

COMPONENT ON
NATIVE COMMUNITIES

on
Domestic
Violence

*Government
Action Plan 2004-2009*

COMPONENT ON
NATIVE COMMUNITIES

on
Domestic
Violence

*Government
Action Plan 2004-2009*

Table of Contents

1. Background on governmental action in the area of domestic violence	4
2. Definition of domestic violence	5
3. Guiding principles of the domestic violence intervention policy	5
4. Focuses of intervention	6
5. Native women and domestic violence	7
6. The component of the domestic violence action plan addressing Native communities.	7
6.1 Information on resources and services.	8
6.2 Adaptation to the particular realities of Native communities	9

Measure 47 : Reach Native communities and specific clientele experiencing special realities through promotion and prevention activities at the regional and provincial levels.

Measure 50 : Ask for the collaboration of the organizations directly concerned by the situation of Native women and work with the Secrétariat aux affaires autochtones to document the question of domestic violence against Native women.

Measure 52 : Provide financial assistance to Femmes autochtones du Québec inc. in its activities to promote non-violence in order to help it pursue its mission and assist the training, information and support of case workers in shelters for Native women victims of violence

Measure 54 : Provide financial assistance for a pilot project to fight violence, submitted by the Senneterre Native Friendship Centre, with the help of other Native friendship centres in Québec and the Regroupement des centres d'amitié autochtones.

Measure 57 : Identify and implement overall solutions adapted to the specific needs of: communities in remote regions; Native communities; and women with disabilities.

Measure 59 : Encourage the establishment of an issues table bringing together various Native organizations to look at the problem of domestic and family violence.

Measure 60 : Continue actions to gradually improve access for Native people to the Centre d'aide aux victimes d'actes criminels (CAVAC) network and encourage the hiring of personnel who are aware of the needs of Native victims.

Measure 61 : When renewing three-party agreements, negotiate a requirement that native police forces adopt directives for intervention in cases of domestic violence based on the relevant guidelines in the Guide des pratiques policières.

Measure 62 : Implement special measures to adapt and improve the criminal justice system in Native communities.

1.

Background on governmental action in the area of domestic violence

In past years, the Québec government has implemented actions and supported various initiatives to provide assistance for women victims of domestic violence. In 1995, to ensure the consistency and complementarity of interdepartmental interventions in this area, the government adopted a domestic violence intervention policy, *Prévenir, dépister, contrer la violence conjugale*, together with an initial action plan.

In January 2003, the summary report on implementation of the action plan was made public. In December 2004, the government issued the *Government Action Plan 2004-2009 on Domestic Violence* as part of an effort to update and improve implementation of its domestic violence intervention policy.¹

This action plan consists of 72 commitments, over half of them new measures, which will allow the government to improve its action in this area.

The principal focus of the 2004-2009 action plan on domestic violence is to ensure the safety of victims of domestic violence and children who are exposed to it. The action plan was signed by the following departments and agencies :

- Ministère de la Justice (MJQ)
- Ministère de l'Éducation, du Loisir et du Sport (MELS)
- Ministère de l'Emploi et de la Solidarité sociale (MESS)
- Ministère de la Famille, des Aînés et de la Condition féminine (MFAFC)
- Ministère de l'Immigration et des Communautés culturelles (MICC)
- Ministère de la Santé et des Services sociaux (MSSS)
- Ministère de la Sécurité publique (MSP)
- Secrétariat aux affaires autochtones (SAA).

¹Government Action Plan 2004-2009 on Domestic Violence, Government of Québec, December 2005.

2. Definition of domestic violence

Domestic violence is characterized by a series of repetitive actions, usually of increasing frequency and intensity. Experts call this progression "a spiral of violence."

Domestic violence includes psychological, verbal, physical and sexual assault and economic domination. It is not due to a loss of control; on the contrary, it is a means chosen to dominate and assert power over another person. It may be experienced at any age within a marital, extra-marital or love relationship.²

3. Guiding principles of the domestic violence intervention policy

The following are the nine guiding principles governing all governmental action concerning domestic violence:

- Society shall reject and denounce all forms of violence.
- Society shall promote the respect of individuals and their differences.
- Gender equality is the primary condition for the elimination of domestic violence.
- Domestic violence is a criminal matter.
- Domestic violence is a means chosen to dominate and assert power over another person.
- The safety and protection of women victims and children are the priority when it comes to intervention.
- All interventions with victims shall be respectful of their autonomy and based on their capacity to regain control over their life.
- All interventions shall take into account the effects of domestic violence on children and be designed to minimize these effects.
- Abusers are responsible for their violent behaviour; intervention shall be aimed at making them acknowledge and assume responsibility for their violence.

² Québec government's domestic violence intervention policy, *Prévenir, dépister, contrer la violence conjugale*, Government of Québec, December 1995.

4.

Focuses of intervention

The government intends to base its action on four intervention priorities. To eliminate domestic violence, more effort is needed in these areas: systematic prevention and detection, adaptation to specific realities, and increased effectiveness of socio-judicial and correctional interventions.

The government has chosen prevention as its first focus of intervention. Until now, intervention has been mainly curative in nature. To achieve a sustainable solution to this problem, it is important to take measures to eliminate the causes and adopt a social vision that encompasses the medium and long term. A fundamental element of this process is the promotion of egalitarian relationships between the sexes and relationship behaviour models based on respect for human rights, individual responsibility and respect for differences.

The second focus of intervention is the detection of individuals affected by domestic violence. Most victims hesitate to disclose their situation; as a result, considerable energy and expense is invested every day to treat the symptoms without intervening in the real problem.

To ensure that everyone affected by domestic violence is treated in a fair and equitable manner, the third focus of the plan is to adapt interventions to the needs of specific clienteles and regional realities. Last, the fourth focus of intervention is to improve current treatments and approaches with a view to increasing the effectiveness of intervention.

The 2004-2009 action plan to fight domestic violence has been formulated around the following four focuses of intervention:

- Prevention and promotion: a social vision encompassing the medium and long term (14 measures);
- Detection/early identification: identify situations with a view to dealing with the problem rather than the symptoms (3 measures);
- Sociojudicial intervention: improve interventions in the psychosocial, judicial and correctional fields (29 measures);
- Adaptation to special realities: adapt intervention to the needs of particular clienteles (16 measures).

Additional measures are aimed at ensuring the actions' success and implementation, evaluation and follow-up of the action plan (10 measures).

5. Native women and domestic violence

Native women are more at risk of being victims of domestic violence than other Canadian women.

According to the *1999 General Social Survey*, 25% of Native women were assaulted by a spouse or ex-spouse in the five years preceding the survey, compared to 8% of non-Native women.

The rate of Native women at risk of being murdered by their spouse during the process of separation is eight times higher than that of non-Native women.

The most serious, life-threatening forms of violence (being beaten, strangled, threatened with a firearm or knife, or sexually assaulted) are more commonly experienced by Native women victims.

The proportion of Native women who reported that their children had witnessed assaults against them (57%) was slightly higher than that of non-Native women (46%). This difference may be attributed to the fact that Native families tend to be larger, on average, than non-Native families.

6. The component of the domestic violence action plan addressing Native communities

Until now, few measures have been successful in reaching the groups of women who are most vulnerable to domestic violence. The new action plan includes several commitments aimed specifically at these clienteles. For example, ten measures of the action plan involve the adaptation of sociojudicial interventions to meet the needs of Native communities. These actions reflect the principle that interventions within Native communities must take into consideration the values and cultures of Native peoples.

6.1 Information on resources and services

MEASURES	COMMITMENT	OBJECTIVES	RESPONSIBILITY
18	<p>Update information on resources and services offered by the health and social services network in the field of domestic violence.</p> <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 10</i></p>	<p>Inform the general public and case workers about existing resources and services offered to women who are victims of domestic violence, children exposed to domestic violence and violent spouses, in order to increase the visibility of the resources and improve accessibility.</p> <p>Ensure that the information is adapted and transmitted to Native women and specific clientele.</p>	<p>MSSS, MESS, MFACF, MSP, MICC</p>

6.2 Adaptation to the particular realities of Native communities

MEASURES	COMMITMENT	OBJECTIVES	RESPONSIBILITY AND COLLABORATION
PROMOTION AND PREVENTION			
47	<p>Reach Native communities and specific clientele through promotion and prevention activities at the regional and provincial levels.</p> <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 16</i></p>	<p>Promote egalitarian relationships between the sexes and non-confrontational behaviours with these clientele.</p>	<p>MSSS (network and community organizations)</p>
SUPPORT			
50	<p>Work with the Office des personnes handicapées du Québec to document the question of domestic violence against women with disabilities.</p>	<p>Document problems, in qualitative and quantitative terms, among women with disabilities and Native women.</p>	<p>MSSS Coll.: Office des personnes handicapées du Québec</p>
	<p>Ask for the collaboration of the organizations directly concerned by the situation of Native women and work with the Secrétariat aux affaires autochtones to document the question of domestic violence against Native women.</p> <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 16</i></p>	<p>Develop specific measures to combat domestic violence for these clientele.</p>	<p>MSSS Coll.: Organizations directly concerned and the SAA</p>
52	<p>Provide financial assistance to Femmes autochtones du Québec inc. in its activities to promote non-violence in order to help it pursue its mission.</p>	<p>Recognize that interventions within Native communities must take into consideration the values and cultures of Native communities.</p>	<p>SAA</p>
	<p>Assist the training, information and support of case workers in shelters for Native women victims of violence</p> <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 16</i></p>		<p>SAA Coll.: MSSS</p>
54	<p>Provide financial assistance for a pilot project to fight violence, submitted by the Senneterre Native Friendship Centre, with the help of other Native friendship centres in Québec and the Regroupement des centres d'amitié autochtones.</p> <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 16</i></p>	<p>Recognize that interventions within Native communities must take into consideration the values and cultures of Native communities.</p>	<p>SAA</p>

MEASURES	COMMITMENT	OBJECTIVES	RESPONSIBILITY AND COLLABORATION
PSYCHOSOCIAL INTERVENTION			
57	<p>Identify and implement overall solutions adapted to the specific needs of:</p> <ul style="list-style-type: none"> • communities in remote regions; • Native communities; • and women with disabilities. <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 17</i></p>	<p>Ensure the safety and protection of women and children in emergency situations and, among other aspects, deal with difficulties connected with transportation, confidentiality and remote locations.</p>	MSSS (network and community organizations)
59	<p>Encourage the establishment of an issues table bringing together various Native organizations to look at the problem of domestic and family violence.</p> <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 17</i></p>	<p>Ensure the safety and protection of victims and their families.</p> <p>Recognize that interventions within Native communities must take into consideration the values and cultures of Native communities.</p>	SAA
60	<p>Continue actions to gradually improve access for Native people to the CAVAC network and encourage the hiring of personnel who are aware of the needs of Native victims.</p> <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 17</i></p>	<p>Recognize that interventions within Native communities must take into consideration the values and cultures of Native communities.</p>	MJQ
61	<p>With regard to Native police forces : When renewing three-party agreements, negotiate a requirement that native police forces adopt directives for intervention in cases of domestic violence based on the relevant guidelines in the <i>Guide des pratiques policières</i>.</p> <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 17</i></p>	<p>Ensure the safety and protection of victims and their families. Ensure that Native communities have access to the same services as those offered to the general population. Recognize that interventions within Native communities must take into consideration the values and cultures of Native communities. Increase knowledge about the problem of domestic violence in Native communities.</p>	MSP
62	<p>Implement special measures to adapt and improve the criminal justice system in Native communities.</p> <p><i>Government Action Plan 2004-2009 on Domestic Violence, p. 17</i></p>	<p>Recognize that interventions within Native communities must take into consideration the values and cultures of Native communities.</p>	MJQ Coll.: MSP

Actions in connection with Measure 62

1. Organize sessions to raise awareness about Native realities, especially concerning issues related to offences against the person in Native communities, for Attorney General's prosecutors and all case workers in the judicial system working with Native people, in accordance with their needs.
2. Promote the mentoring of new Attorney General's prosecutors working in Native communities.
3. Ensure, in regions where it is needed, that an Attorney General's prosecutor accompanies circuit courts, considering the large number of cases and the short period of time available for meeting with victims.
4. Offer a transportation service to allow Native victims to safely attend court hearings outside their community.
5. In regions where the size of the Native population so warrants, ensure that existing or future CAVACs have permanent Native case workers, or personnel aware of the needs of Native victims, and ensure that their services are promoted among the Native population.
6. Develop information tools about the judicial process, designed to respond to the concerns and questions of the individuals concerned.
7. Take steps to ensure that Native victims can receive accessible information about the judicial process, information on their case in their own language, provided orally by case workers employed by victim assistance services, or in writing, or, where it is not possible, provided by the Attorney General's prosecutor, at all stages in the judicial process.
8. Standardize temporary release forms, and have them translated into Native languages as needed.
9. Ensure that a court worker or para-legal advisor explains to the offender and to the victim, separately, the parole conditions fixed by the judge, and provide an interpreter to translate the explanations and make sure they are understood.
10. Take steps to ensure that parole conditions are systematically forwarded to concerned Native police forces.
11. Continue to develop a bank of court interpreters for all First Nations, and provide for the periodic training of Native interpreters.
12. Continue actions, where circumstances allow it, to equip premises used by circuit courts with waiting areas reserved for victims.
13. Where offenders are subject to a court order restricting their possession of firearms to possession for reasons of subsistence, ensure that these firearms are deposited at a police station or in other secure place and are accessible only for subsistence.
14. Support discussions by Native women about issues relating to the administration of justice in their communities.

Government Action Plan 2004-2009 on Domestic Violence, p. 30