situation and genuinely does not want criminal charges to proceed.

The police in the focus groups were against the return of discretion for officers in domestic violence cases, and certainly any move away from the current mandatory policies would require a consideration of questions such as: how the police can know when a woman really does not want charges laid or is simply being intimidated into saying this; if greater discretion were to be introduced, should criteria be developed for determining whether criminal charges should be laid, other than what the woman requests and if so what are those criteria? For instance, if a woman has repeatedly called the police to stop the violence, is there ever an argument for saying that at some point

charges should be laid to stop the cycle of violence? Or if physical injury was very severe, should charges be laid even if woman says no? As discussed in avoiding a one-size-fits-all approach, mandatory charging policies illustrates the tensions and conflicts in police discretion and women's choice. For women who want agency and choice in their interactions with the police, the abuse is low risk and the woman is not fearful, officer's use of discretion regarding charges (particularly if it would jeopardize the family's financial status or disrupt the family) may be a positive outcome for these women (Kane, 2000).

Then there is the question whether a move away from mandatory charges is inconsistent with the call for greater accountability for abusers. While these are legitimate questions, against them must be weighed the very real concerns for women's autonomy. While I am not sure how this tension should be resolved, my research has convinced me that the discussion has to be re-opened. Mandatory pro-charge and pro-prosecution policies are another aspect of the dominant domestic violence discourse that needs to be re-examined in order to ensure all available evidence is analyzed, different perspectives (including among abused women) are heard, and difficult tensions are acknowledged and wrestled with. Only in this way can new insights be brought to bear, and can society hope to develop effective policies and programs on woman abuse.

6.5.2 Specific recommendations for the high risk case coordination protocol.

As identified in the findings chapter, one critique of the high risk program is that it encompasses too broad a range of situations, including some which are not actually high risk. Thus, a number of women I interviewed questioned whether they were in fact high risk. Thus, this raises two related, but distinct questions: first, are the appropriate

tests being used to determine initial designation as high risk, and second, even if the initial designation is appropriate, what measures, if any, are used to determine whether the designation continues to apply.

On the first issue, it may be that the ODARA score sets too low a threshold for the label "high risk". I would recommend that the ODARA score should be reviewed through discussions with the developers of the ODARA, an audit of ODARAs to determine the accuracy of the scoring, and a possible pilot project test site where the ODARA score is increased for a period. Besides reviewing the scoring system itself, ongoing training should be provided to service providers on how to accurately complete risk assessments and more generally on how to differentiate between abusive behavior that present a high, medium or low risk of severe injury or death.

On the second issue, as identified in the findings chapter there is no policy on when a high risk file ceases to be high risk; therefore it is recommended a policy be created to determine when a high risk case is no longer high risk so abused women and abusive men can move on with their lives. As a high risk case progress through the different stages of the criminal justice system, the victim may have different levels of need. For instance, at the onset of the high risk designation an abused woman may have a critical need for protection from the police and courts. As her case progresses through the criminal justice system and comes to a conclusion (a process that can take upwards to a year or longer), she may have moved emotionally and physically further away from the abuser. Even while the abuser is still harassing her, many of the women I interviewed, are starting to carve out their own space and attend to their needs. It is at this time that many of the women want more autonomy and choices about the high risk program, most

particularly when to end their involvement with the program. Some service providers use varying criteria to determine when a file is not longer high risk, such as after the final court disposition or at the end of the abuser's sentence, while others have no criteria so, in theory, a file can be high risk in perpetuity. Therefore the program should both provide for regular reassessments and also establish criteria for determining when the high risk designation is no longer applicable. As Neil Websdale stated, risk assessment should reflect a "spirit of inquiry", a dynamic process, rather than a static designation (Key note speech at the Knowledge Exchange on Domestic Violence in London Ontario Oct 17, 2012). Changes in the intensity and meaning of the violence for both the abused woman and the abusive man occurs at different stages in their relationship (if for example they go through counseling, enter treatment or separate) so re-assessing their level of risk is important to determine when the case ceases to be high risk and can be removed from the program. Part of that re-assessment should include a consultation with the abused woman to solicit information about her perceptions about the current level of violence or risk.

The final recommendation is that child welfare and the other service providers in the high risk case coordination protocol committees educate each other about their practices and policies in order to enhance collaboration and coalition building. Ideally such collaboration would lead to multifaceted responses to abused women, children and abusive men. While some of the women I interviewed found child welfare's involvement to have been positive, others described child welfare as unsupportive of abused women's choices and overly punitive. Although there appeared to be good working relationships among service providers and child welfare workers in the high risk case coordination protocol committees, in one of the focus groups child welfare was criticized for some of

their practices. While some tension between a woman centered approach and a child centered approach may be inevitable, the validity of both perspectives should be acknowledged and common ground should be sought. For instance, cross training could be provided on issues such as learning to recognize low, medium and high risk behavior, identifying the factors involved in determining risk levels, and understanding the response and practices of the service providers to each risk level. Educational sessions on understanding each service provider's enabling legislation and practices, along with case studies on how they would handle different woman abuse files would enhance greater communication and, potentially, connectedness. Speakers or discussion groups on various topics related to woman abuse might also reduce the potential "us" and "them" thinking, foster a sense of collegiality, and avoid either/or assumptions about which agency is best. In such an atmosphere, it might be possible to have constructive discussions regarding the potential tension in some cases between the best interest of the abused woman and the best interest of her child.

6.6 Other Recommendations

These last groups of recommendations do not fit under any of the overarching themes of rethinking the approach to the abuser, the abused woman or avoiding a one-size-fits-all approach, yet they are important for policy makers to consider for the high risk case coordination program. They include recommendations for: mandatory police training; establishing domestic violence officers or units in police departments in Nova Scotia; expanding the role of the domestic violence case coordinator; working more collaboratively with child welfare, and evaluating the high risk program.

6.6.1 Police.

All police officers in Nova Scotia should receive mandatory annual domestic violence training. A number of the women I interviewed felt that they were not believed or were even seen as responsible for the violence when they called the police. How police respond to domestic violence calls depends on whether the victim is seen to be worthy (such as being fearful of the abuser) and the seriousness of the incident (such as suffering injuries) (Grover et al, 2011; Russell & Light, 2006). Officers can normalize domestic disputes in families if they are repeatedly called to the same address or once they get to know their patrol area and the deviance in it so they may not view the domestic violence as serious (Kane, 2000). Research indicates however, that women are more likely to call the police when the abuser has a history of violence, injures them, uses weapons or is consuming alcohol at the time of the incident, which suggests that abused women are not calling the police for trivial incidents of woman abuse (Horowitz et al, 2011).

The concerns expressed by the women about inappropriate attitudes and inadequate responses indicate the need for ongoing training for police, either as regular patrol officers or officers in a specialized domestic violence section. The training should address issues such as: the context and dynamics of domestic violence; the levels of violence ranging from low to high risk and how to discern the difference; the varied and complex goals of abused women and the range of possible responses by the abused woman not all of which will fit with expectations about a grateful victim; the pro-charge policy; and the fact that there is no one solution that will work in every situation. The training should also assist officers in identifying their frustrations and expectations in attending domestic violence calls.

The next recommendation is for the establishment of a specialized domestic violence officer(s) or unit to investigate domestic violence cases in all police departments in Nova Scotia that currently do not have either. From interviews with the women it was revealed that police were often inconsistent in their response to repeated and persistent violations by the abuser of his no contact orders, whether he was released by the police on an undertaking, the judge on a recognizance, or a justice of the peace on a peace bond. In the interviews, one woman asked who she should call if police were not going to enforce the abuser's violations. Inaction by the police made the women feel vulnerable and afraid, as harassment by an abuser can be high risk behavior. Although there is a pro-charge policy in place in Nova Scotia, it appears some police are not following the policy. While there is debate about the appropriateness of a pro-charge policy, currently that is the policy and so police should be knowledgeable about the policy and how to implement it. The women whom I interviewed did not in fact seem to have a quarrel with the pro-charge policy. Their concern was that the policy was not applied; thus women called the police because they wanted the abuser charged for his harassment, yet many times he was not. One way to address patrol officers' inconsistent application of policy would be to establish a domestic violence police unit or dedicated domestic violence officers to follow-up and investigate complaints from women about persistent harassment by the abuser. The specialized officers would develop an enhanced skill set and knowledge base of domestic violence and more specifically high risk. They could respond swiftly and decisively to abusers who persistently harass their victims, and could take the time to understand women's requests and needs. By conducting follow-ups with abused women and referring them to resources in the community (Minaker, 2001;

Trujillo & Ross, 2008) the domestic violence police officers would indicate they take abused women's concerns seriously and hold abusers accountable. Abused women would less likely feel that police did not respond to their situation, they have some automony in the situation, and would be more likely to cooperate in the future (Russell & Light, 2006; Johnson, 2007).

This next recommendation relating to the high risk case coordination program is to expand the role of the domestic violence case coordinators to include advocacy and navigation. Currently, the domestic violence case coordinator's primary role is to manage high risk cases by maintaining case files and sharing information on high risk cases with primary service providers. A secondary role involves direct service delivery to abused women usually through phone contact and occasional case conferences. I would recommend that the service delivery aspect should be enhanced and expanded. Some of the women I interviewed had little information on the high risk case program. They did not understand the implications of the high risk designation. Some did not remember that the domestic violence case coordinator existed and others did not know how to access services from the coordinator. Some women were unaware of the resources in the community that could help them. However, where case coordinators had increased contact the women were quite satisfied with the domestic violence case coordinator and high risk program. This suggests that greater opportunities for contact between the coordinator and women within the high risk program including more face-to-face meetings rather than simply phone contact would be beneficial. Besides providing information about the high risk program the coordinator could also provide support and guidance to abused women as they navigate the criminal justice system, or interact with

child welfare. Contact with the women should be carried out in a holistic, feminist framework. A second recommendation would be that if the coordinator took on an enhanced role, she would then be well placed to evaluate aspects of the protocol, such as continuously inquiring what practical differences the various partnerships with service providers are making for abused women in the high risk program (Barnsley, 1995).

To illustrate what this expanded role might look like I will use the two domestic violence case coordinators in Halifax as an example. Each case coordinator averages about 30 new high risk files every three months which is about ten cases a month. The coordinator would meet with the woman in person, explain the high risk program and ask her if she wants to be included in the program. Since this is not current policy, an informed consent process needs to be developed. If she says yes, then the case coordinator would explain the services available, the court process, and would keep her informed regarding her file as it progresses. If the woman says no, the case coordinator would advise her of the safety and legal obligations each service provider is required to undertake for her safety, her children's safety, as well as the risk management of the abuser. Using an informed consent process the woman would be educated on the consequences of joining the high risk program or not. In these situations the case conference model might be useful (as long as it did not overwhelm the woman) by bringing the service providers together to meet with the woman to discuss her situation more comprehensively. If the woman refused to participate the service providers would proceed with the case conference to determine whether to continue without her consent. (The current practice in the high risk case coordination program is that the high risk designation and information sharing proceed regardless of the woman's consent.) As each

abused woman engaged with the high risk program has concerns and issues arising out of her unique situation, experiences and location, having the domestic violence case coordinator spend sufficient time with her to answer questions, allay concerns, and address issues would help to ease the fear, insecurity and confusion regarding the implication of the high risk status.

Moreover when the case coordinator provides abused women with information to address their immediate needs such as housing, childcare, or financial assistance, abused women can then turn their attention to the high risk issues more readily (Sullivan & Bybee, 1999). If the immediate service needs of abused women are being fulfilled by other service providers such as shelter or child welfare workers, then the coordinator does not need to duplicate services. However, if no other service provider is helping the woman then it would become the task of the domestic violence case coordinator to find a service provider who could assist her with these needs. There were abused women I interviewed who were isolated and uninformed and these women would benefit from the case coordinator's expanded role.

6.6.2 Child welfare.

Ongoing and yearly in-house training for child welfare workers on woman abuse and its impact on women and children, and on the accountability of abusers is also recommended, as are sessions on improving assessment skills regarding whether the children have been harmed by the violence, how they have been harmed, potential future risks, and whether an intervention would harm the child or mother. Moreover enhancing the supervision of front line workers so they would have access to the experience, guidance and support of senior staff should become the practice (Moles, 2008).

6.6.3 High risk case coordination program.

One of the initial questions which motivated my research was my interest in determining whether those service providers who make up the high risk case coordination program operate from a feminist liberatory or crime control perspective. Perhaps, not surprisingly, focus group discussion revealed both perspectives-thus once again my "either/or" question revealed "both/and" outcomes. A feminist liberatory perspective-that is a focus on enhancing and supporting women's agency and range of choices-was evident in practices such as: asking for the woman's consent before agency intervention; acknowledging that race and culture can be privileging factors; referring women to a range of services and supports; giving women choices on using services; understanding power dynamics between service providers and abused women; and acknowledging the potential that the high risk case coordination program may be viewed as intrusive, as well as acknowledging that some of the short term effects of the protocol may be negative.

On the other hand, other comments or practices indicated a focus on controlling behavior primarily through use of criminal law. Thus, the fact that an assessment of high risk means that a case in included in the protocol, and thus enmeshed with a criminal justice system, whether the abused woman wishes this or not, definitely reflects a crime control aspect to the protocol itself. In terms of attitudes of service providers involved in the protocol, unwillingness to hear questions from the victim or the abuser regarding the appropriateness of the high risk designation may also reflect crime control thinking, as may the comment that some abused women are like alcoholics (and therefore, presumably, unable to make wise choices for themselves). The mix of individuals involved and agencies represented in the high risk case coordination protocol seems to

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provide a healthy mix of ideologies and practices. The protocol committee meetings provide an opportunity for representatives from government agencies such as police, child welfare, corrections and victim services and from community agencies such as transition houses and men's intervention programs to learn from each other and develop long term collaborations. Interestingly, although individuals from government agencies outnumber those from community agencies, both high risk case coordination protocol committees revealed some strong feminist values and principles, as indicated by the examples of feminist liberatory discourse identified earlier. Further it is not always possible to make easy predictions about who will take a feminist stance on particular issues and who will reflect crime control concerns. For instance, one might assume the police representatives would lean more towards crime control discourse, but that was not always the case. That said, to the extent that the protocol, or practices implemented under the protocol, stem from a crime control mentality, there seems little self-awareness of this among committee members.

A very positive aspect of the collaboration among the high risk protocol committee members is those members' efforts to understand each other's practices better in order to resolve differences and provide the most effective possible response to high risk cases of woman abuse. The openness and trust that has developed among the service providers is an essential component for an effective committee. This is not something easily achieved and must be worked at particularly as the committee membership changes over time. However, while there is much positive to be said about how the high risk case coordination protocol committees operate, there is also room for improvement, as indicated in the following recommendations.

The first recommendation is to develop an annual evaluation process for the high risk case coordination program that would outline the issues, concerns and possible resolutions identified at the protocol committee meetings. The evaluation report should highlight both what is working well in different areas in order to develop, enhance and standardize policies and processes across the province, and where further adjustments are required (Klevens & Cox, 2008; Shepard & Pence, 1999; Visher et al, 2008). Regular evaluations can identify both larger tensions and challenges in order to suggest more effective responses to woman abuse and more specific concerns such as needed changes within agency policy, inconsistent practices, and recommended training. Completing the evaluations may also provide an opportunity for reflection and learning for service providers, and information gathered through the evaluation process may also provide the basis for public education.

A second recommendation is the service providers who are signatories to the high risk case coordination protocol should regularly send representatives to the high risk case coordination protocol committees. In Sydney, the men's intervention program rarely attends, while in Halifax the police and the women's shelter rarely attend the meetings. Direction and leadership are required from the Department of Justice, the government department which has oversight for the high risk program, police, and the Department of Community Services (which oversees child welfare and funds transition houses and men's intervention programs) to ensure the full participation and engagement with the high risk case coordination protocol. Further, the named departments and police will need to be open to having their aspects of the high risk case coordination protocol evaluated and critiqued and open to the possibility of making changes to their implementation of

the protocol if problems are identified.

To increase autonomy for abused women in the high risk case coordination program it is recommended that a complaints process be established to provide women with the opportunity to complain about lack of service or inappropriate service and treatment under the umbrella of the high risk program. The complaint may identify a problem that can be addressed at the local agency level or may reveal a systemic barrier that should be addressed at a higher level. The complaint process would also enable tracking and monitoring to be established to ensure accountability of the service providers. Abused women want choice and control over their lives, including having some decision making authority in their interactions with the criminal justice system.

6.7 Conclusion

In this chapter I have discussed the findings from the interviews and focus groups integrating these with insights from the literature review, and my own insights gained through consideration and analysis of the findings. The tensions and contradictions in the dominant domestic violence discourse that became evident during my research form the basis of this chapter. I begin with a discussion of the insights developed over the course of my research which illuminated my understanding of the findings and guided the recommendations arising from those findings. Against the backdrop of those insights, each tension is more fully articulated and explored in order to raise challenges to the dominant domestic violence discourse, with the aim of providing recommendations for a more effective response to woman abuse in general and to the high risk cases in particular. The recommendations are intended to both spur policy makers to begin to interrogate some of the more general practices and policy regarding woman abuse in the

province and to make improvements in the high risk case coordination program. This desire to have the province move beyond unthinking acceptance of the dominant discourse on woman abuse, and interrogate assumptions about how best to respond to woman abuse reflects the transformation of my own thinking during the research for and writing of this thesis. I came to realize that I had, for many years been operating from a dichotomous framework regarding woman abuse. I did not realize I had such a polarized (even narrow) view of the issues until I truly listened to the women in the interviews. For instance, hearing their repeated queries about how the abuser might be held responsible and get help led me to rethink my abuse to the abuser. Rethinking this and other issues led me to approach the literature on woman abuse with new eyes. I began to understand that the roots for dichotomous approaches to woman abuse are entrenched in the feminist theory, practices and politics of the second wave women's movement for years, and it is these theories which have primarily affected the dominant domestic violence discourse.

Further I came to realize that aspects of the high risk case coordination protocol, and the way the protocol is implemented closely subscribe to the dominant domestic violence discourse on woman abuse: for instance the protocol excludes any focus on men, assumes that all abused women are victims needing to be protected, and allows little room for individualized and contextualized responses to a particular case. In theory, criminal justice interventions are to attend to both the victim and the offender; safety for the victim and accountability for the offender. However, the absence of the abuser from many of the practices and interventions is missing. It was the abused women and focus groups who made him visible by demanding the abuser be held more accountable for his violence.

The tensions and recommendations have illustrated there are difficult questions to tackle in woman abuse policies and no easy answers. Even articulating the tensions brought me into a place of awkwardness with my feminism. That is because woman abuse is as diverse and nuanced a social problem as the people who are impacted by it. Researchers continue to inquire whether crime control measures are the best interventions for woman abuse and whether advances in theory might affect advances in practice that actually improves the lives of abused women and abusive men (Johnson & Dawson, 2011). When crime control programs are created without the expressed input of the abused woman and what they consider important (Renzetti, 2011; Walklate & Mythen, 2011), and when evaluations are conducted on crime control programs that are limited in the scope of what they measure such as only examining statistics instead of a broader range of factors like the effects on abused women, children and abusers, the perceptions of abused women, and the costs financially and socially (MacLeod, 1987) then crime control programs are not the best interventions.

I believe advances in theory such as the newer feminist theory and even non-feminist approaches have offered less dichotomous ways of thinking about the issue of woman abuse that can affect practices, as illustrated in my own enlightenment and proposed recommendations for woman abuse and the high risk case coordination program. I also see change with colleagues and coworkers because in discussions on woman abuse I now hear: the concepts of both/and instead of either/or; conversations about the need to engage more with boys and men, and contemplation about restorative justice practices for woman abuse.

CHAPTER 7   CONCLUSION

This original purpose of this thesis was to review the high risk case coordination protocol which is part of the province of Nova Scotia's Framework for Action on Family Violence. As the coordinator of victim services who supervises the high risk case coordination program for the Halifax Regional Police, and hearing the concerns and frustrations expressed by the domestic violence case coordinators who were implementing the program, I felt this would be an excellent research project for my thesis. I could take the anecdotes of concern and frustration expressed by the domestic violence case coordinators and my own observations to try to determine how widespread they were and whether they were experienced by abused women. It was my hope that if these concerns were more than just inconsistencies, that change could be brought to bear on the high risk case coordination program. But I had to find out first what impact it was having on the people it was expressly set up to support, and that was abused women. Therefore, my first research question designed to find out whether women whose cases had been designated high risk found the high risk case coordination protocol to have been beneficial or harmful. Because I was interested in how the protocol is implemented, and in particular, the perspectives of the implementing service agencies, my second research question asked whether those on the high risk case coordination protocol committees understood their roles through the lens of feminist liberatory discourse or crime control discourse.

I started with preconceived ideas as to how these two research questions would be answered, based on my growing discomfort with some of the practices of the service providers under the high risk case coordination program. In the beginning of my PhD I

did course work and comprehensive examinations which enabled me to read copious amounts of historical and current literature on woman abuse. It was affirming to read authors who confirmed some of the growing tensions I was experiencing with the high risk program as well as more generally with the criminal justice system's intervention in woman abuse. I encountered the vast knowledge base of Rebecca and Russell Dobash, from their pivotal 1979 book, *Violence Against Wives; A Case Against the Patriarchy,* a comprehensive historical overview of woman abuse, to their most recent publications on abusive men who murder their female partners. I read Kathleen Ferraro's 1996 article *The Dance of Dependency: A Genealogy of Domestic Violence Discourse,* that introduced the concepts of feminist liberatory discourse and crime control discourse which resonated with what was bothering me about aspects of the high risk case coordination program specifically and responses to woman abuse more generally. I also read early feminist writers with whom I was already familiar: Susan Brownmiller, Andrea Dworkin, bell hooks, Del Martin, Carol Gilligan, and a wonderful anthology of early radical feminist writings edited by Anne Koedt, Ellen Levine and Anita Rapone in 1973.

The early feminist writing affirmed why I became a feminist nearly 30 years ago, but also destabilized some of my certainties as I realized that some of the premises of these feminists no longer seemed persuasive. I realized too that it was the feminisms of the 1970s and 80s which shaped the dominant discourse on domestic violence that is still prevalent today, and so my questioning of some aspects of those feminist theories laid the foundation for my later identification of tensions and contradictions within the dominant discourse on domestic violence. My review of third wave feminist writing started to suggest more nuanced and holistic ways of thinking about woman abuse.

Thus, as I travelled on this literature journey my thinking started to change and these changes were cemented through my own data collection, particularly my interviews with abused women within the high risk case coordination protocol. While the women (as I had expected) described their abusers' cruelty and violence, they also repeatedly told me the abusers needed help. That insight, that a focus on abusive men is the missing piece in current societal responses to woman abuse, shifted my whole perspective and was for me the most profound insight from my research. When I started my research, I did not even consider a focus on men, but am now convinced that any effective response to woman abuse must include a focus on both the abuser and the abused woman. The need for a non-essentialist focus on men segued into a realization that the dominant discourse on domestic violence tends to view all abused women as undifferentiated victims, thus causing me also to rethink my approach to abused women and to recognize that one-size-fits-all solutions are unlikely to be effective in combatting woman abuse. It was at this point that I realized my research findings, while offering useful insights into abused women's perceptions of the high risk protocol and into the philosophies and practices of service providers involved in the protocol, also allowed me to comment more broadly on tensions and contradictions within current responses to woman abuse. In particular, I recognized that my findings allowed me to ask questions intended to disrupt the dominant discourse on domestic violence in the hope of starting discussions that could lead to more effective responses. The tensions I articulate reflected issues I been struggling with for years. Therefore this thesis is a personal journey as well as an academic exercise. I have discovered that the more I learn about woman abuse, the less

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certain I am. A few years ago that would have been uncomfortable for me, now not so much.

My thesis is made of seven chapters: Introduction, Literature Review, Theories of Woman Abuse, Research Methodology, Findings, Discussion and Analysis, and Conclusion. In the Introduction chapter I started by situating my research in my own experiences, explaining how I came to be interested in conducting research on the high risk case coordination program. I then summarized the dominant domestic violence discourse and outlined the tensions and contradictions which I came to perceive within that discourse. With that as context, I set out my thesis statement: that societal responses woman abuse have been rendered less effective by flaws and tensions in the prevailing theories of woman abuse which undergird current policies and programs. I closed the Introduction chapter with my two initial research questions: did women in the high risk protocol view it as beneficial or harmful, and are service providers involved in the protocol motivated by a feminist liberatory or crime control discourse.

The literature review chapter surveyed literature relating to woman abuse. In order to provide context, I started with literature on the prevalence of woman abuse and on intimate partner homicide. I next provided an overview of the empirical research that explores risk factors for femicide and the risk assessment tools developed in response to those risk factors. After that, I traced the conceptualization of woman abuse over time, starting with a brief historical perspective which illustrated how violence against women was sanctioned and embedded within society. I then focussed on literature of the second wave feminist movement which identified woman abuse as an important societal issue and, depending on the strand of feminism in question, advocated particular responses.

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While radical feminists were perhaps most influential in shaping the feminist understanding of woman abuse as a manifestation of the gender oppression of the patriarchal state, liberal feminists successfully made the argument that woman abuse should be treated like the criminal behaviour it is.

In response to feminist demands for a more effective criminal justice response, provinces began developing pro-charge, pro-arrest and pro-prosecution policies, and some provinces also established specialized domestic violence courts. Therefore, I next explored the literature on these responses, noting both the positive and negative consequences of the move toward greater reliance on the criminal justice system. Following that, I focussed on literature relating to one aspect of the criminal justice response to woman abuse: the development of coordinated community protocols designed to offer a more comprehensive and holistic approach to woman abuse, and in particular the high risk case coordination protocol. The high risk protocol is based on the assumption that risk for severe injury or lethality can be predicted, so next I surveyed literature on risk factors and risk assessment tools. I concluded the literature review by reference to literature on state intervention in abusive relationships through the involvement of child welfare agencies, and on abused women's experiences of the criminal justice system.

As noted above, the literature review included a survey of feminist writings of the 1970s and 80s which transformed societal views of woman abuse and largely shaped the dominant discourse on domestic violence still prevalent today. My next chapter, Theories of Woman Abuse, allowed me to delve more deeply into how woman abuse has been conceptualized and how those conceptualizations have affected societal responses to

woman abuse. The theory chapter focused primarily on feminist theorists, but non-feminist perspectives were also surveyed. Starting with second wave feminists, most specifically the radical and liberal feminists, this chapter explored some of the tensions within the early battered women's movement. The feminisms of this era were noteworthy both for the range of theories about woman abuse offered, and for the certainty within each strand of feminism that it offered the definitive way of understanding woman abuse. While shedding much-needed light on the prevalence and severity of woman abuse, and usefully challenging patriarchal assumptions about the role of women, second wave feminists tended toward absolutes and essentialism. Thus, feminists of this era generally viewed the abuser as unremittingly bad and as an extreme manifestation of entrenched patriarchal norms, and so they rejected non-feminist explanations of abusers as troubled individuals from broken environments, needing treatment and help. A similarly all-or-nothing approach can be seen in debates regarding reliance on the criminal justice system to respond to woman abuse - some feminists have tended to assume that thinking about the criminal justice system could be divided into two neat discourses: feminist liberatory or crime control; the theory chapter included a description of these two discourses. This chapter also provided a discussion of third wave feminisms, which seem to offer scope for less polarized approaches to woman abuse, but have not yet had a significant impact on woman abuse policies and programs. Finally, non-feminist theories of woman abuse were also briefly explored.

The fourth chapter set out my research methodology, explaining the key elements of feminist quantitative research and how I implemented those elements in my interviews with abused women and in the focus groups with the service providers. In this chapter, I

also detailed the steps taken to ensure compliance with ethics committee requirements such as informed consent and confidentiality. I concluded the chapter with some thoughts on reflexivity with my reflections on how the research affected me and on how I affected the research.

The fifth chapter focused on the findings from my interviews with women in the high risk case coordination protocol and from the focus groups with the service providers. In order to provide context for the findings, I opened with a description of the dominant discourse on domestic violence, and then set out the tensions and contradictions inherent in this discourse. I then moved to my findings, as much as possible presenting the data through direct quotations from the interviews or focus groups, using my own commentary on the research data largely to frame the voices of those interviewed. I organized my findings into three broad overarching themes: rethinking the approach to the abuser, rethinking the approach to abused woman, and avoiding one-size-fits-all solutions. These themes provided a lens through which to view the tensions identified within the dominant domestic violence discourse.

The Discussion chapter focussed on the insights gained through an analysis of my findings in light of the literature and the questions which the data and the literature generated within my own thinking. In this chapter, I used my research data as the basis for wrestling with the tensions and contradictions which I identified within the dominant domestic violence discourse. I pondered ways to retain the best from earlier feminist theories on woman abuse, while moving away from dichotomous thinking and incorporating ideas from more recent feminist theories and even, where useful, from non-feminist perspectives on woman abuse. The purpose of this chapter was both to challenge

the dominant discourse in order to gain a deeper and more nuanced understanding of woman abuse and to use that understanding to offer recommendations for improving responses to woman abuse generally and improving the high risk case coordination protocol specifically.

As reflected in my Discussion chapter, over the course of my research, I had come to wonder why a focus on helping women to keep themselves safe was assumed to preclude an additional focus on working with the abuser to stop the violence, why policies on woman abuse all seemed to be predicated on the assumption that abused women would (or should) always want to end the relationship, and why a move to using the criminal justice system to combat woman abuse seemed to be predicated on the assumption that this would then be the best response in every situation. I realized that all these assumptions reflected dichotomous "either/or" thinking that limited the range of policy options being considered. I came to recognize that I had absorbed dichotomous understandings of woman abuse, as reflected in my initial "either/or" research questions. While I was still interested in how abused women and service providers viewed their involvement in the high risk protocol, by the time I was writing the Discussion chapter, broader themes and tensions resonated more fully with me.

Above all, in the Discussion chapter I tried to keep in mind the complexity of woman abuse, the need to move away from essentialist perspectives on the abuser and the victim, and the need to consider a range of responses. This more nuanced approach should offer both protection and agency to abused woman and assist abusers both in taking responsibility for past violence and in learning new non-violent ways of relating. These insights are reflected in the recommendations offered in the Discussion chapter.

This final chapter provides the conclusion to my work, describing the intellectual journey that I have taken and explaining how each chapter of the thesis has contributed to my changed understanding of woman abuse.

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APPENDIX A: INTRODUCTORY LETTER INDIVIDUAL PARTICIPANTS

Thank you so much for your interest in this research. The research is part of my PhD studies at Dalhousie University The purpose of the study is to learn how women who have been abused by their partners feel about the use of the high risk case coordination protocol by police.

I have worked with abused women for many years in Nova Scotia. During that time I have seen the introduction of the high risk protocol and I am interested in finding out what abused women think of its use. I will interview 10-20 women identified as high risk by police or victim services in Halifax and Sydney.

It is entirely up to you whether you take part in this research. And, even if you do agree to take part, you can change your mind at any time. You can refuse to answer particular questions or you can stop the interview all together.

If you do agree to take part, then I will meet with you for an interview in a mutually agreed upon location that will give us privacy and is accessible. The interview will take about 2 hours. If you agree, I will record the interview, so that I can study it carefully. If you feel the need to debrief after the interview you will be provided with access to a support worker.

I will provide you with funds for childcare or transportation if this is needed.

All information that you give me will be kept completely confidential. I will not use your real name at any time when I write or talk about my research. All information from your interview will be kept in a locked cabinet in my office. Only the researcher and the transcriber will have access to the recording from the interview. No one will have access to my notes. The recording will be destroyed one year after the research ends. The written notes will be stored at Dalhousie University for five years. Then they will be destroyed.

The information from this study will be used in many ways. I will write up a large report for my thesis. I will present parts of this study at conferences and publish parts of this research in academic journals. I will also present this research to policy makers on woman abuse in Nova Scotia.

If you would like a short summary of what I have learned at the end of my research, please let me know and I will send you a copy.

Your interview will be (*insert date and location*).

 I really appreciate your time, your consideration, and your help.

Thank you,
Verona Singer

APPENDIX B: INTRODUCTORY LETTER FOCUS GROUPS

Thank you so much for your interest in this research. The research is part of my PhD studies at Dalhousie University. The purpose of the study is to learn how primary service providers and abused women feel about the use of the high risk case coordination protocol.

I have worked with abused women for many years in Nova Scotia. During that time I have seen the introduction of the high risk protocol and I am interested in finding out what primary service providers and abused women think of its use. I will conduct focus groups with the primary service providers who sit on the high risk case coordination committee in Halifax and Sydney. I will also interview 10-20 women identified as high risk in each city.

Participation is voluntary. The focus group has been scheduled during one of your regular meeting times. It will last for two hours. The group will be held {*insert location and details re schedule}*.

The consent information form attached provides more details on the research and how your confidentiality will be maintained. I have also included my contact information and the Dalhousie Office of Research Administration if you have any questions or concerns. Their contact information is listed on the next page.

Please let me know if you have any questions. I really appreciate your time, your consideration, and your help.

Thank you,
Verona Singer

Appendix C. Letter of Permission

CAPE BRETON TRANSITION HOUSE

P.O. Box 427, Sydney, N.S.   B1P 6H4

Verona Singer, PhD Candidate Dalhousie University
Coordinator
Halifax Regional Police Victim Services

May 6, 2009

Dear Verona:

Thank you for your letter of March 31, 2009 requesting permission to have Helen Morrison, CBRP Domestic Violence Case Coordinator identify and contact abused women from high risk for lethality case files to inquire into their interest in participating in your research

Your research on the high risk case coordination protocol and your plans to interview women who have been designated as high risk for lethality sounds extremely interesting. I would have NO problem with you contacting Helen and asking for her assistance.

I wish you luck with your project. I would be most interested in receiving a copy of your completed report

Sincerely

Béa LéBlanc, LL.D., PMgr., R.S.W.
Executive Director

cc Helen Morrison

Appendix C: Letter of Permission

April 8, 2009

Verona Singer
Interdisciplinary PhD Program
Dalhousie University
Halifax, Nova Scotia

Letter of Permission for PhD Research

Dear Verona;

I have reviewed your request to have the domestic violence case coordinators with Halifax Regional Police contact abused women who have been in the high risk case coordination program to inquire whether they are interested in participating in your research. I am satisfied that the issues of confidentiality have been addressed and have no concerns with our staff identifying and making the initial contact.

Sincerely,

Don Spicer, Superintendent
Public Safety

CONSENT FORM FOR INDIVIDUAL PARTICIPANT INTERVIEW

Study Title: The use of high risk case coordination to prevent intimate partner femicide: A liberating or controlling experience for abused women?

Student Investigator: Verona Singer

Contact Information: Interdisciplinary PhDProgram
Dalhousie University
6230 South Street
Halifax, Nova Scotia
B3H 3J5
Email: verona.singer@dal.ca
Phone: (902) 832-6253

Student's Supervisor: Professor Diana Ginn

Supervisor's Contact Information: Dalhousie Law School
Dalhousie University
6230 South Street
Halifax, Nova Scotia
B3H 3J5
Email: diana.ginn@dal.ca
Phone: (902) 494-2485

Introduction

Thanks for coming! You are invited to take part in a research study that I am conducting as part of my graduate work at Dalhousie University.

Before you agree to take part, I will provide you with some information about the study that will let you know some of the details of the study, the kinds of questions I am asking and how I will protect your identity.

It will ask your permission to do the interview and how you'd like me to record it and write about it later.

Your participation is voluntary. You may decide not to participate at any time without any consequences.

If you have any questions at all, please do not hesitate to ask me. You will be given a copy of this form to keep.

What is this study about?

The purpose of my study is to look at the High Risk Case Coordination Protocol implemented in 2003 in Nova Scotia. The protocol directs police and other service providers to use a risk assessment tool to identify woman abuse cases as high risk for lethality. Information on the case is shared among police, crown, transition houses, men's treatment programs, child welfare and corrections.

I want to find out how abused women perceive the protocol, whether they believe it has caused them harm or kept them safe. I also want to hear from the primary service providers who implement the high risk case coordination protocol to determine how they think the protocol is working and whether they think it harms or helps abused women.

Everyone who participates in this study will be invited to attend an interview. The interview will be a discussion between the researcher and you where you will be asked about your experiences of woman abuse and the high risk program. Your interview will be digitally/tape recorded. If you would not like to be recorded I will take notes during the interview.

I would also like to conduct a follow-up interview with you 3-5 years from today to discuss what has happened to you since your involvement with the high risk program.

Who can take part in the study?

You can take part in this study if you are over the age of 18 and have been designated in the past as high risk for being killed by your partner. The study will talk to abused women in Halifax and Sydney, Nova Scotia. The study will interview between 10-20 women in each city.

Who will be conducting the research?
I will be conducting all of the research as part of my PhD programme at Dalhousie University.

What kinds of questions will I be asked?
For this interview I will begin by asking you questions that give some back ground information such as your age, whether you are married, have children, your ethnicity, education and income status. Then I will ask questions that will open up the discussion around the abuse you experienced from your partner and how the high risk program made you feel; did it help you or harm you? I will close the discussion by asking you for recommendations on how to improve the high risk program.

How long will it take?
The interview will last approximately two hours.

What if I decide that I don't like the questions or want to leave the interview?
You can decide not to answer any question that makes you uncomfortable. You can stop the interview at any time.

Are they any risks to me doing the interview?
Every effort will be made to keep the risks at minimum. The researcher will block her phone number when calling you, will not leave messages, and will interview you in a safe place. Some of the things discussed in the interview may be emotional for you. For example, we will talk about the abuse you endured and it may bring back painful memories and emotions. I will provide you with access to a support worker if you need to debrief after the interview.

Are there any benefits to me if I do the interview?
Taking part in the study will not help you directly. You will have the opportunity to tell your story of the abuse you endured from your partner and the high risk program. Talking about this might benefit other abused women who have had similar experiences to yours. It may also raise awareness about the changes that are required to help abused women in this province.

How will you protect my identity?
I will protect your identity in these ways:
- Pseudonyms can be used in place of your real name if you so wish.
- I will destroy the information I used to contact you after I have conducted the follow-up interview in 3-5 years from the initial interview.
- I will store the signed consent forms in locked filing cabinets.
- I will store my paper records of this interview in locked cabinets in my home office.
- Anything stored on a computer will be password protected
- I will destroy records of these interviews seven years after I have completely published the results.

- I will quote you only if you agree to let me. Even if you let me, I will only quote you in ways the keeps your identity private.
- Since the things you tell me for this study is considered to be owned by you, you will have the opportunity have your name included in any future publications or presentations. If you would like your name to appear in any future publications or presentations, a Research Agreement (Appendix J) is available for you to read and sign.

Will the researchers share the information from the interview?
Everything that we have talked about during the interview will be confidential however a transcriber will type up the audio-recorded interview. The only other reason I have to share information is if I encounter information about suspected cases of child abuse or neglect, or the abuse or neglect of an adult in need of protection, I will encourage you to report it to the appropriate authorities after our interview. If you cannot report it I will report it.

Can I look at the transcript from my interview?
Yes. If you would like to look at your transcript please fill in the name and address card attached or contact me so we can make arrangements.

Who will cover my expenses to do this interview?
I will. You may require childcare and transportation costs to attend the interview. This will be provided to you at the end of the interview. You will also need to fill out an expense form that I will provide.

Who do I contact if I have complaints?
You can contact the Director of Dalhousie Office of Research Ethics Administration. They have reviewed this study.
     Patricia Lindley, Director   (902) 494-1462
     patricia.lindley@dal.ca

Questions
If you have any more questions about the study or your role as a participant, please contact me, Verona Singer. My local number is (902) 832-6253. I can also be reached by email at verona.singer@dal.ca.

Please keep a copy of this form for your records.

Individual Participant Informed Consent: The use of high risk case coordination to prevent intimate partner femicide : A liberating or controlling experience for abused women?

Please review the following and sign the statement indicating your agreement and consent to participate in the research.

I have read the explanation about this study. I have been given the opportunity to discuss it and my questions have been answered to my satisfaction. I hereby consent to take part in this study. However I realize that my participation is voluntary and I am free to withdraw from the study at any time.

I agree to have the interview digitally tape recorded or notes taken by the researcher.

I understand that the researcher will remove any identifying information from transcripts.

I agree that the researcher may use direct quotations from this interview but she will use them in a way that protects my identity.

Name (Particpant)	Signature	Date

Name (Researcher)	Signature	Date

If you would like to review your transcript prior to having them released to the researcher,
please indicate your name and contact information below.

Name

    _____

Mailing Address
(if you would like
transcripts
sent via regular mail)

    _____

    _____

    _____

    _____

Email Address
(if you would like
transcripts
sent via email)

    _____

CONSENT FORM FOR FOCUS GROUP

Study Title: The use of high risk case coordination to prevent intimate partner femicide: A liberating or controlling experience for abused women?

Student Investigator: Verona Singer

Contact Information: Interdisciplinary PhD Program
Dalhousie University
6230 South Street
Halifax, Nova Scotia
B3H 3J5
Email: verona.singer@dal.ca
Phone: (902) 832-6253

Student's Supervisor: Professor Diana Ginn

Supervisor's Contact Information: Dalhousie Law School
Dalhousie University
6230 South Street
Halifax, Nova Scotia
B3H 3J5
Email: diana.ginn@dal.ca
Phone: (902) 494-2485

Introduction
Thanks for coming! You are invited to take part in a research study that I am conducting as part of my graduate work at Dalhousie University.

Before you agree to take part, I will provide you with some information about the study that will let you know some of the details of the study, the kinds of questions I am asking and how I will protect your identity.

It will ask your permission to do the focus group and how you'd like me to record it and write about it later.

Your participation is voluntary. You may decide not to participate at any time without any consequences.

If you have any questions at all, please do not hesitate to ask me. You will be given a copy of this form to keep.

What is this study about?
The purpose of my study is to look at the High Risk Case Coordination Protocol implemented in 2003 in Nova Scotia. The protocol directs police and other service providers to use a risk assessment tool to identify woman abuse cases as high risk for lethality. Information on the case is shared among police, crown, transition houses, men's treatment programs, child welfare and corrections.

I want to hear from the primary service providers who implement the high risk case coordination protocol to determine how they think the protocol is working and whether they think it harms or helps abused women. I also want to find out how abused women perceive the protocol, whether they believe it has caused them harm or kept them safe.

Everyone who participates in this study will be invited to attend an interview or focus group. The focus group will be a discussion between the researcher and primary service providers where you will be asked about the high risk program

Who can take part in the study?
You can take part in this study if you are a primary service provider participating on the high risk case coordination protocol committee. The study will interview between 8-10 committee members in Halifax and Sydney.

Who will be conducting the research?
I will be conducting all of the research as part of my PhD programme at Dalhousie University. I will be the only one who looks at the information collected.

What kinds of questions will I be asked?
 For this interview I will begin by asking you questions that establish back ground information on your committee such as how often do you meet, how long have you been on the committee, what agency do you represent, how does the committee work. Then I

will ask questions that will open up the discussion around whether you think the high risk program has helped or hurt abused women and your recommendations on how to improve the high risk program.

Before we begin, I need to make sure it is okay to record the interview using a digital recorder. If you are okay with this, the recorder will be turned on. If not, I have a note taker with me who will take notes throughout the focus group. .

How long will it take?
The focus group will last approximately two hours.

What if I decide that I don't like the questions or want to leave the interview?
Tell the researcher. You can decide not to answer any question that makes you uncomfortable. You can leave the group at any time.

Are they any risks to me doing the interview?
Although there are no direct risks to taking part in this study, you may not feel that you can freely discuss all the issues raised. You can meet with me individually for an interview.

Why should I do the interview?
You will not receive any direct benefits from taking part in this study. You will have the opportunity to talk about the high risk case coordination protocol. Talking about this might benefit other primary service providers who have had similar experiences to yours. It may also raise awareness about the changes that are required to help abused women in this province.

How will you protect my identity?
I will protect your identity in these ways:
- I will destroy the information I used to contact you after I have finished doing the focus groups.
- I will store the signed consent forms in locked filing cabinets.
- I will store my paper records of this interview in locked cabinets in my home office.
- Anything stored on a computer will be password protected
- I will destroy records of the focus groups five years after I have completely published the results.
- I will quote you only if you agree to let me. Even if you let me, I will only quote you in ways the keeps your identity private.
- Everyone in the focus group will sign a confidentiality form. They will promise not to discuss what any particular individual says during the focus groups with anyone who was not there.
- Since the things you tell me for this study is considered to be owned by you, you will have the opportunity have your name included in any future publications or presentations. If you would like your name to appear in any future publications or presentations, a Research Agreement (Appendix J) is available for you to read and sign.

Can I look at the transcript from the focus group?
A summary of the focus group will be provided to you. Please fill in the name and address card attached**.**

Will I be compensated for this focus group?
You will not be paid for taking part in this study.

Who do I contact if I have complaints?
You can contact the Director of Dalhousie Office of Research Ethics Administration. They have reviewed this study.

      Patricia Lindley, Director   (902) 494-1462
      patricia.lindley@dal.ca

Questions
If you have any more questions about the study or your role as a participant, please contact me, Verona Singer. My local number is (902) 832-6253. I can also be reached by email at verona.singer@dal.ca.

Please keep a copy of this form for your records.

Focus Group Informed Consent: The use of high risk case coordination to prevent intimate partner femicide : A liberating or controlling experience for abused women?

Please review the following and sign the statement indicating your agreement and consent to participate in the research.

I have read the explanation about this study. I have been given the opportunity to discuss it and my questions have been answered to my satisfaction. I hereby consent to take part in this study. However I realize that my participation is voluntary and I am free to withdraw from the study at any time.

I agree to have the interview digitally tape recorded or notes taken by a note taker.

I understand that the researcher will remove any identifying information from transcripts.

I agree that the researcher may use direct quotations from this interview but she will use them in a way that protects my identity.

Name (Participant)	Signature	Date

Name (Researcher)	Signature	Date

**If you would like a summary of the focus group
please indicate your name and contact information below.**

Name

_____

Mailing Address
(if you would like the
summary sent via regular
mail)

_____

_____

_____

_____

_____

Email Address
(if you would like the
summary sent via email)

_____

APPENDIX F: INTERVIEW GUIDE FOR WOMEN PARTICIPANTS

Introduction
I am looking to get the women's stories relatively spontaneously, rather than with the use of direct, closed questions. I would like the conversation to start with the abuse they experienced and proceed rather naturally through their high risk case coordination experiences. I would like to allow the women to tell their story relatively uninterrupted and with minimal probes. Probes at this stage should be clarification of what they are describing. Once they have finished, I will probe any missing elements. These probes are listed below in the form of fairly direct questions.

Starting the conversation
In order to ease into the conversation with the woman and attain a level of comfort for her to participate it will be necessary to start with general questions such as her name, marital status, age, ethnicity, education and income status, whether she has children, their ages, and the community she lives in. I will ask how she met her abusive partner and what the relationship was like in the beginning. From there I will probe for the following;

"Tell me about the violence you experienced in your relationship with your partner ? "

> Probe: What did he do to you? Did he use physical violence, emotional putdowns, withhold money, control who you saw and what you did?

"Did you believe he would kill you? What made you think that ?"

> Probe: Did he verbally threaten to kill you? Did he use weapons against you? Did he threaten to harm your children, your family?

"What did you do to keep yourself from being killed?

> Probe: Did you develop a safety plan? Did you go to your family, a friend, a woman's shelter? Did you use support services in the community?

" How did the justice system get involved? "

> Probe: Were the police called? Did the domestic violence case coordinator contact

you?

> Did your case go to court? Did you testify? What was the outcome?

The high risk case coordination experience
"Has the high risk program kept you safer? If so, how?"

> Probe: What agencies were in touch with you? How did they keep you safe? Did they refer you to helpful resources? Did they conduct a case conference? Did they discuss safety measures with you?

"Has the high risk program harmed you? If so, how?"

Probe: What agencies caused you harm? How did they harm you? What did they do or say that caused you harm?

" Has the high risk program helped you to make choices and control your life? If so, how?"

Probe: Did you get to make decisions about your abusive relationship and children? Were you asked your opinions of what would work best for you? Did you feel listened to and supported?

" What do you need right now to keep you safe and the abuser away from you?"

Probe: Do you have contact with the abuser? Is this your choice? Are you worried about him becoming abusive? How do you manage that? What kind of help do you need to keep him away from you?

Concluding Question
"Are there any changes that you would recommend for the high risk program?"

Probe: What could be improved? What needs to be eliminated from the program?

Thank you very much for your time and participation in this study. Do you have any final comments or observations that we have not covered in this interview?

APPENDIX G: FOCUS GROUP MODERATORS' GUIDE

Agenda

A. Introductions/Welcome   5 minutes

B. Ice Breaker   10 minutes

C. Defining High Risk Case Coordination Committee   20 minutes

D. Reflection on the High Risk Case Coordination Program   45 minutes

E. Evaluation   40 minutes

A. Introductions/Welcome
- Introduce yourself and explain your role
- Thank everyone for coming
- Quick introduction around the room
- Reminders of consent forms and forms to indicate that they would like to see the transcripts
- Introduce theme of focus group
- Introduce processes

B. Ice Breaker
> "To begin, I'd like to remind you of a major goal in working with abused women is to do no harm. I'd like to ask you to describe some of the ways that you do this. I'm going to write them down on the flip chart"

C. Defining High Risk Case Coordination Committee

1) What agencies sit on the committee and do they regularly attend?

2) How long has your committee been together?

3) What issues do you discuss at the high risk committee meetings?

4) How do items from the meeting get actioned and followed-up?

D. Reflection on the High Risk Case Coordination Program

5) Does the high risk case coordination protocol improve the lives of women? How? and if so, which women and how many?

6) Does the high risk protocol build an individual woman's self-respect, and confidence? How?

7) Does the high risk case coordination protocol further empower women or make them more dependent? How?

8) How has the high risk protocol not intruded upon abused women's lives through mandatory state interventions and contributed to their self-determination?

E. Evaluation

"I have one final question that will hopefully help you summarize your thoughts on our discussion and give you the opportunity to reflect on whether the high risk case coordination program achieves its goals in this regard. If you could make one suggestion to policy makers about enhancing the program's ability to change, what would it be?"

APPENDIX H: CONFIDENTIALITY AGREEMENT RESEARCH PARTICIPANTS

I hereby affirm that I will not communicate, or in any manner disclose publicly, information discussed during the course of this focus group interview. I agree not to talk about material relating to this study or interview with anyone outside of the focus group members, the researchers and the facilitators.

Name _____ Date _____

Signature _____

APPENDIX I: CONFIDENTIALITY FORM FOR NOTE-TAKER IN FOCUS GROUPS

This form will be signed by the Note Taker coming in contact with data that may contain personal and/or identifying information from research participants.

I, _____, who will be

working as a

_____, on the research

study   entitled " The use of high risk case coordination to prevent intimate partner femicide : A liberating or controlling experience for abused women? agree to maintain the highest level of confidentiality possible in regards to information that I may learn about any individuals who participate in this research study.

I will not reveal any identifying or personal information about the research participants to anyone.

_____

Signature   Date

APPENDIX J: RESEARCH PARTICIPANT CONTRIBUTION AGREEMENT

I, _____, hereby acknowledge that I have participated in the

research study entitled, "The use of high risk case coordination to prevent intimate partner

femicide : A liberating or controlling experience for abused women?"

As a participant in this research project, I wish to have my name acknowledged in any future

presentations or publications of the research findings.

I acknowledge that although I am recognized as a contributor to the research study, the

principal investigator, Verona Singer, will be the lead author on all subsequent publications

and presentations.

In addition, the primary document to be produced from this study, which is a doctoral

dissertation, will be authored solely by Verona Singer, and my name will appear in the

'Acknowledgements' section of this document.

_____   _____
Participant's Signature   Date

APPENDIX K : EXPENSE FORM FOR INDIVIDUAL PARTICIPANTS

I , _____ , hereby confirm that I have received a sum of

$ _____ from Verona Singer to pay for childcare and travel expenses for participating

in "The use of high risk case coordination to prevent intimate partner femicide : A

liberating or controlling experience for abused women?" study.

_____
Signature of participant

APPENDIX L: CONFIDENTIALITY FORM FOR TRANSCRIBER OF INDIVIDUAL INTERVIEWS

This form will be signed by the Transcriber coming in contact with data that may contain personal and/or identifying information from research participants.

I, Pam Verge, will be working as a transcriber on the research study entitled " The use of high risk case coordination to prevent intimate partner femicide : A liberating or controlling experience for abused women? agree to maintain the highest level of confidentiality possible in regards to information that I may learn about any individuals who participate in this research study.

The researcher, Verona Singer, will hand deliver the audio recordings to me, Pam Verge on a compact disk assigned only to the researcher and transcriber. Nothing from the interviews will be saved on a hard drive nor sent by email. The transcription of the interview will be hand delivered by me, Pam Verge to Verona Singer on the compact disk. Copies of the research material will not be retained by me, Pam Verge.

I will not reveal any identifying or personal information about the research participants to anyone.

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Signature   Date