

**The Role of Non-Governmental Organizations in Preventing Partner
Violence Against Immigrant and Refugee Women in Canada**

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Until the 1970s, violence occurring within the home was regarded as a purely private issue which was not to be addressed within the public sphere. Thousands of Canadian women suffered repeated abuse at the hands of their partner. With few crisis intervention services available to them and little in the way of law enforcement involvement, these women were left to suffer in silence as the country ignored their plight.

During the 1980s, the women's movement in Canada played an instrumental role in exposing the problem of partner violence to the Canadian public (Agnew 1998: 4). The gradual recognition of partner violence as a social problem alongside growing public awareness of the issue prompted the involvement by the Canadian government (Hagen 2001: 120). Partner violence shifted from the confines of the home to the forefront of the public conscience. Canadian society's understanding of issues related to partner violence has improved drastically since the issue first emerged in the public sphere some three decades ago. Nevertheless, there remain large gaps within existing knowledge of this issue. Most noticeably, very little has been written from either the policy or academic perspective regarding the particular obstacles faced by immigrant and refugee women suffering from partner violence in Canada.

The purpose of this work-in-progress thesis will be to answer the following research question: *"What is the role of the Canadian non-governmental organization (NGO) community in addressing partner violence against immigrant and refugee women in Canada?"* In answering this question, this thesis will seek to achieve the following goals:

- i. To identify the extent of partner violence within immigrant and refugee communities in Canada.
- ii. To identify the social costs of partner violence within immigrant and refugee communities.
- iii. To identify existing policies by the government and non-state actors which seek to prevent and protect immigrant and refugee women from domestic abuse.
- iv. To analyse the limits of existing government efforts to address the issue.
- v. To analyse the benefits of addressing the issue via non-governmental organizations (NGOs).

- vi. To identify the potential for future partnerships between the Canadian government and NGOs for prevention and protection, as well as to facilitate a voice for victims of partner violence within the policy-making process.

As a work-in-progress study, the current paper will discuss the foundations of this research question, as well as identify gaps within existing literature on partner violence in Canada. It will also discuss the methodological challenges associated with answering this research question.

I- Defining Key Terms

Prior to proceeding with a discussion of the particular challenges associated with addressing partner violence within immigrant and refugee communities in Canada, it is important to establish a clear understanding of the terms used throughout this paper.

Partner violence

A number of terms exist to refer to the social issue discussed herein. Among the most common are “wife battering,” “spousal abuse,” “partner abuse,” “violence against women,” “conjugal violence,” “family violence,” and “domestic violence” (see Mann 2000: 8-17). Each term is associated with a particular understanding of violence within the home. For the purposes of this paper, the term “partner violence” has been used throughout. This paper does not address other issues of domestic abuse, such as child abuse, abuse of elders, abuse by other members of the family.

Partner violence, broadly defined as both overt acts of violence and harassment or threats within the home, is a widespread problem in Canada. Violence occurs in a number of different forms. According to Linda MacLeod, “wife battering is a multi-dimensional phenomenon involving various types of physical and psychological abuse” (MacLeod 1987: 23). Haley and Braun-Haley classify violence under three major headings: economic control, psychological/emotional abuse, and physical violence (see Haley and Braun-Haley 2000: 8-21). Different manifestations of partner violence are identified as follows:

Category of Violence	Characteristics
Economic Control	<ul style="list-style-type: none"> - Preventing victim from working outside the home - Denying access to resources (ie,

	withholding money)
Psychological/Emotional Abuse	<ul style="list-style-type: none"> - Verbal abuse - Applying pressure - Authoritarianism in the home - Disrespect - Abusing Trust - Withholding emotional contact - Isolation - Harassment - Threats of physical force
Physical Violence	<ul style="list-style-type: none"> - Sexual Violence - Destruction - Threats of force - Assault - Assault with a weapon - Murder

In 1980, the Canadian Advisory Council on the Status of Women published its first report on wife battering in Canada in which it identified yet another form of psychological violence. The report identified this as “the psychological violence which the woman experiences when she tries to get help from outside the family only to find that help is too often just not there” (MacLeod 1987: 24).

Immigrant vs. Refugee Women

The term “immigrant women” is used to refer to women who have acquired permanent residency status in Canada. For the purposes of this paper, women who are illegal immigrants in Canada are not included within this definition as many of the obstacles they encounter as victims of partner violence are more complex still and beyond the reach of the current study.

The term “refugee women” is understood here to include both women who are seeking asylum within Canada (with applications still in process) and women who have been recognized as refugees and granted refugee status by the Canadian Immigration and Refugee Board. The final intention of this thesis is to identify the specific protection needs of refugee women which are distinct from those of immigrant women. Within this paper, however, only a limited degree of distinction is made between the categories of immigrant and refugee women. This is due to the fact that in the literature consulted in the course of the preliminary research for this study, though researchers often note in passing that refugee women have special protection needs in addition to those of immigrant women, these special needs are never explored. Within the existing literature

on the issue, immigrant and refugee women are treated as a single group, lumped under the term "immigrant women."

The "Victim" Vs. "Survivor" Debate:

This paper "uses the word 'victim' in full recognition of the difficulties of this term. Theorists, policy-makers, and practionner's alike argue that the word 'victim' can suggest hopelessness. Nevertheless, it is also try that "it is not always possible to use the word 'survivor' in the place of 'victim' because some victims of family and sexual abuse do not survive" (B.C. Ministry Task Force on Family Violence 1992: 52).

II- Methodology

Research will be conducted through a complementary combination of quantitative and qualitative research. The quantitative aspects include, but are not limited to: statistics on immigrant and refugee populations in Canada; government spending on domestic abuse; the scope of the NGO community concerned; and statistics on women's shelters and support groups. This quantitative data will set the framework for the study's qualitative research.

Qualitative research for this paper will begin with a literature review. In view of the exploratory nature of this work, literature consulted will be interdisciplinary in nature, drawing on past contributions by policy makers, researchers, and social workers, among others, to identify the shared knowledge regarding the issue of partner violence within Canada and the special protection needs of immigration and refugee women. The study will also draw in information from the National Clearinghouse on Family Violence, Canada's resource centre for information on violence within the family, which provides a centralized and comprehensive reference, referral, and distribution service for information on family violence prevention, protection, and treatment. Literature exploring the issues of violence perpetuated against domestic workers will also be examined as this body of literature is much more developed and extensive and discusses many of the issues associated with addressing partner violence against immigrant and refugee women, such as social isolation, working within the home, cultural and linguistic barriers, access to services issues.

Drawing on knowledge obtained through the quantitative and qualitative research methods identified above, a set of standard qualitative interview questions for parties concerned with domestic abuse amongst immigrant and refugee women will be created. The study will conduct

interviews with policy makers, social workers, NGOs, and immigrant and refugee women themselves. Given the limited resources available for the study's research, it is likely that interviewees will be contacted through a process of snow-ball sampling, a technique which has been used in the majority of past studies on this topic (see Haley and Braun-Haley 2000; MacLeod 1987; MacLeod and Shin 1990). It is recognized that the very nature of this technique limits the representativeness of the sample group. However, this factor must be weighed against the difficulties in amassing a group of willing participants, particularly with regards to victims of partner violence. Ideally, interviews will be conducted in person with those working in the Montreal and Ottawa region. Participants working further away, notably policy makers and social workers, will be contacted and interviewed via telephone.

All interview questions will have approval from the Research and Ethics Board of McGill. Informants will be given written statements of intent (also containing information on how to contact the interviewers), which they will be asked to sign before participating in the study. Emphasis will be placed on the question of confidentiality. The substantive content of these interviews will represent an important element in my research and analysis of the role of the NGO community in addressing domestic abuse.

Preliminary qualitative research suggests that the following methodological challenges will be encountered during the course of this study:

- i. Gaining access to immigrant and refugee women who are victims of partner violence.
- ii. Creating a rigorous research model which includes a representative sample group.
- iii. Distinguishing between the different obstacles faced by immigrant and refugee women who are victims of partner violence.

III- Current Literature on Partner Violence Against Immigrant and Refugee Women

While a growing body of literature addressing partner violence has emerged since the issue first came to the forefront of Canada's conscience in the 1980s, Miedema and Wachholz argue, "little research has been completed to explore issues and concerns surrounding the abuse of immigrant women" (Miedema and Wachholz 1998: 1). Indeed, very few studies seem to exist addressing the specific protection needs of immigrant women in Canada. To date, no studies have been discovered addressing the special needs of refugee women in Canada, who represent the principal subjects of this study.

Within the existing literature on partner violence among immigrant and refugee communities in Canada, very little has been written from the academic perspective. The academic literature which does exist has primarily been written within the disciplines of social work and sociology. Comparatively nothing has been written from within the discipline of political science. Agnew divides the remaining, non-academic literature into two categories: (1) reports commissioned by government agencies to address gaps in services, and (2) reports by community-based organizations to document incidence of violence in their communities and identify needs for services (Agnew 1998:35). Studies highlighting the issue in question have been sporadic and dated at best, with important contributions dating from 1990 (MacLeod and Shin), 1998 (Agnew), 2000 (Miedema and Wachholz) and 2004 (Smith).

Despite growing interest by policy-makers, it would seem that little is known about the experience of immigrant and visible minority women who are victims of partner violence (Smith 2004: 3). The lack of an existing theoretical framework and literature in political science through which to address this question provide further impetus of the current study. The current work will seek to build on the identified gaps in the existing literature. In doing so, it aims to expand the current understanding of the optimal means through which to address partner violence within Canada's immigrant and refugee communities. A greater degree of understanding of the issues is crucial for policy-making purposes.

IV- Canada's Immigrant and Refugee Population

In 2001, Canada's Population Census indicated its ethnocultural portrait was as diverse as ever. As of May 15, 2001, 5.4 million people, representing 18.4% of the total population, were foreign-born (Statistics Canada, 2001). This represented the highest proportion of foreign-born Canadians in seventy years. Between 1991 and 2000, Canada admitted 2.2 million immigrants, compared to 1.3 million from 1981 to 1990. Of those admitted and living in Canada, 58% came from Asia and the Middle East, 20% from Europe, 11% from the Caribbean, Central and South America, 8% from Africa, and 3% from the United States. Some 73% of these immigrants were members of visible minority groups. Together with those already residing in Canada, the nation's visible minority population was placed at 4 million individuals, counting for 13.4% of the total population. This proportion represents a threefold increase from 1981, when 1.1 million visible minority individuals represented 4.7% of the total population. The top five reported categories of

visible minority status were Black, South Asian, Chinese, Korean, and Japanese. Over 200 ethnic origins were reported in the 2001 Population Census, with the top ethnicities reported as Canadian, English, French, Scottish, Irish, German, Italian, Chinese, Ukrainian, and North-American Indian, Dutch, Polish, East Indian, Norwegian, and Portuguese.

While the numbers of refugees arriving in Canada per annum are considerably smaller, they still represent an important part of Canadian immigration. In brief, refugees may arrive in Canada through three different venues. First, they may be admitted to Canada as UN Convention Refugees. Second, the government or organizations, such as churches, may sponsor them. Third, they may arrive at Canada's borders on their own (see Boyd). Asylum seekers who receive a positive decision by the Immigration and Refugee Board may apply to remain in Canada as a permanent resident. According to the Immigration and Refugee Board (IRB) of Canada, in 2003-2004, the IRB received 29,200 new claims, down 25% from 2002-2003 (RPP). In 2004-2005, it was able to process 27,212 claims (see RPD Information Sheet). Refugee claimants arriving in Canada arrive from a host of countries experiencing conflict, virtually exclusively in the developing world.

The 2001 Population Census reaffirmed the extent of the diversity comprised within Canada's borders. Comprising individuals from all nations, socioeconomic backgrounds, religions, and cultures, Canada's famed ethnic mosaic has made it the second most diverse country in the world, second only to Australia. The size and diversity of Canada's immigrant and refugee population speaks to the need for a clear understanding of the particular approaches required to address domestic abuse within different communities.

V- Domestic Abuse within Immigrant and Refugee Communities in Canada

In view of the limited quantitative data which exists on the incidence of partner violence against immigrant and refugee women, it is important to have an understanding of the incidence of partner violence against women in Canada in general as a point of reference. A 2001 Statistics Canada Survey of Family Violence indicated that 28% of Canadian women have experienced violence by a current or past spouse, including common-law relationships. Less than half of affected women reported abuse to the police (Statistics Canada, 2001). The 2004 Statistics Canada Survey on Family violence revealed that in 2002, females accounted for 85% of all victims of partner violence reported to police departments. The most commonly reported partner violence was common assault (Statistics Canada 2004).

Unfortunately, no comprehensive study regarding the incidence of partner violence towards immigrant women has yet been conducted, though data has been collected in the course of other studies. In her 2004 study, Ekuwa Smith references Statistics Canada's 1999 General Social Survey, Cycle 13 on victimization, which found that victimization rates among immigrant and visible minority women were somewhat lower than other women, with 10.5% of immigrant and visible minority women experiencing financial or emotional abuse, compared with 14% of other women, and 4.2% citing physical or sexual abuse, compared with 6.2% of other women. However, this study was conducted in only English and French, which limited the scope of its findings as it did not include women who are not proficient in either of Canada's official languages (see Smith, 2004, viii). There does not appear to be a more recent Statistics Canada study specifically documenting the incidence of partner violence within immigrant and visible minority communities in Canada. In her own study, Smith finds that 13% of immigrant and visible minority women who experienced partner violence reported that they were physically injured (Smith 2004: 19). No statistics on the incidence of partner violence against refugee women exists.

Agnew identifies a series of problems in quantifying the incidence of wife abuse within immigrant and refugee communities in Canada. Service providers, who are often responsible for determining the incidence of abuse within their communities, may cite figures that overestimate or underestimate its occurrence (Agnew 1998: 52). Also, social, cultural, and political inhibitions may increase immigrant and refugee women's reluctance to disclose abuse they suffer in their homes. They may be especially reluctant to report this to people who they consider "outsiders" to their home or to their community. Lack of knowledge regarding the immigration system may also contribute to their reluctance to disclose abuse, fearing that such an action would result in the deportation of their partner or family (Agnew 1998: 54).

The lack of data incidence of partner violence against refugee women in Canada and the difficulties associated with the collection of this data represents a serious challenge for the creation of adequate, culturally sensitive policy responses to this problem.

VI- The Prevention and Protection Needs of Immigrant and Refugee Women in Canada

While men and women alike experience partner violence, immigrant and refugee women face additional obstacles regarding education, prevention, and protection from partner violence (B.C. Ministry Task Force on Family Violence, 1992; Mann, 2000). These stem from numerous

factors, including their immigration status and the social, cultural, linguistic, racial, and legal environment in which they find themselves (Smith, 2004).

Socio-cultural Factors

One of the first and perhaps most commonly-cited elements identified in relation to the occurrence of domestic abuse against immigrant and refugee women is these women's social and cultural background. Examples of social and cultural factors include "public prejudices against divorce, ignorance, societal tolerance of spousal abuse, and lack of legal supports and protection for women" (Smith 2004: 10). It also refers to the patriarchal structure of many societies. While these social and cultural issues undoubtedly impact the incidence of domestic abuse within these communities, a normative assessment of the precise nature of this impact lies beyond to scope of the present study.

Linguistic Barriers

Immigrant and refugee women arriving in Canada face significant language barriers in accessing the services available to victims of partner abuse. These linguistic barriers are due to two major factors. First, immigrant women arriving in Canada as part of the sponsorship or family reunification process may not have proficiency in English or French. Refugee women, most of who are arriving from developing countries where conflict or cultural factors have limited opportunities to learn English or French, are not required to speak either official language to access asylum in Canada. Secondly, much of the information on women's rights and resources available to victims of partner violence is only available in English or French.

This lack of knowledge of either official language on the part of immigrant and refugee women and the lack of information available in other languages impacts multiple stages of the prevention and protection process for victims of partner violence. These women will have less likelihood of accessing knowledge regarding their rights in Canada and encounter difficulty in accessing services available, such as shelters, counseling, and legal aid), as well as difficulties finding employment should this become necessary.

The Role of the Community

Ethnic and cultural communities also have an important impact on the prevention and protection needs of immigrant and refugee women in Canada. For numerous women, "immigration

to Canada meant the loss of their network of friends, family, and community that could support them" (Miedema and Wachholz 1998: 20). This is particularly true in the case of refugee women, who have been forcibly displaced by their communities of origin, as opposed to immigrant women, for whom a pre-existing cultural community in Canada may have been a pull-factor in the migration process. These traditional support networks may have been able to intervene and provide support to immigrant and refugee women encountering partner violence in their countries of origin. The loss of these traditional support networks may make immigrant and refugee women particularly vulnerable as victims of partner violence, especially in cases where they are socially isolated or uncomfortable discussing their experiences with individuals outside their community.

While the lack of a support network or cultural community can represent an obstacle in the protection and prevention of partner violence against immigrant and refugee women, the existence of such a community can also represent an obstacle. According to MacLeod, women isolated within Canada by factors such as ethnic origin often have "an especially great need for community support" (MacLeod 1987: 64). MacLeod and Shin note, "the issue of wife abuse is still a taboo in some communities and locations with a high proportion of immigrant, refugee and other visible minority women and men" (MacLeod and Shin 1990: 10). In such contexts, a strong need for community support combined with a fear of "shaming" the family or being severed from the community may prevent immigrant and refugee women from coming forward with their experiences. Miedema and Wachholz find, "immigrant women are often afraid to turn to their own ethnic communities during a time of crisis." They continue to note, "women may stay in an abusive relationship because they are too afraid of what people are going to say. If a woman leaves an abusive relationship, the ethnic community may not be supportive; in fact, it may condemn her for 'breaking up the family'" (Miedema and Wachholz 1998: 24-25).

Fear of Law Enforcement Authorities

A fear or lack of understanding of Canada's criminal justice system has an important affect on immigrant and refugee women's decision to report partner violence to law enforcement authorities. Miedema and Wachholz find four factors contributing to these women's unwillingness to report violence:

- i. cultural beliefs favouring non-intervention on the part of the police;*
- ii. unfamiliarity with police intervention in woman abuse cases;*
- iii. high levels of distrust and fear of police practices and behaviour; and*

iv. *resistance to Canadian mandatory arrest policies. (Miedema and Wachholz 1998: 23)*

A lack of accessible and appropriate information on the criminal justice system, programs, and services for abused women in languages either than English or French represents another contributing factor. This unwillingness to report partner violence is supported by Smith, who finds that only 10% of immigrant and visible minority women who experienced domestic abuse reported the abuse to the police, with other sources of help being a friend (21%), co-worker (9%), doctor (12%), family member (20%), and lawyer (8%) (Smith 2004: 9).

Miedema and Wachholz explain the fear of law enforcement authorities in Canada can stem from immigrant and refugee women's experiences with the police in their country of origin. In their study, they found that many indicated "that they were afraid to contact police because of their perceptions of, and experiences with, the police in their countries of origin...In other cases, immigrant women did not know how the justice system operated, a factor that could inhibit them from using that system in the event of abuse" (Miedema and Wachholz 1998: 25). The B.C. Ministry Task Force on Family Violence found that 42.5 % of women cited "fear that husband/partner will be brutalized/victimized by police' as a 'somewhat or very important reason' for not calling the police" (B.C. Ministry Task Force on Family Violence 1992: 213). Though police in Canada receive some cross-cultural training, they "may not be aware of the fear of authority that they might encounter when investigating physical and sexual violence as it relates to members of minority cultures" (B.C. Ministry Task Force on Family Violence 1992: 219). This lack of awareness result in the lack of the necessary level of sensitivity when investigating allegations of partner violence by immigrant and refugee women.

Canada's Mandatory Charging Policy

Existing literature suggests that immigrant and refugee women are also less likely to report violence due to the police's pro-charging policies in situations of partner violence. According to Statistics Canada, "pro-charging policies were one of the most pivotal measures put in place in the 1980s to prevent and respond to spousal abuse" (Statistics Canada 2004). These policies require that charges be laid in cases of partner violence where police have a reasonable reason believe that an offence as been committed. These policies were implemented with the following objectives:

1. *Criminalizing of spousal abuse;*
2. *Removing responsibility (and blame) for the decision to lay charges from the victim;*
3. *Increasing the number of charges laid in reported spousal abuse cases;*

4. *Increasing the reporting of incidents of spousal abuse; and*
5. *Reducing re-offending. (Statistics Canada 2004)*

Immigrant and refugee women's hesitation to contact law enforcement authorities in situations of partner violence is furthered by these aggressive charging policies. (MacLeod, 1987; Miedema and Wachholz, 1998). For many immigrant and refugee women, a criminal justice response is not necessarily the most desirable solution.

Immigration Status: The "Sponsorship Effect"

The precarious immigration status of immigrant and refugee women in Canada and their lack of knowledge of the complex laws which make up Canadian immigration law can also impact their willingness to seek assistance in situations of partner violence. One particular dimension of this problem is referred to as the "sponsorship effect." Many women who immigrate to Canada, whether immigrants or refugees, are heavily reliant on their spouse for their immigration status. This "sponsorship effect" may have the dual effects of making them feel indebted to their partner as well as create the fear that reporting abuse to law enforcement authorities would result in the loss of their immigration status (see Smith 2004, 23; Cote, Cote, and Kerisit, 2001, Miedema and Wachholz 1998). Refugee women in particular may fear contacting the police in situations of domestic abuse out of fear that their husband will be deported if a criminal charge is laid against him for assault (MacLeod and Shin 1990: 10).

Safeguards exist to ensure that sponsorship and pending asylum claims do not trap women in situations of partner violence. For instance, where a husband is charged with partner violence has made the claim for asylum, it is possible that the wife may either file her own claim for asylum or solicit permanent resident on the basis of humanitarian and compassionate grounds. Similar policies exist for immigrant women who are sponsored to come in Canada, where partner violence may result in the breaking of the conditions of the sponsorship process and the women may appeal to stay in Canada on other grounds. Nevertheless, despite the existence of these policies, immigrant and refugee women may be ignorant of these safeguards and so remain "trapped" in situations of partner violence.

Socio-economic factors

Immigrant and refugee women are often economically dependent on their husbands. Some were dependent on their husbands prior to arrival in Canada, while others become so

following immigration. Boyd argues that this is particularly the case for refugee women, as “women in many countries where refugees originate receive fewer educational, employment and social opportunities than men” (Boyd).

Immigrant and refugee women’s economic dependency on their husbands is a significant factor in affecting the likelihood that they will report incidences of partner violence. Hagen notes that “the best predictors of a woman leaving her abusive partner [are] related to her having the necessary resources to live independently, such as transportation, child care, and a source of income after leaving the shelter.” (Hagen 2001: 124). These factors, compounded with those mentioned above, further immigrant and refugee women’s hesitancy to report partner violence. Smith also notes, “employment, unemployment, or underemployment for immigrant, refugee, and visible minority women and their partners can be key factors in creating the context for abuse” (Smith 2004: 26, see also Miedema and Wachholz 1998, BC Ministry Task Force on Family Violence 1992: 204).

VII- Preventing Domestic Abuse: the Role of the Canadian government

This section of the final study will examine the government’s obligations to provide protection against domestic abuse for all Canadians, with reference to international treaties and documents to which Canada is a party, as well as the domestic criminal code and the Canadian Charter of Rights and Freedoms. Following this, an overview of current government involvement and government spending at both the federal and provincial level on phenomena such as transition houses, legal aid services, financial support to victims of abuse, and educational campaigns will be conducted. The role of the National Clearinghouse on Family Violence will also be discussed.

Agnew argues that while “Wife abuse occurs in all cultures and in all social classes, ...the resources that are available to victims of abuse in Canada vary greatly across culture and class.” (Agnew 1998: 85). In order to assess this statement, particular attention will be paid to government policies targeting immigrant and refugee women in Canada. For instance, the CIC offers financial and essential services to help refugees integrate into Canadian society through its Resettlement Assistance Program. Another examples include Department of Justice publications such as the booklet *Abuse is Wrong in Any Culture*, which has been produced in 10 different languages, in Braille, and in three Inuit dialects. The Department of Justice and the Royal Canadian Mounted

Police have also recently developed a *Handbook for Police Responding to Partner Violence*, which addresses special considerations for police responding to partner violence.

VIII- Multiculturalism, Community-Based Organizations and the Prevention of Partner Violence

Since 1971, Canada has embraced a policy of multiculturalism as a strategy for dealing with the challenges presented by its polyethnic society. The discourse of multiculturalism, espousing values of recognition, respect, and value of ethnic and cultural differences, has become central to the Canadian identity. Canadians champion their policy of official multiculturalism as unique in the world of multiethnic states. In 1982, embedded in the patriated Canadian constitution, the Government of Canada enacted the Canadian Charter of Rights and Freedoms. Article 27 of the Charter entrenched the Canada's multiculturalism policy, stating, "This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians." Perhaps more importantly, Article 15, the Equality Rights Clause, stated, "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical ability" (Government of Canada 1982). Section 15(2) goes on to recognize the existence of social inequalities in Canada and to protect the right of the government to undertake measures to assure equity for all Canadians (Henry and Taylor 1999: 100). In doing so, the Charter allows for some degree of collective rights for ethnic groups to protect them against discrimination.

Following the 1982 Charter of Rights and Freedoms, in 1988 the Canadian government passed Bill C-93, the Multiculturalism Act, reaffirming the stated goals of the 1971 Multiculturalism policy of preserving and promoting respect for minority cultures while adding a further dimension of equality, stating, that the Minister of Multiculturalism may "assist ethno-cultural minority communities to conduct activities with a view to overcoming any discriminatory barrier and, in particular, discrimination based on race or national or ethnic origin" (Government of Canada 1998: Article 5g).

Canada's official policy of multiculturalism provides minority groups with the ability to make a legitimate claim for community-based organizations serving the specific needs of these communities. The 1970s and 1980s witnessed the emergence of many community-based

organizations for ethnic minorities in Canada. Many of these community-based organizations emerged "in a political and social environment in which the problem of violence against women had gained some recognition by government agencies" (Agnew 1998, 104).

Since the 1970s, community groups have played a key role in highlighting existing gaps in services and showing the potential for NGOs to offer linguistically and culturally appropriate services (Agnew 1998: 126). Agnew identifies four outcomes of the reports written by community-based groups:

1. *They document that there are victims of wife abuse in their community.*
2. *They argue that victims of wife abuse are unable to access social services from mainstream social service agencies.*
3. *They assert or imply that women from their communities are entitled to the same social services as white Canadian women and that their lack of access to them is unjust and discriminatory.*
4. *They assert that they can offer culturally sensitive and linguistically appropriate services.*

These groups have often received government funding to identify the cultural specificities of their group's as it relates to the prevention of domestic abuse by mainstream agencies. Already, services for battered women in Canada are organized around community-based shelters. These shelters serve not only as emergency protection, but also provide other services such as counseling, legal advocacy, and support groups. For example, the mandatory arrest of men who assault their wives may deter women from reporting incidences of abuse to the relevant authorities (Statistics Canada, 2001). Instead of opting for the criminal justice route to address partner violence issues, a well-positioned NGO may be regarded as "safer" by abused women and therefore be better able to provide them with safe shelter and assistance in finding the necessary legal resources. Community-based organizations working in partnership with the government to deliver services to immigrant and refugee groups may also be better equipped to explain the complex service-systems to their target populations. The Canadian legal system, social services, and health system can be daunting to newcomers. Smith notes that these groups represent "an enormous potential source of skilled workers that has been underutilized" (Smith 2004: 34).

Within the existing literature, there appears to be a great deal of support for the role of community-based organizations in addressing the prevention of partner violence and the protection of victims of such violence within immigrant and refugee communities in Canada. Hagen argues, "in order to provide effective referrals and to develop effective coordinated community services, the particular service must...response in culturally sensitive ways" (Hagen 2001: 138). Miedema and Wachholz also note, "studies on the availability and cultural appropriateness of various programs

for battered immigrant women consistently demonstrate that most mainstream organizations and agencies do not provide multilingual, culturally sensitive information and services (Miedema and Wachholz 1998: 5). Smith identifies a shortage of culturally sensitive crisis intervention services, such as shelters and counseling (Smith 2004: x).

Community-based organizations can also fill an important role as cultural translators for immigrant and refugee women who are victims of partner violence and for policy-makers who are seeking to create culturally-sensitive outreach material. Cultural translators are translators who are able to translate both language and cultural context, who trained in the issues and subject being discussed (BC Ministry Task Force on Family Violence 1992: 222). They can play an important role in the translation of information on rights and prevention into appropriate cultural terms so as to be accessible to members of immigrant communities in Canada. Such translators are desperately lacking in Canada. To this, however, Miedema and Wachholz add a cautionary note, stating that "the woman's fear of her own ethnic community has serious implications for mainstream and criminal justice service providers who may draw on ethnic community members for knowledge or interpretation" (Miedema and Wachholz 1998: 33). Thus, policy-makers wishing to work with community-based organizations as cultural translators must exercise caution in selecting their partners and pay close attention to questions of confidentiality.

The final section of this study will argue in favour of NGO and community-based organization involvement as an interlocutor between the Canadian government and immigrant and refugee communities, premised on the basis that the NGO community has a vital role to play that is both distinct and complementary to that of the Canadian government. The ability of NGOs to work at the grassroots level grants them the capacity to adapt preventative measures and education to the specificities of different cultural communities, thereby enabling them greater reach than standardized government programs. As reported by the British Columbia Task Force on Family violence, "Real solutions to the violence in the lives of...immigrants...cannot be created or implemented without the participation of those people in decision-making and the commitment of everyone involved to pay particular attention to their needs." (British Columbia Task Force, 1992: 11). Immigrant-serving agencies must be included in the policy-making process, including decision regarding programming and services, and an effort must be made for the inclusion of all groups with special protection needs relating to partner violence. included in the policy-making process, including decisions regarding program and services.

In advocating for a stronger linkage between government agencies and NGOs, it will emphasize that it is important to focus on coordination between these two rather than competition. Coordination should be pursued in the areas of program development, funding, staff training, research and evaluation, as well as with responses at the local level, including services for victims, the criminal justice response, and offender treatment so as to allow for a greater role for community-based organizations and NGOs in the provision of services to immigrant and refugee women who are victims of partner violence. (B.C. Ministry Task Force on Family Violence 1992: 60).

IX- Conclusion

Though the present study is but in its preliminary stages, the research conducted thus far points to the important need for a comprehensive effort to address partner violence against immigrant and refugee women in Canada. In seeking to explore and promote a better understanding of the protection needs and obstacles faced by immigrant and refugee women in Canada, it will seek to elaborate a set of proposals to address these needs.

The outcomes of such a study must include recommendations dealing with elements including the coordination of services, crisis intervention, protection, advocacy, emotional support, counseling and treatment, information, prevention education, and treatment for offenders. In each of these areas of action, the role for community-based organizations and their relationship with the government and existing mainstream services must be clearly identified. Only such an approach will allow Canadians to protect the needs of some of their most vulnerable groups, groups who should never be suffering such violence in their own homes.

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