

**AN EXAMINATION OF THE ABILITY OF MAINSTREAM  
INSTITUTIONS TO MEET THE NEEDS OF  
ABORIGINAL VICTIMS OF DOMESTIC VIOLENCE**

**by**

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in Partial Fulfillment of the Requirements  
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**MASTER OF ARTS**

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A Thesis/Practicum submitted to the Faculty of Graduate Studies of The University  
of Manitoba in partial fulfillment of the requirements of the degree  
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## **Abstract**

Past theory and research in the area of domestic violence in Aboriginal communities have argued that mainstream institutions are not meeting the needs of Aboriginal women because their mandates do not incorporate Aboriginal traditions and philosophies. However, no research has examined if Aboriginal victims of domestic violence are dissatisfied with mainstream institutions because of this cultural inconsideration. This research examined this theoretical question by conducting exploratory research in two communities in northern Manitoba. Two non-probability convenience samples of Aboriginal and non-Aboriginal victims of domestic violence were interviewed in person. The variables that were examined were: utilization of mainstream services, satisfaction with mainstream services and the ability of mainstream services to meet the needs of victims of domestic violence. This research found that Aboriginal women had high rates of service utilization and service satisfaction. It further discovered that when mainstream services failed to meet the needs of Aboriginal women it was the result of failure to provide safety and support to the victims and not because of a lack of incorporated Aboriginal values and customs. Furthermore, when the results were compared to a small sample of non-Aboriginal women, no substantial differences could be found. The results of this research failed to support the theoretical argument that mainstream institutions are not meeting the needs of Aboriginal victims of domestic violence because they are not based upon traditional Aboriginal philosophies and customs.

## **Acknowledgments**

This thesis would not have been possible without the participation of the respondents from Nelson House and Thompson, Manitoba. My deepest thanks and gratitude go out to the women who took their time to speak with me about some of the very painful experiences in their lives. It is my sincere hope that in return this research will somehow be utilized in the future to improve upon the services available to victims of domestic violence, and that institutions will ratify their mandates so they can better protect and support victims of domestic violence.

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## **Introduction**

It has only been recently that the adequacy of services for Aboriginal women who are victims of domestic violence have been called into question. Even now the majority of studies on Aboriginal domestic abuse victims have been on a purely descriptive basis, looking mainly at the incidence and prevalence of domestic abuse. It has been consistently argued that mainstream services are not effective in dealing with the problem of domestic abuse among Aboriginal people because their mandates are culturally irrelevant. Based on this argument, it has been recommended that services for Aboriginal women who are victims of domestic violence must follow Aboriginal cultural philosophies and approaches. However, before such a recommendation can be implemented one must first examine if Aboriginal women are indeed unsatisfied with mainstream services, and if this dissatisfaction can be attributed to cultural differences. This research attempts to empirically assess the theoretical argument that mainstream services can not efficiently serve Aboriginal victims of domestic abuse because of culturally incompatible mandates. An exploratory, descriptive investigation was conducted which focuses on the utilization of mainstream services by Aboriginal women, the satisfaction with mainstream services by its users and the ability of mainstream services to meet the needs of Aboriginal women. By examining these variables, this research strives to determine if mainstream services are meeting the needs of Aboriginal victims of domestic violence and if not, what structural and systemic changes need to occur before their needs are met. It is hoped that this research can further be used by sociologists, criminologists and social policy makers as a foundation to improve mainstream institutions in addressing the needs of Aboriginal women who are victims of domestic violence.

## **Chapter One: A BRIEF HISTORY OF ABORIGINAL AND NON-ABORIGINAL RELATIONS IN CANADA**

The Aboriginal people of Canada are victims of a colonization process by Europeans which focused on cultural genocide and assimilation. When European settlers first colonized in what is now Canada, a mutually interdependent economic relationship was established with the Aboriginal people (Jamieson, 1987: 42). Economically Aboriginal people were essential participants in the fur trade, yet socially they lived in a separate world. They maintained the right to govern themselves, and their cultural values and processes were left undisturbed (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 54-6). However, it was not long before the European descendants initiated a policy of assimilation which sought to "civilize" Aboriginal people.

The assimilation process became formalized with the formulation of the British North American Act in 1867. Section 91(24) of the BNA covers the status of Indians and lands reserved for Indians. This section conveyed law making power to the federal government of Canada and also empowered the federal government in the jurisdiction of the treaty making process (Report of the Aboriginal Justice Inquiry of Manitoba, 1991:60). This meant that the new Canadian government had ruling authority over all past and future treaties. Under the BNA the federal government set about trying to control what they thought was a problem population using the reserve system (Jamieson, 1987: 45). Under the guise of protection, many treaties were signed which transferred huge amounts of land to the government. The treaties were interpreted by the Aboriginal people to guarantee reserve land on which they would be free to continue practicing life as they had before. The treaties promised payments of annuities, the right to hunt and fish in traditional areas and economic assistance. In exchange, the Canadian government obtained sovereign control over the land (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 63).

The Indian Act was established in 1876 as the governing tool to control the Aboriginal population and served to separate Aboriginal people through classification. The Indian Act challenged the legitimacy of Aboriginal values, beliefs and institutions, and gave the federal government absolute power over the lives of Aboriginal people. It also abolished the traditional form of government and replaced it with a restricted form of democracy. The new system consisted of an elected band council which was supervised and monitored by a federal Indian agent (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 64). The government decided who would be admitted into the political community and controlled the process by which leaders were selected (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 72-3). This enabled the federal government to socially and legally control the Aboriginal population. A pass system was also established which required that a person had to obtain a pass from an Indian Agent before leaving the reserve. This was used as a tool to control cultural and political activities off the reserve (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 69).

The Indian Act was also used to enforce an assimilationist policy by encouraging the enfranchisement of Aboriginal people. Indians were obliged to give up their status if they wished to attend a university, left the reserve for a long period of time or if an Indian woman married a non-status Indian man or a non-Aboriginal man (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 62). Amendments were made which made it illegal to practice traditional Aboriginal spiritual ceremonies (Kaye, 1990; Hodgson, 1990; Report of the Aboriginal Justice Inquiry of Manitoba, 1991; York, 1990). These amendments were used as a method of destroying Aboriginal culture and forcing Aboriginal people to follow European practices.

The Indian Act, which is still in existence today, was also used to prevent the economic success of Aboriginal communities. It used the law to prohibit the sales of produce off the reserve communities, and to prevent Aboriginal people from mortgaging their land to raise economic funding (Report of the Aboriginal Justice Inquiry, 1991;

York, 1990). It also placed the control over the land in the hands of the federal government which allowed the government to expropriate or sell the land for economic profit.

The strongest and most influential aspect of the assimilation policy was the implementation of residential schools in 1892. The government had determined that the most effective way to civilize Aboriginal people would be to start with the children and remove them from their homes (Hodgson, 1990: 34). The federal government gave the control of the residential schools to the churches in order to transform the children into Christian, English speaking Canadians (York, 1990: 23). York argues that "schools were the chief weapon of the missionaries and the federal bureaucrats in their systematic campaign to destroy Indian culture" (York, 1990: 27). Therefore, children as young as age five were forcibly placed in Christian educational institutions that were sometimes many miles away from their home communities (Armstrong, 1989; Hodgson, 1990; Maracle, 1993). The children were kept in the residential schools for several years and in some cases they were allowed no contact with their families or their home communities (York, 1990: 32).

The Aboriginal language was the first target in the schools. It was believed that destroying the language would ensure assimilation into white culture (York, 1990: 36). The children were forbidden to speak their mother tongue at any time and were brutally punished if caught doing so (Kaye, 1990; MacDonald, 1993; Voices of Aboriginal Women, 1991). They were also forbidden to practice any form of their indigenous cultural or religious beliefs (Kaye, 1990; MacDonald, 1993). It has been reported that several children in the schools suffered both physical and sexual abuse repeatedly at the hands of their educators (Kaye, 1990; Maracle, 1993). The residential school system left many parents feeling helpless and many children raised in a racially hostile environment.

It has been argued that the residential school system is the single biggest reason for the loss of Aboriginal culture, language and way of life (MacDonald, 1993). The

Aboriginal culture lost two generations of followers due to the residential school system. The children experienced not only a loss of their parents, but also lost the traditional value of community-mindedness (Hodgson, 1990: 35). The children returned from the schools unfamiliar with Aboriginal language and culture . The residential school system was in place until 1960 and succeeded in uprooting many Aboriginal people. It is believed to have greatly contributed to Aboriginal cultural and community breakdown.

Since World War II, there have been several changes to the Indian Act but the federal government has still failed to relinquish their control over Aboriginal people and Aboriginal land. By the late 1960's, the federal Indian agents were replaced by the Department of Indian Affairs. The Department of Indian Affairs controls the flow of money to the reserves and also retains the right to expropriate or sell reserve land for economic development (York, 1990: 60). In the last forty years, many communities have been uprooted and relocated under the guise of economic development (Jamieson, 1987; Report of the Aboriginal Justice Inquiry of Manitoba, 1991; York, 1990). Aboriginal people still have little control over their lives as economic development, education, housing and social programs all depend on approval from the government (York, 1990: 6).

Child Welfare agencies have also continued to rob Aboriginal people of having control over their own lives. Between 1960 and 1980 many Aboriginal children were apprehended from their communities and adopted out to non-Aboriginal families many miles away. The justification used was that the families had failed to take care of their children and the children would be better raised by members of the non-Aboriginal community (Kaye, 1990; Maracle, 1993; Report of the Aboriginal Justice Inquiry of Manitoba, 1991; York, 1990).

For over two hundred years the Canadian government has used oppressive and punitive control measures in an attempt to assimilate and eradicate the Aboriginal people of Canada. Their policies have been rooted in racism, ethnocide and genocide and have

resulted in the social and economic alienation of Aboriginal people. The Aboriginal society has been rendered powerless and their lives and cultures have been continuously disrupted (Voices of Aboriginal Women, 1991: 2). The current situation of Canada's reserve population is indeed desolate. Many communities are physically isolated and are not accessible by road except in the winter time (York, 1990: 141). They suffer from a lack of housing and severe overcrowding. Many houses do not have hydro, running water or sewage facilities (York, 1990: 72-3). Perhaps the most detrimental effect on Aboriginal communities is the lack of a sound economic base. They suffer from extremely high levels of unemployment and therefore have developed a consummate dependence on welfare assistance. As York, (1990: xi) argues, "welfare cheques are the legacy of the federal government's destructive policy". The Aboriginal population consistently has lower levels of education, higher levels of violence and higher levels of drug and alcohol abuse. To see the effects of the racist policies of the Canadian government one only has to observe the situation and status of Aboriginal people today.

## **Chapter Two: DOMESTIC VIOLENCE IN ABORIGINAL COMMUNITIES**

### ***A) The Status of Aboriginal Women***

Colonization and the resulting federal policy perhaps had the greatest effect on Aboriginal women. In traditional Aboriginal society women were considered as equal and had comparative honor, respect and political power (La Rocque, 1994: 73). Women played a central role within the Aboriginal family, government and religion (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 475). Aboriginal culture practiced the values of freedom, equality and respect for all creatures (Courchene, 1990; Kaye, 1990). Aboriginal men and women both worked cooperatively within and outside the home and women were equal partners with men in the activities necessary for subsistence and survival (Courchene, 1990; Shkilnyk, 1985). Women were responsible for the domestic sphere and for the bearing and socialization of children. However, the sexual division of labor was not problematic because male and female rights and responsibilities were institutionalized as parallel and complementary rather than hierarchical (Jamieson, 1987: 51-2). Women were given a powerful role in community politics and religion because of their highly valued economic and social contributions (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 476). The high status of women was reinforced through Aboriginal teachings and legends. Teachings emphasized the equality of men and women and the balanced roles of both in the continuance of life (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 476). Women also figured centrally in many creation legends and mythology (Jamieson, 1987; Report of the Aboriginal Justice Inquiry of Manitoba, 1991). Aboriginal teachings stressed that women should be respected and regarded as powerful as they are the bearers of life and therefore share the same spirit with mother earth (Armstrong, 1989; Courchene, 1990).

However, there are those who argue that Aboriginal male-female relations were not so equal before colonization. VanKirk (1987) argues that it is too quickly assumed

that Aboriginal women's essential economic role was a guarantee of high status. Instead, she maintains that it was actually the male-defined occupations of hunter and warrior that were considered high status. She also argues that in many Aboriginal societies powerful laws existed which prohibited women from male ceremonies, and in many communities Aboriginal governments emphasized women's inferiority (VanKirk, 1987: 2). Fur traders have also reported that inequality existed in Aboriginal male-female relations. It has been recorded that Aboriginal marriages were little more than a contract between two groups of kin instead of being a relationship between a man and a woman. In this manner, it has been argued that Aboriginal women were little more than pawns in establishing stronger economic maintenance. It also appeared that Aboriginal men were in control of their wives' sexuality as there are many reports as to the incidence of wife trading and several tribes were recorded as being polygamous (VanKirk, 1980: 24-5). What appears to have gone unnoticed is that these interpretations of Aboriginal society are from a European perspective. It has consistently been the white society that portrayed the Aboriginal culture as unequal. One only has to ask a person of Aboriginal descent to explain traditional male-female relations and they will explain the balanced nature of their culture. Although men and women may have had different roles and functions in society, these differences kept society in balance and therefore were believed to be functional. Even though men and women performed different tasks in Aboriginal society they were still seen as equal contributors and as equal members. The egalitarian and complementary roles of Aboriginal men and women were altered as a result of European contact and colonization. Settlers brought with them ideas of separateness and inequality between men and women, and European patriarchy was introduced into Aboriginal society through the fur trade, Christianity and governmental policies (La Rocque, 1994; Maracle, 1993). By importing the legacy of hundreds of years of sexism, the traditional roles of men and women were undermined and replaced by a patriarchal system of relations (Chapman, 1991: 92).

During the time of the fur trade a new system of stratification was introduced to Aboriginal society by undercutting the inter-dependence between men and women. Although the men were the traditional hunters and traders, the women still played an essential role in processing the fur, leather and meat, and also played a role in the bargaining. The fur traders introduced the concept of the man as the breadwinner and the woman as the domesticated dependent (VanKirk, 1987: 4). The fur trade led the way to a shift toward patriarchal based authority (Jamieson, 1987: 57).

The federal government picked up where the fur traders left off in imposing a system based on patriarchy and male dominance. From the beginning of government interventions Aboriginal women's value as equal partners was undermined. In European society men were considered the social, legal and political masters. Women had virtually no personal or political autonomy and were viewed as the property of men (Jamieson, 1987; Report of the Aboriginal Justice Inquiry of Manitoba, 1991). These beliefs were carried over into European relations with Aboriginal people. Aboriginal women were denied any formal role in the treaty negotiating process. The government followed the European beliefs that all private property rights should be given to men and therefore all reserved land was defined in terms of male possession.

The Indian Act was and still is the most influential factor in transforming the Aboriginal society into a patriarchal one. Under the Indian Act, women were classified as the property of men (first their fathers and then their husbands) or the property of the community, and it was through them that they obtained their identity, rights and status (Silman, 1987; Nahane, 1993; Voices of Aboriginal Women, 1991). The Indian Act prevented them from voting in band elections and gave them no formal political rights (Jamieson, 1987; VanKirk, 1987). It also stripped them of all property rights and gave the men sole ownership of property through certificates of possession. This in turn meant that women had no housing rights and could not inherit their husband's property when he died (Silman, 1987; Jamieson, 1987; Nahane, 1993; Report of the Aboriginal Justice Inquiry

of Manitoba, 1991). Section 12(1)(b) of the Indian Act stripped women of all their rights as an Aboriginal person if they married a non-status Aboriginal man or a non-Aboriginal man. If they chose to do so they were no longer permitted to reside on reserve land and they were denied any monetary benefits from treaties (Jamieson, 1987; York, 1990). It is obvious that the role and status of an Aboriginal woman was corrupted and reduced to a subservient role by the Indian Act of a foreign and patriarchal system (Voices of Aboriginal Women, 1991: 3).

In the last forty years some progress has been made in restoring the rights of Aboriginal women. In 1951, Aboriginal women were granted formal political rights and in 1985, Bill C-31 amended section 12(1)(b) of the Indian Act so that women no longer lose their status upon marrying a non-Aboriginal man or a non-status Aboriginal man. However, a patriarchal system still reigns in many Aboriginal communities. Under Bill C-31 bands can determine their own membership and therefore it is still possible for Aboriginal women to be denied their rights. It is also still the case that several Aboriginal political structures are based on patriarchal European models and therefore, the power in the community rests in the hands of a small number of men with little accountability. It is often the case that the focus on land-claims and self-government deters the band council from giving priority to women's needs, experiences and perspectives.

The issue that must be examined now is how the past and present forms of patriarchy have affected the current status of Aboriginal women. Shkilnyk (1985: 158) argues that it is the women who have borne the brunt of colonization, dispossession and cultural breakdown. Since the equality and cooperation of men and women no longer exists, women feel diminished as people (Shkilnyk, 1985: 83). Women no longer play a productive role in the economy and instead have been relegated to welfare recipients thus leading marginal lives (Shkilnyk, 1985: 159). Aboriginal women in Canada currently have the lowest labor force participation rate, the highest unemployment levels, the lowest

incomes and the lowest education levels (White, 1985: 14-19). Even those Aboriginal women who are employed are concentrated in low skilled and low paid employment.

However, it must be recognized that Aboriginal women have not stood by and let themselves become the defeated victims of colonization. It has consistently been Aboriginal women who have fought against Euro-western culture to preserve their own traditional culture. As Devens (1992) has argued, as the Aboriginal men moved toward accepting assimilation, Aboriginal women increasingly identified themselves with traditional culture (Smandych & Lee, 1995: 32). Even in present day society, Aboriginal women are seen as the strength behind the struggle to preserve Aboriginal culture (Smandych & Lee, 1995: 33).

### ***B) Domestic Violence in Aboriginal Communities***

The desolate situation of the Aboriginal people, and more specifically Aboriginal women, has led to higher rates of domestic violence within Aboriginal communities. There have been few studies on the actual incidence of violence against Aboriginal women, but those that have been completed show that it is indeed prevalent. Ellis and Beaver (1982) examined the rate of domestic assaults in a First Nations community of 8, 000 people and found that the rate of domestic assaults per 100 persons was 10.3%, approximately one percent higher than the rate of general assaults. In 1986, a random survey was completed of Aboriginal women in Manitoba and of the 165 women surveyed, 53% had responded that they had been physically abused (Courchene, 1990). Another study that was conducted out of London, Ontario found that on the Onedia reserve, 48% of the sample responded that they had suffered from domestic violence (Doxtator, 1986). The Ontario Native Women's Association questioned Aboriginal Women in Ontario and found that 80% of their sample had personally experienced domestic abuse (Ontario Native Women's Association, 1989). The Aboriginal Justice Inquiry of Manitoba (1991) reports that while one in ten women in Canada are abused by their partners, one in three

Aboriginal women are victims of domestic violence. It becomes evident when examining the statistics on the incidence of domestic violence in the Aboriginal community, that rates and experiences vary throughout each community. It is also true that these studies have been plagued by severely low response rates and poor survey and questionnaire techniques. As a result, it is difficult to present an accurate overall picture of domestic abuse against Aboriginal women. Perhaps the most appropriate method is to focus on each community individually in order to obtain an accurate and concrete representation of the occurrence of domestic abuse. Regardless of the faults and the differences of the past studies, they all illustrate that domestic violence is a profound and existent social problem in Aboriginal communities.

Knowing that Aboriginal women face extremely high incidences of domestic violence it is necessary to address why this situation is occurring. Perhaps the leading theories can best be summed up by explaining family violence as being:

A consequence of colonization, forced assimilation, and cultural genocide; the learned negative, cumulative, multi-generational actions, values, beliefs, attitudes and behavioral patterns practiced by one or more people that weaken or destroy the harmony and well-being of an Aboriginal individual, family, extended family, community or nation. (Maracle, 1993: 4)

Many argue that since domestic violence was only minimally present in traditional Aboriginal societies, its cause must be rooted in colonization, which displaced the Aboriginal people in the economic, social and political structures of society (Brant, 1992; Frank, 1992). The Ontario Native Women's Association (1989) argues that the "violent reaction in the family is a reaction against an entire system of domination, lack of respect and bureaucratic control" (p. 9). The process of colonization is argued to have caused what Durkheim coined a collective crisis, that is there was a resulting disturbance of the collective order (York, 1990: 94). It has been argued that wife abuse in Aboriginal communities is the result of the collective crisis in Aboriginal communities (Wolk, 1992: 49). The efforts to "civilize" created a situation of a lack of internalized coping skills, a

need to reduce stress and a need to control one's environment (Wolk, 1992: 47). Coupled with the adoption of patriarchy into Aboriginal society, men in turn use violence as a way to assert their power and regain the control they lost over their lives. As Carol LaPrairie argues in Partlo (1988), "the marginalization process as Native men become increasingly unemployed and unable to fulfill their status roles as providers, and as women become the breadwinners under the welfare system, the men respond to their feelings of frustration and powerlessness through violence" (Partlo, 1988: 19).

It is also argued that domestic violence in Aboriginal communities is the result of learned behavior. Violence became prevalent in Aboriginal society with the advent of colonization and the residential school system. Therefore, it is argued that violence becomes cyclical within families and many perpetrators of domestic violence grew up in homes where violence was present (MacLeod, 1987; Sammons, 1990; Voices of Aboriginal Women, 1991). Research has shown that children who grow up in violent families often exhibit violent behaviors as adults.

Perhaps the most common misconception of the cause of violent behavior is the myth that substance addictions cause wife abuse (Hodgson, 1990: 33). Many Aboriginal women have argued that their abuse was related to their partners' drinking since it was often the case that when the drinking stopped so did the violence (Voices of Aboriginal Women, 1991: 11). What must be realized is that the drinking was not the cause of the violence but only contributed to the downward spiral of the learned violent behavior (Maracle, 1993). Substance abuse does not cause violence but is often present at the same time because they have the same root causes. Both substance and alcohol abuse have arisen from and in response to the larger problems of marginalization, cultural deterioration and the dispossession of Aboriginal society (Ontario Native Women's Association, 1989).

There appears to be several causes to the high incidence of domestic violence in Aboriginal communities but all seem to have their roots in the process of colonization.

The fact remains that there are many victims of domestic abuse within the Aboriginal community. The majority of these women have large numbers of children and a large percentage come from isolated areas. These women are often fearful of disclosing the abuse because they are from tight-knit communities and do not want to publicly shame their families and risk the chance of being ostracized. They are also fearful that the disclosure will result in them losing their children. Many of these women are forced to remain in abusive situations due to the lack of housing available and the high rates of overcrowding in their extended families' homes (MacLeod, 1987: 19). A woman's choice to stay is also based in part on her loyalty to her partner, not because he is her companion, but because he is Aboriginal (Wolk, 1982: 52). Several Aboriginal women see themselves and their partners as victims of society and therefore they see society as more responsible for the abuse than their partner. They often explain the battering in terms of the displacement of the Aboriginal people (MacLeod, 1987: 19). The fact that some women blame society for their abuse is a good indication that they are still trying to deal with the oppression, discrimination and cultural loss of the Aboriginal society (MacDonald, 1993).

### ***C) Service Needs, Requirements and Problems of Domestic Abuse Victims in Reserve Communities***

It has been illustrated that Aboriginal women are suffering from high levels of domestic abuse. What now needs to be examined is how this problem is being addressed by mainstream society. The question is whether or not there are adequate and sufficient services available for these women to alleviate their abusive situations. It is necessary at this point to narrow the focus of this issue down to those women living in isolated reserve communities. The reason for doing so is that the service needs and provisions of reserve women and urban women, while having some similarities, involve many different issues and aspects.

It is only in the last eleven years that researchers have begun to examine the service needs and problems of domestic abuse victims in Aboriginal communities. In 1984, the Northern Native Wife Abuse Prevention Demonstration Project (Graveline, 1986) conducted research in northern Manitoba with the purpose of examining the phenomenon of wife abuse in thirteen reserve communities, and establishing local networks for women in crisis in these communities. Two hundred and twenty questionnaires were distributed amongst resource people and community members on twelve reserves (one reserve chose not to participate). The questionnaires examined four main variables: awareness of wife abuse, knowledge of resources for victims, the perceived relationship between alcohol abuse and wife abuse, and the resources needed in the communities to combat wife abuse. Of the two hundred and twenty questionnaires only one hundred and six were returned, sixty-eight from community members and thirty-eight from resource people. This yielded a response rate of forty-eight percent. The results showed that eighty-seven percent of the respondents were aware of wife abuse in their communities but forty-nine percent did not know of any community resources to deal with the problem. Of those resources that were identified, the ones mentioned most often were the police, Medical Services, and the band council. The results also illustrated that the respondents felt that there was a need for more information on resources, family counseling and a crisis center on their reserves. This research clearly demonstrates that not only is there a lack of well needed services for domestic abuse victims in reserve communities, but also that very few of the community members are aware of the resources for these women both within and outside their communities.

However, there are several problems with the methodology of this research which leave the findings less reliable and valid. The greatest problem is with the questionnaire, it was long with several open-ended questions and failed to define the term wife abuse for the respondents. The problem of using questionnaires with this population is that it does not take into consideration the fact that some of the population members have high

illiteracy rates and do not speak , read or write English fluently. This problem could be the reason for the low response rate. There is also a problem with the way in which the sample was obtained. The sample was a self-selected sample in which only those who volunteered answered the questions. This leaves one to question the representativeness of the sample and the generalizability of the data. This research is indeed valuable but the data collection methodology should be improved upon in further research. The Northern Native Wife Abuse Prevention and Demonstration Project was the first research project to touch on the needs of domestic abuse victims in reserve communities. However, they did not specifically examine if domestic abuse victims in these communities were satisfied with mainstream services.

The Nova Scotia Native Women's Association also studied the needs of battered Aboriginal women in 1985. The purpose of their Crisis Center Needs Assessment Project was to identify the incidence of wife abuse in the Micmac community, and to do a needs assessment on the possibility of establishing a native crisis center in Nova Scotia for native women and their children. The targeted population was the Native women in Nova Scotia living both on and off the reserves. Approximately three hundred Native women and one hundred agencies were contacted and interviewed. All of the interviews were conducted in person by two Micmac women who were research workers. The results showed that most women were reluctant to use the existing crisis centers and facilities off the reserves because they could not relate their needs to non-Native workers and because of the lack of transportation out of isolated reserves. They usually did not approach a crisis center on their own, but were taken there after calling the RCMP or the reserve police. It was also found that women who were victims of domestic violence did not resort to obtaining legal advice due to their fear of losing their children to Children's Aid. Medical attention was seldom sought after the abuse in order to avoid reporting the incident to the doctor. The two most common reasons indicated by the participants for not reporting the abuse were, fear of further abuse, and having to return to the reserve

even after going to a shelter, and most likely returning to the abuser's home due to lack of housing on the reserve. It was also indicated that a Native woman only resorts to divorce as a way out after repeated attempts to try to heal the relationship and/or for real fear for her life and her children's safety. The results of the agency interviews showed that Native women who made appointments with Crisis Intervention Centers usually did not keep their appointments.

There were several recommendations made throughout the research. The Micmac women interviewed recommended the removal of the abusive spouse from the home and that a Native social worker be available to them on the reserve. Specialized training programs on the abuse of women and children were recommended to train Native women as counselors and for service professionals in the communities. Several of the participants indicated that a Native Crisis Center should be established in a central location and staffed with Native women counselors and staff. The recommendation that resulted from interviews with service professionals was that a shelter should be established on the reserves that would be staffed by Natives. It is interesting to note that while the service professionals recommended a Native crisis center be established on the reserve, the Micmac women indicated that they wished for a Native crisis center in a central location. However, no further examination of this difference was conducted by the researchers. This difference in recommendations is indeed one that should be further examined if the needs of battered Aboriginal women in reserve communities is to be adequately addressed.

The research conducted by the Nova Scotia Native Women's Association is valuable as it directly addresses what Aboriginal women want. However, its greatest weakness lies in the fact that it fails to examine other methods of meeting their needs besides establishing a crisis center. For many of these communities a crisis center is not a viable option. It is doubtful that they would receive funding given the current economic situation and even if they did there are still the issues of adequately trained staff and

confidentiality in small communities. By conducting a needs assessment specifically geared towards obtaining support for a crisis center the researchers have overlooked any other service problems and possibilities.

Riddell and Doxtator (1986) studied the needs of battered Native women in London, Ontario and the Oneida reserve. For the purpose of this research discussion, only the methods and results of the reserve sample will be discussed. The reserve sample of two hundred women over the age of sixteen was selected randomly by computer from a population list provided by the band. The interviews were conducted in person and were recorded and then later transcribed. Questionnaires were also sent to thirty-five health care professionals and service providers in the London area who were most likely to have contact with battered Native women.

Only sixty-four of the two hundred women in the reserve sample responded for a response rate of thirty-two percent. The results showed that forty-eight percent of the sample reported being a victim of domestic violence and thirty percent reported that they had been victims of sexual assault, incest or child abuse. Forty-five percent of the respondents indicated that their mothers had been physically and/or emotionally abused by their partners. This result offers some support for the theory that argues that domestic abuse is often passed down to the next generation. As for service utilization, only twenty-two percent of those who had experienced domestic violence had ever used any of the services locally available to them. The most common service used by domestic abuse victims was the police.

Of the community professionals surveyed, fifty-one percent responded and seventy-one percent indicated that there was a need for more specialized services for Native women. The most common recommendations were: a Native transition home, native counselors within other existing services and more education and awareness on family violence. The respondents indicated that the main problems in providing services

to Aboriginal women in reserve communities were the reluctance to admit the abuse and the lack of trust by the women in the system.

This research illustrated that the extreme poverty levels of the women in reserve communities heightened their isolation as domestic abuse victims. Several of the women respondents indicated that they had no phone to call for help, no transportation to get to safety and no money to survive outside the relationship for any length of time. In terms of service utilization the respondents indicated that they were not aware of the range of services offered and that they were restricted access to these services due to physical isolation and the resulting transportation problem. They also responded that they were not comfortable with non-Native counselors and service providers. Many of the respondents did not think that the current system was trustworthy or effective.

Riddell and Doxtator successfully demonstrated that Aboriginal women who are victims of domestic abuse in reserve communities are not obtaining appropriate or efficient services. However, once again this research is plagued by a poor response rate. They recognized this and attributed this weakness to several factors: non-respondents did not receive the cover letter and they had no phone to contact them, they might have been unable to read the letter, and that the reserve is a tight-knit community which in effect made the women afraid to take part. The researchers indicated that a more productive method may have been to actually visit each potential respondent in person. The research conducted on the Oneida reserve is indeed valuable and indicates that Aboriginal women in reserve communities are not satisfied with existing mainstream services. However, their research failed to examine if any cultural differences played a part in the dissatisfaction with mainstream services. The research lacked theoretical guidance and therefore any recommendations must be regarded as preliminary.

The Ontario Women's Native Association also conducted research in the area of domestic violence and Aboriginal women, with the intent of examining the incidence of domestic abuse in Aboriginal communities, the availability and adequacy of services and

exploring Aboriginal solutions. The research was conducted from November 1987 to July 1988. Their sample consisted of Aboriginal women and community service professionals. Six hundred questionnaires were distributed to Aboriginal women through the Ontario Native Women's Association. One hundred and four questionnaires were completed for a response rate of fifteen percent. The questionnaire aimed to assess how Aboriginal women viewed the prevalence of family of violence, what services were available to them and how adequate they felt the services were. The geographical breakdown of the respondents was as follows: 45% from reserve communities, 30% from urban centers, 17% from rural areas, and 8% from isolated communities. The findings indicated that 80% personally experienced family violence but only 48% reported the incidences. Of those that experienced family violence, 52% of the families stayed together and the majority of the victims that separated from their partners did so only after their life was nearly taken.

In terms of the services provided, those respondents living on reserves seemed to have better knowledge of services in the community than those living in urban, rural and isolated areas. With regard to satisfaction, there was not a high degree of contentment irrespective of residency. The respondents also felt that the mainstream shelter services were inadequate. The existing shelter services were scarce for Aboriginal women, particularly for women who had to leave their home communities. They also indicated that there was little awareness of the plight of Aboriginal women or cultural experiences. Many of the shelter workers did not speak the language of the women and were not familiar with their backgrounds. The respondents did not open up to social workers or shelter workers due to the cultural differences and feelings of alienation.

The Ontario Native Women's Association also surveyed community service professionals from forty-two agencies in all regions of Ontario as well as some social workers in Manitoba either by written survey, telephone interviews or in-person interviews. All of the respondents recognized family violence as a problem but said that

for the most part it was hidden or tolerated. They recommended promoting public awareness at the community level and developing education programs. They also indicated a need for more crisis housing, crisis intervention teams, treatment programs for batterers and children.

The results of this research supported the previous findings that illustrated the inadequacies of mainstream services. However, once again the results are hindered by an extremely low response rate. With such a low response rate the research findings are questionable in their representativeness and generalizability. Another problem with the methodology is the sampling. The way the sample was obtained through the Ontario Native Women's Association also leaves the representativeness and generalizability of the results in question. So, although this research supports previous findings, it definitely does not offer strong support. The focus of this research was too broad and would have been more valuable if it was more concrete and took into account the variations that exist between communities.

The past research on the existing services and service needs of battered Aboriginal women indicates that there are several problems with utilizing existing mainstream services for women in isolated reserve communities. Aboriginal women living in northern reserve communities suffer not only from geographical isolation, but also from informational isolation. Battered women in these communities lack information of their human and legal rights, and also on the services within and outside their communities. Many women do not know where they can get help, and they are unable to read or speak English which would enable them to find out (Voices of Aboriginal Women, 1991). There is also a profound lack of information about wife abuse in general (MacLeod, 1987; O'Hara, 1985). Research on the awareness of existing services has found that women in reserve communities have little knowledge of where help is provided. The research does indeed illustrate that Aboriginal women in reserve communities lack the knowledge of services for battered women, but it is possible that the reason for this lack of knowledge is

that there are no services in their communities. It is for this reason that the existing services outside their communities must also be examined.

It is safe to assert that there are very few shelters or safe homes in northern reserve communities (Jamieson, 1987; O'Hara, 1985; Report of the Aboriginal Justice Inquiry of Manitoba, 1991; The Women's Initiative Association, 1989). The majority of existing services, specifically those geared toward Aboriginal women, are generally found in the southern urban areas (Courchene, 1990; van der Put, 1990). This means that the women residing in reserve communities are victimized by the system as they don't have the same access to services and programs as other women do (Voices of Aboriginal Women, 1991: 25). Obtaining the services and programs for battered women then entails leaving their communities and this causes another set of problems that they must deal with. One of these problems is the cost and lack of transportation out of their communities (Doxtator, 1986; Ontario Native Women's Association, 1989; The Women's Initiative Association, 1989; Wolk, 1982; Voices of Aboriginal Women, 1991). In the province of Manitoba, Employment and Income Assistance covers the transportation of abused women from reserve communities only if the woman has already taken legal action. The problem with this policy is the fact that Aboriginal domestic abuse victims have a low rate of taking legal action against their abuser. The resulting effects of the Employment and Incomes Assistance mandate is that those women who can not afford transportation out of their community are stuck in life threatening situations.

It has also been argued that it is not only the transportation that causes problems when having to leave the community; Aboriginal women also face many other obstacles when being forced to seek outside services. When the woman leaves her community she is leaving behind her informal network of support and entering a foreign and alien environment (Billson, 1990; Graveline, 1986). This means that she is losing all of the endorsement she received from her family and friends, and in many cases she may also be forced to leave behind her children. By leaving, she is placing her rights to band

membership in jeopardy (Jamieson, 1987: 98). She is also faced with the decision of whether or not the relocation is permanent or temporary. When the services are far away from her home community there is little chance of family healing or reconciling, so she is left with the decision of whether or not to return to her previous situation, one that is yet to be rectified. She must also consider her financial resources and housing arrangements. If she is staying in a shelter it is only on a short term basis and after that she is faced with the decision of whether or not to relocate permanently, and if so how will she support herself and her family. It is evident that by leaving, few options are open to battered Aboriginal women and they are faced with the choice of staying in an abusive relationship or leaving their home and their community. It is a choice that is not easily made and if they do choose to leave in search of services they are bombarded with more barriers.

Past research has indicated that mainstream services for battered women are not adequately meeting the needs of Aboriginal women (Courchene, 1990: 29). It is believed that part of the reason for this is that mainstream services have mandates that are not compatible with Aboriginal cultural philosophies and approaches (Courchene, 1990: 29). It is argued that mainstream agencies for battered women have a non-Aboriginal individualistic approach which focuses on the individual while utilizing a feminist approach which encourages the woman to leave her partner instead of trying to resolve the problem of the abuse (Courchene, 1990: 44). Non-Aboriginal institutions are also more likely to advocate the use of the criminal justice system and encourage women to take punitive measures (Jamieson, 1987: 104). All of these principles run counter to traditional Aboriginal culture and therefore, it is argued that they can not effectively serve Aboriginal women.

It is also argued that mainstream institutions, such as women shelters, are failing Aboriginal women because of the low Aboriginal representation within these agencies (van der Put, 1990: 25). With the majority of workers being non-Aboriginal, it is maintained that they cannot relate to Aboriginal women due to their lack of awareness of

the situation of Aboriginal women and their culture (Courchene, 1990; Ontario Native Women's Association, 1989). It is also contended that Aboriginal women believe that they can't rely on the workers to understand their situation and therefore they do not open up to them. They are not comfortable with non-Native counselors and service providers and this brings upon feelings of alienation and isolation (Doxtator, 1986; Jamieson, 1987; Ontario Native Women's Association, 1989; Wolk, 1982). Another barrier between the workers and Native women is that in several cases they do not speak the same language fluently, this can cause many communication problems and makes providing help difficult (MacLeod, 1987; O'Hara, 1985; Ontario Native Women's Association, 1989; Voices of Aboriginal Women, 1991).

Mainstream services are also thought to be ineffective because of the lack of counseling and programs for the offenders of domestic violence (Ontario Native Women's Association, 1989: 41). The abuser is often excluded in the treatment process which makes reconciliation not only problematic but also dangerous. With the services being located at some distance from the home community it is often not feasible to have the whole family in to pursue treatment together.

Previous research has asserted that Aboriginal women feel that mainstream services are not adequately and efficiently serving Aboriginal victims of domestic violence from reserve communities. However, the past research has not only been plagued by several methodological problems, but has also failed to provide their populations with concrete and valuable feedback. What now needs to be done is an in-depth examination to assess the argument that mainstream services are ineffective because they do not incorporate Aboriginal culture.

#### ***D) The Criminal Justice System and Aboriginal Victims of Domestic Violence***

Previous research has argued that Aboriginal women feel that mainstream services are not adequately and efficiently serving battered Aboriginal women in isolated reserve

communities. However, one more facet of the administration of services to these women must be examined. The criminal justice system (CJS) is also a service provider to women of domestic violence.

Very few researchers have focused specifically on the problems of the criminal justice system as a service provider to battered Aboriginal women in reserve communities. It has, however, been identified that the police are often one of the main service providers that these women contact. Graveline (1986) found that fifty-seven percent of the sample of Aboriginal women identified the police as a community resource to deal with the problem of wife abuse. Doxtator (1986) found that the police were the most common service accessed by battered Aboriginal women. Due to the fact that many Aboriginal women have listed the police as the main avenue of help in domestic abuse cases, it is necessary to discuss how effectively battered Aboriginal women perceive the police to be in helping them. Considering that most reserves are still policed by the RCMP and that they are often the first point of contact that Aboriginal people have with the criminal justice system, it is extremely important that this issue be studied further.

As part of their research on Aboriginal family violence, the Ontario Native Women's Association (1989) questioned their respondents on the effectiveness of the criminal justice system. They found that their respondents were mistrustful of the criminal justice system due to its past treatment of Aboriginal people and therefore were reluctant to use it as a solution to their abusive situation. It was also indicated that they felt the CJS was culturally irrelevant to Aboriginal people so it could not be effective in providing assistance. Although the Ontario Native Women's Association included questions regarding the CJS on their survey, their examination was limited and therefore further examination is necessary.

The Aboriginal Justice Inquiry of Manitoba (1991) also examined how Aboriginal women felt about the CJS. The inquiry questioned Aboriginal people all across Manitoba on perceived problems with the CJS. The Aboriginal population argued that the essential

problem is that the criminal justice system is an imposed and foreign system. It was also found that due to the past history with white institutions, they are mistrustful of the criminal justice system and don't feel confident when turning to it. Aboriginal women indicated that often the police response to domestic abuse cases discouraged them from reporting. They complained that the police lacked sensitivity and didn't consider spousal assault as a serious crime. They also were not happy with the fact that the police often removed the woman from the home instead of the abuser. Another complaint was that even if they did press charges, the offenders were returned to their community without notice to the victim and without treatment. Therefore, they saw that reporting the abuse to the police provided a temporary respite at best because the CJS did not deal with the causes of the abuse. It was indicated that women would be more likely to press charges and testify if someone was available to explain the court procedure to them, and if they were given emotional support throughout the criminal justice proceedings.

The Aboriginal Justice Inquiry did examine the CJS as a service provider to battered Aboriginal women to some extent but they did not use any representative sampling technique nor did they specifically pull their sample from those women who had been abused. A further examination of this issue is needed, one that uses proper sampling techniques and focuses on the CJS as a service provider to battered Aboriginal women specifically instead of the overall problems with the CJS and the Aboriginal population.

It is argued that the criminal justice system has inappropriately dealt with the Aboriginal population and that it is not capable of effectively representing Aboriginal people. It is believed that the current justice system is a foreign justice system which consistently puts Aboriginal people at a disadvantage (York, 1990: 47). In traditional Aboriginal society, the notions of crime and punishment were profoundly different (Ontario Native Women's Association, 1989: 49). There was no use for police, jails, or prisons (Armstrong, 1989; Ontario Native Women's Association, 1989; York, 1990). An offense was seen as against an individual and his/her family and therefore reconciliation

needed to occur to restore harmony and balance to the community. The punishment to the offender consisted of restitution to the victim, and the victim's family, and was viewed as benefiting both the victim and the offender (York, 1990). The purpose behind the traditional form of Aboriginal justice was not to punish but to rehabilitate and thereby restore harmony and equilibrium. Aboriginal people do not see the CJS as functional and therefore are reluctant to involve the system when they need help (Jamieson, 1987: 2). In general, the Canadian criminal justice system is not respected and therefore its presence encourages resistance and alienation (van der Put, 1990: 27).

It is believed that the criminal justice system poses another problem for Aboriginal people. It neither recognizes nor attempts to appreciate the cultural differences between Native and non-Native perceptions of justice (Partlo, 1988: 10). It is insensitive to their traditions and values, and poses many cultural and language barriers (Report #34 of the Aboriginal Justice Inquiry, 1991; York, 1990). Many terms and concepts are not translatable into an Aboriginal language, and some terms are so complex that even people well conversant in the English language do not understand them (Report of the Aboriginal Justice Inquiry of Manitoba, 1991).

Another problem is that the current intervention tends to punish the offender rather than help him/her heal (Voice of Aboriginal Women, 1991: 4). This is contrary to traditional Aboriginal culture which believes in restitution and healing in order to restore harmony to the community. There are very few unique services for Aboriginal offenders to help them heal and therefore the offender is returned to the community without treatment (Report of the Aboriginal Justice Inquiry of Manitoba, 1991; van der Put, 1990). In terms of violence against women this means that the offender returns to the community, in many cases without notice to the victim, and has no help in breaking the cycle of violence. It has been argued that "Aboriginal men are victims of the system generally as incarceration without treatment in a culturally sensitive manner only fuels the vicious cycle of violence," (van der Put, 1990: 32). Some other problems of the criminal justice system in regards to

Aboriginal people are the under-representation of Aboriginal workers within the system, the lack of information on the criminal justice system processes, and that many Aboriginal people are patronized by workers in the system (Report #34 of the Aboriginal Justice Inquiry of Manitoba, 1991; van der Put, 1990).

As mentioned previously, most reserves are still policed by the RCMP and they are often the first point of contact that Aboriginal people have with the criminal justice system. The police lack the training and understanding of how to handle domestic violence in Aboriginal communities and often display little understanding and sensitivity (Courchene, 1990; Report of the Aboriginal Justice Inquiry of Manitoba, 1991). Many Aboriginal women have stated that the police knew about the abuse taking place and failed to do anything about it, and if the women decided to call the police they responded slowly (Voices of Aboriginal Women, 1991). These actions have been attributed to the fact that several police employees fail to consider spousal assault as a serious crime (Report of the Aboriginal Justice Inquiry of Manitoba, 1991; van der Put, 1990). All of the problems that battered Aboriginal women face when dealing with the criminal justice system deters them from reporting the abuse and keeps them in the abusive situation.

Previous research has failed to adequately examine the problems of the CJS as a service provider to battered Aboriginal women in reserve communities. Research on this issue is extremely important due to the fact that the CJS should be an available and effective avenue of service for women in domestic abuse situations.

#### ***F) Conclusion***

It has been argued that the incidence of domestic violence in Aboriginal communities has reached epidemic proportions due to the effect on the status of Aboriginal women by European contact and colonization. In traditional society it is believed that women had comparative honor, respect and political power. Although a sexual division of labor existed in traditional society it was not problematic as it was

institutionalized by society as parallel and complementary rather than hierarchical. With European colonization, patriarchy was introduced through the fur trade, Christianity and governmental policies. Under the Indian Act women became property of men, first their fathers and then their husbands. Women were also prohibited from voting and owning property. Under section 12(1)(b), Aboriginal women were stripped of their rights if they married a non-status Aboriginal man or a non-Aboriginal man. However, in 1985 under Bill C-31 this section was amended so women would not lose their status in these circumstances. Aboriginal women currently have the lowest labor force participation rate, the highest unemployment rate, the lowest income and the lowest education level. It has been empirically proven that Aboriginal communities do have the highest incidences of domestic violence.

Now that this fact has been formally acknowledged, researchers have started to question the availability and effectiveness of service for Aboriginal victims of domestic abuse. It has been argued that mainstream services are not effective for Aboriginal victims for several reasons: geographical and informational isolation, lack of services in reserve communities, low Aboriginal representation, lack of counseling programs and that their mandates are not concurrent with Aboriginal cultural philosophies and approaches.

## **Chapter Three: THEORETICAL FRAMEWORK**

It is argued that the reason mainstream institutions are so inadequate in dealing with problems such as domestic violence in Aboriginal communities is that they are based on fundamentally different philosophical views than Aboriginal institutions (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 20). Not only are the fundamental principles different, they are also maintained to be incompatible with the core values of Aboriginal culture (Report of the Aboriginal Justice Inquiry of Manitoba, 1991: 20).

One theoretical argument is that the difference is based on the perceptions of authority and equality of the two cultures. They compare traditional Aboriginal culture with Euro-western culture to illustrate the difference in principles. It must be noted that there is no one Aboriginal culture, but that each tribe, or what is now known as a band, has its own cultural principles. However, there are some values that have been consistent across cultures and across time changes, and it is these values that are compared with the dominant western ones (Dumont, 1993: 53). The difference between the two cultures stems from the principle that guides the behavior of their members. It is argued that while Aboriginal culture is based on holistic principles, western culture is based on individualistic principles. This difference is obvious when you consider the differences in the interpretation of the basic principles of Aboriginal culture. When the value of freedom is examined, Aboriginal culture interprets this as the freedom in the ability to make decisions based on knowledge, while Euro-western society interprets this as the freedom in assertiveness, competitiveness and behavior. Sharing is also interpreted differently, to the Aboriginal culture it means sharing to bring about harmony for the collective good and to the European society it is based on obligation and the right to equal opportunity. Kindness is interpreted by Aboriginal culture to be essential in maintaining harmony while in European society it is more of an exercise in benevolence and compassion. The Aboriginal culture considers honor to be essential as part of the respect

for the freedom and autonomy of others while western culture considers it as courtesy and following the rules of fair play (Dumont, 1993: 60). Perhaps the biggest difference lies in the function of respect. In Aboriginal culture, respect entails the freedom and autonomy of all living creatures as well as for the collective good. In Euro-western culture respect entails the personal and private property of others and oneself (Dumont, 1993: 61). The comparison between the two cultures by Boldt and Long is indeed more detailed and exhaustive than the one presented here, but the basis of it is that while the current mainstream institutions are based on individualism and materialism, traditional Aboriginal culture is based on holistic principles that stress the harmony and balance of the collective. It is for this reason that it has been argued that mainstream institutions are not and cannot serve Aboriginal people effectively or adequately.

Ross (1992) also examined the cultural differences between Aboriginal and mainstream culture specifically in regards to the criminal justice system. He argues that Native people, with their belief in consensus decision making, might find the mainstream adversarial system foreign and inappropriate (p.8). By examining the ethics of Aboriginal culture, Ross outlines the possible difficulties that Aboriginal people have with the CJS. The first ethic is that of non-interference. An Aboriginal person is taught not to interfere in any way with the rights, privileges and activities of another person (p.14). This ethic also includes that of not burdening others and to avoid embarrassing others. Ross argues that for Aboriginal people this sometimes means that it is better to suffer inconvenience and loss yourself than to directly confront someone else with their error (p. 23-5). Following from this, it is possible that battered women press charges less often because they do not wish to bother anyone else to testify on their behalf, and also because they do not want to embarrass the batterer or the families involved.

The second cultural rule that Ross examines is the ethic that anger not be shown. For the sake of group unity, individual likes and dislikes have to be buried and interpersonal conflicts ignored (p. 29). There is a prohibition in Native culture against emotional

indulgence because it incapacitates the individual who is overwhelmed by them and is therefore detrimental to the group (p. 29). In regards to domestic abuse, this ethic prohibits the victim from expressing her emotions and turning to other people in the community. It also discourages the family from resolving the interpersonal conflicts that are occurring and leading to abusive situations.

Another Aboriginal ethic that Ross points out is the notion that the time must be right. He describes this as walking through possible courses of action in advance and preparing one's self emotionally and spiritually for the course of action chosen (p. 38). This ethic is a possible explanation of why some Aboriginal women take so long to leave their abusive partners. Perhaps after examining the situation they decided that the time was not right for them to make such a drastic decision.

If indeed these cultural ethics do have an impact on the current situation of battered Aboriginal women they could explain why mainstream services are not adequately meeting their needs. However, this argument is in need of testing. One way of doing this would be to interview battered Aboriginal women and examine the reasons that they are dissatisfied with mainstream services. One might also wish to examine how much influence and impact traditional Aboriginal culture has on their lives today.

Perhaps what needs to be kept in context throughout this argument is that this theory has gone unchallenged because of the lack of information about what constitutes customary values and because careful examinations of contemporary Aboriginal communities have not occurred. For this theory to be tested, a determination of the utility of customary practices to modern Aboriginal society is essential. What must be kept in mind is that the value of the most satisfactory and beneficial systems lies in what it does and not where it comes from (Brodeur et. al., 1991: 57). It can be argued that in several communities the majority of residents no longer practice, or are even knowledgeable in traditional Aboriginal customs and practices. It then seems illogical to assume that a return to these practices and values would be an effective way to tackle the problems in

the Aboriginal community. Perhaps the reason that mainstream institutions are not serving them effectively is the isolation of the community. What needs to be examined is how the people in the community feel about the problems that they have with these institutions, why they think the problems are occurring and how they can be resolved. There is no doubt that there are some cultural inadequacies within these institutions but that does not necessarily mean that they do not have some merit. In terms of the institutions serving battered Aboriginal women in reserve communities, perhaps the same problems occur for other women who are physically and culturally isolated. Several Aboriginal women in the field of family violence have suggested that the situation of battered Aboriginal women is not unique and could be compared to the situation of some women in Mennonite communities. This is an issue that must be examined before any conclusive evidence can be presented. It has been argued that a danger exists in separating Aboriginal people from the rest of society because the focus on Aboriginal people only risks blaming the victim and avoiding the responsibility for the historical process of colonization (van der Put, 1990: 3).

## **Chapter Four: METHODOLOGY AND DATA COLLECTION**

### ***A) Research Implications***

The evidence within the literature review all points toward the fact that domestic violence within Aboriginal communities is indeed a community problem that must be addressed by the community. It also illustrates that before any recommendations can be instituted, further research is needed to confirm how suitable these recommendations will be. Past research in the area of domestic violence in Aboriginal communities has argued that Aboriginal women who are victims of domestic abuse are not satisfied with current mainstream services. However, what is still unclear is why they are not satisfied. Some have argued that it is simply because of the location and isolation of many of the communities, while others have argued that it is the lack of services in the communities that is the problem. Theoretically it has been maintained that mainstream services are insufficient for Aboriginal victims of domestic violence because their mandates do not follow Aboriginal cultural philosophies and approaches. Therefore, the goal of this research is to examine if cultural differences is the determining factor in why mainstream institutions are not meeting the needs of Aboriginal victims of domestic violence. The research objectives are to examine the utilization of mainstream services by victims of domestic violence, the satisfaction with and the ability of mainstream institutions to meet the needs of victims of domestic violence, and what factors determine the degree of satisfaction with mainstream services and their ability to meet the needs of victims of domestic violence. This research seeks to address this issue by interviewing samples of women in northern communities who are victims of domestic abuse and who have had experiences with health and social services and the criminal justice system.

## **B) Research Site**

The majority of data for this research were collected in Nelson House, Manitoba. Nelson House is located approximately seventy-two kilometers north west of Thompson, Manitoba or eight hundred and thirteen kilometers north of Winnipeg. The community is accessible by an all weather road via Provincial Road No. 391 from Thompson. It is also served by the Grey Goose Bus Lines on a daily basis. Nelson House is a reserve community situated along the north shore of Footprint Lake. The aboriginal name of the community is translated to "A place where three rivers meet" but was named Nelson House by the Hudson's Bay Company. The band is signatory to the 1908 adhesion to Treaty five and has an outstanding treaty land entitlement which hasn't been signed since 1908. Nelson House is one of the five bands whose reserve has been affected by hydro developments in the Nelson House River system.

As of December 1994, the on-reserve population is 1894 and the off-reserve population is 1771. Therefore, Nelson House First Nation has a total of 3665 members. The native language of the community is Cree and the economic base is fishing, hunting and trapping. The community is quite self-sufficient and provides all the necessary services for its members. The band members attend the Otetiskewin Kiskinwamahtowekmik School, which is band operated and offers levels Kindergarten through Grade 12. Other on-reserve facilities include a band office, community hall and several recreation facilities such an arena. Health care service is provided through the Nelson House Nursing Station which includes dental and ambulance services. The drinking water is obtained from Footprint Lake which is treated and delivered via five water trucks. Law enforcement is conducted by five band constables employed by the band, and the local RCMP detachment which is located in Thompson.

Nelson House is a very progressive community which is led by a government, including Chief Jerry Primrose, who has set community goals of economic and service development. In 1996, Nelson House signed the Northern Flood Agreement with

Manitoba Hydro which will further enable the community to become self-sufficient. It is a very proud community which focuses on the both the economical, social and emotional well-being of it's members.

### ***C) Research Goals***

The research was conducted in an exploratory, descriptive manner. In exploratory, descriptive research the focus is on what is happening and no formal hypotheses are used. The focus is on the utilization of mainstream services, the satisfaction with mainstream services and the ability of mainstream services to meet domestic abuse victims' needs. Before it can be concluded that mainstream services are not efficiently serving Aboriginal victims of domestic abuse, the extent to which Aboriginal women use mainstream services and if they are unsatisfied with the service they received must first be determined. It is not enough to illustrate that they are unsatisfied with mainstream services but it also must be confirmed that the reasons they are unsatisfied are related to cultural differences. This can be done by examining their contentions for cultural relevance and also by examining the responses of non-Aboriginal victims of domestic abuse who were also unsatisfied with the same mainstream services. It is necessary at this time to define mainstream services. For the purpose of this research mainstream services will include both health and social services and the criminal justice system.

It is expected that some of the respondents will indicate that even though they were victims of domestic abuse they did not use any of the mainstream services available. If the theoretical argument holds true then one would expect to find that the majority of Aboriginal participants did not utilize mainstream services. It can be expected that those who did not utilize mainstream services will have chosen not to because of the institution's cultural inappropriateness, i.e.. language barriers and differential values. However, it is suspected that there may be other reasons that occur such as those that will be classified under physical and informational isolation. Some theoretical support may also be given if

one finds that Aboriginal women indicate that they lack a sense of trust and respect for current mainstream services due to past treatment of Aboriginal people. The responses of the non-Aboriginal participants will also be examined for similarities and differences to those of Aboriginal participants.

It is also necessary to examine the satisfaction that Aboriginal victims of domestic abuse have with health and social services and the ability of these services to meet Aboriginal victim's needs. It is argued that Aboriginal victims of domestic abuse are not satisfied with health and social services nor have their needs been met by these services because their mandates are not compatible with Aboriginal cultural principles and applications. If this is the case than one would expect to find that the Aboriginal respondents are indeed not satisfied with health and social services and for reasons such as they are individualistic, they encouraged the women to leave their partners, they advocated punitive rather than healing measures, and that they lack counseling and programs for the whole family, including the batterer. One can also expect to find that when asked for their recommendations, Aboriginal women will recommend utilizing traditional forms of holistic healing such as pipe ceremonies, sharing circles, sweat lodges and healing lodges. The research should also uncover that Aboriginal victims of domestic abuse are not satisfied with health and social services because of cultural and language barriers. This will include Aboriginal participants expressing their dissatisfaction at the lack of Aboriginal representation within the service agencies, not being able to understand the language used in these agencies, not being able to relate their needs to the workers of the agencies, and the employees of the agencies having little awareness and understanding of their situation. It is also expected to find that Aboriginal victims of domestic abuse are not satisfied with health and social services due to their cultural and physical isolation. This will be indicated by the respondents expressing the problems of the existing services being scarce in their communities, having to access transportation to these services, having to leave behind their informal support network in their home communities and

having to enter a foreign and alien environment in which they are not comfortable. The theoretical argument will be strengthened or weakened when the responses of dissatisfied Aboriginal women are compared with dissatisfied non-Aboriginal women. It should be found that there is a definite difference in their reasons for dissatisfaction.

The criminal justice system will also be considered as a service option for victims of domestic abuse. Theoretically it is argued that the CJS's mandate is not compatible with Aboriginal cultural principles and values and therefore, it can not be an effective service provider to the Aboriginal population. Following from this argument, this research then expects to find that Aboriginal victims of domestic abuse who utilized the criminal justice system were not satisfied with the service they received and for different reasons than those non-Aboriginal victims who were also not satisfied. It can also be expected that Aboriginal victims felt that their needs have not been met by the CJS and for different reasons than non-Aboriginal victims who also felt their needs have not been met by the CJS. The reasons that should be indicated to support this argument will be ones that are related to different cultural philosophical views. According to the previously described theory, the CJS differs from traditional Aboriginal cultural methods by having the goal of punishing the offenders rather than trying to rehabilitate them and restore harmony to the community. If this is indeed true than it will show up in the participants' feedback. Another argument that will be examined is that the CJS is not effective for Aboriginal victims due to cultural and language barriers. One would expect to find that some of the women did not understand the proceedings of the CJS and that no one explained it to them. This research should also discover that some of the Aboriginal participants did not understand the terms used, and that they found a lack of Aboriginal representation within the CJS.

One last area was also examined while trying to support the previously mentioned theory. The Aboriginal participants in this research reside in the community of Nelson House, Manitoba. Nelson House has established a justice committee entitled "Nelson

House First Nation O-Tha-So-We Justice Committee". This committee provides alternatives to the formal court process to offenders which reflect the community's concern for the offender's rehabilitation and the protection of the rights of victims. The committee receives referrals from the crown attorney and develops a range of consequences for the offender's behavior instead of going through the formal court process. In essence the committee provides an alternative dispute measures process that incorporates Aboriginal culture. It recognizes the spiritual and cultural dimension of the offender and develops consequences which address the physical, psychological and spiritual needs of the offender and the restoration of the relationship between the offender and the victim and the community as a whole. Several of the domestic assault cases in the community get referred to the justice committee from the crown attorney. It has been argued by past researchers that this type of dispute resolution process would be effective with Aboriginal domestic abuse cases. It follows then that this research expects to find that those participants who had involvement with the justice committee will have a higher degree of satisfaction with the service they received than the participants who were involved with the CJS.

#### ***D) Operationalization of the Variables***

There are several variables that are used to examine the theoretical argument. The main variable is domestic abuse. The definition of domestic abuse that is used is based on the legal definition of wife assault. Domestic abuse is considered as any intentional physical act of aggression by an adult man against an adult woman that caused pain or injury, or the force of any involuntary action to an adult woman by an adult man with whom that woman has had an established relationship, usually involving sexual and emotional intimacy, whether or not within a legally married state (Pagelow, 1981; Dutton, 1988). Domestic abuse may be accompanied by verbal abuse, emotional abuse, sexual

abuse and/or threats or acts of destruction toward children or personal property (Dutton, 1988: 1).

The second variable that needs to be defined is mainstream services. Mainstream service for victims of domestic abuse is considered any service institution or agency where a victim of domestic abuse might turn to in a time of crisis and if it's roots originated from the white majority society. They include any agencies or service providers that have it's roots in Euro-western culture. As mentioned earlier, mainstream services are divided into two categories: health and social services and the criminal justice system. The following are considered health and social services: hospitals, medical services, crisis centers, safe homes, transition homes, health and family services. All facets of the criminal justice system are also included such as the police, the formal court process and the penal system.

Another variable that needs to be defined is cultural barrier. Cultural barriers are defined as obstacles to obtaining sufficient services that have its roots in the differences between Aboriginal and mainstream culture. These include values, morals, ethics, language, institutional processes, and a lack of awareness of the other culture. A lack of Aboriginal representation within service agencies is also included as a form of a cultural barrier. Also under the variable of cultural barrier, the inability to understand the language of the service institution is included.

The next variable that needs to be defined is physical isolation. Physical isolation is measured in terms of the actual distance in kilometers from mainstream services in terms of direct or indirect access. Physical isolation also includes the means to contact or access that service.

Informational isolation is also measured. Informational isolation is also defined in terms of access to information about the required services. This includes knowing where to access information on the services available to victims of domestic abuse, how to contact the service institutions, and being able to understand the language and content of the information provided.

Another variable that is measured is trust and faith in mainstream institutions. This is defined as the belief that the services are effective, fulfill the need they are assumed to, are trustworthy, and that they are useful in resolving the problem.

The next variable that is measured will be Aboriginal cultural philosophies, principles and approaches. This is defined in terms of values, ethics, traditions and cultural mores. Aboriginal culture is based on holistic principles that stress the harmony and balance of the collective rather than individualistic and materialistic principles. Some of the ethics of culture that were outlined in the previous literature review are: the ethic of non-interference, which includes not burdening others or embarrassing others, the ethic that anger not be shown, and the ethic that the time must be right. Aboriginal culture does not advocate the use of punitive measures when dealing with wrong-doers but believes in rehabilitation and restoration of the offender, the victim and the community. This involves healing the emotional, physical, spiritual and mental aspects of the offender, the victim, and the community. The goal of all Aboriginal principles is to maintain and restore the harmony and balance of the collective.

The last variable that is measured is cultural isolation. Cultural isolation is defined as a lack of communication and understanding between two parties due to cultural differences. This entails the inability to relate to each other due to differences in language, ethics, traditions, and ideologies. It also includes the reluctance to trust and confide in another person because of cultural differences.

#### **E) Data Collection**

The data were collected through a questionnaire administered during in-person interviews (please see Appendix A for the questionnaire used for Nelson House participants and Appendix B for the questionnaire used for Thompson Participants). In-person interviews were utilized for several reasons. First, in-person interviews enable people who cannot read or write to still participate in the research, therefore increasing the

response rate and the representativeness of the sample (Hagan, 1982; Bailey, 1987; Rea & Parker, 1992). It is well known that some members of the Aboriginal population are unable to read or write English and this would alleviate this problem. Second, the interview process can be standardized so that it is guaranteed that the questions are answered in private with minimal distractions (Bailey 1987; Rea & Parker 1992). The interviews in Nelson House took place in an office space donated by the Chief and Council in the band office and at the Nelson House School. The interviews in Thompson took place in a private residence, where no one besides the interviewer was present, in which the interviewer resided during data collection. This ensured that the interviews occurred in not only a controlled environment but also a safe environment. It was possible that some of the respondents were still living with their abusers so it would have not been safe or feasible for them to participate in the interview in their own homes. Having interviews take place in a standardized environment also helped to preserve the anonymity of the respondents.

Another advantage of using in-person interviews was that it allowed for flexibility during the interview process. The interviewer could probe for more specific answers when needed, clarify and define terms that are not understood, repeat a question when the response indicated that the respondent misunderstood and could decide which questions were appropriate (Hagan, 1982; Bailey, 1987; Rea & Parker, 1992). In-person interviews were also be beneficial for this research process because they helped to establish personal contact between the researcher and the participants and enable a rapport to be established between the two parties. This had the effect of making the participants feel more comfortable with the process and therefore provide more insight (Hagan, 1982; Rea & Parker, 1992). Due to the sensitive nature of the research topic it was essential to make the participants feel comfortable with the research process and to ensure that they felt they could trust the researcher. All of the interviews were conducted by the principal

researcher. A translator was made available for those who needed one but she was never utilized.

All respondents were required to read and sign an informed consent form before participating in the research project (please see Appendix C for informed consent form for Nelson House participants and Appendix D for informed consent form for Thompson participants). The respondents were informed of the goals and the intentions of the research and were also given a written description of the research objectives. The respondents were informed of their right to refuse to participate without suffering any negative consequences. They were also informed that they had the right to withdraw from the research project at any time and that they could refuse to answer any of the questions during the interview without explanation.

The interview questionnaire consisted of both closed and open-ended questions. Closed-ended questions have an established list of alternative answers while open-ended questions have no set responses and answers are recorded in the words of the respondent. Closed-ended questions are beneficial as it allows for direct comparisons between the participants. Qualitative, open-ended questions allow the participants to speak about their own lives in their own words and minimize the feelings of being research objects (Bailey, 1987; Rea & Parker, 1992). Feminist researchers have argued that it is imperative to allow women to speak of their experiences as victims for themselves and in their own terms. Using open-ended questions is a way of ensuring that researcher bias does not plague the results.

All of the interviews were recorded in writing at the time of the interview. The participation and responses of each individual were kept completely confidential and anonymity was guaranteed. The only person who had access to the list of participants was the principal researcher and once the research is completed that list will be destroyed. The participant's name, address and /or phone number were not recorded anywhere on the

interview schedule. Each participant was issued a file number and the file number was recorded on the interview schedule.

Due to the sensitive nature of the research topic it was recognized that taking part in this research could be emotionally draining and painful for the participants. Reliving their past history of abuse was likely to bring up issues and feelings they have moved beyond. Participants were reminded that they had the choice to refuse to answer any of the questions on the interview schedule and that they could withdraw from the interview at any time. Time was also allotted at the end of each interview for an open discussion between the interviewer and the participant. It was a time when the respondent could go off record and work through some of their experiences. The principal researcher personally had experience in counseling victims of domestic abuse through work experience at Health and Family services and within the department of Education and Training of the Manitoba provincial government. It is strongly believed that past work experience enabled the researcher to help the respondents with any negative feelings they had after the interview. Participants were also provided with the phone numbers and any available information on service agencies such as the Thompson Crisis Center, the Awasis agency family violence worker, the RCMP and the local police.

All participants were given the right to request and receive the results of this research. The informed consent form advised the participants that the results will be made available to them upon notification.

As a researcher, I am extremely concerned with the reputation that researchers have received as being exploitative and as being more concerned with their data and less concerned with their participants. I believe that it is an essential part of the research process that the research give something back to the community in which it takes place. It is for this reason that I first sought permission to conduct my research in the community of Nelson House from the Chief and Council (please see Appendix E) and that I agreed to give the community final say in every step of the research process. The community has

received a copy of my research proposal and my thesis, and it is available to all members in the band office. I have also provided the community with a needs assessment study on the service needs of victims of domestic abuse in their community. It is my hope that the needs assessment study will enable the community to empower itself by examining and implementing community provided services that alleviate any service provision problems previously experienced by community members.

The benefits of completing this research are substantial. This research provides an in-depth examination of the satisfaction victims of domestic abuse have with existing mainstream services. It allows women to document their experiences and influence the provision of future services. It also attempts to answer why Aboriginal victims do not feel satisfied with the services they have received from mainstream institutions. If the previously mentioned theory is supported, future services can be established which actually meet the needs of victims of domestic abuse. Domestic abuse is a critical problem in our society and the needs of its victims need to be addressed. In order to ensure that mainstream services are meeting the needs of its consumers we first need to examine consumer satisfaction and any existing problems with these institutions.

#### ***F) Sampling***

The population from which the sample was obtained was all adult women who are domestic abuse victims in the communities of Nelson House and Thompson, Manitoba. The community of Thompson was chosen as the location from which to draw the non-Aboriginal population because it is also an isolated northern community. One of the participants from Thompson was Aboriginal and therefore her interview schedule was included in the Aboriginal sample.

The sample was drawn using several methods. In Thompson, the sample was obtained through the advertisement of the research project and the need for participants (please see Appendix F for Statement of Intent that was advertised). The goals and

objectives of the research were advertised in several ways. A statement of intent was issued to and posted within the Thompson Crisis Center, as well as advertised in the local paper, the Thompson Citizen, and on the local t.v. station, Channel 13. The advertising statement was also posted in all government agencies, at the RCMP station and in other community centers. In Nelson House, a statement of intent was also be advertised throughout the local media and was posted in community centers such as the band office, the Awasis Agency and the Northern store (please see Appendix G for statement of intent that was advertised). Participants were also obtained from the community of Nelson House via NADAP (Native Alcohol and Drug Addiction Program) workers. In several reserve communities it is the NADAP workers who come into contact with victims of domestic abuse through their counseling of families with drug and alcohol problems. The NADAP workers in Nelson House agreed to inform their clients of the research objectives and goals and ask them if they wished to participate (please see Appendix H for statement of intent provided for NADAP workers to show their clients).

This type of sampling procedure is known as non-probability sampling which means that the likelihood of a member of the population being chosen as part of the sample is not known. The effect this has on the research is that the results can not be generalized, or assumed to be true, for all members of the population. The results are only indicative of the people who participated in the research . This non-probability sample is a convenience sample as respondents were chosen only based upon their ability and willingness to participate (Bailey, 1987; Rea & Parker, 1992). There are several reasons that a non-probability convenience sampling method was chosen for this research. The main reason was that it was simply the fastest and most feasible method to obtain a sample of victims of domestic abuse. The crown attorney in Thompson, Manitoba was approached to see if he could release the names of victims of domestic assault from the communities. However, the request was denied based on the protection of the victims involved. Any institution that deals with victims of domestic assault are reluctant to

release the names of the victims as part of their mandates of confidentiality and protection to the victim.

Another method considered was that of drawing a random sample from the population of adult women in the two communities. However, this method also posed many problems. The first is that there is no guarantee that every woman pulled from the sampling list would be a victim of domestic abuse. This means that it must first be established whether or not the participant was a victim of domestic abuse before the interview can proceed. This task is very time consuming and inefficient. There is also no guarantee that even if the woman was a victim of domestic abuse that she would admit to it or agree to be interviewed. Another problem with this sampling method was that in order to ensure that each possible respondent understood and received the statement of intent each one would have to be visited in person. As mentioned earlier, there is the possibility that some members of the sampling list may not be able to read or understand the English language. This means that sending them a statement of intent in the mail would not ensure that it was received appropriately. There is also the problem that members in the sampling frame were not able to be contacted by mail and that they did not even have a telephone in their home residence. The only way to obtain a representative sample would have been to visit each prospective participant in person to gain consent to be interviewed. Once again this process would have been costly and inefficient in term of both time and money and still could not guarantee a representative sample.

It is recognized that by utilizing this type of sampling, the results of this research can not be claimed to be representative of the general population and that they will not be generalizable beyond the specific participants.

The data were collected over an eight month period between October 1995 and April 1996. Four trips were made to both Nelson House and Thompson. A total of thirty-one women were interviewed from the two communities, twenty-four from Nelson House

and seven from Thompson. All of the Nelson House respondents were Aboriginal and one of the Thompson respondents was Aboriginal.

## **Chapter Five: RESULTS AND FINDINGS**

### ***A) Utilization of Mainstream Services by Victims of Domestic Violence***

#### **Aboriginal Participants**

In general, it was found that the majority of Aboriginal participants utilized some form of mainstream services. In terms of medical services, sixteen of the twenty-five participants (64%) sought some sort of medical attention as a result of being a victim of domestic violence, seven from a hospital, six from a nursing station, one from a health center, one from Manitoba Health and Family Services and one sought Psychiatric care. However, only twelve out of the twenty-five Aboriginal participants (48%) sought services from a crisis center, safe home or transition center. In regards to involvement with the Criminal Justice System, twenty-one of the twenty-five Aboriginal participants (84%) utilized the CJS as a result of being a victim of domestic abuse. Of those that were involved with the CJS, all of the participants (100%) had contacted the RCMP, local police or both; 15 contacted the RCMP, 2 contacted the local band constables and 4 contacted both the RCMP and the band constables. For sixteen of the twenty-one participants there were criminal charges laid against their offender (76%). Also, of those participants who had experiences with the CJS, eleven out of twenty-one had involvement with the court system (52%). However, only ten out of the twenty-one participants filed for a restraining order, non-molestation order or peace bond (48%).

Those Aboriginal participants who did not seek medical attention gave several reasons for their decision. The most common response was that they did not perceive their injuries to be serious enough. One participant stated she did not go for medical attention because "I've never had scars or whatever. I've never needed, it never got to a point where I needed stitches". Another participant stated that she was prohibited from pursuing medical services because of a lack of a support network, "I was going to but

I haven't gotten around to it yet, no one is around to look after my kids". On the other hand, another respondent gave the fact that she had a strong support network in place as the reason that she did not seek medical attention, "I just stayed at home with my mother and let her take care of me". Other reasons that were given for not using any type of medical services after being a victim of domestic violence were that the respondents felt too embarrassed to reveal that they were victims of domestic violence and that they chose to end the relationship without pursuing any type of help.

There were also several reasons given by the respondents for not pursuing services from a crisis center, safe home or transition home. One of the most common explanations was that there was no crisis center available to them in their community and that they wanted to stay where they could receive the support of their family members. This was a particularly big barrier for one participant who was working at the time and leaving would have meant losing her job. Several participants also mentioned that they did not go to a crisis center because they were unaware of where and how they could access that service as they had no information on any services for victims of domestic violence. Another common reason that was given was that the participants were scared to leave their home community and go to an unfamiliar place without their informal support network. One participant indicated that she felt more comfortable turning to people within her already established support network, "I called them once and canceled because I left the relationship. I find it easier for me to talk to my pastor about these kinds of things than other people". Another participant also explained that she did not go to any sort of crisis center or safe home because she didn't think she would be comfortable there, "I made it to the door and then walked out. For some reason I didn't feel comfortable so I just stayed at the YWCA...I don't know, I just didn't want to". One of the participants clearly stated she did not seek this type of service because she did not trust that it was safe, "You know I don't feel a safe home or crisis center really works. I saw a friend go there and her common-law smashed the windows. I didn't think it was safe. It was what changed my

mind, my friend got beaten up right in the crisis center". The last explanation given for not using a crisis center type of service was that it was not needed because the victim remained in the abusive relationship, "I was only following one path and that was staying with my boyfriend".

As mentioned previously, only four of the Aboriginal participants did not become involved with the Criminal Justice System as a result of being a victim of domestic abuse. Of those four participants, one was involved in an abusive relationship several years ago and felt that "they didn't have no service in them days so people just went about their own business, they didn't know anything about abuse". Another participant indicated that she did not involve the CJS because the relationship ended, "He didn't really hurt me that much. I asked him to leave and that was five years ago. He tried to come back but I said no. That was the first and last time he ever hit me too". Participants also expressed that their commitment to the abuser and the relationship prevented them from turning to the justice system for help, "Like I said, I just went with what my boyfriend said". One participant indicated that she did not contact the justice system not only because of her commitment to the abuser and her family but also because she was unsure of how they could help her and that she had a lack of faith in the system, "I didn't know how to go about it and I felt sorry for the abuser because he was the father of my child, that's the main reason why. The other reason I didn't tell the police is that I knew they wouldn't do anything".

Of those participants who did involve the CJS, all of them had some involvement with either the local police, RCMP or both. However for some of the participants, criminal charges were not laid against their offenders. In some of the situations the victim was assaulted before the zero-tolerance policy came into effect and they refused to press charges. One participant did not file charges because she was scared of her abuser, "I had a fear, he was threatening me". Another participant didn't press charges for several reasons: "I didn't know, it's so strange because it's not like I was immune to it but you

know it, for some reason there was some strength there, I could take a lot. I didn't know charging would help, I thought it would make it worse. Plus I saw my mom take the abuse and not lay any charges. It's a survival technique to try and get myself out of that instance, not thinking ahead to get this bastard". This statement implies that not only did the victim not trust the CJS to help her and therefore she had to protect herself, but also that she perceives the CJS as a mean of implementing some sort of revenge in the form of punishment. This participant also indicated that her response to domestic violence was very much a learned behavior. However, there were some participants who wanted criminal charges to be filed against their offenders and the police did not comply. One participant indicated that she was disappointed because all the police did was talk to her abuser. Another participant also expressed the same frustration, "No, I don't know why (charges weren't laid) and I had asked them to lay charges". One participant indicated that the police did not lay charges because they informed her they did not have enough evidence, "They couldn't find any evidence (that it was a domestic assault) and this was after he tried to shoot me with a gun. He only got charged with having a weapon".

Although all of the participants who had involvement with the CJS had contact with a police officer, not all of the participants were involved with the court system. There were three main reasons given for not having involvement with the court system: criminal charges were never laid, the charges were dropped, and that the offender had pled guilty. In only one situation was it the participant's choice to drop the charges. Four of the respondents also indicated that they did press charges against the offender but were never informed that they had to appear in court or why they did not have to appear in court.

As mentioned previously, eleven out of the twenty-one participants who were involved with the CJS did not apply for a restraining order, peace bond or non-molestation order. The main reason given for not applying for a restraining order was that the victim was unaware that they existed. One participant stated "I didn't know about those kinds of

things. I was a victim for at least ten years and I got sick of it so I finally called the cops. I was just too scared to". Another participant indicated that she was never informed about them, "I never knew anything about those, they (RCMP) never explained it to me". Another reason given for not applying for a restraining order was that the victim did not believe they would be effective. One participant felt that, "I got myself into the situation and besides those don't work anyway, I've seen it". Another participant revealed that she was informed they were ineffective by someone who works for the Criminal Justice System, "I went to a lawyer about it and what she told me was that it wouldn't work. She said it didn't really have an effect on the abuser, it wouldn't keep him away. I mean why do they have them if they don't work?". This response indicates that not only those outside of the CJS lack faith in the system but also those within the system. Another explanation given by the participants for not applying for a restraining order was that the victim believed one was not necessary because it wouldn't happen again, "I went to inquire about it and it was brought to my attention. At that time it was the roller coaster. Things would be okay so I would take it so wholeheartedly. There's so much hope there, you believe it will be okay". One participant also indicated that she did not apply for one because she was a victim twenty years ago and was not aware that they existed. Another participant responded that she wanted the offender at home with her and her children so a restraining order would not have been functional. The remaining participants could not indicate as to why they choose not to apply for a protective order.

### **Non-Aboriginal Participants**

As for the non-Aboriginal participants, four out of the six participants indicated that they did not utilize any medical services. The most common reason give for not seeking medical attention was that they did not perceive their injuries to be serious enough. One participant responded "It went away with ice and stuff. I know the fast ways to get rid of them, use tea bags for black eyes". One participant indicated she was too

embarrassed to seek medical attention. Another participant stated she felt she had to hide the abuse, "I basically tried to cover it up for a long time".

Three out of the six non-Aboriginal participants did not seek service from any social services, i.e.. crisis center, safe home, transition home. Two of those participants indicated they utilized their own informal support networks instead. One participant stated that "I had a safe place to go", while the other participant replied "I always went to my mom's or a friend's. I knew I wouldn't like it over there". The third participant tried to go to the crisis center but was refused on the basis of a mental illness, "Cause I can't get into one because I have multiple personality disorder which is crap. Mental health has been fighting them and so is my lawyer".

All of the six non-Aboriginal respondents had some form of involvement with the criminal justice system. One respondent did not contact the police as a direct result of domestic violence and that was because she "didn't think it was serious enough or it would be taken serious enough". However, this respondent did utilize the justice system in terms of filing for a restraining order. Only one respondent did not apply for a restraining order, peace bond, or non-molestation order. This respondent explained that she did not do so because "he moved out and the physical abuse stopped. The verbal abuse continued but I chose to ignore it". Two of the non-Aboriginal participants did not have any involvement with the criminal court system. One participant did not have involvement with the court system because her offender plead guilty to the charges. The other participant did not have any involvement with the criminal court system because no criminal charges were laid against her abuser.

### **C) Satisfaction with Mainstream Medical Services**

#### **Aboriginal Participants**

In terms of medical services, it was found that there was a high degree of satisfaction among Aboriginal participants with the medical attention they received. Eleven out of the sixteen Aboriginal participants who sought medical attention responded that their needs were met by the medical services they sought. Of those who were satisfied with the medical attention they received, six obtained service from a hospital, three from a nursing station, one from Manitoba Health and Family Service and one from a health center. The main reason given by the participants for their satisfaction was that the medical staff were emotionally supportive. One participant indicated that the staff "were compassionate. They were willing to help. They encouraged me to charge him, they said that if I didn't they would. It's more than once that I went over there and they were helpful every time". Another participant responded that "...the nurses that treated me were really understanding. I was comfortable in there". The words "compassionate", "helpful" and "sympathetic" were common in several of the responses regarding those who indicated they were satisfied with mainstream medical services.

Another common reason that participants gave for being satisfied with the medical attention they received was that they felt they received good medical attention. One participant responded, "I had a lot of one on one with the doctor and there was a nurse that he ordered to stay with me around the clock". Another participant indicated that the medical staff was "helpful cause they checked me out and everything, took pictures".

Some participants felt they were satisfied with the medical attention they received because they felt safe when at the medical facility. One participant replied that she was "very satisfied because they didn't allow my husband to come near me". Another participant indicated that she was satisfied because "...the nurses were just across the hall so I was always visible. I felt safe knowing the fact that they were close by".

The last reason given for satisfaction with mainstream medical services by Aboriginal participants was that they received some type of referral to other support services. One participant indicated that the doctor "sent one of the mental health workers and that really helped. That was when I became drug and alcohol free because of the help the doctor referred me to. That was my turning point". Another participant responded that "they were very helpful. They asked me what happened and I told them, they supported me, they told me I could go to the RCMP and charge him. They told me that they would forward my records to them if I wanted".

Further examination reveals that those participants who sought their medical attention from a hospital had a high degree of satisfaction because they were provided with emotional support, safety, good medical attention and a referral to other support services. Aboriginal participants who sought service from a nursing station indicated they were satisfied with the medical attention they received because they believed the nurses provided them with good medical attention and emotional support. The one participant who received her medical attention from a health center also felt that she received good medical attention, and the one participant who sought medical services from Health and Family Services felt she received both good medical services and emotional support.

There were five Aboriginal participants out of the sixteen who sought medical attention and were not satisfied with the medical services they received. For them the most common response for feeling that their needs weren't met by the medical attention they sought was that they did not get any referrals to other support services. One participant was disappointed because, "my doctor sent a letter to the nursing station recommending me for counseling and it was six to eight weeks before anything was done". One participant felt that "they (hospital staff) could have explained to me the different services available", while another participant was upset because she felt "he (the psychiatrist) could have did what I wanted him to do, to get a home placement. I could

have been educated and without having a large family and have a great job instead of living on social assistance".

Another participant's response revealed that the geographical isolation of the community played a factor in the inability of the medical resource to meet her needs. "They didn't help that much, I got transferred to Thompson. They just made arrangements for my transportation, that's it. In a way I'm glad they shipped me out of here. I just wanted to get away from here". Another reason given was that they did not receive any emotional support, "The nurses didn't seem helpful. They more or less made gestures saying I've got another one here attitude. They seemed too busy with other things and the compassion wasn't there. They said 'everything will be all right'". The last reason given for dissatisfaction with medical services was a lack of medical attention, "I went there after hours and the nurse wasn't too helpful, I don't know why, so I walked out. I didn't get any medical attention. I don't know why I didn't get any help".

When asked how their needs could have been better met by the medical staff, most respondents indicated that they would have liked a referral to other support services. Some of the suggestions include: "A closer follow up action is need, more monitoring", "they could have explained to me the different services available", and "they could have seen me or sent me to a referral or tell the police and at that time they didn't". Another participant indicated that she would have liked the medical staff to show more compassion, "...maybe take their time and treat each individual as an individual and not the next number coming in". One participant didn't feel there was any way for them to meet her medical needs because they "couldn't have taken my black eyes and bruises away".

### **Non-Aboriginal Participants**

For the non-Aboriginal participants, only two sought medical attention and only one of them indicated that her needs were met by the medical services she received. The

participant that was pleased with the service she received indicated that she was satisfied because she felt she received good medical attention and that she was familiar with the doctors, "In the hospital the doctors were good, they were all good. I knew most of the doctors. I knew the doctor on call and the other one was my regular physician".

There was one non-Aboriginal participant who felt that her needs were not met by the medical services she received because the staff was physically and emotionally insensitive. She described her experience as "...horrible. I got beaten very badly by my then husband, including getting kicked twice in the head. And when I went to the hospital the doctor who was the attending doctor clamped his hand down on top of my head in order to check my eyes. I wanted to nail him in the balls. The nurses were okay but for the doctor it was like 'oh well'".

#### **D) Satisfaction with Mainstream Social Services**

##### **Aboriginal Participants**

Of those Aboriginal participants who utilized a crisis center, transition home or safe home, 92% (N=11) felt that their needs were met by these mainstream agencies. The most common reason given for feeling satisfied with the service they received was because they felt the staff was supportive and empathetic. One participant stated that "There were people there who actually cared...In my experience they are highly beneficial but you are still not in your own home. But then you only focus on the problem so maybe that's good. They don't judge you and let you come back whenever you want. The one's I went to were very supportive there". Another participant felt that "they were fantastic". She further stated that "I was really upset. They were really good. They wanted me to move in right away but I was really leery of everybody and I wanted to be with my family. They just told me the door was open. The reassurance was there. I felt I had some control". One participant expressed "I liked the fact that I could go talk to them whenever.

I couldn't sleep when I first got there so they let me sit in their office until I could sleep. They helped me hide my car. They were nice. I made dream catchers there and they bought them. They gave me seven dollars, no one ever gave me that before". Other participants felt that they received good counseling services; "It was a good place to go, the only place to go for counseling" and "They made me feel at home and talked to me about my problems". Another participant also stated that "it made me open up to other people and to see myself, inside of me and all of the pain and suffering I went through".

One participant felt satisfied because of the guidance she received in terms of seeking other services, "they gave me some kind of direction to take, legal and where to go for assistance". Another participant felt her needs were met because "the ladies there were just always willing to listen and a lot of them shared their own experiences". The fact that there was a feeling of safety was also indicated by one participant as the reason for her satisfaction.

Two participants indicated that although their needs were met by the crisis center they were not satisfied with the service they received. Both explained that they were dissatisfied because they were not with their families. One participant expressed that "I just felt alone, maybe because I had no family there". The other participant indicated that "they are highly beneficial but you're still not in your own home".

Only one Aboriginal participant indicated that her needs were not met by the social services she received. She explained that her needs were not met because she was not around her established informal support network and that she did not receive the counseling services she would have liked, "...felt lonely in there. I don't know, nobody to talk to, if you wanted to talk to somebody they'd be busy. I just got dumped there and nobody bothered with me. I didn't get any counseling or anything". This respondent felt that her needs could have been better met if there were "more counselors to counsel women that need to talk".

## **Non-Aboriginal Participants**

For the non-Aboriginal participants, three responded that they used a crisis center, transition home or safe home. Of those three, two participants indicated that they were satisfied with the service they received. One participant responded that her needs were met because the staff was supportive and non-judgmental, and that she was with women in similar situations, "They didn't judge me, gave me the opportunity to express how I felt and connect with other women in a similar position. All my experiences with the crisis center were supportive. It was my god send. If the crisis center wouldn't have been there I don't know if I would have left. I probably wouldn't have". The other participant indicated that she also felt supported and that her needs were accommodated, "My doctor helped facilitate my entry into the crisis center, this was after I had sort of a breakdown, felt suicidal. Most of the staff were pretty accommodating...".

There was one non-Aboriginal participant who felt that her needs were not met by the social services she received. This participant explained that she felt this way due to a lack of counseling. "It was a shelter but there was no counseling or a person who would just listen to me about what I was experiencing at that time". This participant also expressed that her needs could have been met by "having a qualified counselor available at all times".

### ***E) Satisfaction with The RCMP***

#### **Aboriginal Participants**

Eighteen out of the twenty-one Aboriginal respondents who had involvement with the CJS as a result of being a victim of domestic violence had contact with the RCMP. Sixty-one percent of those Aboriginal participants who had involvement with the RCMP indicated that they felt their needs were met by the service the RCMP provided. The most common reason for their satisfaction is that they felt the officers who responded were

kind, helpful and compassionate. As one participant described her experience with the RCMP, "It was twenty years ago. They took me to the hospital, escorted me to the hospital...they were very helpful. They escorted me to the hospital, they made sure my kids were taken care of by one of my relatives. The RCMP told me to get out of the abuse, he told me I had better things to do, get myself educated and start my own life. At least there was some persons at that time who cared". Another participant indicated that her experience was "positive, they treated me nice, very helpful, they gave me a ride". Several of the other participants used the words helpful, kind, caring, and positive when describing their satisfaction and experience with the RCMP.

The second most common rationale given for satisfaction with the RCMP was that the RCMP took the offender into custody and/or pressed charges against the offender. Six Aboriginal participants indicated that they were satisfied with the service they received specifically because: "they apprehended him and put him in custody", "they picked him up, it was positive, he doesn't come anywhere near me", "took my common-law to jail to give me time to leave the community", "they arrested him and charged him, they were very helpful", "they charged him, they were pretty good", "he asked me what I wanted done and I told them to take him to jail and that's what he did. I thought they were very helpful".

Another explanation given for the high degree of satisfaction with the RCMP was that they provided Aboriginal domestic abuse victims with information and access to other supports. Two of the respondents indicated that their needs were met by the RCMP because they provided them safe transportation to medical services. Another participant felt that they met her needs because "they told me everything, restraining orders and everything". A few of the participants indicated that their needs were met by the RCMP simply by the RCMP responding to their calls. One participant stated that "They came right away when I called which was very unusual". Another participant stated that "It was good, they responded". The last reason given for why the RCMP met the needs of an

Aboriginal victim of abuse was "they removed me and my child from the home. They were useful by being concerned about our protection".

Seven out of the eighteen Aboriginal participants who were involved with the RCMP as a result of being a victim of domestic violence indicated that they felt their needs were not met by the police. Six out of those seven participants responded that the RCMP did not meet their needs because they showed no compassion or empathy towards the victim. This resulted in the participants feeling victimized by the RCMP. One participant stated that "they came over, took me in for questioning, asked me if I'd been drinking and told me all I had to do was open the door and leave, it was that simple, I didn't have to stay with him. It was usually a male officer attending, I never met a female officer during those times...Their attitude towards me, they made me feel like my life wasn't worth saving...they took me into questioning, took me out of my home and told him to sleep it off". Another participant explained "it was like I was the one, they were asking me questions like I was the abuser. He was drunk, had no license, he had my baby in the truck, he ran me over...I'll never forget that officer, he was so rude...When the female RCMP officer started coming around they were very helpful. I'd rather have a female...They just seemed like they didn't give a shit. After charging him so many times you think they'd have compassion by then, but it seemed like they didn't care. It seemed like they didn't believe me even though I had the bruises to prove it. That's the male cops, the females were very helpful". One participant described "they weren't too happy, they seemed upset with me. I felt like I was wasting my time. I felt rejected by them. I was confused, I thought why are they doing this to me, is it because I was a woman or native? I felt belittled by the police". Another participant felt like the RCMP were "not too helpful...It's like they said go back and get beaten up some more then come back and see us". These feelings were reinforced by another participant who described "it took them at least a day by the time they got here, I was more the accused than the abused...They spoke to him and pointed a finger at me and said it was my fault it happened".

Five of the Aboriginal participants indicated that their needs were not met by the RCMP because they did not ensure their safety. The victims indicated that their need for safety was often not met because the RCMP did not apprehend and/or charge the offender. One participant responded that the RCMP "took the guy into custody for eight hours...I guess they left it up to me to go my own way. I wasn't satisfied because the charges weren't laid and the guy still came after me. The only way I could get away is to get out of town. And it was physical and sexual abuse". Another participant stated that "In the end they didn't help me the way I wanted. They took me into questioning, took me out of my home and told him to sleep it off. They could have taken him away...". Another participant expressed her frustration with the RCMP, "well for one thing they didn't take him away. They just more or less took my statement and by that time I had charged him numerous times and they still didn't take him away".

Another common reason given for the RCMP not meeting the needs of Aboriginal victims of domestic abuse was that the RCMP did not give the victims any information on or a referral to other mainstream services. Another explanation given for the RCMP failing to meet their needs was that their response time was too slow. One participant indicated that it took them a day to respond to her call. Another participant described how their slow response time resulted in getting herself arrested, "he kicked me out and I kicked the door and the cops seen me so they took me to jail. I was trying to explain my side and they didn't give a hoot. They made me feel shitty about phoning. They didn't get there fast enough so I took off". Most of the respondents had the same feelings about why the RCMP didn't meet their needs: lack of compassion, victimizing the victim, slow response time, lack of action taken against the offender and removing the victim from the home instead of the offender.

When asked what the RCMP could have done to meet their needs, four of the participants responded that they would have like to receive information on and/or a referral to other support services. One participant indicated that her needs would have

been met "if they would have put me in a safe home, somewhere I could feel safe. I didn't know anything about restraining orders, they didn't explain anything to me". Another participant believed that "they could have offered me safety by saying 'you could go to the shelter, do you have a safe place to go?' but that's not what they did". This woman's feelings were reiterated by another participant who felt the RCMP could have "maybe taken me to the crisis center, help me, tell me how to get my son out of the house". Another participant would have also appreciated if the RCMP "would have at least talked to my ex-husband and make sure my kids and I were safe". Other ways the RCMP could have met the needs of these victims would have been to show more compassion and empathy for the participants, laid charges against the offender, and not have treated the victim like she was the one who committed an assault.

### **Non-Aboriginal Participants**

There were five non-Aboriginal participants who indicated they were involved with the RCMP as a result of being a victim of domestic violence. Of those five participants, three indicated that their needs were not met by the RCMP. One participant responded that her needs were not met by the RCMP because she felt that they were not trained to deal with domestic violence and therefore didn't understand what she was going through, and that they took her into custody instead of the offender, "I think that police officers are woefully inadequately trained to work with the victims of domestic abuse. They know how to arrest the perpetrators, slap them on the hand and stick them in a jail cell, but when it comes to the victim they have no idea how to deal with the emotional, mental and psychological turmoil and devastation that results from months and years of abuse....when I was feeling suicidal after my abusive husband had been taken away, the RCMP's response to my crisis was to slap a pair of hand cuffs on me and stick me in a jail cell. They had no understanding of how to talk to somebody, especially someone who was just out of an abusive relationship so they incarcerated me".

The two other non-Aboriginal participants indicated that their needs were not met by the RCMP because the police did not take legal action against the offender. One of them stated that "they (RCMP) took a statement from me and my son and removed him (the abuser) and the gun from the home and kept him away for five hours and then let him come back... They phoned me and told me the reason they had to let him out was that they couldn't get a magistrate out at that hour...he wasn't kept away from the house". The other participant also expressed the same reason for her dissatisfaction but also stated that she believes the RCMP were chauvinistic, "They basically said that there was nothing that they could do except talk to us. But if they had to come back that day someone would have to leave. This is before zero-tolerance. They did not want to get involved in a family dispute. That's what they said. I had a male chauvinist cop. He had something against women. My abuser was at least twice the size of me. I had two kids in that house and I was told by them that I should do as he says".

In response to the question of how the RCMP could have provided better service to meet her needs, one non-Aboriginal participant indicated she would have liked them to be more compassionate and understanding, "They should have been willing to have one officer sit down and talk to me and the other three burly officers leave the room, and find out why I was so depressed and this kind of thing". Another participant stated she would have been more satisfied if they would have removed the offender, "They could have removed him various times and at that time they could have forced him to take counseling but instead of that taking place they were always in agreement with what he said". The last non-Aboriginal participant who felt her needs were not met by the RCMP expressed that they could have met her needs by holding the offender in custody.

One non-Aboriginal participant expressed that her needs were met by the RCMP but she was not satisfied with the service she received because they were unsupportive, provided no referral or informational service and did not provide any follow-up service, "The police responded to my call because there was a peace bond under a separation

agreement on the condition my ex stay away from me. They responded to that and the assault. They questioned me and examined me but failed to take a picture. The police are very poor at following up. They did not inform me whether my estranged husband was guilty. They did not contact me. They did refer me to victim services and I had one contact with that department but no one supported me in court. I had asked for someone to accompany me but no one did".

#### ***F) Satisfaction with the Nelson House Band Constables***

Six out of the twenty-one Aboriginal participants who were involved with the Criminal Justice System as a result of being a victim of domestic violence were involved with the Nelson House Band Constables. Only one participant indicated that their needs were met by the local police. She stated that "they took me to the nursing station, contacted the RCMP and took my statement. They took care of me. They kept me there until they apprehended him...They were supportive, very caring. They didn't make me feel like I was being victimized again. I didn't feel like it was my fault". This participant felt satisfied with the service she received because they referred and provided her with the opportunity to access other services, they were supportive of her and for the simple fact that he was apprehended.

Five out of the six Aboriginal participants who were involved with the local Nelson House constables felt that their needs were not met by this agency. The most common reason for their dissatisfaction was that the offender was not taken into custody. One participant stated that "They were too slow to respond and didn't take the guy away. They just told him to go to bed. They didn't do anything, told him to get out of the house. They could have taken him and put him in jail". The effect that political and community ties within reserve communities had on the treatment of both victims and offenders of domestic violence was also illustrated. One participant described, "They were too scared to do anything because they didn't feel that they had much authority so they didn't take

him out of the house. They felt they didn't have the right to throw him out even though it was my grandfather's house. Although I told them he was beating me they still didn't do anything. They weren't that helpful because they were scared. They kept saying they didn't have the authority. I mean what the hell are they here for if they can't do anything". Another participant also expressed similar feelings, "They came by an hour and a half later and they just filed a complaint with the RCMP. It was not good. They were treating the abuser more like the victim than I was. I was asking him to remove my abuser because I had an order against him and he wanted to see it and was acting all buddy-buddy with my abuser".

Another common complaint about the local police was that they didn't respond to the victim's call. One participant described, "I used to call Thompson and they'd come from there...They (Nelson House Band Constables) didn't respond to my calls when I needed them the most. I guess it's because they were afraid of my husband". This response is also another illustration of the effects of close community ties on domestic violence. Another participant stated that it took them three days to respond to her call for assistance.

Some participants indicated that their needs were not met because of a lack of compassion and empathy on behalf of the band constables. One participant felt that "the locals didn't give a shit, they didn't seem to care. To them it was 'so he didn't kill you, you're still alive'". Another participant stated, "I've seen them taking better care of drunks than of women who have been beaten up".

Two of the Aboriginal participants indicated they were unsatisfied with the service they received from the local band constables because they ended up being brought into custody. One participant explained that "I ended up in jail because all of my anger built up and I physically harmed him. I mean why did they put me in jail. I thought that wasn't fair". The other participant described that "I tried to press charges and they took me and apprehended me instead, put me in jail for eight hours here in Nelson House and he was

free. Another time I tried to help my friend who was being abused and the police took us instead and let that man go. I think that the local police are scared of the men and just take the women".

When asked how the local police could meet the needs of victims of domestic abuse in the community, three main responses were given: they could take the offender into custody, they could be more supportive and empathetic, and they could respond sooner and more regularly.

#### ***G) Effectiveness of Restraining Orders, Peace Bonds and Non-molestation Orders***

##### **Aboriginal Participants**

Ten out of the twenty-one Aboriginal participants who had involvement with the Criminal Justice System applied for a restraining order, peace bond or non-molestation order. Two of those participants did not have an order granted against their abuser and did not know the reason why the order was not granted. Of the eight participants who did have an order granted, half of them (N=4) found the order to be effective and the other half found the order to be ineffective. Two of those participants did not feel the order was effective because the police never enforced it. One participant stated that "they gave me a peace bond but they also gave him visiting rights so he'd come to the door anyways. Even after I used to leave he'd still stalk me and I don't think they ever came". The other participant described "it was just a piece of paper. It couldn't help you if he bothered you again, he could just say you let him in the house and automatically they told you it was void. And usually they asked to see it if you called the police so it was something that you had to have on you all of the time". Another participant recognized that she was partly to blame for it being ineffective because she wanted to still be involved with the offender, "it became bothersome when he was sober and I wanted to see him so I lifted it up. I regretted lifting it up though when he started drinking again and then it was back to court".

The last participant who felt the order was ineffective described that her offender just never followed it and therefore the abuse never stopped.

### **Non-Aboriginal Participants**

Five of the non-Aboriginal participants who had involvement with the Criminal Justice System as a result of being a victim of domestic abuse filed for a restraining order, peace bond or non-molestation order. Of those five participants, four of them found the restraining order to be ineffective. The most common reason for finding the restraining orders to be ineffective was that the offender didn't take it seriously and the police were not able to enforce it. One participant felt that "all you've got is a piece of paper that says that he's not supposed to come near you, bother you, phone you. But they do so anyway and even if you do manage to get to call the cops he's gone by the time they arrive. And what can they do, lock up fresh air?". Another women stated "My estranged husband saw it as nothing more than a piece of paper". Another participant described "he usually takes off, they can't find him and they don't do anything. That's the part of cops I don't like, if they don't do anything. If you don't let them in (the abuser) when they come to the door. they kick it in and then you have to pay".

Some participants blamed themselves for the order not being effective. One participant responded "it would be effective if I would have enforced it. I don't believe women are aware that they have to phone the police". Another women stated it wasn't effective "because of my actions. I still let him in my apartment. I still accepted calls out of fear. It was only a piece of paper. I didn't really know if it would really be enforced. It was easier to give in in those cases than to call the police because the consequences then could have been more violent". This participant's response also indicates that not only was she still very fearful of her abuser, but also that she didn't trust the justice system to protect her.

## **H) Satisfaction with the Criminal Justice Court System**

### **Aboriginal Participants**

Out of the twenty-one Aboriginal participants who had involvement with the Criminal Justice System, eleven were involved with the court system. Six (55%) of those participants felt their needs were met by the court system. One participant felt her needs were met because they kept her well informed and were persistent against the offender. She described the court system as helpful because, "they told me what would happen, wouldn't let me drop the charges even though my common-law wanted me to. They told me it was the police who pressed the charges not me so I couldn't". Another participant described that "it was scary. I didn't have a lawyer to begin with. I was so naive. I didn't have a lawyer, no support. That was the first time. The last time I had more support. It was more relaxing and I had a lawyer too". This participant expresses that the difference between having her needs met and not having her needs met is being knowledgeable about the system and feeling supported by the employees of the system. One participant expressed satisfaction because she felt the system was fair and just, "...I sat in there and they asked me questions very calmly. I didn't see that they were one sided or anything". Another woman expressed gratitude to the court system as she felt it was what stopped the abuse, "I was satisfied because I guess you could say if it wasn't for the courts my husband would still be abusing me physically".

Five (45%) of the Aboriginal participants who were involved with the court system did not feel it met their needs. All of these participants were disappointed in the court system because they felt they were too lenient with the offenders. One participant adamantly stated "When all he got was a thirty-five dollar fine for slapping me I was very angry. It was just a slap on the wrist. It encouraged him to do it again". Another participant explained "The minute he said he was drinking he was given more leniency. He was given the standard talk 'don't hit her, go to treatment and I don't want to see you

here again". One participant expressed her frustration as "I charged him so many times, time and time again and he just got probation. The judge told him the next time he would be in jail so that reassured me a little but still he should have been told that a long time ago. Maybe he would have learned his lesson then". Another participant felt disappointed because, "there was nothing done to stop the abuser. They just told him not to do it again and then the next time it was worse". Another woman described the court system as being "...pretty lenient. I felt worthless. I feel like the guy didn't get enough punishment".

Two of the Aboriginal participants indicated they were not satisfied with the court system because of the lack of cultural awareness. One participant stated that "I felt they were saying that as a native woman I should have been tough and I was wasting their time". Another participant stated that "I'm hearing of people in Thompson, men that have been thrown in jail. It makes you feel like there is double standards. They have a law in place and they should follow it. Just because you're on a reserve doesn't mean anything". One of the participants felt the court system did not meet her needs because it made her feel uncomfortable and she found it degrading, "They were cold people...When I dropped the charges the judge had a fit with me. By the time I left his chambers I wanted to go and commit suicide". Only one participant indicated that her dissatisfaction stemmed from the fact that it was a circuit court system, "To me it was just like a play, it wasn't real because it didn't do nothing. I didn't have time to talk to my lawyer because they just come in for the day. That's why it didn't seem real. Maybe that's why people don't take the law seriously because it doesn't seem real. They should actually do it in a court not in a little room like this".

When asked how the court system could have better met their needs, several of the respondents replied that they would have liked stiffer penalties for their offenders. One respondent stated "I'd like to see a stiffer fine, more than just a slap on the wrist". Another respondent replied "after charging him so many times you think they'd at least take him to jail for seven days". Three of the respondents made it clear that their needs would have

been better met if the court system was more culturally aware and sensitive. One of these respondents stated "I think they could have been more aware of domestic abuse and more aware of the culture. It felt like the court system dealt with us from a middle class point of view. They may not have seen the poverty or abuse". Another respondent replied "I felt that they were saying that as a native woman I should have been tough and I was wasting their time".

One of the Aboriginal participants indicated that her needs were met by the court system but yet she was not satisfied with the service she received. She described her court experience as "...scary because I had to keep on repeating the same thing over and over again. We were supposed to go to trial and I never showed up because I was scared to go. scared of my abuser, but they already had everything down so it didn't matter if I showed up or not".

### **Non-Aboriginal Participants**

Of the six non-Aboriginal participants, four had involvement with the court system. Three of those respondents felt their needs were not met by the court system. The most common reason given for the dissatisfaction was that the court system was too lenient on the offender. One participant stated that the "punishment doesn't fit the crime either, everybody knows that". The other participant stated that her experience was "not very good considering that nothing happened to him. And an apology to the judge and a \$700 lawyer bill did me no good". Another reason for the court system not meeting their needs was that the respondent had no knowledge of the court process, "I left the courtroom totally confused and upset. They did not inform me of my responsibility with the non-molestation order. They did not prepare me for the accusations from the defending lawyer, and they definitely did not have any effect on my estranged husband". That same participant also complained that they used her fifteen year old daughter as a witness. The last reason given for dissatisfaction with the court system was that the court

process was too long, "They drag it on so long...It's been about seven months already and it's still going on".

The non-Aboriginal participants also felt their needs would have been better met by the court system if there would have been stronger penalties for the offenders. One of the participants also indicated her needs would have been better met if the court system would have provided more information regarding the court procedures.

#### *I) Overall Effectiveness of the Criminal Justice System*

##### **Aboriginal Participants**

Fifty-two percent (11) of the Aboriginal participants found the criminal justice system to be ineffective in providing service to victims of domestic violence. One of the most common reasons given was that the justice system did not provide help or protection to the victim. One respondent indicated that "they didn't really help me. I was helping him as usual. I was helping myself to run and get out of there. But when you run you sacrifice something and I sacrificed ever seeing my son again". Another participant stated "the only person that really helped me was the legal aid lawyer to get my divorce". The most vivid explanation of this feeling is illustrated by the response of this participant, "I felt that they should have protected me and my children because it got to a point where he was going to shoot us after they let us go. I don't know what happened, the gun went off and I walked away, and then it was over".

Another one of the most common reasons given for finding the CJS to be ineffective was that it is too lenient on the offender. One respondent stated "I believe that guy should be behind bars". Another participant agreed with her and went on to further explain the effects that the most common punishment (financial fines) has on the families, "I don't like the fine, I felt that he should have been in jail. If he gets a fine, it affects the family if we live off his paycheck". One participant explained she found the CJS to be

ineffective "because the person was never charged. At that time I would have liked him to be charged".

One participant felt the CJS was ineffective because "they don't care, they're not in the same situation, they can't sympathize". Another Aboriginal participant found the system to be insufficient because she perceived it to be patriarchal, "...everyone in there was male. It seemed patriarchal and I just didn't feel comfortable in there".

### **Non-Aboriginal Participants**

Five out of the six non-Aboriginal participants who were involved with the CJS found the system to be ineffective in helping them. One participant indicated it had not helped her because her involvement was not over yet. Another participant felt victimized by the justice system, "First of all I went through four lawyers under legal aid within three years...the last lawyer I had, I think he took advantage of me. He did not represent me fairly and he also basically tried to pursue a relationship with me. And I feel like a victim of the legal system because of court, because of the law that was in place and because of lawyers". One participant feels it didn't help her because the abuse never stopped, "It didn't benefit me at all. Removing him from the house, having him charged, police being at my house various times knowing what's going on it still didn't solve the problem". Another woman indicated she found the CJS to fail her because "they let him go scott free and they didn't put any protection up for my children". The last reason given for not finding the CJS effective was that the victim was unaware of the services of the CJS and that the system was not sympathetic to her situation, "I wasn't really aware of what it could do for me. Also when you hear of other people's cases going on now where it discourages you from using the system. I found the police officers I had to deal with very insensitive, naive with a 'these things don't happen', blind to the fact, 'why didn't you leave' attitude".

## **J) Recommendations to the Criminal Justice System**

### **Aboriginal Participants**

The most common recommendation to the CJS by the Aboriginal participants was that it should offer some treatment for the offender. Three of the participants indicated that the system needs to provide more information to the victims. One participant stated that "they should tell them about molestation orders and stuff like that, actions they can take, direct them". Another participant recommended that "the crown attorney, if you don't have a lawyer of your own, should talk to you prior to your case. They should explain to you who's going to be in the room". Another Aboriginal participant recommended the system provide more referral services, "tell the people, recommend to the people the appropriate resources like crisis center, counseling".

Another common recommendation to the CJS by Aboriginal participants was that not only did the dispositions for the offenders need to be more severe, but also that they be more consistent. One participant stated that the CJS needs to have "stiffer sentencing or more consistent. None of this double standard bit. It seems to be stiffer in Thompson. It's got nothing to do with tradition or culture. I see it as a man/woman thing. I think the same thing as when the man is abused". Another respondent replied "they should take more action because some women are afraid to say anything and some don't because they know it won't do any good. Some women are being killed and do they do anything? Something needs to be set up so they can be incarcerated instead of probation. Of course they'll do it again if it's just probation. They should have threatened him with jail right away instead of letting me go through all that. I could have killed him, is that what they're waiting for? All that anger built up, I was angry at the justice system, at the RCMP, at the abuser".

Several other recommendations were given by the Aboriginal participants to improve the criminal justice system's ability to meet the needs of victims of domestic

violence. One participant recommended that the circuit court system needs to be improved. Another participant felt that the system needs to be supportive and empathetic. "They need to have people like you, they need to really listen to real life situations. It's not just a one-sided thing. It's not something you can treat like cancer. Just reaching out to women and listening is helpful for those who want to share. They need to learn it's not cultural. That it happens to people from all cultures". An additional recommendation was that the court process needs to be accelerated, "for them to do their paper work a lot faster, I could be six feet under in three months". The last recommendation made by an Aboriginal participant was that charges of domestic violence need to be taken more seriously, "I think that they should believe that there is really, that the men are really violent. I feel that they don't think it's so violent. It should be investigated more and look to the mental state of the abuser. The women on reserve should be protected, it happens late at night when you have no access to help, you're trapped".

### **Non-Aboriginal Participants**

The non-Aboriginal participants made five recommendations to the CJS. The most common was that it needed to provide more emotional and informational support to the victims of domestic violence. One participant recommended that "...a lay person with experience and knowledge should be available for victims of domestic abuse. That person can advise and direct someone better than a lawyer or police officer. These people enforce the law but neglect to see that a person is aware of their rights and responsibilities". Another participant recognized that there is some support offered, "I think Victim Services/Women's Advocacy is good, someone to work primarily with the women. There's someone there to support the women through a very foreign process".

Another common recommendation by the non-Aboriginal participants was that the CJS needs to take on the responsibility for holding the accused offender from the time of being charged until his court appearance. One participant suggested that the "abusers are

sentenced right away before they are released", while another one recommended "that the abuser be kept in jail until it goes to trial or court". One participant strongly believes that "when the judge tells the abuser to seek counseling it has to be enforced. It really has to be pushed that this person seeks treatment. My theory is don't seek treatment for me because there'll always be a next time. Zero-tolerance is not going to stop anything unless people carry it further". The last recommendation made by a non-Aboriginal participant was that there needs to be more training for the RCMP. She stated that the CJS needs to "educate the middle men, the RCMP, because right now they don't know their asses from a hole in the ground. You train them properly and you might get more women calling for help and you might see more charges being laid and less women being killed. Basically the RCMP make or remake victims out of the women again. I mean like after they've already been abused and the RCMP go on their little power trips and it's no wonder that women don't trust the RCMP to act in their defense. It's like the good old boys club".

#### ***K) The Nelson House First Nation O-Tha-So-We Justice Committee***

None of the Aboriginal respondents from the community of Nelson House responded that they had any involvement with the local justice committee. One of the participants when asked if she had ever been involved with the Justice committee responded "I'm not aware of it. They keep it as a family thing. I don't know anything about it, I don't know what it is there for. I haven't heard of it helping anyone, it's just another committee".

It is surprising that none of the Aboriginal respondents had any involvement with the Justice Committee. The most likely explanation for this discovery is that at the time the research was being conducted the Justice Committee was in the beginning stages of its foundation. The constitution for the Justice Committee was established in 1991 but committee members informed the researcher that the Justice committee was still in its trial and error phase and that formal operations were still being decided and instituted.

## **Chapter 6: DISCUSSION OF RESULTS AND FINDINGS**

### ***A) Introduction***

Past researchers and theorists have argued that mainstream institutions have not been able to effectively serve the Aboriginal population and are incapable of meeting their service needs. In particular, it has been maintained that in respect to Aboriginal victims of domestic violence, medical, social and criminal justice services have not been meeting the needs of their Aboriginal consumers. One of the main theoretical arguments claims that mainstream institutions are not effectively meeting the needs of Aboriginal victims of domestic abuse because their mandates are culturally irrelevant and are inconsistent with traditional Aboriginal beliefs, values and customs. This research attempted to examine this theoretical argument by looking at the rate of utilization of mainstream services by Aboriginal victims of domestic violence and the ability of mainstream services to meet their needs.

### ***B) Utilization of Mainstream Services***

In terms of the utilization of mainstream services, it was mentioned previously that past researchers maintained that Aboriginal victims of domestic violence have low rates of using mainstream services. It has been argued that the Aboriginal population is geographically and informationally isolated from mainstream services for victims of domestic violence. They are not made aware of their human and legal rights and do not have any information on the services within and outside their communities. They are also faced with language barriers when attempting to access support services. It is maintained that the majority of services are located outside their home communities and therefore, they are faced with the physical and financial challenges of accessing these services. They must locate and fund transportation to these services which entails leaving behind their informal support networks. Once they have accessed these services, they are faced

with the decision of whether or not to relocate which brings upon more physical and financial challenges. If they choose to return to their home communities they encounter the barriers of lack of housing and over crowding which often facilitates the decision to return to their abuser. The strongest argument against that speaks to the reluctance of Aboriginal people to utilize mainstream services is that the agencies are culturally insensitive and incompatible with Aboriginal people. Mainstream institutions are maintained to be individualistic and foreign to Aboriginal people and therefore they are resistance to utilize these services for fear of alienation.

The Nova Scotia Native Women's Association (1985) found that most Aboriginal victims of domestic violence were reluctant to use the existing social services off the reserve because of physical, cultural and informational isolation. Riddell and Doxtator (1986) found in their research that only 22% of their sample ever used any of the mainstream services locally provided to them. The main reason given for non-utilization of services was also that the respondents felt physically, informationally and culturally isolated from mainstream services. The Ontario Women's Native Association found in their research that although 80 % of respondents indicated they experienced family violence, only 48 % reported to an agency. They also found that their respondents were reluctant to use the CJS because they did not believe it was trustworthy and that is was culturally irrelevant. The Aboriginal Justice Inquiry (1991) found that Aboriginal victims of domestic violence were reluctant to turn to the CJS for service because they saw the CJS as a mistrustful, imposed and foreign system, and that their experience with police in the past led them to believe they were not taken seriously.

However, this research found that the majority of Aboriginal participants utilized some form of mainstream services for victims of domestic violence. Sixty-four percent of the Aboriginal participants accessed medical services as a result of being a victim of domestic violence, forty-eight percent accessed a crisis center, transition home or safe home, and eighty-four percent sought service from the Criminal Justice System. The high

number of Aboriginal participants who accessed some form of mainstream service is not congruent with past research. It is necessary to note that the lowest rate of access is for a crisis center, safe home or transition home. The community of Nelson House does not provide this resource for its community members and therefore to access this service, residents must travel to Thompson, Manitoba which is forty-five minutes away but is accessible by road. One possible explanation that the participants are physically and geographically isolated from this service and therefore utilize it less. This explanation may be confirmed by examining the reasons given for not accessing mainstream services. Medical and criminal justice services can be accessed within the community which may explain the higher rates of utilization. A thorough examination of the reasons given for not utilizing mainstream services is necessary.

Of the thirty-six percent of participants who did not utilize any form of medical service, four main reasons were given for their decision: the victim did not perceive her injuries to be serious enough, the victim was not able to access the service due to a lack of support, the victim received medical attention from her informal support network, and the victim was too embarrassed to let others know in the community she was being abused. Fifty-two percent of the participants did not access a crisis center, safe home or transition home as a result of being a victim of domestic violence. The most common reason given for this non-utilization was that the service was not available in the community and therefore they would have to leave their informal support network to do so. The second most common reason for not using the safety of a crisis center or safe home was that they did not have the information on the resource or how to access it. Other explanations were that they did not think that they would feel comfortable there, they did not trust that it was safe, and that there was no need to go to that service because they remained in the relationship. The reasons given for not accessing a crisis center, safe home or transition home provide strength to the past arguments that Aboriginal participants are not utilizing these services because of physical and informational isolation.

Four reasons were given for not accessing the criminal justice system as a result of being a victim of domestic violence: the abuse occurred several years ago when there were no services for domestic violence, the participants ended the relationship and did not think the abuse was serious enough to report, they were committed to their abuser and did want him to be punished, and they had a lack of faith in the system. These results demonstrate that only one of the expected variables, trust and faith in mainstream institutions, was found as a reason for Aboriginal participants not utilizing the CJS. All of the participants who were involved with the criminal justice system were involved with the police. Of those participants who were not involved with the court system, three reasons were given for the lack of involvement: charges were not laid, charges were dropped, and the offender pled guilty. Forty-eight percent of the respondents who were involved with the CJS did not apply for a restraining order, peace bond or non-molestation order. The main reason given for this decision was informational isolation on this service and the second most common reason was a lack of trust and faith in this avenue of mainstream services. Other explanations given were that they did not believe it would happen again and that they were committed to their abusive partner.

It appears that this research fails to support the theoretical argument that Aboriginal people are not utilizing mainstream services because of different philosophical and cultural mandates. Not only did the majority of participants utilize some form of mainstream services, but when one examines the reasons why mainstream services were not accessed few cultural explanations arise. This research does support some previous findings in that the participants indicated they did not access mainstream services due to physical and informational isolation. There is some weak support for the theoretical argument as some respondents did indicate they did not utilize social or criminal justice services because they did not believe they were effective and in general did not trust the services.

To further support these findings, when one compares the responses of the Aboriginal and non-Aboriginal participants some similarities arise. The non-Aboriginal participants replied they also did not access medical attention because they did not think their injuries were serious enough and they were embarrassed to do so. They were also reluctant to utilize the CJS because they did not think they would be taken seriously and did not believe the system would help them. It appears that non-Aboriginal participants as well as Aboriginal participants do not have trust or faith in mainstream institutions and therefore it is impossible to argue that Aboriginal women do not trust mainstream services because of cultural differences. It would make more sense to argue that mainstream services are not trusted because of a reputation of being ineffective at helping victims of domestic violence.

### ***C) Satisfaction with Mainstream Medical and Social Services***

Past literature and research on Aboriginal victims of domestic violence argues that Aboriginal women are not satisfied with mainstream medical and social services. Part of this dissatisfaction is based on the fact that Aboriginal women often have to leave their communities to access these services. The strongest argument has been that mainstream services have culturally inappropriate mandates. It has been maintained that mainstream institutions take an individualistic and often white middle-class feminist approach which advocates women to leave their partners and utilize the punitive measures of the CJS. It is further argued that mainstream services are ineffective because of the low Aboriginal representation within these institutions and lack of counseling for both the victims and the offenders. Riddell and Doxtator (1986) found that Aboriginal women are not satisfied with mainstream services because they are not comfortable with non-Aboriginal counselors and service providers. The Ontario Women's Native Association (1990) argued that mainstream shelter services are inadequate not only because the services are scarce but also because there is little cultural awareness and the service providers did not

speak the Aboriginal language. Their respondents indicated that they did not open up to the service providers because of cultural differences and feelings of alienation.

Of the Aboriginal participants in this research who accessed medical attention as a result of being a victim of domestic violence, sixty-nine percent of the respondents indicated they were satisfied with the service they received. Their satisfaction was as a result of the emotional support they received, the good medical attention they were given, the safety it provided and receiving a referral to other services. This result does not support previous research and literature that argues that Aboriginal women are not satisfied with the mainstream services they receive.

When one examines the responses of the Aboriginal participants who were not satisfied with the medical service they received, four main reasons are given for their dissatisfaction: they did not receive a referral to other services, they were geographically isolated from the proper medical attention, they did not receive the emotional support they wanted, they did not receive what they considered good medical attention. These participants recommended that in order for medical services to meet their needs they should provide referrals to other services and show emotional support. There was no mention of cultural inconsideration or language barriers as the reason for not being satisfied with mainstream medical services. The non-Aboriginal participants who were not satisfied with the medical attention they received also indicated that they felt the staff was emotionally insensitive.

These results do not offer any support for the argument that mainstream institutions are not meeting the needs of Aboriginal victims of domestic violence because of different cultural mandates and approaches. However, it must be noted that some of the Aboriginal participants sought medical attention in their own communities from the nursing station or health center and that these services are often staffed with Aboriginal service providers. This staffing could help the Aboriginal victims to feel more comfortable with the institution and the service they received. This would need to be

examined in future research before one could conclude that this contributed to the level of satisfaction with Aboriginal victims.

In terms of social services, this research found that 92% of its Aboriginal participants who accessed a crisis center, transition home or safe home were satisfied with the service they received. They replied that they found the staff to be supportive and empathetic, they received guidance in seeking other services and they felt safe. Only one participant replied that her needs were met by the crisis center but she was not satisfied with the service she received because she had to leave her community and her family. It was also found that the majority of non-Aboriginal participants who accessed a crisis center or safe home were satisfied with the service they received and for some of the same reasons being that the staff were supportive and non-judgmental.

Only one Aboriginal and one non-Aboriginal participant indicated their needs were not met by the mainstream social service. The Aboriginal respondent indicated that she was not satisfied with the service she received because she was physically isolated from her informal support network and she did not feel she received any counseling while there. Similarly the non-Aboriginal respondent indicated her needs were not met because there was a lack of qualified counselors at the facility.

Once again these results do not lend strength to the findings of previous research and arguments of past literature. There is no evidence that Aboriginal women who utilize mainstream crisis center, safe homes or transition homes are dissatisfied with the service they received because of a lack of cultural understanding or cultural appropriateness. In fact, this research found that a large majority of the Aboriginal participants were satisfied with the service they received from these mainstream institutions. However, this research did confirm that some Aboriginal women do feel isolated from their families as a result of having to seek service out of their community. It must be noted that a large number of participants who accessed these social services did so in Thompson. The Thompson Crisis Center and Northwin Transition Home have incorporated Aboriginal cultural

philosophies and practices into their service provision. They also try to employ Aboriginal staff when at all possible. This could have contributed to the high level of satisfaction indicated by the participants but further research on this issue must be done before this argument is conclusive.

#### ***D) Satisfaction with the Criminal Justice System***

Past research and literature on Aboriginal people and the CJS have argued that the CJS is incapable of meeting the needs of Aboriginal victims of domestic violence. The Ontario Native Women's Association (1989) asserted that the CJS did not meet the needs of its respondents because it is culturally irrelevant. The Aboriginal Justice Inquiry (1991) maintained that the CJS was not meeting the needs of Aboriginal women because it is a imposed and foreign system. It further argued that it was ineffective in dealing with domestic violence in Aboriginal communities because it does not deal with the cause of the abuse and it is informationally and emotionally unsupportive to the victims. Theoretically it has been maintained the CJS is incapable of serving Aboriginal people sufficiently because it is culturally inappropriate and is insensitive to the traditions and values of Aboriginal people. This argument is based on the differences in traditional Aboriginal and non-Aboriginal perceptions of justice, particularly in the area of reconciliation vs. punishment. It is also maintained that the CJS is ineffective for the Aboriginal population because of existing language barriers, under-representation of Aboriginal workers and a lack of healing services for victims and offenders.

Overall, fifty-two percent of the Aboriginal participants in this study found the Criminal Justice System to be ineffective. However, none of these participants indicated that this ineffectiveness is based on the fact that it is a non-Aboriginal institution or that the CJS is culturally inappropriate. The most common reason given for finding the CJS to be ineffective was that it did not provide help or safety to the victim. Another strong reason given for the dissatisfaction with the CJS was that it was too lenient on the

offender. Several of the Aboriginal participants indicated they wanted their offenders to be punished more severely in terms of jail time. This is contradictory to the theoretical argument that claims Aboriginal people are not satisfied with the CJS because of its punitive focus. This research indicates that Aboriginal victims of domestic violence felt that the main downfall of the CJS is that it is not punitive enough. Other reasons given by the Aboriginal participants for finding the CJS ineffective were that there was a lack of empathy for victims of domestic violence in the system which partially stems from the patriarchal nature of the system. A large majority of the non-Aboriginal participants also indicated that they felt the CJS was ineffective. Their reasons for finding the CJS to be insufficient were similar to those of the Aboriginal participants. They felt victimized by the system and found it did not protect them due to leniency on the offender. They also felt that they were not aware of all the services the system could offer them. It appears from this research that women who are victims of domestic violence, whether Aboriginal or non-Aboriginal, are not satisfied with the CJS because they do not feel that it protects them from their abuser by being too lenient on the offenders.

In regards to the RCMP, sixty-one percent of the Aboriginal participants in this research felt that their needs were met by the police. The most common reason for feeling this way was that they RCMP were compassionate and invaluable in providing them with safety from their abuser, this often included taking the offender into custody and pressing charges against him. Other popular reasons given were that the RCMP provided information and access to other services such as transportation to medical services and information on restraining orders. These results are contrary to the findings and arguments of past research as it would be expected that the majority of Aboriginal participants would not be satisfied with the service they received from the RCMP. To further examine the previous arguments, the results of those participants who weren't satisfied with the RCMP must be examined. Thirty-nine percent of the Aboriginal participants responded that their needs were not met by the RCMP. The two most

prevalent explanations given for dissatisfaction with the RCMP were that the officers showed no compassion or empathy and made the victims feel victimized, and that they did not ensure their safety by apprehending or charging the offender. It is interesting to note compassion and empathy, and penalizing the offender appear to be key in the rate of satisfaction with the RCMP. Another reason given for dissatisfaction with the RCMP was that they did not provide any information on or a referral to other mainstream services. Again, the information and referral process to other services appears to be a main factor in the satisfaction of service received from the RCMP. When one examines how the Aboriginal participants feel the RCMP could have served them better three main reasons are given: the RCMP could have provided information and a referral to other support service, they could have shown more understanding and concern, and they could have laid charges against their offender. These recommendations strengthen the previous observations that there seems to be three main variables to satisfaction with the RCMP: information and referrals to other services, compassion and understanding to the victim and punitive measures against the offender. A subsequent look at the results of non-Aboriginal satisfaction with the RCMP provides additional strength to this argument. The majority of non-Aboriginal participants who were involved with the RCMP did not feel their needs were met by the RCMP because the officers showed no empathy and did not protect them by laying criminal charges against their offenders. They recommended that the RCMP be more understanding and hold the offender in custody. One participant indicated that her needs were met by the RCMP but she was not satisfied with the service she received because although the RCMP provided her with safety they did not make any referrals to other supports or do any sort of follow-up with the victim. These findings may support the hypothesis that there appears to be three key factors in victims of domestic violence feeling satisfied with the RCMP but they do not confirm the theory that mainstream services are not able to meet the needs of Aboriginal people because of culturally inappropriate approaches.

This research had the benefit of comparing the degree of satisfaction by Aboriginal victims of domestic violence with the RCMP vs. local band constables. It was found that only one of the participants who was involved with the local police felt that her needs were met by the service she received. She indicated that she was satisfied because they apprehended the offender, were supportive and caring towards her, and gave her the opportunity to access other support services. Once more the three main elements of empathy, punitive measures and referral process are mentioned as contributing factors. A large majority of those who had involvement with the Nelson House Local Band Constables indicated their needs were not met by local police. The participants indicated high rates of dissatisfaction due to the fact that the band constables did not provide them with safety by taking the offender into custody (in some cases the victim instead was held in custody), they often did not respond to the request for help, and they did not show any compassion towards the victim. The participants recommended that the band constables should be placing the offender in custody, respond more regularly and quicker to the victims calls, and that they need to be more supportive towards the victim. It must be recognized that theoretically this research should have found higher rates of satisfaction for the local police than the RCMP since the local band constables are Aboriginal and therefore should provide a more culturally appropriate service. However, the reverse was discovered with Aboriginal participants having higher rates of satisfaction with the RCMP based upon the RCMP's better ability to provide safety to the victim by apprehending the offender, showing more empathy towards the victim and providing them with access to other supports. It should be noted that several of the participants who expressed dissatisfaction with the local band constables mentioned the political effects of having members of their own community do the policing. It was noted that community ties and resulting intimidation often interfered with the ability of the local band constables' effectiveness.

Participants were also questioned on the effectiveness of restraining orders, peace bonds and non-molestation orders. Half of the Aboriginal participants who filed for an order indicated they did not find it to be effective because of two reasons: the police did not enforce it and the victim never enforced it because she wanted to still be involved with the offender. The majority of non-Aboriginal participants who filed for an order did not find it to be effective and for the same two reasons. Again there is a remarkable similarity between the Aboriginal and non-Aboriginal participants in expressing their dissatisfaction with a component of the CJS.

The last division of the CJS that was examined in this research was the criminal court system. Approximately half of the Aboriginal participants who were involved with the criminal court system felt that their needs were met by the system. They indicated that the system kept them well-informed of the process, the staff was supportive of the victims and that they believed the system to be fair and just. They also found the fact that they could not drop the charges against the offender as something that ensured their needs were met. One participant indicated that her needs were met simply because it stopped the abuse. Forty-five percent of the Aboriginal respondents who were involved with the court system stated that their needs were not met by the court system. Several participants responded that they were not satisfied with the court system because it was too lenient with the offenders. Two participants replied that it was the lack of cultural awareness that made the court system ineffective, one stated "I felt that they were saying that as a native woman I should have been tough and I was wasting their time". Other participants revealed that they felt uncomfortable and unsupportive within the court system. Another participant replied that the system did not meet her needs based upon the structure and procedures of the circuit court system, "To me it was just like a play, it wasn't real because it didn't do nothing. I didn't have time to talk to my lawyer because they just come in for the day. That's why it didn't seem real. Maybe that's why people don't take the law seriously because it doesn't seem real. They should actually do it in a court not in

a little room like this". It was recommended that the court system needs to impose severe penalties on the offenders of domestic violence. Another strong recommendation to the court system was that it become more culturally aware and sensitive, "I think that they could have been more aware of domestic abuse and more aware of the culture. It felt like the court system dealt with us from a middle class point of view...". One of the participants responded that her needs were met by the court system but she was not satisfied with it because she found it intimidating. When one also examines the responses of the non-Aboriginal participants it is found that the court system did not meet the needs of the majority of the respondents because they believe it was too lenient on the offenders and they were not provided with knowledge on how the court system operated. The non-Aboriginal participants recommended that the offenders be inflicted with stiffer sentences and that the victims be provided with more information on the court process. These results provide some strength to the previous arguments regarding the cultural inappropriateness of mainstream institutions. It is only when examining the court system that cultural barriers and cultural awareness are highlighted as factors in preventing mainstream institutions from needing the needs of Aboriginal people. However, these results also provide some contradictory evidence to the theory that the punitive approach of the CJS is a contributing variable in its ineffectiveness for Aboriginal people since the main recommendation for the court system was to implement stronger and more severe punitive measures.

#### ***E) Conclusion***

Overall, this research found that the majority of Aboriginal victims of domestic violence who participated utilized mainstream services and were satisfied with the service they received. These findings are contrary to past research and theories that have argued that Aboriginal women are reluctant to use mainstream services and that mainstream services are unable to meet the needs of Aboriginal women. The lowest rate of utilization

was with social services and this was attributed to physical and informational isolation. Both Aboriginal and non-Aboriginal participants indicated they did not use mainstream services because they have a lack of faith in the system due to a reputation of being ineffective. In terms of satisfaction, it was found that social services have the highest rate of satisfaction, while the Criminal Justice System had the lowest rate of satisfaction. Unexpectedly, it was discovered that overall there appears to be three key factors in determining the rate of satisfaction with service. Both the non-Aboriginal and Aboriginal participants indicated that to feel satisfied with the service they received it is essential that the system be compassionate and empathetic, that they receive a referral to other support services and that they feel safe, in terms of the CJS this often means punitive measures against the offender. It was only when the criminal court system was examined that cultural insensitivity and awareness were variables in the system's ability to meet the needs Aboriginal women of domestic violence.

## **Chapter Seven: DISCUSSION**

This research was based upon the past research on domestic violence in Aboriginal communities and the examination of the service needs of Aboriginal victims of domestic abuse. Past research focused on the incidence, prevalence, service needs and service satisfaction of Aboriginal women who were victims of domestic violence. From that research stemmed several observations and recommendations. It was argued that mainstream institutions were not meeting the needs of Aboriginal women because of the physical isolation of Aboriginal communities, informational isolation, cultural barriers and the cultural inappropriateness of mainstream institutions. Theoretically, it has been maintained that mainstream institutions do not apply traditional Aboriginal philosophies and their mandates are culturally irrelevant. However, none of the past research specifically examined if the ineffectiveness of mainstream institutions is based upon cultural inconsideration or if it is just the systems themselves that are failing consumers as a whole. This research examined the utilization and satisfaction of mainstream services by Aboriginal victims of domestic violence and gave the participants an opportunity to explain their experiences with mainstream institutions, and give recommendations on how to improve the existing services. It also compared the responses of Aboriginal victims of domestic violence to a small sample of non-Aboriginal victims of domestic violence.

This research found that the majority of Aboriginal participants accessed mainstream institutions as a result of being a victim of domestic violence. For those participants who did not access any services, it was found that physical and informational isolation played a role in their non-utilization. Some of the participants did mention that they did not trust the systems but this attitude was also evident in non-Aboriginal respondents and therefore it cannot be concluded that this sense of mistrust is based upon cultural barriers without further research. Overall, the majority of Aboriginal participants who did utilize mainstream services felt that the institutions were able to meet their needs as victims of domestic violence. Of those who indicated that they were not satisfied with

the service they received, it was found that few participants gave any indication that this feeling of dissatisfaction was a result of cultural barriers or the cultural inappropriateness of the institution. It was only in regards to the criminal court system that the Aboriginal participants indicated that they felt culturally isolated or that the system was culturally insensitive. When the results were compared to those of the non-Aboriginal participants there were some similarities. It was discovered that there appears to be three key factors in the institution's ability to meet the needs of victims of domestic violence. Disregarding the race of the participant or the type of institution, it was found that safety to the victim, emotional support, and providing referrals to other supports were essential components in the victims' service satisfaction. In regards to the criminal justice system, participants associated feeling safe with the punitive measures that occurred against the offender.

This research does not support the theoretical argument that mainstream institutions are not meeting the needs of Aboriginal victims of domestic violence because their mandates are not culturally appropriate. It was expected to find low rates of utilization and high rates of dissatisfaction among the Aboriginal participants because of the individualistic and punitive philosophies of mainstream institutions. However, what was found instead was high rates of utilization among the Aboriginal population and high rates of satisfaction. Those who were dissatisfied indicated that they felt that way because of a lack of individual emotional support and a lack of punitive measures against the offender. This is strongly contradictory towards the theoretical basis of this research. The question that now must be examined is why the results are so different from what was expected.

The research indicates that women are dissatisfied with the system itself and they do not feel that the system does enough to protect or support them. It was suggested that the women did not feel valued as women and did not believe that the system is protecting their rights to personal safety and security. It became obvious that when someone is a victim of domestic violence, safety is first and foremost on their minds. They need to feel

that society is going to ensure that they are protected and that they will not be made victims again. One can hypothesize that in situations where one's personal safety is jeopardized the highest need is to regain their sense of security and in today's society one associates safety with punitive measures against the offender. It has been maintained that traditional Aboriginal culture focused on the restorative and restitutive nature of crimes against the person, whereas white European culture focuses on the punitive nature of wrongdoing. However, it may be presumptuous to assume that just because one is Aboriginal that they practice and believe in traditional customs and values. It was previously discussed at length the effects colonization has had on the Aboriginal population and the resulting cultural dispossession and genocide. Today many Aboriginal communities function on the basis of mainstream institutions and have been socialized by these same institutions. Although there has recently been a strong movement back towards traditional practices, beliefs and values, the fact remains that for many Aboriginal people their traditions are something they are still learning about. Therefore, it is questionable to assume that the installation of traditional philosophies and approaches is a guaranteed way to correct the faults with mainstream institutions for the Aboriginal people. The strongest evidence of this lies in the fact that this research found that Aboriginal women were not dissatisfied with mainstream institutions because of different cultural mandates, but because they did not feel that the institutions were doing their jobs to support and protect them. Perhaps this is best reflected in one participant's response who was recommending stronger punitive measures for offenders of domestic violence, "It's got nothing to do with tradition or culture. I see it as a man/woman thing".

The implications and ramifications of such findings will have a strong impact on the Aboriginal society and the push towards Aboriginal self-government. The philosophy behind Aboriginal self-government has been to incorporate traditional values and practices into service institutions as a way to empower the Aboriginal people. The Aboriginal Justice Inquiry (1991) is a strong advocate for returning to the ways of

traditional aboriginal justice with the focus being on the collective good and the restoration of harmony in the community. However, Aboriginal women are stating they want stronger penalties for their abusers and are dissatisfied with mainstream institutions because they are not implementing punitive measures. It is also noteworthy that the Justice Committee in the community of Nelson House, which attempts to instill Aboriginal philosophies into the justice system has had limited involvement with domestic violence. This research recommends further examination into how the Aboriginal population defines self-government, how they want their institutions to operate and on what principles and values. What is of utmost importance is that the service institutions meet the needs of the people as a whole and not a minority. It must be noted that before institutions can be implemented based upon traditional Aboriginal philosophies, further consideration must be given to how much of a role tradition plays in the lives of the people in the community. As mentioned previously, the value of the most beneficial and effective system lies in what it does and not where it comes from (Brodeur et. al. 1991).

It must be recognized that this research is not suggesting that Aboriginal traditions and values have no role to play in meeting the needs of victims of domestic violence. Aboriginal values are based upon holistic principles which are extremely beneficial in the healing process of both victims and offenders of domestic violence. The cultures and traditions of the community can play a strong and effective role in preventing and treating domestic violence in Aboriginal communities. This research focused on the institutions that immediately and reactively respond to domestic violence which is often physical in nature. At this point, safety is the victim's main priority and satisfaction with mainstream institutions often depends on its ability to protect the victim. Further research needs to be done on the effectiveness of mainstream institutions in a preventative and treatment role. The focus must also be expanded to include emotional and psychological abuse as well as physical violence. Research that focuses on the preventative and treatment actions rather

than the reactive actions will be able to assess the role of traditional practices and mainstream institutions.

This research found that mainstream institutions are not always meeting the needs of victims of domestic violence. The systems themselves also seem to be failing their consumers. The participants in this research, both non-Aboriginal and Aboriginal, have recommended that the system needs to be amended to protect and support victims of domestic violence. Several recommendations have come out this research. It was recommended that mainstream institutions have to create a stronger interactive network when dealing with victims of domestic violence and operate as a team approach in providing all encompassing services. This research also indicates that more training among service providers needs to occur so that women will stop feeling victimized by the system and receive the compassion and understanding they need. It is recommended that the criminal justice system take stronger action against offenders of domestic assault and implement stronger punitive measures. It is also evident that more information needs to be provided to the victims of domestic abuse as to what services exist and how they can both access and utilize them.

This research does not assume to be all inclusive. The sample that was used was a non-probability convenience sample, which means that only those who put forth effort to volunteer participated, and therefore is not representative of all victims of domestic violence. The sample was obtained through advertising and through word of mouth. It is essential to identify factors that may differentiate between those who choose to participate and those who did not. It is likely that the respondents who did participate have already identified that they are victims of domestic violence and accept the fact that they were not responsible for what happened to them. It is also likely that those who chose to participate had some involvement with mainstream institutions. Those members of the population who did not choose to participate even though they were aware of the research being conducted could have done so for several reasons. This may include denial of being

a victim, fear of the abuser, not wanting to bring up the painful memories of the violence, mistrust of the research process, and a sense of hopelessness and belief that the research will not be beneficial in changing mainstream institutions. It also needs to be recognized that this type of sampling does not ensure that a representative sample of the population is accessed. This research was also focused on only two communities in northern Manitoba and therefore can not be generalized beyond those communities. It is also not safe to assume that those who choose to participate and those who did not, share the same value system and cultural background. It was previously hypothesized that one of the reasons this research did not find what it expected was that the Aboriginal participants followed mainstream culture more than traditional culture. It should be recognized that research studies are a part of mainstream society and therefore it is possible that those who choose to participate had weaker ties to traditional Aboriginal culture. This would help to explain the results found. Further research needs to be done that is representative of the population and that further examines these questions.

It is obvious that more research needs to occur in the area of domestic violence in Aboriginal communities and how to meet the needs of the community members. A representative sample of both Aboriginal and non-Aboriginal victims of domestic violence is essential. In order to completely answer the theoretical questions, the research must be conducted on a larger scale to include a larger sample and more communities. As mentioned previously, another variable that needs to be measured is the degree to which traditional beliefs and practices are a part of the participants' value systems and daily life functioning. It can not be concluded that Aboriginal traditions and values do not play a valuable role in meeting the needs of victims of domestic violence. This research only demonstrated that in terms of mainstream services, turning to Aboriginal traditions and values would not necessarily increase the level of satisfaction. It did illustrate that when mainstream institutions were not meeting the needs of Aboriginal victims of domestic violence it was because they did not do enough to protect the victims or offer them the

supports needed to get away from the violence. Further research must be done on the role that Aboriginal traditions and practices do and can play in the prevention and treatment of domestic violence. Additional exploration needs to be conducted with Aboriginal women on if they want Aboriginal culture instituted into mainstream institutions and what type of role those traditions would play.

**APPENDIX A**

**INTERVIEW QUESTIONNAIRE FOR NELSON HOUSE PARTICIPANTS**

Date \_\_\_\_\_

File # \_\_\_\_\_

**General Information**

1. How many years in total have you resided in Nelson House?
2. What language(s) do you speak?
  - a) (if more than one) Which language do you speak most of the time?
3. Are you of Aboriginal descent?

Yes (Go to 3a)

No

  - a) Are you:

Status

Non-status

Metis
4. Are you currently:

Single

Married

Common-law

Separated

Divorced

Widowed
5. Could you please tell me how old you are?

## **Service Experiences**

**6. Have you ever sought medical attention due to being a victim of domestic abuse?**

Yes

No

(i) Why not? (Go to question #7)

For the following questions please consider your most recent experience when answering.

- a) In what facility did you receive your medical attention (i.e. nursing station, hospital, doctor's office)?
- b) How would you describe your experience there (i.e. positive, negative, helpful, useful)?
  - (i) Why?
- c) Do you feel your needs were met by the medical staff?

Yes

No

(i) Why not?

(ii) How could this agency have better met your needs?

- d) On a scale on 1 to 5, with one being very dissatisfied and 5 being very satisfied, how satisfied were you with the medical attention you received?  
(show illustration of scale)

**7. Have you ever used the services of a transition home, safe home or crisis center?**

Yes

No

(i) Why not? (Go to question #8)

For the following questions please consider your most recent experience when answering.

a) How would you describe your experience with that agency (i.e. positive, negative, helpful, not useful)?

(i) Why?

b) Do you feel your needs were met by that agency?

Yes

No

(i) Why not?

(ii) How could this agency have better met your needs?

c) On a scale of one to five, with one being very dissatisfied and five being very satisfied, how satisfied were you with that agency? (show illustration of the scale)

### **The Criminal Justice System**

8. Have you ever been involved with the criminal justice system as a result of being a victim of domestic abuse?

Yes

No

a) Why not? (Go to question #29)

9. Have you ever called the police because you were a victim of domestic abuse?

Yes

a) Did you call the local police or the RCMP?

No

b) Why not? (Go to question #19)

For the following questions please consider your most recent experience when answering.

10. What action did the police take?

11. Were there criminal charges laid against your abuser?

Yes

No

a) Why not? (Go to question #13)

12. What was the result of the criminal charges?

13. How would you describe your experience with the police (i.e. positive, negative, helpful, useful)?

a) Why?

14. Do you feel your needs were met by the police?

Yes

No

a) Why not?

b) How do you think the police could have better met your needs?

15. On a scale on one to five with one being very dissatisfied and five being very satisfied, how satisfied were you with the service you received from the police? (show illustration of the scale)

16. Have you ever applied for a non-molestation order, a peace bond or a restraining order?

Yes

No

a) Why not? (Go to question # 19)

Once again, please consider your most recent experience when responding to the next few questions.

17. Was the application granted?

Yes

No

a) Why not? (Go to question #19)

18. Did you find the non-molestation order, peace bond or restraining order to be effective?

Yes

No

a) Why not?

19. Have you ever been involved in the court system as a result of being a victim of domestic abuse?

Yes

No

a) Why not? (Go to question # 23)

Please consider your most recent experience with the court system when responding to the next few questions.

20. How would you describe your experience with the court system(i.e. positive, frustrating, helpful, not useful)?

a) Why?

21. Do you feel your needs were met by the court system?

Yes

No

a) Why not?

b) How do you feel your needs could have been better met by the court system?

22. On a scale of one to five, with one being very dissatisfied and five being very satisfied, how satisfied were you with the court system? (show illustration of the scale)

23. Overall, did you find the criminal justice system to be effective in helping you?

Yes

No

a) Why not?

24. What recommendations, if any, would you make for the criminal justice system as a service provider to victims of domestic abuse?

25. Were you ever involved with the Nelson House First Nation O-Tha-So-We Justice Committee as a result of being a victim of domestic abuse?

Yes

No (Go to question #29)

Please consider your most recent experience with the Justice Committee when answering the next few questions.

26. How would you describe your experience with the Justice Committee (i.e. positive, negative, helpful, useful)?

a) Why?

27. Do you feel your needs were met by the Justice Committee?

Yes

No

a) Why not?

b) How do you think the Justice Committee could have better met your needs?

28. On a scale of one to five with one being very dissatisfied and five being very satisfied, how satisfied were you with the service you received from the Justice Committee? (show illustration of the scale)

#### **Domestic Abuse as a Community Problem**

29. Do you believe domestic abuse is a problem in your community?

**30. Do you think that the community of Nelson House should take an active role in resolving the problem of domestic abuse?**

Yes

a) How do you think the community could do this?

No

b) Why not?

**31. What services are available for victims of domestic abuse in your community?**

**32. Do you believe these services are effective?**

Yes

No

a) Why not?

**33. What other services would you like to see in your community to help victims of domestic abuse?**

Thank you for taking the time to participate.

**APPENDIX B****INTERVIEW QUESTIONNAIRE FOR THOMPSON PARTICIPANTS**

Date \_\_\_\_\_

File # \_\_\_\_\_

**General Information**

1. How many years in total have you resided in Thompson?
2. What language(s) do you speak?
  - a) (if more than one) Which language do you speak most of the time?
3. Are you of Aboriginal descent:  
 Yes (Go to 3a)  
 No  
a) Are you:  
 Status  
 Non-status  
 Metis
4. Are you currently:  
 Single  
 Married  
 Common-law  
 Separated  
 Divorced  
 Widowed
5. Could you please tell me how old you are?

## **Service Experiences**

**6. Have you ever sought medical attention due to being a victim of domestic abuse?**

Yes

No

(i) Why not? (Go to question # 7)

For the following questions please consider your most recent experience when answering.

- a) In what facility did you receive your medical attention (i.e. nursing station, hospital, doctor's office)?
- b) How would you describe your experience there (i.e. positive, negative, helpful, useful)?
  - (i) Why?
- c) Do you feel your needs were met by the medical staff?

Yes

No

(i) Why not?

(ii) How could this agency have better met your needs?

- d) On a scale on 1 to 5, with one being very dissatisfied and 5 being very satisfied, how satisfied were you with the medical attention you received ?  
(show illustration of scale)

**7. Have you ever used the services of a transition home, safe home or crisis center?**

Yes

No

(i) Why not? (Go to question #8)

For the following questions please consider your most recent experience when answering.

a) How would you describe your experience with that agency (i.e. positive, negative, helpful, not useful)?

(i) Why?

b) Do you feel your needs were met by that agency?

Yes

No

(i) Why not?

(ii) How could this agency have better met your needs?

c) On a scale of one to five, with one being very dissatisfied and five being very satisfied, how satisfied were you with that agency? (show illustration of the scale)

### **The Criminal Justice System**

8. Have you ever been involved with the criminal justice system as a result of being a victim of domestic abuse?

Yes

No

a) Why not? (End interview)

9. Have you ever called the police because you were a victim of domestic abuse?

Yes

No

a) Why not? (Go to question #19)

For the following questions please consider your most recent experience when answering.

10. What action did the police take?

11. Were there criminal charges laid against your abuser?

Yes

No

a) Why not? (Go to question #13)

- 12. What was the result of the criminal charges?**
- 13. How would you describe your experience with the police (i.e. positive, negative, helpful, useful)?**

a) Why?

- 14. Do you feel your needs were met by the police?**

Yes

No

a) Why not?

b) How do you think the police could have better met your needs?

- 15. On a scale on one to five with one being very dissatisfied and five being very satisfied, how satisfied were you with the service you received from the police? (show illustration of the scale)**

- 16. Have you ever applied for a non-molestation order, a peace bond or a restraining order?**

Yes

No

a) Why not? (Go to question # 19)

Once again, please consider your most recent experience when responding to the next few questions.

- 17. Was the application granted?**

Yes

No

a) Why not? (Go to question #19)

18. Did you find the non-molestation order, peace bond or restraining order to be effective?

Yes

No

a) Why not?

19. Have you ever been involved in the court system as a result of being a victim of domestic abuse?

Yes

No

a) Why not? (Go to question #23)

20. How would you describe your experience with the court system(i.e. positive, frustrating, helpful, not useful)?

a) Why?

21. Do you feel your needs were met by the court system?

Yes

No

a) Why not?

b) How do you feel your needs could have been better met by the court system?

22. On a scale of one to five, with one being very dissatisfied and five being very satisfied, how satisfied were you with the court system? (show illustration of the scale)

23. Overall, did you find the criminal justice system to be effective in helping you?

Yes

No

a) Why not?

**24. What recommendations, if any, would you make for the criminal justice system as a service provider to victims of domestic abuse?**

Thank you for your participation.

## **APPENDIX C**

### **Informed Consent Form**

An examination of the service needs and requirements for domestic abuse victims is being conducted in your community. I, Sandra Mitchell, a graduate student at the University of Manitoba, am examining the satisfaction that victims of domestic abuse have with health and social services and the criminal justice system. The end result of my research will be a completed needs assessment study on the service needs and requirements for domestic abuse victims in the community of Nelson House. This research is being completed as part of my master's degree.

I will be gathering the information for my examination through interviewing women who have been victims of domestic abuse. I have obtained the permission of the chief and council of Nelson House to conduct this examination in your community and they have given me their full support. The interview will take approximately one hour and the questions will focus specifically on any experiences the participants have had with health and social services and the criminal justice system. All of the answers the participants give will be recorded in writing by myself word for word. A translator will be made available for those who need one.

I guarantee that each participant will remain anonymous and their individual responses will be strictly confidential. The only one who will have access to the individual information will be myself. After the completion of my examination all of the individual responses will be destroyed. Participants should be aware of the fact that they will be reminded of times of domestic abuse when answering the questions and therefore the experience may be emotionally hard on them. For this reason, participation in this research is voluntary and refusing to participate will not result in any negative consequences. For those who do choose to participate, they have the right to refuse to

answer any question they do not wish to without explanation, and they also have the right to withdraw from the research at any time without suffering any negative consequences.

Participants should also be aware that if I hear of any form of child abuse during the interview I am legally obligated to report it to the authorities and therefore, I will no longer be able to protect the participant's anonymity or uphold the agreement of confidentiality. If a circumstance of child abuse is discovered during the interview, I will submit only relevant names and information to the legal authorities.

This research has been approved by the Department of Sociology Ethical Review Committee and any complaints regarding research procedures can be reported to the Head of the Department of Sociology at (204) 474-9260 for referral to the Ethical Review Committee. If you have any concerns or questions please feel free to contact me at 489-8238. If you are interested in the results of this research, a copy will be provided for the community and will be available in the band office along with the needs assessment study.

I, \_\_\_\_\_, understand all that is stated above and agree to participate in this research project.

Date \_\_\_\_\_

Participant \_\_\_\_\_

Interviewer \_\_\_\_\_

Translator \_\_\_\_\_  
(if needed)

## **APPENDIX D**

### **Informed Consent Form**

An examination of the service needs and requirements for domestic abuse victims is being conducted in your community. I, Sandra Mitchell, a graduate student at the University of Manitoba, am examining the satisfaction that victims of domestic abuse have with health and social services and the criminal justice system. This examination is being conducted as part of my master's degree.

I will be gathering the information for my examination through interviewing women who have been victims of domestic abuse. The interview will take approximately one hour and the questions will focus specifically on any experiences the participants have had with health and social services and the criminal justice system. All of the answers the participants give will be recorded in writing by myself word for word. A translator will be made available for those who need one.

I guarantee that each participant will remain anonymous and their individual responses will be strictly confidential. The only one who will have access to the individual information will be myself. After the completion of my examination all of the individual responses will be destroyed. Participants should be aware of the fact that they will be reminded of times of domestic abuse when answering the questions and therefore the experience may be emotionally hard on them. For this reason, participation in this research is voluntary and refusing to participate will not result in any negative consequences. For those who do choose to participate, they have the right to refuse to answer any question they do not wish to without explanation, and they also have the right to withdraw from the research at any time without suffering any negative consequences.

Participants should also be aware that if I hear of any form of child abuse during the interview I am legally obligated to report it to the authorities and therefore, I will no longer be able to protect the participant's anonymity or uphold the agreement of

confidentiality. If a circumstance of child abuse is discovered during the interview, I will submit only relevant names and information to the legal authorities.

This research has been approved by the Department of Sociology Ethical Review Committee and any complaints regarding research procedures can be reported to the Head of the Department of Sociology at (204) 474-9260 for referral to the Ethical Review Committee. If you have any concerns or questions please feel free to contact me at 489-8238. If you are interested in the results of this research please include your address at the bottom of the form and a summary of the results will be mailed to you upon research completion.

I, \_\_\_\_\_, understand all that is stated above and agree to participate in this research project.

Date \_\_\_\_\_

Participant \_\_\_\_\_

Interviewer \_\_\_\_\_

Translator \_\_\_\_\_  
(if needed)

**APPENDIX E**



**Nelson House Indian Band**

**NELSON HOUSE, MANITOBA, ROB 1AO**  
Telephone (204) 484-2332

July 19, 1995

Ms. Sandra Mitchell  
121 Burlington Way  
Winnipeg, Manitoba  
R3Y 1B8

Dear Sandra:

RE: RESEARCH IN NELSON HOUSE

As per previous conversations, this letter is to confirm that the Chief and Council of the Nelson House First Nation gives you permission to do your research on spousal abuse in Nelson House.

Please feel free to contact myself if you need more information.

Thank you.

Sincerely,

Chief Jerry Primrose,  
NELSON HOUSE FIRST NATION

a.m.s

## **APPENDIX F**

### **Looking for Women to Participate in an Examination of the Opinions of Domestic Abuse Victims on Health & Social Services and the Criminal Justice System**

- \* Victims of domestic abuse will be able to address their satisfaction with existing services
- \* This examination will give victims of domestic abuse the opportunity to reveal if current mainstream services are meeting their needs
- \* The results may be of great significance in ensuring that women's needs are being met by today's health & social services and the criminal justice system
- \* Participants will be interviewed in-person and interviews will take about one hour to complete
- \* All participants will remain anonymous and all responses will be confidential
- \* Participants have the right to refuse to answer any questions and have the right to withdraw from the study at any time
- \* Research is being conducted by Sandra Mitchell from the Department of Sociology at the University of Manitoba as part of her M.A. degree
- \* Research has been approved by the Department of Sociology Ethical Review Committee

If you wish to participate or have any questions, please contact  
Sandra Mitchell at 778-5707

## **APPENDIX G**

### **Looking for Women to Participate in an Examination of the Opinions of Domestic Abuse Victims on Health & Social Services and the Criminal Justice System**

- \* This examination will give Aboriginal victims of domestic abuse an opportunity to reveal if current mainstream services are meeting their needs
- \* Aboriginal Victims of domestic abuse will be able to address their satisfaction with existing services
- \* The results may be of great importance in ensuring that the needs of Aboriginal women are being met by today's health & social services and the criminal justice system
- \* As part of this examination a needs assessment study on the service needs and requirements of domestic abuse victims will be provided for Nelson House
- \* The needs assessment study hopes to be fundamental in helping the community of Nelson House to deal with and resolve the problem of domestic abuse within the community
- \* Participants will be interviewed in-person and interviews will take about half an hour to complete
- \* All participants will remain anonymous and all responses will be confidential
- \* Participants have the right to refuse to answer any questions and have the right to withdraw from the study at any time
- \* Research is being conducted by Sandra Mitchell from the department of Sociology at the University of Manitoba as part of her M.A. degree
- \* Research has been approved by the Chief and Council of Nelson House First Nation and by the Department of Sociology Ethical Review Committee

If you wish to participate or have any questions, please contact  
Susan Kobliski at the band office (484-2332)

## **APPENDIX H**

### **Statement of Research Intent Provided to NADAP Workers**

I am conducting research on the satisfaction that Aboriginal victims of domestic abuse have with health and social services and the criminal justice system. This examination will give women an opportunity to reveal if current mainstream services are satisfactorily meeting the needs of Aboriginal women who are victims of domestic abuse victims in northern isolated communities. This study may be of great significance in ensuring that the needs of Aboriginal women are indeed being met by today's health and social services and the criminal justice system. As part of this research, I have agreed to provide your community with a needs assessment study on the service needs and requirements of domestic abuse victims in Nelson House. The needs assessment study will be fundamental in helping the community to deal with and resolve the problem of domestic abuse within the community. A summary of the results and a copy of the needs assessment study will be made available for all of the participants who are interested. I am a graduate student from the department of Sociology at the University of Manitoba and this research is being conducted as part of my Masters' degree.

I will be interviewing women who have been victims of domestic abuse. The interviews will be conducted by myself in person and all responses will be recorded in writing. I guarantee that each participant will remain anonymous and their individual responses will be strictly confidential. The only one who will have access to the individual information will be myself. After the completion of my examination all of the individual responses will be destroyed. Participants have the right to refuse to answer any question they do not wish to without explanation, and they also have the right to withdraw from the research at any time without suffering any negative consequences.

This research has been approved by the Department of Sociology Ethical Review Committee.

If you wish to participate please notify your NADAP worker or contact Edna Moody at the band office (484-2332). I will be willing to answer any questions or concerns that you may have. Thank you for your time and consideration.

Sincerely,

Sandra Mitchell  
University of Manitoba

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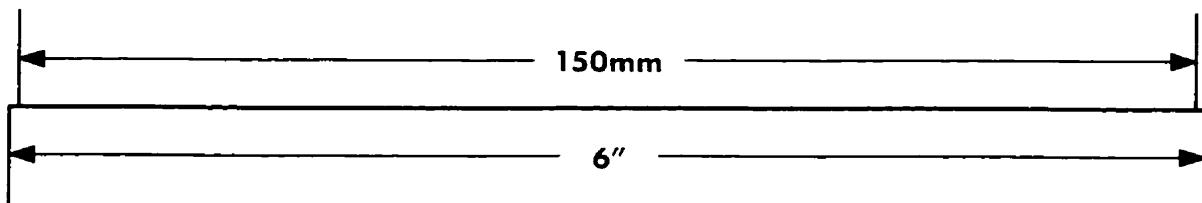
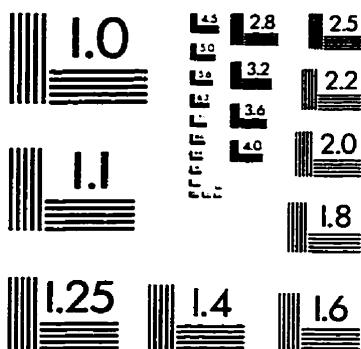
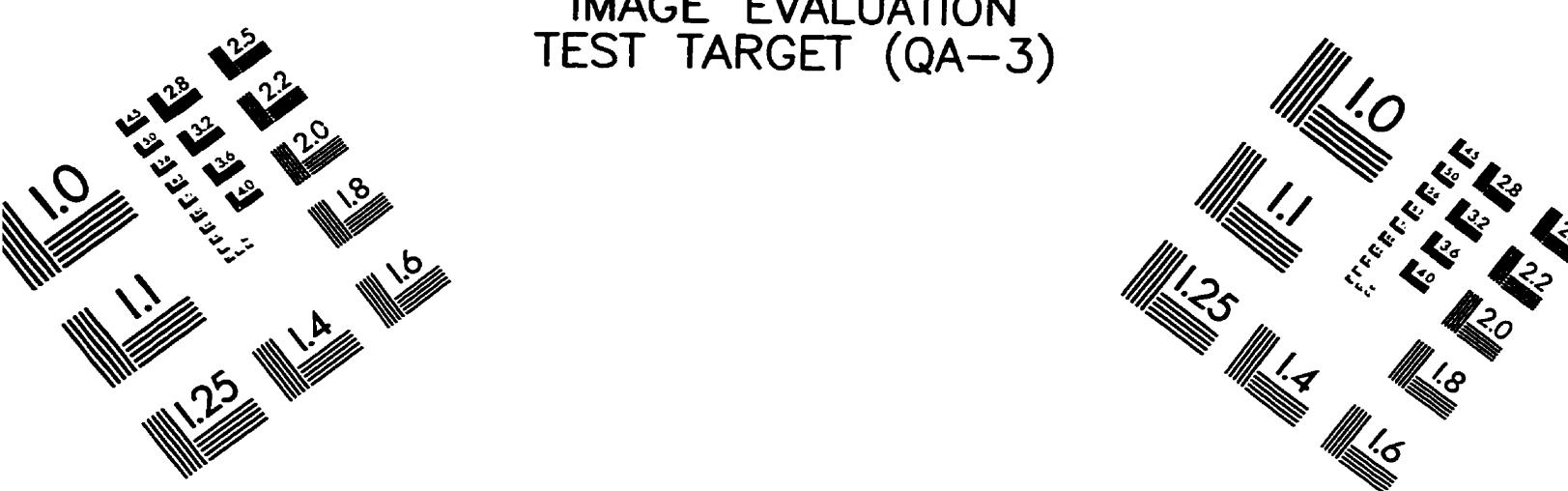
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# IMAGE EVALUATION TEST TARGET (QA-3)



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