Legal System Use Patterns in Saskatchewan Rural, Urban, and Northern Survivors of Intimate Partner Violence

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Overview

• Introduction
• Participants and Method
• Results
• Summary and Discussion
INTRODUCTION
Introduction

• Intimate partner violence (IPV)
  – Actual or threatened physical, sexual, psychological, or economic abuse directed toward a current or former spouse or dating partner

• Survivors of IPV may access legal services to help end the violence
  – e.g., protection order, family lawyer, police

• Duterte and colleagues (2008) found 19% of 1509 female survivors of IPV sought legal services
  – Rates of help-seeking increased with the severity and duration of abuse
Introduction

• Legal service use is influenced by several factors
  – e.g., geographical location, cultural background, resource availability

• Women in urban centers have more access than rural and northern women

• Aboriginal and non-Aboriginal IPV victims demonstrate different patterns
  – May be influenced by comfort accessing services, culturally sensitive programming, help-seeking attitudes, and experiences with racism
The Current Study

• Purpose
  – Explore patterns of legal system use according to geographic location and cultural background in a sample of 216 Saskatchewan women who have experienced IPV
PARTICIPANTS AND METHOD
The Healing Journey Study

• Tri-provincial study examining women’s experience of IPV:

• 7 waves of interviews at 6 month intervals examining:
  – Impact of IPV on health and parenting
  – Utilization and satisfaction with services
  – Detailed labour force questionnaire for cost analysis study

• In-depth qualitative interviews
## Recruitment Sites and Number of Participants Recruited by Province

<table>
<thead>
<tr>
<th>Province</th>
<th>City/town</th>
<th>Number of Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manitoba</td>
<td>Winnipeg</td>
<td>163</td>
</tr>
<tr>
<td></td>
<td>Small Town/Rural</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>North</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>222</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>Regina</td>
<td>62</td>
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<tr>
<td></td>
<td>Saskatoon</td>
<td>86</td>
</tr>
<tr>
<td></td>
<td>Prince Albert/north</td>
<td>68</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>216</td>
</tr>
<tr>
<td>Alberta</td>
<td>Calgary &amp; area</td>
<td>95</td>
</tr>
<tr>
<td></td>
<td>Edmonton &amp; area</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>Small Town/Rural</td>
<td>44</td>
</tr>
<tr>
<td></td>
<td>North</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>232</td>
</tr>
<tr>
<td>Overall total</td>
<td></td>
<td>670</td>
</tr>
</tbody>
</table>
Participants and Method

• The Healing Journey Project (SSHRC/CURA, PAF)
  – PI Dr. Jane Ursel
  – Longitudinal study focusing on healing from IPV in MB, SK, & AB

• 216 Saskatchewan participants
  – 188 (87.0%) lived in an urban centre
  – 20 (9.3%) lived in a rural community
  – 8 (3.7%) lived in a northern community

• Divided into Aboriginal & non-Aboriginal
  – 121 (56.0%) were Aboriginal
  – 95 (44.0%) were non-Aboriginal
RESULTS
Legal System Involvement

• More than half (63.9%) of participants reported some legal system involvement due to IPV
  • 54.5% of Aboriginal and 75.8% of non-Aboriginal participants
  • 66.5% of urban, 55.0% of rural, and 55.0% of northern participants

• Many participants (52.8%) reported concern that the legal system in their area does not take abuse of women seriously
  • 38.8% of Aboriginal and 70.5% of non-Aboriginal participants
  • 51.6% of urban, 65.0% of rural, and 50.0% of northern participants
Protection Orders

- Nearly half (49%) of participants reported having orders preventing contact from their abusive ex-partner
  - 46% of Aboriginal and 54% of non-Aboriginal participants
  - 50% of urban, 40.0% of rural, and 75.0% of northern participants

- Only 20% of participants reported feeling safer with the order
  - 22% of Aboriginal and 19% of non-Aboriginal participants
  - 20% of urban, 15.0% of rural, and 50.0% of northern participants

- Approximately 1/3 (34%) of participants reported a breach
  - 31% of Aboriginal and 40% of non-Aboriginal participants
  - 34.0% of urban, 30.0% of rural, and 50.0% of northern participants
Lawyer for IPV Issues

- 33% of participants reported having a lawyer for IPV
  - More non-Aboriginal than Aboriginal participants had a lawyer

- 18% of participants had legal aid
  - Aboriginal and northern participants were more likely to have legal aid

- 14% of participants had private counsel
  - Non-Aboriginal, urban, and rural participants were more likely to have private counsel

- Meanwhile, 18% of participants reported difficulty securing legal representation
  - Non-Aboriginal, rural, and northern participants reported the most difficulty
Police Involvement

• 70% reported police involvement due to IPV
  • 29% of Aboriginal and 52.6% of non-Aboriginal participants
  • 71% of urban, 65% of rural, and 63% of northern participants

• 9% reported police did not respond at all
  • 5% of Aboriginal and 14% of non-Aboriginal participants
  • 9% of urban, 5% of rural, and 13% of northern participants

• 16% of participants reported police told them the abuse wasn’t a criminal matter
  • 12% of Aboriginal and 12% of non-Aboriginal participants
  • 12% urban, 5% of rural, and 25% of northern participants
Police Response

• 41% of participants were **asked if they wanted to press charges**
  - 43% of Aboriginal and 38% of non-Aboriginal participants
  - 39% of urban, 50% of rural, and 50% of northern participants

• 15% of participants reported **police tried to discourage them from pressing charge**
  - 14% of Aboriginal and 16% of non-Aboriginal participants
  - 15% of urban, 10% of rural, and 25% of northern participants
Police Response

- 39% of participants reported their abusive ex-partner was arrested when police were called
  - 45% of Aboriginal and 33% of non-Aboriginal participants
  - 40% of urban, 25% of rural, and 50% of northern participants

- 3% of participants reported both they and their ex-partner were arrested
  - 6% of Aboriginal and 3% of non-Aboriginal participants reported both were arrested
  - 5% of urban, 70% of rural, and 13% of northern participants reported both were arrested
Police Response

• 10% of participants reported police **confiscated weapons when called**
  • 8% of Aboriginal and 12% of non-Aboriginal participants
  • 9% of urban, 15% of rural, and 13% of northern participants

• 11% of participants were **police escorted to a shelter**
  • 16% of Aboriginal and 5% of non-Aboriginal participants
  • 10% of urban, 10% of rural, and 50% of northern participants

• 38% of participants reported police **just talked**
  • 31% of Aboriginal and 46% of non-Aboriginal participants
  • 37% of urban, 40% of rural, and 50% of northern participants
DISCUSSION
• Several Saskatchewan women reported concern with their experiences with the legal system
  – One-third of SK women and half of northern SK women reported their no-contact order was breached
  – Understandably, 80% of participants reported a no-contact order did not help them feel safer
  – Over 17% reported difficulty securing legal representation
  – 15% of SK women and 25% of northern SK women reported the police discouraged them from laying charges
  – Over 16% of SK women and 25% of northern SK women reported the police dismissed IPV as non-criminal
Community Implications

• Need for support and advocacy services
  – Such services would assist women in their dealings with the police and finding appropriate services in a timely manner

• Protection orders
  – Should be augmented by support services that can provide risk assessment, safety planning and assistance in reporting and following up on breaches

• Police response concerns (i.e., discouraging charges)
  – Is there a need for in depth police training?

Deb George, personal communication, September 22, 2010
Summary and Discussion

- Survivors of IPV report many positive experiences with the legal system
- Survivors of IPV face barriers obtaining legal support
- Too many women report experiencing prejudice and blame when seeking legal assistance
- Regional and cultural factors affect experiences with the legal system
- More work is needed to further explore these trends
Thank-you!

Questions?

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References


