



Handbook highlighting the effects of Covid on black families, especially refugees and immigrants in a culturally sensitive ways to mitigate the pandemic.

Canadian Multicultural Disability Inc (CMDCI)

Solutions to Combat Rising Domestic Violence Due to COVID-19 Pandemic



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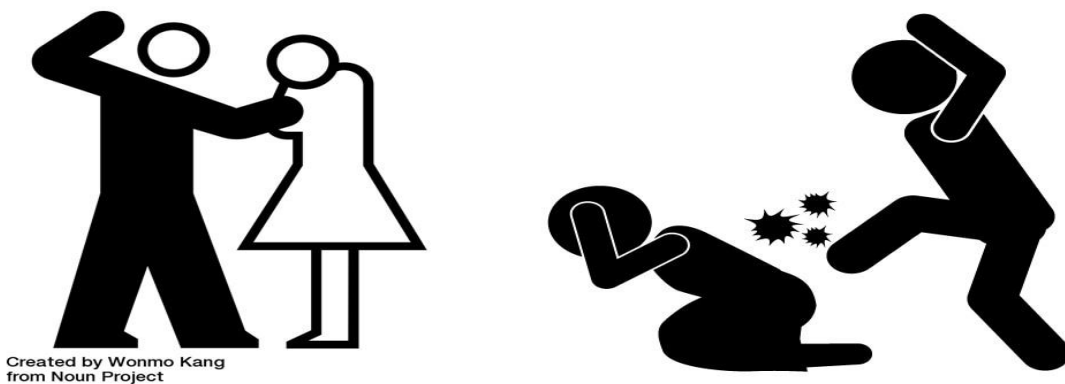
Acknowledgments

Purpose

This handbook ("the book") will highlight the effects of Covid 19 on black families, especially refugees and immigrants. In addition, to the complex challenges facing the immigrant and refugee community, such as: navigating harsh winter, culture shock, language barrier, the public health measures instituted by health officials put insurmountable pressures on families leading to violence even the disintegration of the family unit. The book aims to educate the black and other ethnocultural communities on how to mitigate gender-based violence during the pandemic as well providing legal, culturally appropriate, and mental health resources to alleviate the effects of abuse within the family unit. The book will first explain different forms of domestic violence, how it affects families, victims of domestic violence, how to know if someone is a victim of domestic violence, the cost of domestic violence in Canadian society. The book will also highlight the intersectionality of domestic violence: how race, class, gender, employment, education, ability, and religion can impact someone's experience of abuse and even how abusers use tactics of power and control by abusers and systems. The book will also provide insight into frequently asked questions for the benefit of our readers. Finally, the book will provide resources and contacts through which domestic violence can seek support.

What is domestic violence?

Domestic violence also known as intimate partner violence refers to violent or aggressive behaviour between current or former intimate partners – where one partner tries to exert power and control over the other, usually through fear.



It can include physical, sexual, emotional, social, verbal, and economic abuse. It goes by different names, including wife assault, wife abuse, violence against women in relationships, spousal abuse, and partner abuse; in some societies it remains nameless, reflecting an unwillingness to recognize formally and officially something that is perceived to be a "private" matter."

Forms of violence

Family violence is not just physical violence. A person can be the victim of one or more forms of violence or abuse including:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Financial abuse
- Neglect

Physical abuse

Physical abuse, including assault, is the intentional use of force against a person without that person's consent. It can cause physical pain or injury that may last a long time. Physical abuse includes:

- pushing or shoving
- hitting, slapping, or kicking
- pinching or punching
- strangling or choking
- stabbing or cutting
- shooting
- throwing objects at someone
- burning
- holding someone down for someone else to assault
- locking someone in a room or tying them down
- killing someone

Sexual abuse

Sexual abuse of an adult can include:

- sexual touching or sexual activity without consent
- continued sexual contact when asked to stop
- forcing someone to commit unsafe or humiliating sexual acts

All sexual contact with anyone without consent is a crime. This includes sexual touching or forcing sexual activity on a spouse, a common law partner or a dating partner. Even when married, a spouse cannot be forced to have sexual contact.

There are also special laws to protect children from sexual abuse and from sexual activities that exploit them.

Emotional abuse

Emotional abuse happens when a person uses words or actions to control, frighten or isolate someone or take away their self-respect. Emotional abuse is sometimes called psychological abuse. It can include:

- threats, put downs, name calling or insults
- constant yelling or criticism
- controlling or keeping someone from seeing friends or family
- making fun of preventing someone from practicing their faith or religion
- destroying belongings, hurting pets or threatening to do so
- bullying: intimidation or humiliation (including on the Internet)

Many forms of emotional abuse are not crimes but can be signs that the abuse might get worse.

Some forms are crimes such as:

- threats to harm the person or someone else
- criminal harassment (stalking) which involves following or repeatedly contacting a person when they don't want contact and they are afraid.

Financial abuse

Financial abuse happens when someone uses money or property to control or exploit someone else. It can involve:

- taking someone's money or property without permission
- withholding or limiting money to control someone
- pressuring someone to sign documents
- forcing someone to sell things or change a will

Most forms of financial abuse are crimes, including theft and fraud.

What is family violence?

Other forms of abuse that happen within families can also have serious affects, for example elder abuse, abuse by immediate and extended family members, etc. Services are also available if this is happening in your family.

Who does it affect?

Domestic violence can affect many others besides the victim. These include other family members, including children, neighbours, co-workers. Domestic violence often affects children. They are more likely to develop behavioural problems and may grow up believing abuse is part of a normal relationship.

How do you know if you or someone close to you is a victim of domestic violence?

You could be a victim of domestic violence if someone close to you is:

- threatening to hurt you, your children, other family members or pets
- hurting you physically
- forcing you to have sex, or do things you do not want to do
- yelling or humiliating you (ex: calling you names, insulting you)
- isolating you from friends and family
- keeping track of your emails, phone calls and Internet use
- not allowing you food, clothing, medication, or other things you need
- controlling your finances
- controlling where you go, or what you do

Domestic Violence During the Pandemic

Before Covid hit, we know that domestic violence was pervasive. However, research shows that domestic violence has increased during the pandemic because while stay-home orders protected people from contracting the virus, extended shared time between the victim and offender increased the dangers that women and children faced in abusive relationships. In other words, it left many victims trapped with their abusers. According to a Statistics Canada analysis, data from 17 police forces across the country show that calls related to domestic disturbances - which could involve anything from a verbal quarrel to reports of violence "- rose by nearly 12 percent between March and June of 2020 compared to the same four months in 2019.¹

Social isolation, loss of employment, financial pressures, and changes in access to social and community services have turned homes into a hotbed for hostility, leaving women vulnerable to abuse. Even though shelters are open, it is often difficult for women to reach them during a lockdown. Services have moved online, and while virtual or remote-based care may provide access to resources, it may pose challenges to the newcomer community because of the language barrier and lack of basic computer skills. Additionally, an abusive partner can monitor electronic communications (phone calls, texts, and emails), adding a threat to the threat of violence. Migrant women without legal status (non-

¹ Reports of domestic, intimate partner violence continue to rise during pandemic: Retrieved from: Reports of domestic, intimate partner violence continue to rise during pandemic | CBC News

status) have always faced an additional barrier to reporting abuse of fears of jeopardizing their stay in Canada. Studies also show that at the beginning of the pandemic last year, more women than men were laid off or had their hours reduced. The vast majority of these, were newcomer women, temporary workers, and non-status women in part-time, perilous jobs without paid leave and employment benefits. The pandemic has made some of them more vulnerable to abuse if they are dealing with job loss.



Culturally sensitive ways to help racialized communities during the pandemic

One of the ways CMDCI is mitigating the effects of Covid during the pandemic and beyond is that we have implemented culturally sensitive services for immigrants and refugees who experience violence in their homes. We educate the partners on some of the avenues through which they can solve their family challenges. While the court system is always an option, the complex legal documentation, language barrier, and appearing before a judge may intimidate newcomers. Additionally, the court process takes longer period to conclude family matters. To this end, CMDCI has implemented culturally sensitive, that not only guarantees the confidentiality of our clients but also provides them with workable solutions. If the parties' consent to it, we connect them with experienced, independent-minded, nonjudgmental religious scholars and elders from the community to solve their family disputes. For example, we connect women victims with older women counsellors from their respective community who can impart knowledge and wisdom to newcomer families. These women counselors have been in the country relatively long and have themselves navigated social and economic challenges in one way or another and they are in a better position to provide sound advice socially and emotionally.

Awareness

To create awareness about domestic violence, CMDCI will translate this book into as many local languages as possible and educate the immigrant community about the dangers of domestic violence. From time to time, CMDIC will conduct a meeting that will bring together the professional from the immigrant community, the religious leaders, and lawyers to educate the community on creating harmony within the family unit. It is imperative to be proactive and

Why is important or why is it urgent to address Domestic violence?

- It has a profound effect on children: Children who witness violence in the home have twice the rate of psychiatric disorders as children from non-violent homes.
- Because it costs women their lives: approximately every six days, a woman in Canada is killed by her intimate partner.
- Violence against women costs taxpayers and the government billions of dollars every year: Canadians collectively spend \$ 7.4 billion to deal with the aftermath of spousal violence alone.

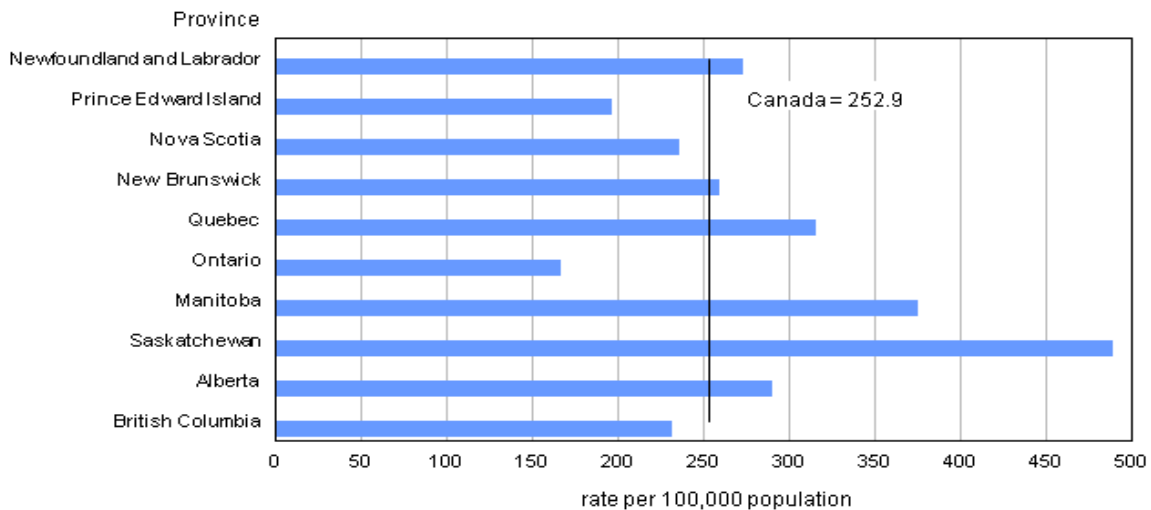
Statistics on Domestic Violence

- Newcomer women face language and cultural barriers to getting support after experiencing domestic violence.
- Women are at a **20% risk** of violent victimization than men.
- Every 6 days a woman in Canada is killed by her intimate partner.
- Women are about four times as likely as men to be victims of intimate partner homicide.
- Trans women are twice as likely as cis-gender women to experience intimate partner violence.
- 70% of spousal violence is not reported to police.
- Manitoba has highest domestic violence homicide rates among the provinces. Manitoba's rate of violence against women is double the national rate.
- 6,000+ women and children sleep in shelters on any given night because it is not safe at home.

Statistics on Domestic Violence

Chart 1.1

Rate of police-reported family violence, by province, 2013

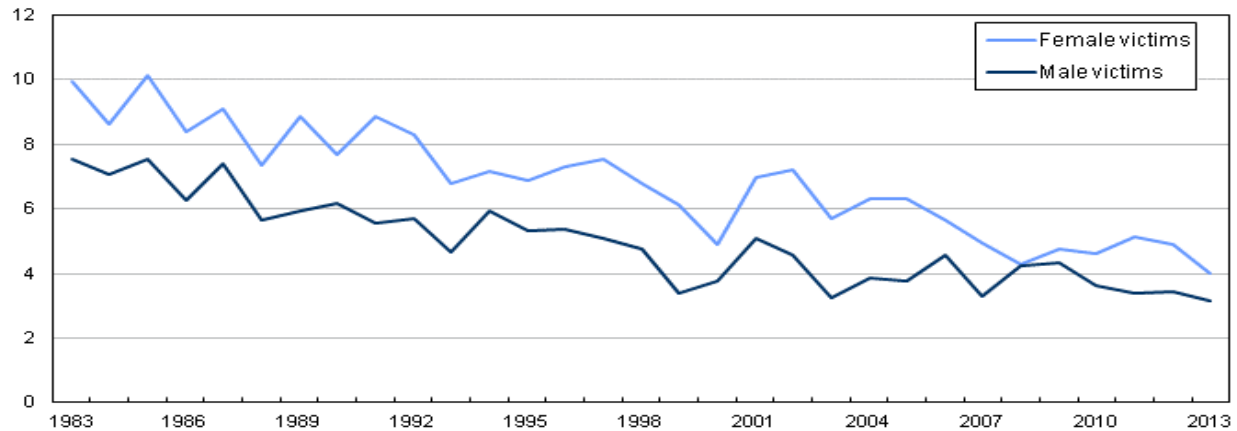


Note: Excludes incidents where the age or sex of the victim was unknown. Victims aged 90 years and older are excluded from the analyses due to possible instances of miscoding of unknown age within this age category. Excludes spousal victims under the age of 15 years. Excludes a small number of victims in Quebec whose age was unknown but was miscoded as 0. Rates are calculated on the basis of 100,000 population. Populations based on July 1st estimates from Statistics Canada, Demography Division.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Crime Reporting Survey.

Chart 1.5
Rate of homicides committed by family members, by sex of the victim,
Canada, 1983 to 2013

rate per 1,000,000
 population

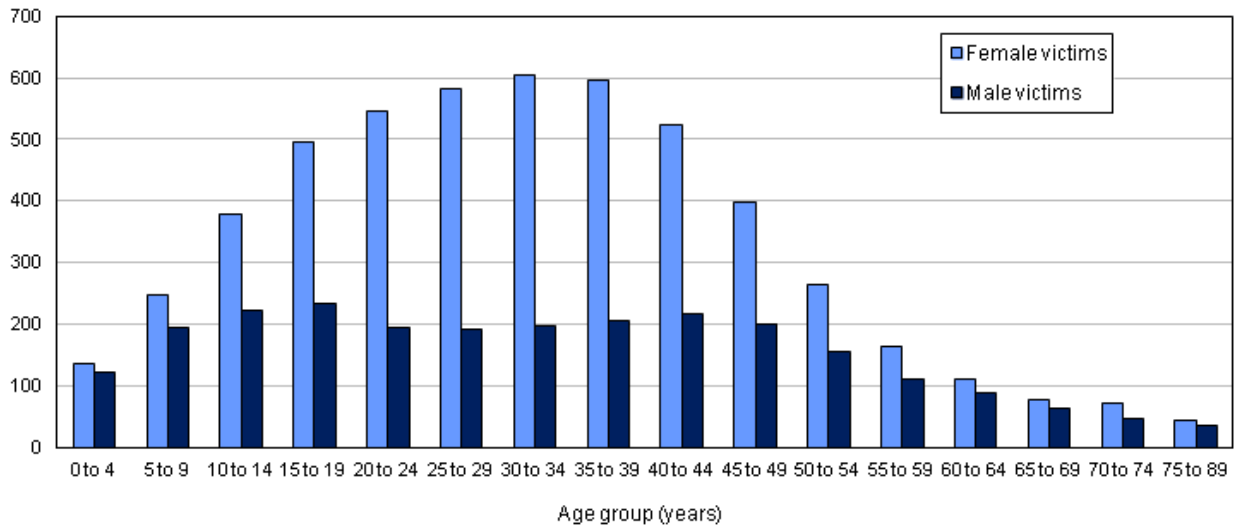


Note: Excludes incidents where the age or sex of the victim was unknown. Rates are calculated on the basis of 1 million individuals in the population. Populations based on July 1st estimates from Statistics Canada, Demography Division.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey.

Chart 1.3
Rate of police-reported family violence by age and sex of victim, Canada, 2013

rate per 100,000
 population

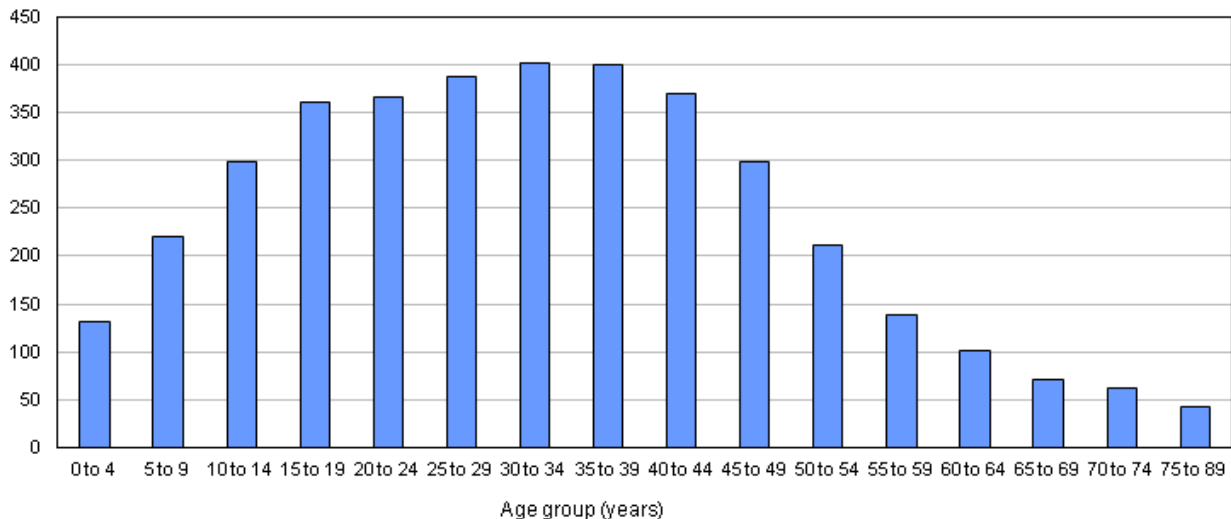


Note: Excludes incidents where the age or sex of the victim was unknown. Victims aged 90 years and older are excluded from the analyses due to possible instances of miscoding of unknown age within this age category. Excludes spousal victims under the age of 15 years. Excludes a small number of victims in Quebec whose age was unknown but was miscoded as 0. Rates are calculated on the basis of 100,000 population. Populations based on July 1st estimates from Statistics Canada, Demography Division.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey.

Chart 1.2
Rate of police-reported family violence, by age group of the victim, Canada, 2013

rate per 100,000
 population

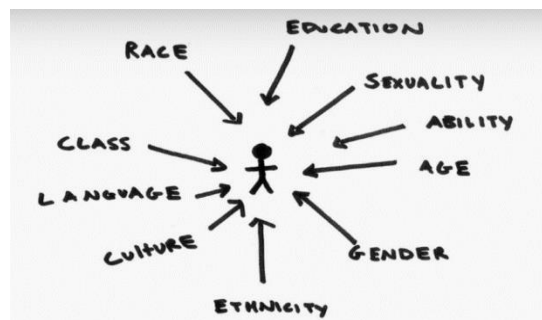


Note: Excludes incidents where the age or sex of the victim was unknown. Victims aged 90 years and older are excluded from the analyses due to possible instances of miscoding of unknown age within this age category. Excludes spousal victims under the age of 15 years. Excludes a small number of victims in Quebec whose age was unknown but was miscoded as 0. Rates are calculated on the basis of 100,000 population. Populations based on July 1st estimates from Statistics Canada, Demography Division.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Crime Reporting Survey.

DOMESTIC VIOLENCE FROM INTERSECTIONAL PERSPECTIVE

While Domestic violence impacts people from all backgrounds, however, racialized communities face discrimination, biases and stereotypes that creates barriers for care and assistance. To mitigate the effects of domestic violence it is imperative to look this problem from an intersectional perspective. Intersectionality is an analytical framework for understanding how aspects of a person's social and political identities combine to create different modes of discrimination and privilege. The term was conceptualized and coined by Kimberlé Williams Crenshaw. Intersectionality is the interconnected nature of social categorizations such as gender, sex, race, class, sexuality, religion, disability, physical appearance. These intersecting and overlapping social identities may be both empowering and oppressing.



For example, a refugee or an immigrant who speaks limited English may have additional oppressive experiences and traumas unique to him or her may exacerbate the traumas they experience as a victim of domestic violence. For example, a refugee or an immigrant may face greater barriers to getting care or be less likely to report the abuser to authorities because of his or her limited English or because of her immigration status. These "statuses" also may mitigate abusive tactics such as the abuser telling the victim that if she tells others about the abuse, he will report to immigration officials. As such, her identity as a woman, an immigrant and non-English speaker are all important facets of her experience that are important to consider when looking at compounding traumas victims of domestic violence experience as well as well as barriers to care. It also can provide insight into appropriate counseling strategies and culturally competent care.

Therefore, taking an intersectional approach allows for a better understanding the barriers that victims of domestic violence face in seeking counseling, advocacy, and legal resources. Additionally, an intersectional approach allows agencies (non-profit and government) to combat domestic violence through intersectional lens and to promote structural changes to help combat gender-based violence. This is an important concept and CMDCI will continue to educate the community to understand systems layers of oppressions that is creating barriers for marginalized community.

What is the impact of spousal violence on children?

The Report also indicates that approximately half a million children, representing 37 percent of all households with spousal violence, were reported to have heard or witnessed a parent being assaulted in the preceding five-year period. This figure rose to 47 percent for Aboriginal spousal abuse victims. Children were more likely to witness violence against their mothers (70 percent) than against their fathers (30 percent).

Further, children were more likely to witness severe acts of violence against their mothers: 53 percent of women and 12 percent of men feared for their lives in these incidents. The research also indicated that in 10 percent of assaults against women and in 4 percent of assaults against men, a child under the age of 15 years was harmed or threatened.

What is the impact of violence on children?

Research indicates that children who are exposed to spousal violence may display signs of emotional, social, cognitive, physical, and behavioural problems including lower levels of social competence; higher rates of depression, worry, frustration and anxiety; increased likelihood of developing stress-related disorders; decreased levels of empathy; developmental regression; complaints of physical ailments; and aggressive behaviour. There is also evidence to indicate that children who witness spousal violence are more likely to become a part of a generational cycle of violence: boys who witness the abuse of their mothers are more likely to subsequently become abusive in their own relationships; girls who witness the abuse of their mother are more likely to subsequently enter into abusive relationships.

What are the costs of Domestic Violence to Canadian society?

Recent study titled, "*An Estimation of the Economic Impact of Spousal Violence in Canada, 2009*" provides a comprehensive estimate of the economic impact (costs) of domestic violence in Canada and estimated at estimated at **\$7.4 billion**, amounting to **\$220** per Canadian. This includes the impact borne by the justice system, the impact borne by primary victims, and the impact borne by third parties and others.

- The justice system bore 7.3% (\$545.2 million) of the total economic impact, with \$320.1 million borne by the criminal justice system (police, court, prosecution, legal aid, and correctional services) and \$225.1 million borne by the civil justice system (civil protection orders, divorce and separation, and the child protection system).
- Victim costs (\$6.0 billion) accounted for the largest proportion (80.7%) of the total economic impact for cost items such as medical attention, lost wages, lost education, the value of stolen/damaged property, and pain and suffering.
- Third-party costs (\$889.9 million) represented 12.0% of the total costs. Substantial costs included social service operation costs (\$410.6 million), losses to employers (\$77.9 million), the negative impact on children exposed to spousal violence (\$235.2 million), and other government expenditures (\$116.3 million).

6.1 Summary of Results

Table 6.1 below presents a summary of all economic impacts in the report. The total economic impact of spousal violence in 2009 in Canada is estimated at **\$7,420,301,324** (\$7.4 billion). Figure 6.1 presents the breakdown of costs by who bears the impact.

TABLE 6.1: COSTS OF SPOUSAL VIOLENCE, 2009 (\$'000)

	Violence against females	Violence against males	Total
Justice System Costs			
Criminal Justice System	\$271,965	\$48,102	\$320,067
Civil Justice System	\$182,257	\$42,860	\$225,118
Total	\$454,222	\$90,963	\$545,185
Victim Costs			
Health Care	\$8,160	\$12,766	\$20,926
Mental Health Issues	\$146,868	\$32,613	\$179,482
Productivity Losses	\$37,126	\$16,240	\$53,365
Other Personal Costs	\$211,865	\$59,397	\$271,262
Intangible Costs	\$3,290,720	\$2,169,480	\$5,460,200
Total	\$3,694,739	\$2,290,496	\$5,985,235
Third-Party Costs			
Funeral Expenses	\$1,023	\$426	\$1,449
Loss of Affection/Enjoyment to Family Members	\$26,268	\$10,902	\$37,170
Costs to Other Persons Harmed/threatened	\$9,047	\$2,199	\$11,246
Social Service Operating Costs	\$353,039	\$57,556	\$410,596
Losses to Employers	\$52,123	\$25,795	\$77,919
Negative Impact on Children Exposed to SV	\$153,242	\$82,000	\$235,242
Other Government Expenditures	\$96,270	\$19,990	\$116,260
Total	\$691,013	\$198,869	\$889,882
Total Costs	\$4,839,974	\$2,580,328	\$7,420,301

Note: May not add to stated totals due to rounding

Domestic Violence and the Law

Federal Law

While there is no specific offence of family violence in the *Criminal Code*, most acts of family violence are crimes in Canada. Relevant criminal offences could include:

Offences related to the use of physical and sexual violence such as:

- Assault (causing bodily harm, with a weapon and aggravated assault) (ss. 265-268)
- Kidnapping & forcible confinement (s. 279)
- Trafficking in persons (ss. 279.01)
- Abduction of a young person (ss. 280-283)
- Homicide - murder, attempted murder, infanticide and manslaughter (ss. 229-231 and 235)
- Sexual assault (causing bodily harm, with a weapon and aggravated sexual assault) (ss. 271-273)
- Sexual offences against children and youth (ss. 151, 152, 153, 155 and 170-172)
- Child pornography (s. 163.1)
- Stalking (s. 264) and child abandonment (ss. 218)

The *Criminal Code* also contains a number of special provisions that serve to protect victims. When charges relating to family violence have been laid, criminal courts have a wide range of powers to release or detain an accused person.

Provincial Law: Manitoba Law Regarding Domestic Violence

In Manitoba, under The Residential Tenancies Act, you can end your residential tenancy agreement if you:

- Are a victim of domestic violence, sexual violence, or stalking?
- You currently feel unsafe in your home or believe there is a risk to your and/or your children's safety if you stay in your rental unit as a result of domestic violence, sexual violence or stalking (includes physical, emotional or psychological safety)

You must do two things to end your tenancy agreement:

- You must request a certificate to end your tenancy from Manitoba Justice Victim Services.
- You must provide notice to your landlord that is not less than one rental payment period (a rental period is usually one month).

Similarly in Manitoba, employees who are victims of interpersonal violence (domestic violence, sexual violence, and stalking) may be entitled to take a leave from work. Interpersonal violence leave gives job protection to eligible employees to take time off

work for specified purposes to address needs that arise from exposure to, or experiences of, interpersonal violence.

For what purposes can interpersonal violence leave be used?

Employees may take an interpersonal violence leave for only one or more of the following purposes, as these purposes relate to the employee or to a dependant:

- to seek medical attention in respect of a physical or psychological injury or disability;
- to obtain services from a victim service organization;
- to obtain psychological or other professional counselling;
- to relocate temporarily or permanently; to seek legal or law enforcement assistance, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the interpersonal violence; or
- any other purposed prescribed in the regulation

Who is considered to be an employee's dependant?

The following individuals are considered an employee's dependant:

- a child of the employee;
- a child of the employee's spouse or common-law partner;
- any person under 18 years of age who is under the care and control of the employee; any person who is 18 years of age or older, and who, because of illness, disability or any other reason, is under the day to day care and control of the employee.

When is a child considered a victim of interpersonal violence?

The child of an employee will be considered a victim of interpersonal violence when the child:

- is a victim of interpersonal violence directly, or
- is directly or indirectly exposed to interpersonal violence experienced by
 - a parent, • a child of a parent; • a spouse or common-law partner of the child;
- a child of the child, or
- any other person who lives with the child as a member of their family

How long is interpersonal violence leave?

There are two parts to interpersonal violence leave. One part of the leave allows employees to take up to 10 days consecutively or on an intermittent basis in a 52-week period, as needed by the employee. The other part allows employees to take up to 17 weeks in a 52-week period in one continuous period. Employees can take the leave in any order that meets their individual circumstances.

Are employees paid while on interpersonal violence leave?

Employees are entitled to be paid for up to five days of interpersonal violence leave in a 52-week period. It is the employee's responsibility to notify the employer of the days to be paid. The amount paid to the employee must be no less than the wages he or she would normally earn for their regular hours of work.

Can employers provide additional leave or paid days of leave?

Yes. Employers can give greater benefits than those provided for in the legislation.

Can the employer use paid benefits that are greater than the minimum standards to pay an employee on interpersonal violence leave?

Yes. Some employers pay benefits that are not required under The Employment Standards Code, such as paid sick leave. These benefits can be used for the paid days of the interpersonal violence leave.

Can employees take leave for part of a day?

When an employee takes part of a day for interpersonal violence leave, the employer may count that as a full day of the leave. Employers do not have to accommodate an employee taking the leave in part days, as long as they allow the employee to take the leave.

How does an employee start interpersonal violence leave?

When taking paid days, employees must provide reasonable verification of the need for the leave. The employer may require verification from the employee for unpaid days of leave.

How much notice is required?

Employees must give their employer as much notice as is reasonable in the circumstances. 4/7Is verification needed from the employee for interpersonal violence leave? Employees must provide reasonable verification of the need for the leave when taking paid days. Employers may also require an employee to provide verification for unpaid days of leave.

What is reasonable verification for interpersonal violence leave?

Reasonable verification will be different from case to case. The intent is to confirm the employee is taking the leave to deal with a specified purpose related to interpersonal violence. Who decides what type of leave an employee is taking? Employees tell their employers what leave they are taking. The employer will need enough detail to show the time off work meets the requirements of the leave. When employees require time off, the employer should ask whether they are advising of a leave available under The Employment Standards Code. Employers do not control when employees can take a leave provided by law, but they do control other types of time off work.

What if employees want to end the leave early?

Employees can end the leave earlier than 17 weeks if they give the employer at least two weeks' notice in writing before the day they intend to return to work. Employers and employees may agree to a different schedule for returning to work.

Can employees be terminated or laid off because they take a leave?

No. Employers cannot terminate or lay off employees for taking or requesting a leave.

What if the employer refuses to bring the employee back to work?

Employees must be allowed to return to their job, or a comparable job, with the same or greater pay and benefits when they return from leave. Employees who are not reinstated by their employer can file a complaint with Employment Standards no later than six months after the date the employee should have been reinstated. 5/7

What if the employee's job is no longer available?

Generally, employees should be returned to the job they had before the leave. However, if the job is no longer available, they must be given a similar position with the same or greater benefits and pay. There may be some situations where employers do not have a position available for reasons completely unrelated to the leave. For example, employees who are on unpaid leave would not necessarily be protected from losing their jobs if the employer shut down part of their operations and reduced their workforce based on a seniority system. Employers must show the leave has no impact on the decision to lay-off or terminate the employment.

What happens to pension and other benefits while an employee is on leave?

Employment is considered continuous during a legislated leave of absence from work. This means an employee is still employed, though not earning wages for the period of the leave. When employees return from the leave, they are still entitled to any pension and other benefits they had before the leave. As well, their years of service include the time away on the leave. What happens when the leave ends? Employees must be returned to the position the employee occupied when the leave began or to a comparable position, with no less than the pay and benefits the employee earned immediately prior to the leave.

Frequently Asked Questions**What should I do if I am experiencing or at risk of intimate violence?**

If you think you may be experiencing violence, whether it is situational or a cycle of violence, you are not alone. You can talk to someone who can help.

If you ever feel you are in immediate danger, contact your local law enforcement by dialing 911 or, if 911 service is not yet available in the community, call the local RCMP

detachment or police department. For a list of RCMP detachments in Manitoba, please visit: <http://www.rcmp-grc.gc.ca/detach/en/find/MB>

If you are not in immediate danger, but want help to figure out what to do or next steps you can contact:

- the toll-free Domestic Abuse Crisis Line (open 24 hours) at 1-877-977-0007;
- Manitoba Justice Victim Services between 8:30am and 4:30pm at 204-945-6851 or toll free at 1-866-484-2846.

Trained staff can help you to develop a safety plan and decide what to do next.

How do I apply for a protection Order?

If you have been the victim of domestic violence or stalking, you can apply for a protection order without notice to your partner. You can either go to the local court office and ask to speak to a magistrate about a protection order or speak to a lawyer about applying for an order on your behalf. You will be required to submit written information about your partner's behaviour and why you fear for your safety.

You must apply within 20 days of being served with a protection order to set aside the protection order. You need to file a Notice of Application and Affidavit at the court office where the order was granted.

If I leave my partner, can I take the children?

If you and your partner lived together after the birth of the children, you are presumed to have equal rights to your children, unless a parenting order says otherwise. In a crisis situation, you may take the children if you think it's best for them but be sure to seek legal advice as soon as possible. If you cannot take your children with you when you leave, you should see a lawyer immediately about applying for a parenting order. If you delay, the court may not want to change the children's situation. The court must do what is the best for the children, and stability is important for children.

If I leave because of Domestic Violence, what should I take with me?

Examples of useful things to bring:

- Identification for you and your children, such as birth certificates, your social insurance number, driver's license, immigration papers, or treaty card

- Legal documents, such as your mortgage or lease or information about loans or assets that you have
- Keys for your house, car, or safety deposit box
- Personal items like clothing and toiletries
- Things for your children, like clothing, favourite toys, medicine, diapers, or bottles

If charges are laid against my partner for domestic violence assault, can I later have the charges dropped?

No. You are not able to just drop the charges yourself. For such consideration, you must first contact the Victim Services Domestic Violence Unit at (204) 945-6851 or 1-866-484-2846 (toll-free outside of Winnipeg). They will listen to your concerns and opinions regarding the charge and prosecution, and they will then provide the Crown Attorney with a report. In the end, the Crown Attorney will decide whether to prosecute or to drop the charges.

Will the charges be dropped if my partner and I get back together after charges are laid?

The Crown Attorney may proceed with the charges anyway. Reconciling or making up with your partner or ex-partner will not automatically end the court process. The Attorney General has given the Crown Attorney the power to decide whether the charge will go to court, even if the couple reconciles.

If my partner assaults me and it goes to court, Will I need a lawyer?

In general, you do not need your own lawyer for the criminal charges against your partner or ex-partner. Although you are the victim of the crime, it is the Crown Attorney, on behalf of the Province of Manitoba, who prosecutes the charges. You may need a lawyer in certain situations. If you think you will have to answer any questions in court that may incriminate you, you should contact a lawyer. Incriminating questions involve facts about your own actions that may have been criminal.

What part does the victim play in a trial?

The victim's role in a trial is to be a witness for the Crown Attorney and give evidence about the crime committed against you. Witnesses receive a subpoena – a court order to appear in court. A subpoena does not mean you are being charged with a crime. The subpoena will be delivered to you personally. It will tell you the crime that the accused has been charged with, and when and where you must appear in court.

If you fail to appear in court when you have been served with a subpoena, a warrant may be issued for your arrest, and you may also be charged with contempt of court.

Can my ex-partner be ordered to pay me spousal support because of domestic abuse?

Orders for spousal support are based only on your financial need and your ex-partner's ability to pay. They are not used as a form of punishment. A judge deciding on a support order will only consider the behaviour of a partner during the relationship if it has impacted on an individual's ability to work. Section 4(2) of *The Family Maintenance Act* says that the court does not consider conduct in determining whether to order spousal support.

Can I be compensated if I was hurt during a domestic assault?

There is a program called the Compensation for Victims of Crime Program that assists victims of crime with expenses related to the crime. You may be compensated for the following

- Medical expenses
- Damaged clothing
- Items seized by police as evidence
- Dental expenses
- Eyeglasses
- Counselling
- Lost wages
- Support for dependants
- Rehabilitation or retraining
- Compensation for permanent disability
- Funeral expenses

The Compensation for Victims of Crime Program can be reached by calling (204) 945-0899, toll free at 1-800-262-9344, or online at <https://www.gov.mb.ca/justice/crown/victims/compensation.html>.

Resources

Canadian Women's Foundation: <https://canadianwomen.org>

Child welfare services: <https://www.gov.mb.ca/fs/children/cfsagencies.html>

Ending a Tenancy due to Domestic violence, and stalking: <https://www.gov.mb.ca/justice/crown/victims/tenancy/index.html>

Ending Violence Across Manitoba: <https://www.endingviolencemanitoba.org>

Ending Violence Association of Canada (EVA CAN): <https://endingviolencecanada.org>

Families Canada: <https://familiescanada.ca>
 Family Violence Prevention Program: <https://www.gov.mb.ca/msw/fvpp/index.html>.
 Klinik Sexual Assault Crisis Program: <https://klinik.mb.ca>
 Manitoba Advocate: <http://manitobaadvocate>
 Manitoba Association of Women's Shelters – 24/7 Staffed Shelters: [https:// mb.ca](https://mb.ca)
 Manitoba Victim Services: <https.gov.mb.ca/justice/vs>
 Stop the Violence: Province of Manitoba | Stop the Violence (gov.mb.ca)
 Survivor's Hope Crisis Centre: <https://survivors-hope.ca>
 West Central Women Resource Centre: <https://wccrcc.ca>
 Women Shelters Canada: <http://endvawa.ca>
 Court forms can be obtained at the Law Courts Building at 408 York Avenue in Winnipeg
 or online at http://web2.gov.mb.ca/laws/rules/forms_e.php
 Legal Aid Manitoba: <https://www.legalaid.mb.ca>

Other Resources in Winnipeg, Manitoba

A&O: Support Services for Older Adults	204-956-6440
Toll Free	1-888-333-3121
Seniors Abuse Support Line (Toll Free)	1-888-896-7183
Alpha House Project Inc. (D)	204-982-2011
A Woman's Place:	
Domestic Violence Support & Legal Services (A,G)	204-940-6624
Bravestone Centre Inc. (D).....	204-275-2600
Couple's Counselling Project (A,F,G,H)	204-790-7221
Fort Garry Women's Resource Centre (A,G)	204-477-1123
Ikwe-Widdjiitiwin Inc. (B,C,G)	204-987-2780
Toll Free	1-800-362-3344
immigrant Women's Counselling Services (A,G)	
Access NorWest	204-938-5900
Downtown	204-940-6624
Klinik Community Health Centre	
Evolve (Domestic Violence) (A,G,H)	204-784-4070
Sexual Assault Crisis Program (B,G,H,J)	204-784-4049
L'Entre-temps des Franco-Manitobaines (D).....	204-925-2550
Toll Free	1-800-668-3836
Manitoba Justice – Domestic Violence Support Service (A,G,H)	204-945-6851
Toll Free	1-866-484-2846
Men's Resource Centre of Manitoba (A,C,G,H,K)	204-415-6797
Toll Free	1-855-672-6727
North End Women's Centre (A,G)	204-589-7347
NorWest Co-op Community Health (A,G)	204-938-5912
Willow Place Inc. (B,C,G).....	204-615-0313
Crisis Line	204-615-0311
Pluri-elles (Manitoba) Inc. (A,G)	204-233-1735
Toll Free	1-800-207-5874
Rainbow Resource Centre:	
Serving Manitoba's GLBTT Communities (A,G,H,I)	204-474-0212

Spirit of Peace Program (Ma Mawi-Wi-Chi-Itata Centre Inc.) (A,G).....	204-925-0300
The Laurel Centre Inc. (A,G,K)	204-783-5460
The Winnipeg Children's Access Agency (E,G)	204-284-4170
Toll Free	1-866-886-6153
Wahbung Abinoonjiiag Inc. (A,G)	204-925-461

Note: If you are leaving an abusive relationship and require temporary accommodations for your pet please call: 1-877-977-0007

References

Brennan, S. 2011. "Self-reported spousal violence, 2009." *Family Violence in Canada: A Statistical Profile*. Statistics Canada Catalogue no. 85-224-X.

Interpersonal Violent Leave: Retrieved from: Employment Standards | Employment Standards | Interpersonal Violence Leave (gov.mb.ca)

Ending Violence, Association of Canada: *Retrieved from:* Find Help Across Canada - Ending Violence Association of Canada (endingviolencecanada.org).

About Family Violence: *Retrieved from:* About Family Violence (justice.gc.ca)

West Central Women Resource Centre: *Retrieved from:* Domestic Violence Awareness Month - West Central Women's Centre (wcwrc.ca)

Dealing with Domestic Violence or Family Violence: (In my phone)

Interpersonal Violence Leave Now Provided in Manitoba - MLT Alkins - Western Canada's Law Firm

Community Legal Education Association, Winnipeg Manitoba

Final Report of the Ad Hoc Federal-Provincial-Territorial Working Group Reviewing Spousal Abuse Policies and Legislation.

Dealing with Domestic Violence or Family Violence?

An Estimation of the Economic Impact of Spousal Violence in Canada, 2009

Ending Violence Association of Canada (2020). Why we can't ignore sexual