

*"Building the smallest democracies at the heart of society."*  
The United Nations: The International Year of the Family, 1994

Agreement# 40063171

## INTERPERSONAL VIOLENCE: Old Problem—New Approaches

✂ ✂ ✂  
by Jane Ursel

**T**his is the theme of RESOLVE Manitoba's Research Day, which will be held on October 6, at University Centre, University of Manitoba. Over the last two decades there has been a growth in services for victims and individuals who behave abusively and a great deal of research has been done on these services. From innovative programming in the field of prevention, to the recent YWCA report on new challenges for women in shelters, service providers have been rethinking their practice and breaking new ground in service delivery. While the problem of interpersonal violence remains, service providers and researchers are exploring new ways of responding to this persistent societal problem. Our research day will host a number of panels that discuss recent innovations and will feature a number of keynote speakers.

Our morning keynote speaker is **Constable Krista Miller** from the Royal Newfoundland Constabulary, who has the distinction of being a police officer who is also an abuse survivor. Service providers and experiential women wonder whether police really understand the dilemma faced by survivors. Police often wonder whether their intervention is helpful. Research indicates that first responders' attitudes significantly impact victims. These issues along with Constable Miller's experience of abuse and its impact on her policing will be discussed. Constable Miller



is an advocate and an inspiration for victims of domestic violence. She is a Board member of the Iris Kirby House (a shelter in St. John's Newfoundland). She is committed to community outreach and has shared her story of survival in schools and community groups throughout Newfoundland.

Our afternoon keynote speaker is **Ann Decter**, Director of Advocacy and Public Policy for YWCA Canada. Ms. Decter was the moving force behind the recent critical report *Saying Yes: Effective Practices in Sheltering Abused Women with Mental Health and Addiction Issues*. Shelter workers

across Canada have been identifying a changing pattern of women seeking shelter from abuse. There is an increasing percentage of shelter residents who suffer from mental health and addiction issues. The YWCA report is both a call to action and an outline of effective practices for responding to these very

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## Challenging the Efficacy of *ex officio* Prosecution of Domestic Violence Offenses: The Portuguese and Canadian Experiences



by Patricia Pais

In today's world domestic violence is regarded as a serious violation of human rights. Domestic violence affects women disproportionately and it exists in all countries, irrespective of women's individual characteristics, their social, economic, religious or cultural group identity. Whether by means of honoring their international commitments or via internal advocacy, in the course of the last thirty years many countries have altered legislation that covers the components of domestic violence.

Portugal is one such country. As a practicing lawyer in Portugal I assisted in the transformation in the criminal justice system as comprehensive legislation was adopted to address domestic violence over the last 14 years. The national plan involved the creation of domestic violence units in the police and public prosecutor offices; the expansion of shelters for victims; the adoption of the victim's bill of rights; and the development of preventive programs for perpetrators of domestic violence. Also, laws enacted in 2000 and 2007 amended the domestic violence offence typified in the penal code. The amendments reclassified the offence, extended the concept of violence, and introduced accessory penalties. The reclassification of domestic violence to a public crime in 2000 warranted an *ex officio* approach, i.e., reported cases must be investigated and prosecuted regardless of the victim's wishes. Victims, however, cannot be compelled to testify as the code of penal procedure grants to spouses and intimate partners the right to refuse to testify.

While there has been significant progress with the application of an *ex officio* approach, gaps in implementation remain, with low numbers of prosecutions and convictions compared to the number of reported cases. This became clear to me when in January 2010 I was appointed a public prosecutor to a region in Portugal particularly affected by this plight. Victim's refusal to cooperate and testify led in many instances to insufficient evidence to prosecute or

secure a conviction. Researching the implementation of similar approaches in other jurisdictions, I found successful stories in the United States and Canada. Such findings gave me the impetus to venture once again into academic life. I proposed a PhD project that examined the adoption and implementation of *ex officio* approaches in adversarial and inquisitorial systems; this project that was accepted by the University of Queensland, Australia.

Electing Portugal as my inquisitorial case study was an obvious choice. However, electing Manitoba as the adversarial setting was the result of a variety of factors: the positive reports on Winnipeg's response to domestic violence, the existence of RESOLVE, and most importantly the invaluable support of **Dr. Jane Ursel**.

My journey in Winnipeg exceeded my expectations in every possible way. Apart from the kind help provided by **Prof. Karen Busby** and **Donna Sikorsky** re doctrinal research, I was able to collect crucial data from interviews

conducted with key actors in the criminal justice system, and to observe the operation of a criminal justice system completely alien to me. I concluded that despite the implementation of similar approaches, the Manitoba's adversarial process leads to a higher rate of prosecutions and convictions than the Portuguese inquisitorial process. Yet, as revealed by the data collected in Porto (Portugal) and Winnipeg, criminal justice key actors in both sides of the Atlantic share a similar commitment to ensure a successful outcome, that, being proper administration of justice while securing the victim's well-being.

As I explore in my PhD studies, I am finding that a similar approach in different jurisdictions may lead to different outcomes. Comparative studies can assist in pinpointing potential factors that can explain disparate outcomes and consequently improve the response of society to the epidemic that is domestic violence. ❧



Patricia Pais

## Manitoba Update: *Is Justice Delayed, Justice Denied?*



by Jane Ursel



**W**hen we think of legal responses to domestic violence we typically think of laws or policies, and we seldom think of administration. Recently I have had the opportunity to study the administration of the Winnipeg Family Violence Court (FVC), thanks to a three year funding grant from the Max Bell Foundation. How a court is administered, I discovered, can have a significant impact on the lives of people involved in the courts. A faster disposition of a case may reduce stress on the family members involved; better administration can facilitate a prosecutor's case; and better information can lead to better case dispositions. The new administration plan referred to as the Front End Project (FEP) was designed to get cases through court faster and introduce more efficient use of courtrooms and court personnel. In an earlier issue of this newsletter (Vol 8 # 3 2006), I wrote an article on the FEP's receipt of the United Nations Public Service Award. I was curious to see, a number of years later, whether the original goals were being met and whether there were unexpected challenges or rewards.

The study involved looking at the data from our longitudinal FVC study, particularly the timelines from beginning to end of a case and conducting key informant interviews. I interviewed four judges, four Crown attorneys, two defense lawyers, three court administrators, and two victim service workers—all of whom had worked in the courts before and after the FEP was introduced.

Results from our quantitative data on the first goal results—faster case processing—were a bit mixed. Cases that went to trial did not have their matters resolved any faster; however, there was a considerable reduction of 101 days or (33%) for cases that were stayed. Cases that ended in a guilty plea

also experienced a time reduction of 25 days for out of custody cases and ten days for persons held in custody. Finally, the evidence on more efficient use of courtrooms indicated clear success in this area.

Perhaps the most impressive result was the move to Crown ownership of a file, which was only possible within the FEP administrative system. This means that the prosecutor keeps the same file, so if a family returns to court at a later date the Crown attorney knows their history and their challenges and can present a fuller picture of the case to the judge. The following quote from a Crown attorney who was a key informant captures this outcome:

*I recall one woman . . . who came to court . . . and was addressing the judge, asking for contact with the accused. I was indicating that (contact) should not be a part of the disposition. Part of the probation order should include a no contact order because she wasn't in the best position currently to assess the risk. For a variety of reasons the judge ordered it (no-contact). When I went out of the court room, she asked to speak to me privately in the witness room, so we went into this room. I was waiting for the barrage, the blast. But she hugged me and thanked me and said she'd been feeling such pressure from his family to come and felt guilty about doing it....(she) was so glad that I had known her well enough....to put the situation in context before the court that allowed the no contact order to be put in place." (Crown 2)*

Public discourse on justice seldom includes discussions of administration. However, this study opened my eyes to the fact that administration, like house work, is the invisible scaffold that supports human actions and critical social activities. When we examine justice for victims of domestic violence we shouldn't overlook the administrative process. ☘



## Saskatchewan Update: *Rural*



by Alexis Zederayko

**M**y work with the Community–University Research Alliance (CURA) began in January of 2014, when I was hired as a student researcher to perform qualitative analysis on data gathered throughout northern and rural Saskatchewan. The data consisted of a series of interviews with service providers for victims of intimate partner violence (IPV), in which they were asked to discuss the supports available (or absent) for women who seek to escape abusive relationships. The goal of the portion of the research that my peers and I tackled was to provide narratives for the themes (codes) that had emerged during community collaboration sessions in which the data was reviewed. The narratives needed to be many things: concise, accurate and, most importantly, consistent with the data in a way that reflected the voices and intentions of participants.

This last goal was no simple feat, particularly given that the data represented 28 distinct voices, who sometimes provided contradictory information. There was leeway for us to expand on the codes, and to rearrange them, but it was important that they still reflect the efforts accomplished through community collaboration, so adhered to the original themes. The central and overarching theme that emerged was safety, and other themes (education, legal/police intervention, community buy–in, etc.) contributed to it. Because we wanted to retain as much of the original work as possible, we only made changes to the original organization when it was dictated by the data. For example, the theme of “poverty” was moved under the sub–category of “lack of resources” so that it could be grouped with the other resources that were listed as absent or lacking, such as shelters, transportation, childcare, and employment.

I had the privilege of working closely with two other dedicated students—**Melissa Wuerch** and **Kaitlyn Giles**. Not only was it useful to be able to learn the qualitative software together and to benefit from each others research experience, it was helpful for us to have each other to use as sounding boards for ideas, or as resources to check the wording of a code definitions if we were stuck on phrasing. In this way we were



Alexis Zederayko

better able to sort out the nuances and inconsistencies that arose during coding. For example, we often had to review our organization of codes to ensure that conceptually similar codes were grouped together, and that categories were appropriately broad or narrow to maximize utility while eliminating overlap. To come up with definitions for the codes, we looked to the data, and tried to allow it to speak for itself. While this process may sound straightforward (as we thought it would be at the outset), it ended up being more difficult than anticipated, since coming up with codes and definitions that exhaustively represented the data’s central themes required considerable coordination among team members. We needed to ensure that we weren’t coding for the same things (mutual exclusivity)—many hours were spent discussing and clarifying categories over java in a café near Campus grounds.

The result was a 58 page document that outlined each theme and provided examples drawn from the data it supported. Our hope was that these examples would not only demonstrate how the themes manifested by allowing the participant voices to speak for themselves, but also we wanted a document that allowed interested parties to access information in the data in a way that humanized the people and the stories and hardships contained in the interviews. We knew that it would not suffice to simply list themes and expect readers to connect them to actual events; the examples were chosen specifically because they best demonstrated the frustration, courage, and efforts of service–providers in northern and rural Saskatchewan in the struggle against IPV. The final write–up is a great example of collaboration between community and university, and of a synthesis of the voices of the team–members analyzing this data. The next phase of this project, which includes focus groups in two locations (Kamsack and Laloche) is currently underway. I look forward to seeing what this next segment of research will reveal, and how it will clarify our understanding of existing data. ❀

*Alexis Zederayko will present a portion of the CURA research at RESOLVE Research Day 2014 on October 6. Hope to see you there!*

## Alberta Update: ATTACH Pilot Study Funded



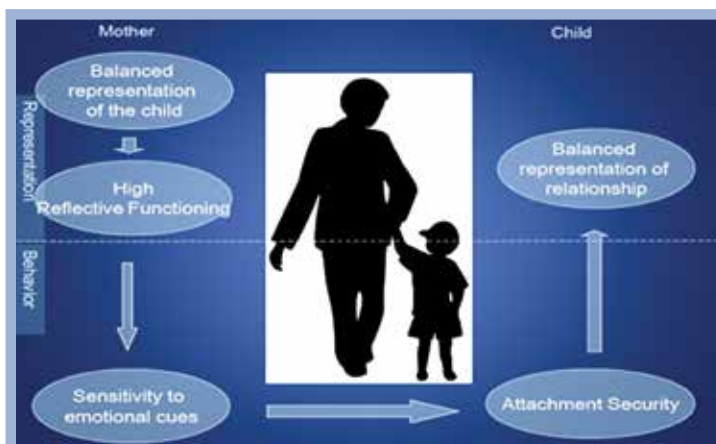
by *Nicole Letourneau*

Since our last update, the ATTACH (Action Team on Triadic Attachment and Child Health) intervention project has received funding from the Faculty of Nursing, University of Calgary; the Alberta Centre for Child and Family Health Research; and the Norlien Foundation, Accelerating Innovation Fund. The ATTACH intervention is designed for mothers of infants under two years of age who experience toxic stress—that is violence, addictions, and/or depression.

ATTACH also recognizes and values the support mothers receive from their social network, and thus is designed to include whomever mothers deem to be their co-parenting support, such as a friend, boyfriend or grandparent. Inclusion of the mothers' co-parenting support person, in addition to the usual mother-infant pair, or "dyad," is what makes ATTACH "triadic." The main focus of the ATTACH intervention is on development of **mothers' reflective function**—the ability to understand the state of mind of another person, including their thoughts and feelings that underpin behaviours and intentions. This is particularly relevant to parenting infants, as sensitive and responsive parenting requires an ability to reflect upon, understand, and act to address infants' needs and desires. Parental reflective function is thus necessary for the development of **secure attachment** between parent and infant, a relationship representation that the infant can depend on to provide a safe haven and secure base for exploring and learning about the world. Ultimately this kind of healthy, secure, relationship representation may form the basis for expectations about future relationships and social competencies in childhood, adolescence and adulthood. (See image on this page.) Meta-analyses of research reveal that secure infant attachment is linked to a host of healthy social-emotional outcomes and reduced risk for externalizing (e.g. aggression, hyperactivity) and internalizing (anxiety, depression), behavioural outcomes, and improved cognitive development. In this way, secure infant attachment is thought to reduce the risk of becoming engaged in violent relationships.

Parenting programs specifically designed for promotion of reflective function are few; even fewer have been subjected to randomized controlled trials. The creator of one such program—*Mothering from the Inside Out*—has demonstrated improvements in parent-infant interaction quality and maternal reflective function. The

creator of this program, **Dr. Nancy Suchman** and her research coordinator, **Cindy DeCoste** of Yale University in New Haven, Connecticut, recently provided three days of training to our team in the implementation of reflective function intervention. The ATTACH team also met with **Dr. Diane Philipp** of the Hincks–Dellcrest Centre in Toronto, who is implementing Reflective Family Play, and accustomed to engaging with mothers, infants and mothers' co-parenting support.



Reproduced with permission from the presentation by Dr. Nancy Suchman, April 2014

ATTACH is combining and adapting elements from both programs in our innovative, unique 12-week program that will be delivered in collaboration with Calgary Urban Project Society (CUPS). Thanks are due to CUPS' outstanding leadership, provided by **Carlene Donnelly**, *Executive Director*, and **Dean Schroeder**, *Director*, for working with us on this parenting program innovation. Mothers who are clients of CUPS and already taking part in a CUPS parenting program (that does not address reflective function) will be invited to take part in the ATTACH pilot randomized controlled trial. Parents who agree to participate will have an equal chance of being invited to take part in the ATTACH intervention or a control condition. Ethics approval is pending and we look forward to updating the RESOLVE network and the Canadian Attachment Network (established for this project) about our progress.

For more information, contact ATTACH Research Associate, **Dr. Martha Hart**, at [mhart@ucalgary.ca](mailto:mhart@ucalgary.ca).

References available upon request.

*New Approaches...* cont'd from Page 1

Ann Decter

complex and challenging issues. She will be introduced by the Minister of Family Services and Status of Women, the **Honourable Kerri Irvin Ross**, who shares Ms. Decter's concern for providing the best services for women in shelter.

Ann Decter leads national campaigns, issue advocacy, research, and policy development for YWCA Canada. A feminist and equity advocate, Ann initiated the *Homes for Women Campaign* to end women's homelessness in 2013 and wrote *When There's No Place Like Home: A Snapshot of Women's Homelessness in Canada* (2012). She works nationally and internationally on violence against women and girls through YWCA Canada and the World YWCA, including leading the annual Rose Campaign to end violence against women. Ann's previous advocacy roles include anti-poverty work at Sistering, an award-winning women's agency, and Campaign 2000, Canada's national coalition to end child and family poverty. The author of four books, she is a member of The Writers Union of Canada.

Over 30 academics and practitioners will participate in 12 or more concurrent sessions. If you have an interest in the latest strategies that concern Missing and Murdered Aboriginal Women, there is a panel of activists who will share their views. You will have an opportunity to hear about new developments in treatment programs for individuals who behave abusively, to learn about diversion programs for accused, and to hear the views of participants of these programs. There will be sessions on shelter workers and community initiatives for change as well as sessions that focus on the themes of parenting and justice. There will also be a series of sessions describing the discrepancy between incidents of abuse and services available in rural and Northern communities. We will have speakers from Newfoundland to the North West Territories and many local service providers to look at new ways to solve the old and persistent problem of interpersonal violence. ☘

**INTERPERSONAL VIOLENCE:  
OLD PROBLEM—  
new approaches**

**RESOLVE RESEARCH DAY  
UNIVERSITY OF MANITOBA**

**OCTOBER 6 2014  
UMANITOBA.CA/RESOLVE**

## Announcements, Conferences and Events



**October** - *National Domestic Violence Awareness Month* presented by the Canadian Centre for Child Protection, in Winnipeg, Manitoba. The goal of this three-day training conference is to broaden the knowledge of those involved in child protection surrounding the issues of missing and exploited children. One of the leading conferences of this type in Canada, the MECC provides training by expert speakers from around the world on a wide range of issues. With the rapid growth in online crimes against children, the training needs of professionals working in the area of child protection have changed immensely. An example of topics covered include the detection and investigation of child victimization, how to deal with children in trauma and Internet-related exploitation, as well as offering a unique glimpse into the victim's perspective. Refer online for more information [protectchildren.ca/app/en/training#training-mecc](http://protectchildren.ca/app/en/training#training-mecc).

**November** - *Family Violence Prevention Month*. November is Family Violence Prevention Month in Alberta. Reach out to those affected by family violence. The 24-hour Family Violence Info Line (403-310-1818) is toll-free in Alberta and available seven days a week. The line provides help in more than 170 languages. We all have a role to play in ending family violence; that's the focus of the government's 2014 Family Violence Prevention Month campaign. Learn how you can get involved. Source: [humanservices.alberta.ca/abuse-bullying/15676.html](http://humanservices.alberta.ca/abuse-bullying/15676.html).

**November 1-19, 2014** - *19 Days of Activism Prevention abuse and violence against Youth/Children* a Women's World Summit Foundation initiative. For more information refer online to [19days.woman.ch/index.php/en/](http://19days.woman.ch/index.php/en/).

**November 25** - *International Day for the Elimination of Violence Against Women*

### RESOLVE Manitoba Research Day: October 6, 2014

This year's Research Day will be held at the University of Manitoba. Please reserve this day on your calendar and join us for presentations of innovative local and community based research and program initiatives. Our morning keynote speaker is **Constable Krista Miller**, a police officer who is also an abuse survivor. In the afternoon **Ann Decter**, responsible for the recent YWCA repost on women's shelters, will present their findings, and the final panel of the day will address the issue of Murdered and Missing Aboriginal Women. Concurrent panels on diverse subjects will occur throughout the day.

The registration fee is \$35, and we offer reduced fees for agencies (register three staff and send as many as you want); students, service consumers, and volunteers are offered FREE registration. Registration and more information about Research Day can be found at our website [umanitoba.ca/centres/resolve/news/research\\_days/index.html](http://umanitoba.ca/centres/resolve/news/research_days/index.html).

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Board of Members of Prairieaction Foundation are pleased to announce the recipients of our 2014 Community Action Research and Education (CARE) grants. The CARE Grant program furthers the goals of Prairieaction by supporting community-based research, whose goal is to provide education and awareness in the intervention and prevention of domestic violence. This year we have provided funds to Family Service Regina, the Canadian Centre for Child Protection, and the Provincial Association of Transition Houses of Saskatchewan. We wish them success in their research programs. Later this fall we will place our call for letters of intent for the 2015 CARE grants. Please watch for this announcement on our website.

Under our Education & Awareness Grants program we have awarded a grant to Catholic Family Services of Saskatoon. They wish to reprint their educational guide, ***Survivor 101: A Handbook for Teens***, to make available to youth and agencies involved in working with youth. **Lisa Broda**, who held the position of Vice Chair, will assume the role of Chair, while Rod McKendrick takes a leave of absence from the Board. She will assume full duties of Chair until our Annual General Meeting in December 2014. We also wish to welcome to our board three newly appointed Board Members: **Debra George** from Regina, Saskatchewan; **Rekha Malaviya** from Winnipeg, Manitoba; and **Greg Preston** from Calgary, Alberta. We are pleased and honoured to have them join our board and we look forward to their skills and experience to further the goals of the Foundation. ☘

### **RESOLVE Manitoba**

*~ Dr. Jane Urşel ~  
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