

A Qualitative Evaluation of One Diversion Program for  
Domestic Violence Cases in Winnipeg

by

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## Abstract

This research is a qualitative evaluation of the Salvation Army's Choose 2 Change - Domestic Violence Diversion program. Choose 2 Change is a treatment program based out of Winnipeg, Manitoba and is operated by the Salvation Army Correctional and Justice Services. It is a brief intervention strategy for low-risk accused persons who have been diverted by the Crown attorney's office to attend treatment for domestic related offenses.

This research aims to answer the following questions: 1. What does the research literature identify as the key criteria for effective treatment programs for men with abusive behaviour. 2. To what extent does the Choose 2 Change program meet these criteria. 3. What do program registrants and facilitators identify as the key program components in their experiences of the group treatment process. 4. How do key informants working in the field of domestic violence view the Choose 2 Change program in particular, and diversion of domestic violence cases in general.

Observation, participant and facilitator interviews, and key informant interviews were selected as the best methods accomplish the research tasks. One full Choose 2 Change program, which consists of three seven-hour days, was observed to assess the extent to which Choose 2 Change meets key criteria for effective domestic violence programming as identified by the literature. Interviews with program participants and facilitators were conducted to further assess these criteria, as well as obtain an understanding of how they identify key program components through their experiences. Key informant interviews provided further information on the quality and operations of the Choose 2 Change program in particular and Winnipeg's diversion process as a whole.

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## **Chapter 1**

### **Introduction**

This study is a qualitative evaluation of one treatment program (Choose 2 Change) designed to change the abusive behaviour of men charged with a domestic violence (DV) offense in Winnipeg. Choose 2 Change is a program offered by the Salvation Army (Criminal Justice Services) which was implemented in July 2011. This program is designed to offer an alternative to the court process for men charged with a DV offense who have been screened by a DV prosecutor and assessed to be of low risk. This diversion program, identified as a 'rehabilitative remand', has both incentives and consequences for the accused. If the accused complies with the prosecutor's expectations to attend, participate, and complete the program, the associated charges will be stayed and will not appear on their criminal record. However, if the accused person does not comply with the expectations of treatment, then the prosecutor can proceed with the case through the courts and the accused runs the risk of a conviction and criminal record.

This study will address the following research questions: 1. What does the research literature identify as the key criteria for effective treatment programs for men with abusive behaviour. 2. To what extent does the Choose 2 Change program meet these criteria. 3. What do program registrants and facilitators identify as the key program components in their experiences of the group treatment process. 4. How do key informants working in the field of domestic violence view the Choose 2 Change program in particular, and diversion of domestic violence cases in general.

Although this research is submitted as a Criminology thesis, it is recognized that DV is multidisciplinary in nature. DV is a complex and significant issue that cannot be completely

allocated to one specific discipline of academia. As such, in order to conduct a comprehensive program evaluation of the Choose 2 Change Domestic Violence Diversion program, the basis of the literature review and criteria for assessing the efficacy of the program in a comprehensive manner will require a multidisciplinary approach that integrates aspects of sociology/criminology, psychology, and program evaluation.

The social and historical context for this program and its evaluation is critical. I will discuss these factors in three sections: the background and history of the social construction of DV, the magnitude of the problem in Canada and Manitoba, and the challenges this crime presents to the criminal justice system (CJS).

### *Background & History*

DV is a serious social problem which can be extremely damaging to those involved. It has always been a serious social problem although until the 1980's it was not treated as such. Early feminist groups recognized the severe damage caused through DV and the 1970's women's movement provoked debate and raised awareness. This movement led to the development of policies within the CJS to address the issue of DV as a crime (Ursel & Hagyard, 2008). One of the most significant changes introduced was the mandatory arrest policy regarding domestic assaults, which was initially adopted by the Winnipeg Police Service in 1983 and was again reiterated in 1993 (Ursel & Hagyard, 2008). This meant that, in such cases, if the police had reasonable grounds to suspect that a crime had occurred they were mandated to make an arrest (Ursel et al., 2008). As a side note, this policy has often been misinterpreted and still is by some people to this day. Mandatory arrest does not mean that the police automatically lay a charge for

every domestic call they attend. There must be evidence that forms reasonable grounds that an offense occurred for a charge to be laid.

This movement saw a vast increase in domestic arrests by the Winnipeg Police from approximately 625 people in 1983 to a peak of 3,500 arrests in 1994 (Ursel & Hagyard, 2008). The increase in arrests resulted in a heavy workload for the courts. Prosecutions became very delayed and difficult, and frequently resulted in stays of proceedings because of the reluctance of the victim to testify or proceed. In addition, difficulties arose in the interpretation of cases, such as siding with manipulative men who have abusive behaviour or minimizing sentences to try and keep families together. As well, many offenders who dropped out of court-ordered treatment programs were overlooked and thus went unsanctioned by the court or probation officials. (Gondolf, 2002) Ursel (2012) argued that this traditional response proved to be inadequate, as DV cases involved complexities that required specialized attention. These cases generally involve a history of incidents, rather than being a discrete event. As well, victims often do not desire the same outcomes as a traditional Crown attorney's interest in conviction. Many women do not want to see their partner convicted of a criminal offense. They just want the violence to stop. There are often additional coinciding legal issues such as divorce custody and child support proceedings. (Ursel, 2012) Over time specialized DV courts were developed to help manage this workload and deal with these complex cases in a more efficient and effective manner (Gondolf, 2002).

Winnipeg's specialized DV court was established in 1990 providing trained court personnel to address domestic-related files. The mandatory arrest directive and specialization of court personnel responded to DV as a serious crime requiring serious intervention. Specialized courts with specialized personnel were prepared to handle the complexity of domestic cases, as

well as creating a network of communication between departments to ensure that personnel make informed decisions regarding their cases. Specialization provides a broader response involving the court in conjunction with victim support programs, treatment agencies, DV police units, Crown attorneys, and probation officers. Specialized courts operate under the principles of early intervention for low-risk offenders, vigorous prosecution for serious and repeat offenders, and a commitment to rehabilitation. (Tutty, Ursel & Douglas, 2008)

The specialized court has continued to develop since their implementation as all services in this field evolve with changing demands on the system (Ursel, 2012). For example, the Lavoie Inquiry provided an opportunity to review the strengths and limitations in the CJS as a result of an inquiry into the domestic murder suicide of a Winnipeg couple. The case had many challenges characteristic of DV which impeded the intervention which could have prevented the murder suicide on January 20, 1995.

The Lavoie Inquiry was initiated to make recommendations to improve the system to better identify and respond to high risk situations. One such recommendation which has been implemented is for police to arrest the dominant aggressor in domestics (Schulman, 1997). It may be common that both parties have engaged in some level of violence. However, in most cases there is one abuser who dominates the relationship.

Manitoba's Domestic Violence and Stalking Prevention, Protection and Compensation Act was also implemented June 1998 in response to the Inquiry. This enabled complainants to apply for Protection and Prevention orders. These enhanced the resources available to complainants and could impose stricter conditions upon recipients, while making the obtaining of such orders more accessible. (MacDonald, 2000-2002)

The Inquiry also recognized that the CJS had extremely heavy case loads which resulted in an increase of Crown attorneys in 1998. The Inquiry provided an opportunity for the Family Violence Court to develop further. Recommendations included regular training and education of specialized Crown attorneys and Judges, vigorous prosecution for breaches, development of strategies so that more cases proceed without victim cooperation, a specialized court for hearing applications for judicial interim release, keeping victims informed on conditions and releases of accused persons, and expansion of resources and personnel (Schulman, 1997).

The specialization of Winnipeg's DV response has continued to evolve into the model that is currently operating today. There is limited specialization at the policing level in Winnipeg. There is a domestic violence co-ordinator and eight specialized officers who operate in Districts 1 and 3, making follow-up investigations when required. (Ursel, 2012) While there has been limited specialization at the police level, there has been substantial growth in specialist personnel for the other components of the justice system.

The Provincial Victim Services Program has 54 specialized counsellors who can answer questions, explain the court process, do protection planning, provide assistance in applying for protection orders, and provide court accompaniment and referrals (Ursel, 2012; Ursel & Hagyard, 2008). The Winnipeg Domestic Violence Unit currently has 22 Crown attorneys. Specialized Crown prosecutors operate under file ownership, providing the same prosecutor for a case if it goes to higher court or if the accused reoffends. This enhances the Crown's knowledge of particular family dynamics and to become familiar with the accused's pattern of behaviour. (Ursel & Hagyard, 2008)

Originally there were fourteen assigned judges to the specialized court. However, there has been such a large flow of cases that since 1992 most judges have rotated into the family

violence court. The Winnipeg Provincial Court also has several courtrooms that are reserved specifically for DV hearings and trials. At the back end of the CJS, corrections plays a key role in providing treatment programs to individuals who have been convicted and sentenced to treatment. Rehabilitative remands were introduced in Winnipeg in 1999 and to date diversion cases are directed to non-governmental agencies to provide treatment. (Ursel, 2012)

The introduction of rehabilitative remands (or diversion) acknowledged that not all incidents and accused are the same. Diversion is seen as a suitable intervention for low-risk, first time accused. Factors such as previous violence-related criminal involvements, injuries, and use of weapons will rule an accused out of any consideration for diversion. Prosecutors select low-risk individuals that may be likely to change their behaviour through the education and skills provided in a brief treatment intervention. Senior Crown attorneys refer accused persons to treatment before their court date using a delayed remand. The charges against the accused are remanded pending completion of a designated treatment program. In Winnipeg, the court is referring many such cases to the Choose 2 Change - Domestic Violence Diversion Program, operated by the Salvation Army Correctional and Justice Services. Upon successful program completion the charges are stayed. Should the accused fail to complete the mandated treatment, the Crown can proceed with the charges accordingly. If treatment is successful, it will result in the elimination or reduction of the abusive behaviour through more timely intervention. Further, a successful diversion spares costly court resources which can be directed towards higher risk cases.

A practical consideration in favour of diversion is that it operates as a way to redirect low-risk cases that may have been stayed while still maintaining a form of intervention through the treatment program. An effective treatment program is a critical aspect of the diversion

process. Otherwise, these cases would likely be stayed without appropriate intervention and a high possibility of continuing to behave abusively. It is important to evaluate these programs in terms of their effectiveness, in order to ensure that victim safety is not being compromised. In addition, evaluation can inform treatment facilitators of the most promising practises for their program. Diversion has the potential to benefit all parties involved with the offense. Victims are provided with safety if the accused responds appropriately to treatment and changes their abusive behaviour. The accused are given an opportunity to rehabilitate and continue with their lives in the absence of conviction. The CJS saves court time, money, and resources by swiftly diverting the accused. This is a promising practise that deserves attention to ensure that it is being implemented effectively and to suggest improvements for expanding its effectiveness.

In DV cases where there is a 'not guilty' plea to a less serious charge and a reluctant witness, there is a significant probability that there will be a stay of proceedings. This is generally because the prosecution did not feel that they had enough evidence for a reasonable likelihood of conviction. Such cases are dropped after a 12-month time limit. (Tutty, Ursel & Douglas, 2008) Diversion offers an opportunity to address many of these cases, that would otherwise not have any opportunity or interest in treatment.

The Manitoba Government has recently officially recognized the importance of utilizing restorative justice practises in the CJS through Bill 60 in 2014. Bill 60 "requires the Department of Justice to develop policies respecting the use of restorative justice programs" (Bill 60, 2014, p.1). Second, the November 2015 release of the Manitoba Department of Justice Prosecutions' policy directive on domestic violence states that when it is appropriate to do so domestic violence cases should be referred for diversion to treatment programs (Manitoba Department of Justice Prosecutions, 2015). Rehabilitative remand is a form of restorative justice as the focus of

this practise is on the treatment of accused persons and stopping the abusive behaviour, rather than incarceration.

### *Magnitude of the Problem*

Current statistics illustrate that domestic abuse is a significant social problem. The 2014 General Social Survey on Victimization reported that 4% of people surveyed experienced physical or sexual abuse by a spouse within the past five years. They found that 49% of victims had experienced one incident of abuse within the previous five years, 35% of victims experienced two to ten incidents of abuse, and 17% of victims experienced more than ten incidents. (Statistics Canada, 2016)

Canadian police data indicates that in 2015, 92,000 people were victims of intimate partner violence. Further, 28% of all victims of police-reported violent crime are victims of DV. DV is of particular importance when conducting research in Winnipeg, since Manitoba has the second highest rate of police-reported intimate partner violence among the provinces (554 per 100,000), sitting just below Saskatchewan with the highest rate. (Burczycka & Conroy, 2017)

This type of crime occurs behind closed doors. There is a large dark figure involved in DV cases because evidence suggests that many victims never report to the police. The General Social Survey indicates that only 30% of victims of spousal violence reported their victimization to the police (Statistics Canada, 2016). This highlights the magnitude of the problem when domestic-related incidents are the most frequent calls for service to the Winnipeg Police, and yet these calls only represent the tip of the iceberg (Buttell, et al., 2012).

Not only is DV widespread but it is the cause of significant physical and emotional damage to the individuals who are affected. The family is supposed to be a sphere of love,

respect, and safety. DV undermines and perverts these essential components. The home is turned into an environment of violence and fear. As well, many cases of DV have escalated from abuse to murder. Between 2005 and 2015 there were 964 domestic homicides in Canada (Burczycka & Conroy, 2017).

Intimate terrorism is the most extreme category of DV, characterized by a situation of frequent physical violence that is accompanied by a constant state of fear and control (Bowen & Gilchrist, 2004). Spending so much time in such an environment is extremely stressful and presents a way of life that no one should have to endure. Situational violence is the more common category and it refers to arguments that escalate to the point where an individual physically assaults the other in their outrage (Bowen & Gilchrist, 2004).

Domestic abuse serves as a function to exert and maintain power and control. Situational violence is an attempt to gain control over a specific situation (Bowen & Gilchrist, 2004). At a larger scale, intimate terrorism is an attempt to maintain control over the individual, relationship, or household. These acts not only cause physical damage but inflict psychological pain. A diminished self-esteem and sense of security, as well as engaging in self-blame have been reported as some of the negative psychological effects of victimization (National Clearinghouse on Family Violence, 2008). The General Social Survey found that 16% of DV victims reported three or more of the long term Post Traumatic Stress Disorder associated effects (Statistics Canada, 2016). Of note, the power and control model can be expanded into the complicating label of dichotomous thinking. This asserts that domestic abusers are enwrapped in a dynamic conflict wherein they are struggling to maintain power and control, as well as love and respect in their relationships. (Augusta-Scott, 2003) These contradictory desires, which expand the

traditional power and control model, portray offenders to be more complex in their motivations and also more susceptible to treatment intervention.

DV is also psychologically damaging to children, if they are present in the home. Research has demonstrated an intergenerational transmission of violence (Doumas et al., 1994; Franklin & Kercher, 2012; Murrell et al., 2007; Pears & Capaldi, 2001; Siegel, 2013; Weijer et al., 2014). Early exposure to violence results in the normalization of aggression (Downe, 2014). Children who are exposed to violent environments are at risk to repeat such behaviour as adults, even when controlling for demographic variables (Weijer et al., 2014). Such immersion in violence causes short-term pain, as well as long-term psychological damage.

There is debate regarding the gender disparity in intimate partner violence. The General Social Survey indicates that males and females are victimized at equal rates. However, females report more severe types of violence more often, as 40% of female victims reported injuries, versus 24% of male victims. Furthermore, 34% of female victims report being sexually assaulted, beaten, choked, or threatened with a gun or knife, versus 16% of male victims. (Statistics Canada, 2016) Police data shows a more gender specific pattern in the DV cases that come to their attention. Women are 79% of intimate partner violence victims (Burczycka & Conroy, 2017). Such data also indicates that women are the victims of domestic homicide at a much higher rate, as well (4.5 per 1 million couples versus 0.9 per 1 million for males) (Burczycka & Conroy, 2017).

Ethnicity comes into play as an important variable when contextualizing DV in this research setting. The Canadian General Social Survey reports that 9% of Aboriginal people are victims of intimate partner violence, in comparison to 4% when analyzing the surveyed sample as a whole. (Statistics Canada, 2016) When considering accused, 39% before the Winnipeg

Family Violence Court are of Aboriginal origin, although they represent 13% of the population (Ursel & Hagyard, 2008). In addition, the General Social Survey indicated that Aboriginal people report more severe types of DV more frequently. Wherein 52% of Aboriginal victims reported being beaten, choked, threatened with a gun or knife, or sexually assaulted, in comparison to 23% of non-Aboriginal victims (Statistics Canada, 2016). This data indicates that DV is a serious problem among Canada's Aboriginal population. This ethnic disparity is rooted in a history of oppression and a legacy of abuse and marginalization which Indigenous Peoples struggle with to this date (Downe, 2014).

### *Challenges for the Criminal Justice System*

There are many different factors that a specialized domestic violence court must take into consideration when conducting its operations. One is the needs of the victim. For a Crown attorney to make a successful case, they need to demonstrate that a crime has occurred beyond a reasonable doubt, and they are dealing with an offense that occurs in the private sphere of the home. As a result, the victim is often the only witness and witness testimony is essentially limited to that of the victim's. The complex dynamics of DV cases may present a reluctance for victim's to testify in court.

A victim may decide not to testify for several reasons, ranging from fear of safety to a change in heart regarding the punishment of their partner (Ursel et al., 2008). In general, most women want the CJS to put a stop to the violence (Tutty et al., 2008). However, this may come into conflict with a desire to keep their family together. It is important that officials understand the different interests of victims when putting together a case, especially since they are often relying on their testimony. It is imperative that the system takes into account the victims'

perspectives and informs them of how they can be helped through this process (Tutty et al., 2008; Ursel & Hagyard, 2008). A large proportion of victims choose not to contact the police. The most frequently cited reason for this refrain is that they do not believe the police will be helpful to them. (Tutty, Ursel & Douglas, 2008) It is critical to change such viewpoints and develop a system that is helpful to victims so that more people will initiate contact with the CJS, given that they are in a situation which warrants police assistance.

Feminists have advocated for providing services for victims of domestic abuse that allow them to exit at a time of anticipated violence and cope with their trauma. These include resources such as crisis lines and shelters. However, it is also important to focus on the accused. They are the ones who are engaging in this sort of behaviour. It is expected that they will continue to do so in the absence of effective intervention. This means that although one partner has been rescued from their abusive behaviour, there will likely be a subsequent partner who will experience the same abuse. Additionally, many relationships that are subjected to this sort of mistreatment present a cycle of exiting and returning to the relationship. Many women may feel that their partner will truly change and stop the violence, or they may be so emotionally or financially dependent on their partner that they choose to return.

Research clearly indicates that DV is a serious problem. Much research seems to support a community coordinated response, recognizing that DV is not a situation that can be resolved through any one single intervention (Aldarondo & Mederos, 2002; Babcock et al., 2002; Dobash et al., 2000; Gondolf, 2002). It requires action from various services and agencies within the community. Gondolf (2004) identifies a range of interventions: police, courts, corrections, protection orders, victim services, community resources, services for men, and local norms all as important components of a community coordinated effort. One strategy implemented as a part of

this larger community response is the diversion of some low risk DV cases from the courts to treatment programs.

Within a community coordinated response it is also important to address the needs of the victims as well as the accused (Dobash et al., 2000; Gondolf, 2004). It is a critical and realistic task to direct resources towards placing the accused on a path towards change so that they may cease their abusive behaviour. This illustrates a shift in focus from punishment to the elimination of future violence (Dobash et al., 2000), which is a more positive goal for all parties involved with the offense.

Upon consideration, the idea of a community coordinated response is to address the crisis of DV in a holistic manner, that acknowledges the complexity of the issue and the need for a comprehensive response. Addressing the needs of the accused is an integral part of this response.

### *Conclusion*

An important component of this diversion process is the availability and quality of treatment programs for the appropriate candidates. The completion of a treatment program ensures that the accused is receiving some sort of intervention that can facilitate changed behaviour and the future safety of potential victims. A rehabilitative remand can offer more than a stay of proceedings. Research is demonstrating that DV treatment programs are making a significant difference (Banks et al., 2013; Dobash et al., 2000; Gondolf, 2002; Russell, 2002; Scott et al., 2013; Stalans & Seng, 2007; Tollefson et al., 2009). The first DV programs emerged in the late 1970s in response to battered women advocates (Gondolf, 1997). Since then, DV treatment programs have undergone much development, evolving into a model that is closely reflected by the Choose 2 Change program. Diversion is one response to the court's search for

strategies that can relieve case loads and effectively address the complexities of DV cases. This research aims to evaluate the success of one of Winnipeg's diversion programs, Choose 2 Change, as well as identify possible areas of improvement so that it can better serve its clients.

## Chapter 2

### Review of the Literature

This research project involves an evaluation of the Choose 2 Change - Domestic Violence Diversion Program. Therefore, the literature in direct reference to this topic is that which follows the development of DV treatment programs over time. Of particular interest is theory that outlines the key components that are deemed to be essential to a successful program. This information can provide a guideline for program evaluation.

#### *A Brief History*

There is much debate in the literature regarding the advantages and disadvantages of different treatment models for domestic abusers. Treatment programs are generally categorized under two mainstream models: cognitive behavioural therapy (CBT) or the Duluth model. CBT is based on the belief that abusive behaviour is attributed to individual psychology, while the Duluth model holds that the cause is linked to societal problems. (Banks et al., 2013)

CBT asserts that abusive actions are caused by cognitive distortions about oneself and their partner, such as a need for superiority or a sense of a privileged status. Under this model, cognitive distortions are addressed through homework, lectures, and cognitive rehearsal sessions that aim to have clients internalize a healthier interpretation of oneself and their partner. CBT also identifies a lack of skills to appropriately express one's feelings as a cause of violence. This deficit is treated through modelling and behavioural rehearsal. (Banks et al., 2013)

The Duluth treatment model was developed in Duluth, Minnesota in the 1980's (Banks et al., 2013). Societal issues such as the objectification of women and hegemonic masculinity are

cultural ideologies that socialize males to believe that it is acceptable for them to use violence against their female partners. The focus under this framework becomes changing such beliefs through re-education and confronting hegemonic masculinity (Banks et al., 2013). This approach has historically been prescriptive and often confrontational, because male denial or minimization was deemed a barrier that needs to be overcome. Males are taught alternative gender discourses for achieving a sense of masculinity and identity (Banks et al., 2013; Weaver & McNeill, 2010). Anger management, stress management, and relationship skills training are other treatment strategies utilized under the Duluth model (Banks et al., 2013).

In an applied sense, most modern programs do not fit neatly under either of the two models. Both models have advantages and treatment is more successful if it incorporates aspects of different models in a collaborative fashion. (Babcock et al., 2002) The most commonly implemented treatment design is that which has been labelled gender-based CBT. This hybrid model exposes individuals' rationalizations for engaging in abusive behaviour, pushes them to recognize and take responsibility for their inappropriate actions, teaches techniques for avoiding violence, and develops healthier alternative behaviours. It is a hybrid model in the sense that it adopts cognitive behavioural techniques, while incorporating societal gender issues. The gender-based CBT orientation takes numerous forms through many different curriculums. Rather than referring to a singular approach, it refers to the gradual convergence of CBT and the Duluth model. (Gondolf, 2004)

Theorists have framed behavioural change as a process that graduates through six stages, beginning from a position of unwillingness to change and, if successful, ending at a stage of internalization of the behavioural goals. The first stage is the pre-contemplative stage. It is defined by a reluctance on the part of the individual to acknowledge that they need to modify

their behaviour. In short, they do not believe that they have a problem. The second stage is the contemplative stage, which involves an admission that there is a problem and some indications that this will require a change in their behaviour. The third stage, preparation, is characterized by an intention to take action in the near future. The fourth stage, action, involves the individual making clear modifications to their behaviour in order to overcome their problem. The fifth stage, maintenance, focuses on developing strategies to prevent relapse into the undesirable behaviour. The final stage, termination, is defined by an internalization that requires no further need to practise maintenance strategies. (Prochaska & Norcross, 2001)

Traditional CBT and Duluth models operated under the assumption that clients were ready to change their behaviour. In reality, these men are likely to enter a program in the pre-contemplative stage. (Banks et al., 2013) For the most part they are not joining a program in search of personal change. They are doing so to avoid incarceration or to return to their partner. (Dobash et al., 2000) They likely do not define themselves as having a problem and, therefore, will respond with aggression or denial when confronted about their abusive behaviour (Banks et al., 2013; Dobash et al., 2000). The early implementation of these program models were often ineffective because they began at a step beyond where most of their clients were located in the change process. Resistance to curriculum was counter-acted with confrontational strategies that were not conducive to progress.

Miller and Rollnick (2013) describe these earlier programs as utilizing a righting reflex. This refers to a desire that people have to fix others' problems and direct them to a better way of doing things. Although this righting reflex comes from well-meant intentions, the natural reaction of the client is to respond defensively. This response is often labeled as denial, but it is in fact a natural human reaction to confrontation. (Miller & Rollnick, 2013) This interaction

results in a movement backwards, as the client is now actively coming up with reasons why they should maintain the behaviour in question (Miller & Rollnick, 2013). Traditional programs utilized a strategy that centered around confrontationally pressuring men to acknowledge their abusive behaviour and agree to change (Mederos, 2002). Such an approach makes individuals feel angry, defensive, uncomfortable, and powerless. This situation is the opposite of what treatment facilitators want. The aim should be to place clients in a position where they feel engaged, empowered, open, and understood so that they can be guided towards a state of change (Miller & Rollnick, 2013).

A treatment technique that is designed to engage men who are at a pre-contemplative or contemplative stage is motivational interviewing (Banks et al., 2013). Motivational interviewing is a collaboration between the facilitator and the client to begin moving in a positive direction. It is an approach which recognizes that individuals are the experts of themselves. The treatment provider is not there to diagnose and prescribe a solution for their clients' problems. Motivational interviewing emphasizes a focus on the individual's assets and allows them to exercise autonomy so that they can utilize their strengths to move towards change. This strategy requires asking open questions, affirming assets and efforts, reflective listening, summarizing the client's expressions, and advising with permission and in a manner that is relevant. (Miller & Rollnick, 2013) The facilitators essentially want the clients to do most of the work and find most of the answers. Their role is to ask questions in a way that provides guidance towards this goal. Goal setting can be used as a non-confrontational strategy for taking individuals' focus away from victim blaming to working on what they are able to do to make their life or relationships better (Lee et al., 2003). Research indicates that motivational interviewing is better geared towards

men in the initial stages of change, so that they may subsequently respond better to CBT (Banks et al., 2013).

### *An Emerging Model*

The adoption of motivational interviewing as a treatment technique is a paradigm shift in the treatment of domestic offenders from positivism to social constructivism. The positivist school labelled the therapist as the expert who was assigned the task of discovering what caused an individual's violent behaviour and treating it. The therapist directed the client to develop insight into their actions, take responsibility, and then learn appropriate alternatives. (Lee et al., 2003) The social constructivist paradigm emphasizes that the participant is the expert of themselves. It is up to the client to define what goals are important to them and to be active agents in their own change process (Lee et al., 2003; Weaver & McNeill, 2010). The treatment facilitator is there to help guide the participant, rather than prescribe solutions.

Increasingly, program facilitators working with accused persons and convicted offenders have found it beneficial to also communicate with the partners. They can address victim safety issues by keeping them informed about the treatment process and signs of increased risk. In addition, the partners may be able to provide more detailed information regarding the scope and severity of the abuse. (Mederos, 2002) Continued post-program contact with the victim or accused can be a method of monitoring recidivism (Gondolf, 2002). These identified goals make it worthwhile to implement some form of additional communication with complainants when conducting offender treatment under this model.

Alongside program innovations, there has been extensive development in society's understanding of the dynamics operating within situations of DV. This understanding is critical

for establishing the theory behind the practise when it comes to treatment. One important change in understanding abusive behaviour was the shift from attributing violence to a condition of poor psychological health to comprehending violence as an instrumental tool for maintaining power and control (Mederos, 2002). This knowledge helps service providers to understand where the abusive behaviour is coming from. In addition, it places a higher degree of accountability on abusive men. Perpetrators are now seen as active agents utilizing violence to fulfill their needs, as opposed to being held hostage by their psychological makeup.

Another innovation is the recognition of how a patriarchal culture can foster a sense of self-entitlement and can produce DV either directly or indirectly (Aldarondo & Mederos, 2002). Some cultures directly tolerate the use of violence against women. This occurs when women are considered to be the property of the man, providing him the right to respond to disobedience with physical punishment. The Euro-American culture provides this same sense of entitlement in an indirect manner (Aldarondo & Mederos, 2002). The objectification of women and male superiority prescribed by hegemonic masculinity create a scenario where some men may come to believe that they are entitled to use violence against women to serve their needs, when they have been socialized to view women in this inferior and objectified manner. Treatment programs acknowledged this with the development of the Duluth model, which addressed societal ideologies that supported abusive behaviour. This perspective is generally accepted and remains an important component of most treatment programs.

### *Offender Categories*

Theorists have identified three different categories of domestic offenders, based on the frequency and pattern of their violent behaviour, personality disorders, and the generalizability of

their violence. The first category, family-only men who have abusive behaviour, are characterized by low rates of familial violence and an absence of antisocial or borderline personality disorders. (Banks et al., 2013) Proportionally, this is the largest category, estimated to represent roughly half of all men who have abusive behaviour (Aldarondo & Mederos, 2002). These individuals generally have a better treatment outlook than the other types (Banks et al., 2013). This is the category of men who qualify for diversion and it is expected that this group will be the focus of my study. The other category, borderline or dysphoric men who have abusive behaviour, display a higher frequency of intimate partner violence, accompanied by borderline personality disorder. The third category are men who have abusive behaviour and display a higher frequency of intimate partner violence, high rates of generalized violence, and antisocial personality features. These latter two categories of offenders are unlikely to be represented in my research and do require more intensive alternative interventions and treatment. Research suggests that family-only men who have abusive behaviour are more likely to change with lower levels of intervention. (Banks et al., 2013)

An important component of diversion is the ability to properly screen for individuals who are suitable for diversion to treatment. As has been illustrated, men who have abusive behaviour are not a homogeneous group. An effective strategy entails directing individuals towards treatment or intervention options that are tailored to their needs. It is important to be able to recognize which candidates are unlikely to benefit from the treatment model, so that they can be directed elsewhere. Individuals need to be screened into the appropriate treatment program so that attrition and recidivism are kept to a minimum. Winnipeg's diversion program does allow some room for error when it comes to attrition, as drop outs would be directed back to the court, which is perhaps a better option for addressing their abusive behaviour.

Research has found that men who are mandated to treatment by the court are more likely to complete the program than those who are enrolled voluntarily (Dobash et al., 2000). It is still noted that attrition is an issue for court-ordered participation (Russell, 2002); but this does imply that participants are more likely to meet the terms of treatment requirements when there are consequences at stake. Interviews with program participants indicate that men who are directed to treatment through pretrial referral versus post-conviction referral do not distinguish much in terms of their interpretation of the nature of their participation. In their minds there are still serious consequences for not adhering to treatment standards, whether they have been diverted or convicted. (Gondolf, 2002) Participants in the Winnipeg diversion model face the potential consequence of prosecution and whatever may subsequently follow, should they prove to be unsuccessful in treatment. Participant interviews found that pre-court referrals are in fact more likely to expect consequences for attrition and fully participate in the program. This finding may be a result of the faster movement between the initial arrest and program enrollment associated with diversion cases. (Gondolf, 2002) This swift response is capitalizing on a state of crisis that the accused may experience during arrest, making them more susceptible to reflect on changing their behaviour at this time (Dobash et al., 2000). In a state of crisis it is believed that the accused is more receptive to treatment and more likely to benefit from it.

### *Elements of Successful Programming*

The literature on DV treatment programs and diversion highlights several key criteria as integral to implementing an effective diversion program. A standard applying to the larger justice system that theorists have emphasized is a swift response. Delays between the arrest and court hearing can have inhibiting implications on treatment efficacy. (Gondolf, 2004) An arrest can be

described as a point of crisis for the accused. Such an event tends to place the batterer in a position where they are more likely to begin contemplating change. (Dobash et al., 2000) Swift entrance into a treatment program can help to immediately build on any such contemplation so that it progresses further through the stages of change. Diversion is an excellent response to this criterion, as it allows for early intervention without having to wait for a court hearing (Gondolf, 2004).

Skilled facilitation is another essential criterion that can be described as the effective delivery of sub-criteria. As initially discussed in this literature review, motivational interviewing, CBT, and addressing gender norms accompany the above-mentioned standards as important program components that have been integral to facilitating a successful DV program. The risk-need-responsivity model has been highlighted as another important skill set for facilitators to master, as well as a primary guide for offender treatment programs. It is comprised of three principles. The risk principle asserts that program intensity should match offender risk level. This means that intensive intervention should be provided for high risk offenders while brief intervention strategies are more suitable for low risk individuals. The need principle holds that programming should target needs that are directly related to the criminal behaviour in question. (Andrews et al., 2011) The responsivity principle states that treatment programs should be adapted to the learning style, cognitive capabilities, motivation, personality, and cultural background of individuals (Andrews et al., 2011; Banks et al., 2013). Group treatment environments have been emphasized as an extremely important tool for promoting change. A group setting allows individuals to identify with the experiences of other group members, learn from others' examples, and give advice to others. (Russell, 2002) Group treatment is also practical in terms of cost and time management. But the group environment does present a

challenge with regards to responsivity, as there are now a large number of different backgrounds, learning styles, and personalities that need to be accommodated. Facilitators need to be trained to address the diversity that they will encounter in a respectful and effective manner. Ideally, specialized treatment options should be considered for certain cultural groups.

Aldarondo and Mederos (2002) describe the minimum standards that should be in place for an effective DV treatment program. A concentration on behavioural change through replacing violent behaviours with nonabusive alternatives. Maintaining contact with victims throughout treatment is another crucial task. It is imperative that the accused are dealt with appropriately should they fail the program requirements. This is accomplished through communication with probation officers and court officials. They also highlight that treatment should be provided at no cost for those who cannot afford it.

The literature on DV treatment programs have identified the above key criteria as integral to an effective program. For the purposes of this thesis I will compare my research results against these criteria to assess the quality of the Choose 2 Change program. They are listed as follows: 1. swift response; 2. adherence to the risk-need-responsivity model; 3. motivational interviewing; 4. CBT; 5. addressing gender norms; 6. teaching non-abusive alternatives; 7. group dynamics management; 8. communication with victims; 9. accessibility, including fee subsidies or fee waivers; 10. consequences for program failure or attrition. The ability of the facilitators and the program to adhere to the above key criteria for effective programming will determine the success of the final evaluation criterion that I have developed for this thesis, which is 11. participant engagement and response to the program. Ultimately, how the program affects and progresses participants through change reflects how well the elements of a successful DV diversion program are modelled within Choose 2 Change.

Diversion, as a part of a community coordinated response to DV, is a valuable resource. It provides the opportunity to fast track individuals into treatment programs during a personal state of crisis. Rehabilitative remand allows the court to retrieve the case should the accused fail the treatment program or recidivate. Diversion also allows the CJS to provide a level of intervention in low risk cases that may not have resulted in a conviction. The spirit of the diversion process is one of rehabilitation, rather than punishment. This orientation falls in line with Manitoba's Restorative Justice Act, by aiming to create a better situation for all parties involved with the offense.

All forms of intervention from the CJS, including arrest, tend to terminate violence or abuse for a short period of time (Dobash et al., 2000). However, individuals who complete a treatment program are much more likely to maintain a long term reduction in or termination of violence (Dobash et al., 2000). The theoretical framework discussed above provides evidence-based criteria for identifying a successful diversion program. These criteria are the evaluation tools used in this study of the Choose 2 Change - Domestic Violence Diversion Program. The theoretical orientation of a treatment program should take a social constructivist approach while maintaining a level of accountability and responsibility for the accused. A further consideration for successful intervention is to adopt the gender-based CBT orientation. This hybrid model addresses societal as well as personal factors that contribute to the use of violence and abuse to exert control over one's partner. The program needs to change individual beliefs surrounding masculinity and identity, and develop healthy alternative behaviours for dealing with feelings of anger and inferiority. Developing programs to address the risk, need, and responsibility principles is a challenging and important criterion. This should be accomplished in a manner that is non-confrontational, through facilitator guidance rather than direction. Motivational interviewing is

an effective strategy to engage individuals who enter the program at a pre-contemplative or contemplative stage of change.

## **Chapter 3**

### **Methodology**

This thesis addresses four research questions. The first was to identify the key criteria for effective treatment programs for men with abusive behaviour, which has been accomplished through the literature review. The second is to assess the extent that the Choose 2 Change program meets these criteria. Observation of the Choose 2 Change program was selected as the best method for responding to this research question. The third research question is to determine what program registrants and facilitators identify as the key program components in their experiences of the group treatment process. A semi-structured interview was the method selected to respond to this research question. The fourth research question is to identify how the Choose 2 Change program in particular, and diversion of domestic violence cases in general, are viewed by key informants who have experience working with domestic violence cases. Semi-structured interviews were the selected method for canvassing the opinions of key informants.

When it comes to program evaluation, it is integral to implement both qualitative and quantitative methods (Madey, 1982). Historically, researchers had always favoured quantitative methods in providing the most scientific information on a given subject area (Madey, 1982; McDavid et al., 2013). However, developments in the field of research, beginning in the 1980s, identified the crucial role qualitative methods can play, particularly in the field of program evaluation (Madey, 1982; McDavid et al., 2013). Quantitative data can inform program inputs, ie. the number of clients, attrition rates, and the number of groups per year in relation to the amount of resources utilized. It can also quantify outputs in terms of recidivism rates for diversion cases relative to cases with other court outcomes. However, qualitative methods are

particularly important in assessing an appreciation of program process, the strengths and weaknesses of program components, and areas for program improvement. Qualitative methods allow for open-ended research that can more effectively explore the program functions and operation (Madey, 1982; McDavid et al., 2013). These two schools of research complement each other, rather than compete, when it comes to evaluating programs. Qualitative methods can provide information to help statisticians develop a sampling frame or focus on the important information (Madey, 1982). Qualitative methods can also complement statistics by further illustrating what the numbers mean (Madey, 1982; McDavid et al., 2013). Thus, it is ideal for program evaluators to utilize both quantitative and qualitative techniques.

The challenge of using mixed methods is that it is costly, time consuming, and complicated. Therefore, this thesis will focus specifically on the qualitative aspect of the evaluation. In doing so, it can contribute information to enrich quantitative analysis. An open-ended qualitative study provides the opportunity to explore and evaluate its effectiveness from a qualitative standpoint.

### *Observation Process*

Observation was used to document the Choose 2 Change program process and assess the program's adherence to the key criteria for effective treatment programs for men with abusive behaviour. The relevant key criteria for this research method were identified as such (numbered as they correspond to the literature review): 2. adherence to the risk-need-responsivity principle; 3. use of motivational interviewing; 4. use of CBT; 5. discussion of gender norms; 6. teaching non-abusive alternatives; 7. management and makeup of the group dynamic; and 11. participant engagement and response. Participant observation was selected as the best strategy to assess the

extent to which the Choose 2 Change program implements these 7 out of the 11 key criteria. I was able to observe critical components of the treatment process including group composition and dynamics, individual roles and reactions in the group, and the role of the facilitators from start to completion of the treatment program.

I attended and observed one full treatment group (three consecutive seven hour classes) of the Choose 2 Change - Domestic Violence Diversion Program. I was able to observe how healthy alternative behaviours were being taught with the aim of replacing violent behaviours. In addition, the program's responsivity to individuals' learning styles, cognitive capabilities, motivations, personalities, and cultural backgrounds were studied. This is considered an important aspect of treatment facilitation that is more complex and abstract, best measured through qualitative methods. The screening of diversion candidates was evaluated to some degree, as I observed whether many participants were dropping out of the program, or whether there were individuals present who did not seem to be suitable for or benefiting from the program. This method also presented the opportunity to witness the group dynamic and see how the treatment environment works to facilitate change. As well, I assessed to what extent the program utilized aspects of the CBT and Duluth models. The employment of motivational interviewing to engage participants at early stages of change is another important criteria that was evaluated through observation.

### *Participatory Observation*

During the preparatory meetings for observation, the program facilitators requested that I try and immerse myself into the group by sitting amongst the participants and participating in some group activities. They felt that this would provide an environment conducive to the goals

for their treatment process. As a researcher, this degree of involvement was crucial to maintaining an unobtrusive presence. From this discussion I used three strategies in my role as a participant observer during the treatment program. First, I sat with the participants throughout the group sessions, rather than separating myself physically. Sitting beside the men while I took my notes on the program placed me on an equal standing symbolically with the men. Sitting amongst the program participants also provided more opportunity for interaction and conversation. Second, I had discussions with the men during breaks and lunch regarding a variety of topics such as martial arts, cycling, careers, and the material being discussed in the program. This allowed me to build a relationship and a level of comfort with the men in the program. These breaks also gave me an additional opportunity to evaluate how the participants were responding to the program material, as they shared their opinions on the subject matter with me. The third strategy utilized was my participation in a few of the group activities. I was asked by the program facilitators to participate in the first activity of Day 1, which involved everyone saying what their expectations were heading into the program. I also participated in the final activity of Day 3 where everyone stated what they took away from the program. Participation in the introductory and concluding activities gave the men an opportunity to view me as a participant rather than a disconnected observer. I was there to learn about the program material, just as they were.

The program facilitators also corroborated my perception of participants' comfort by informing me that this group which I was observing had a good group dynamic. They felt that this group was very open and willing to share their experiences and opinions. This was very positive feedback given my concerns about obtrusiveness as a researcher.

Prior to attending class, I familiarized myself with the Choose 2 Change curriculum and literature. This provided me with a base upon which to build and compare my observations. During the class I made notes on a notepad that allowed me to organize and capture what was occurring throughout the session. The notepad was organized with headings for each activity that was conducted during the day. All comments and observations made by participants and facilitators which I deemed to be potentially significant were paraphrased and recorded under the headings. As I was forced to make quick notes during the day, I would sit down on my own at the end of each day and organize my notes to facilitate recall.

I welcomed all participants to review my notes at their leisure and they were informed that any requests to exclude certain observations or comments would be respected. One participant did take advantage of this offer, as he requested that one story he shared not be recorded.

Consideration was given to making no notes during the sessions, as this would allow me to become fully focused on what was happening in the room, rather than being diverted into my notepad at times. Also, this would assist in making my presence less obtrusive, as it was suspected that some participants may be intimidated or thrown off by my taking notes as they are speaking. However, taking notes was unavoidable as 7 hour long classes would have made it impracticable for a researcher to recall many significant details if no notes were made until the end of the day. Making notes required a tactful balancing act on my part to situate myself in the group and properly observe what was taking place, while at the same time recording appropriate information for recall. I felt that I was able to maintain such a balance.

Field observation is a methodological pillar of sociological research (Warren & Karner, 2005), allowing researchers to observe group dynamics firsthand (Cohen, 2010). Such research

creates a balance between objectivity and subjectivity (Cohen, 2010). As a researcher, I wanted to be as unobtrusive as possible and observe how the program is generally conducted on a regular basis. In order to achieve this goal I was required to be somewhat involved in the program. Rather than assuming the role of the silent researcher who watches from the corner I had to become involved in the program to a certain extent. The forum which I was evaluating involved men discussing highly sensitive material. This was an environment in which it would be difficult for participants to open up if there were uninvolved persons in the room who may inadvertently create an atmosphere of discomfort. By being completely uninvolved I could have very easily made these men uncomfortable with my presence, as they may view me as a stranger who is quietly judging them. In this respect, it was necessary for me to interact with the men, build relationships, and even participate in some of the activities to a controlled extent, in order to achieve entree in this particular setting. Participation in the group could be seen by some as intrusive. However, the dynamics of the group made my participation the more natural, less inhibiting role to play. Further it was the advice of the program facilitators that limited participation would be the most appropriate role for me. Limited participation provided an opportunity for the men to get to know me and become comfortable with my being there.

The men in the program were requested to share sensitive stories and engage in discussions that required them to open up. To have an uninvolved member in the room would have been disruptive to this process, discouraging the participants from connecting with each other at a personal level. Therefore, it was determined, in conjunction with the program facilitators, that this approach would be the most appropriate both for obtaining the goals of the research and for the benefit of the program and participants.

### *Participant & Facilitator Interviews*

The second component of this study was participant and facilitator interviews to get a sense of how the clients and facilitators felt about the program and whether they had suggestions for improvement. As an observer I developed my own impressions of the group. However, it was also important to understand how the participants and facilitators interpreted this experience. Their opinions are important, as they are the ones who are supposed to be affected by this process. I wanted to understand participant and facilitator standpoints more accurately through their reflection on the group.

I was able to conduct interviews with two program participants from the session I observed. More interviews would have been preferred, as it would allow for broader perspectives and a larger sample for documenting participant engagement and response. However, this component was dependent on participants' willingness to take more time out of their schedules to further participate in the research. Also, the commencement of this stage of the research was delayed pending Ethics approval. Thus, when I was permitted to begin recruiting for this stage of the research much time had passed after completion of the program. This made it more difficult to contact participants for interviews. Fortunately, I was still able to organize interviews with two members of the group I observed.

An interview guide was developed to facilitate a semi-structured interview. It contained a number of questions focusing on what participants viewed to be the advantages and disadvantages of the program, suggestions for improvement, impactful activities, and to what extent they had internalized the lessons and applied them in their personal lives. (See Appendix A for Participant Interview Guide)

After ethics approval for this stage of research had been received, participants were contacted via provided contact information. Interviews were conducted by myself in a private room either at the Salvation Army Correctional and Justice Services or RESOLVE Research Centre. These interviews were tape recorded. I then used the tape recordings to transcribe the interviews into Microsoft Word documents for analysis.

Interviews with program facilitators were designed to identify strategies and thought processes involved in the facilitation of the Choose 2 Change program. Two facilitators with significant experience running treatment groups were selected for this portion of the research. One of the facilitators was the Choose 2 Change coordinator, who provided history and insight into the development of the program as well as observations on program dynamics. The second facilitator had a long history of developing and running DV treatment programs through Probation Services. Their experience provided a backdrop upon which they could situate Choose 2 Change.

An interview guide was also developed for the facilitator interviews. It focused on areas such as opinions on the diversion process, strategies used to address challenges within the group, and the techniques that are used to implement the identified key criteria for diversion programs. (See Appendix B for Program Facilitator Interview Guide)

### *Key Informant Interviews*

The third component of the study involved key informant interviews to gain an understanding of Winnipeg's diversion program from the perspective of staff within the CJS. A police officer, two Crown attorneys, a Victim Services worker, and two Judges involved in DV

cases were interviewed. Key informant interviews were able to address questions about the role of diversion programs within the CJS and any concerns or benefits they see in such programs.

The interview with a police officer was conducted to understand how diversion may affect the front line operations of this process. The police are the first to come in contact with diversion candidates and therefore they possess a valuable perspective with regards to how diversion candidates are initially brought into the CJS. Senior Crown attorneys are responsible for screening diversion candidates. These interviews were valuable in terms of obtaining information on the diversion screening process. Victims are an important element of diversion, as the ultimate goal of these efforts are ensuring victim safety. Therefore, it is crucial to explore how victims are oriented towards this process. A Victim Services worker was selected to represent a voice for victims of DV with regards to this research. In respect to those who come in contact with diversion candidates, Judges are limited in their interaction, as the court process is intended to be avoided with diversion. However, Judges who preside in the specialized domestic violence courts present a significant "finish-line" perspective in terms of what is being accomplished through diversion. Key informant interviews were selected based on the above reasons. Individuals with extensive experience in their specialized field, as it relates to DV, were contacted for this portion of the research.

Interview guides were also developed for these interviews, with general questions regarding respondents' perspectives on the effectiveness of diversion for DV cases, as well as specific questions pertaining to the specialized knowledge of the respondent with respect to their employment position (See Appendix C for Key Informant Interview Guides). My observation of the treatment group informed the questions and areas that were to be focused upon for key informant interviews. Therefore, questionnaires were developed after the observation stage of

research. These questions were very open-ended for the most part to allow interviewees the opportunity to explore areas of the topic that they felt were important. All key informants were presented with a generic set of questions regarding diversion for DV cases. The interview then transitioned into exploring questions that were specific to their profession and expertise. Additional substance abuse treatment, victim contact, consequences for program failure, fee waivers for treatment cost, swift response, and screening processes are the key criteria that were the focus of this component.

These were in depth interviews and given my interest in covering a variety of professionals involved in diversion, only one or two respondents were selected for each professional category. My thesis advisor contacted a number of people in each professional category where they were informed of the study and its purpose. If they were interested in participating, they gave approval for their email to be forwarded to me. I then sent them a recruitment letter, and if they were still interested and available an interview time and date was scheduled. Interviews took place at the respective workplace of key informants with a few exceptions.

### *Ethics*

In adherence to Ethics protocol, confidentiality has been provided for all participants of this research project. In the observation component, all participants were assigned a number corresponding to their identity. All notes made regarding a specific participant were written in reference to that number, thereby containing no identifiable information.

All interviews were assigned an anonymous number for identification purposes. Interviewees were requested not to refer to names during the interview. Any potentially identifiable information provided during the interview was removed from the transcripts.

All collected data has been handled with care by the research team, being stored with appropriate protection. Interview tapes were transcribed by myself into Microsoft Word documents. Original interview recordings were stored on a secure computer at the RESOLVE Research Centre. Only I have access to these recordings.

All research participants signed consent forms informing them of the research, process, and data handling procedures prior to their participation. These consent forms were stored in a locked drawer at the RESOLVE Research Centre. Only the research team has access to this drawer. Notes, consent forms, and interview recordings will be destroyed two years after the completion of the study.

Consent forms for interview participants also cautioned that the number of people being interviewed in each professional category would be small and therefore even though names were not used there was a possibility that they could be identified based on their responses. (See Appendix D for Consent Forms)

### *Conclusion*

Using participant observation, participant interviews, and facilitator interviews was an effective strategy for evaluating the adherence of the Choose 2 Change program to the key criteria for effective programming outlined in the literature review. This approach allowed me to understand the process and the efficacy of the diversion program in an open and exploratory manner. The key informant interviews provided me with an understanding of the perspectives

and concerns of collateral agencies and professionals working in the field of DV. Their viewpoint has a significant impact on the public and professional assessment of diversion and these perspectives have an impact on the acceptance of innovative programming in the CJS. Therefore, the above methods were adopted as the best strategy to explore the effectiveness of the Choose 2 Change program and its acceptance in our community.

## **Chapter 4**

### **Observation Findings**

My observation research involved attending and observing a full treatment program of the Choose 2 Change - Domestic Violence Diversion Program, run by the Salvation Army Correctional and Justice Services. A complete treatment program is comprised of three seven hour days. The program I observed used three consecutive Saturdays for the group component. In addition, individual intake and outtake meetings are arranged for each participant prior to and after the group process. These meetings are with the Choose 2 Change coordinator and present opportunities to assess participants individually with regards to their change process, take the time to have a one-on-one conversation with the participants, and offer participants further resources which may be helpful for their individual situation. These meetings offer individual time for each participant, which is something that can be difficult to work into group time. Two facilitators conducted the group program by presenting the curriculum and guiding discussions with the participants. Most participants were referred to the program by a senior supervising Crown attorney in Winnipeg's Domestic Violence Unit as a treatment condition in order to have their charges stayed. However, Choose 2 Change was also open to voluntary participants who could register in the absence of a diversion referral. There were a few registrants in the group I observed who had voluntarily enrolled without any court involvement. Whether enrolled voluntarily or referred through diversion, the ultimate goal of Choose 2 Change is the same: to provide education and skills to participants, who have been abusive towards an intimate partner, that will allow them to not only be non-abusive, but also to have a richer and more intimate relationship with their current or future partner.

*Day 1*

Prior to commencing Day 1 of treatment, the facilitators informed me that the focus of the first day was to get the participants comfortable and open to discussion through motivational interviewing. As discussed in the literature review, motivational interviewing is the practise of asking open questions, affirming assets and efforts, reflective listening, summarizing the client's expressions, and advising with permission. These dynamics are conducted with the focus on guiding the participant towards the goals of the program (Miller & Rollnick, 2013). The curriculum gradually transitioned from general topics to specific themes of intimate partner abuse, to ease the participants into a discussion of abusive behaviours. These foundations were laid on the first day and were necessary to prepare participants for the exercises and discussions that were to follow on days 2 and 3.

Early on Day 1, the facilitators attempted to gauge the participants' location within the stages of change. This was started by the very first activity which involved everyone in the room stating how much they wanted to be here on a scale of 1 to 10, as well as what their expectations were for the program. This initial activity revealed a variety of opinions, with a few people giving themselves a 10 for their willingness to be there, a handful ranking a 1, and several falling somewhere in between. As Table 1 indicates, the most frequent score was 1. Many of the participants stated that there are other things they would rather be doing on a Saturday morning.

**Table 1** - Participants' self-ranking of attitude to attendance in the program

Rank	1	2	3	4	5	6	7	8	9	10
# of participants	6			1	2		2	1		3

The facilitators continued to use strong motivational interviewing techniques throughout this exercise, rather than confronting some of the men who were in a precontemplative stage and whose statements were generally accompanied by a reluctance to display any sort of responsibility for their enrollment in the group. When one participant made such a statement, the facilitators responded by thanking him for his honesty, hoping that he can still gain something from the program in relation to his well-being. This was a motivational interviewing strategy which was used in response to the resistance offered by this participant. Rather than being confrontational, the facilitators kept the door open, providing the opportunity for this individual to later become more engaged with the program.

The facilitators then touched on an interesting theme in relation to the diversion process. They talked about how external motivators can be good for getting someone to take the first step towards change. However, in order to truly drive change, the motivation has to come from within. Avoiding criminal prosecution is an external motivator in the diversion process to initiate a path of change. However, in order to change the participants have to find an internal motivation through guidance from Choose 2 Change.

This discussion was followed by the presentation of a poem entitled "Two Wolves":

*An old grandfather said to his grandson who came to him with anger at a friend who had done him an injustice...*

*"Let me tell you a story.*

*I too, at times, have felt a great hate for those that have taken so much, with no sorrow for what they do.*

*But hate wears you down, and does not hurt your enemy.*

*It is like taking poison and wishing your enemy would die.*

*I have struggled with these feelings many times."*

*He continued.....*

*"It is as if there are two wolves inside me;*

*One is good and does no harm. He lives in harmony with all around him and does not take offense when no offense was intended.*

*He will only fight when it is right to do so, and in the right way.*

*But the other wolf, ahh!*

*He is full of anger. The littlest thing will set him into a fit of temper.  
He fights everyone, all the time, for no reason.  
He cannot think because his anger and hate are so great.  
It is helpless anger, for his anger will change nothing.  
Sometimes it is hard to live with these two wolves inside me,  
For both of them try to dominate my spirit.”  
The boy looked intently into his Grandfather’s eyes and asked.....  
“Which one wins, Grandfather?”  
The Grandfather smiled and quietly said ....  
“The one I feed.”*

*- Aboriginal Author Unknown (Choose 2 Change Curriculum)*

This poem introduced CBT into the session. It revealed that everyone has the potential for anger, but they can choose to what extent that anger is displayed. One facilitator shared his ideas about how anger can be released in a positive way. He stated that there are often other emotions which underlie anger. The skill here involves recognizing that initial emotion and using it in a positive way before it gets to anger. People express anger because that is how they have been taught or conditioned to deal with other emotions such as sadness, fear, or jealousy.

The following discussion involved the experiences people bring into an intimate relationship. The goal of this exercise was firstly to demonstrate that there are past experiences that an individual may bring into a relationship. Their partner may not know about their background and this can affect the quality of the relationship. Secondly, their partner may also bring past experiences to the table which affect the relationship. Therefore, open communication is important so that these experiences can be addressed appropriately together.

The exercise began with the participants coming up with different kinds of experiences that one person may bring with them into a relationship: uncertainty of expectations, kids, ex-partner, religious differences, dysfunction, trust issues, attitudes, and belief systems. The facilitators took these ideas and made the point that these are things that people do not think

about when getting into a relationship, but they are there. Communication is essential to understand where each individual is coming from. Otherwise one starts making assumptions about the other person, as there is a large amount of unknown information.

It was apparent that many of the participants were able to relate to this discussion in terms of the baggage that they bring into their relationships. Some participants agreed that they had negative life experiences which have spilled over into their intimate relationships. Some of these men really connected with this exercise in this way, as they felt that it spoke to them. This was further confirmed in closing discussions and interviews. However, none of the participants seemed to focus on the other half of the exercise which involved the experiences their partner's have had and how they may be making unfair assumptions about their partners based on a lack of communication. One facilitator touched on this gently by bringing up the point that when in a relationship one needs to open up to their partner so that they may in turn open up to them. Otherwise, one may start making assumptions about the other person, as they only know the tip of their iceberg and there is much that they have yet to know.

The following Day 1 exercise addressed myths and facts about intimate partner abuse. The facilitators brought up ten different true or false questions to initiate some discussion surrounding partner abuse (Refer to Appendix E - Figure 1). The group answered most of these questions correctly, demonstrating some general awareness regarding domestic abuse. There were three questions (#5, #6 & #7) that resulted in split opinions, leading to further discussion and explanation:

Question #5: Children know the abuse is going on (True). This was cleared up quickly as other participants actually explained to the men, who answered false, how kids can still sense the tension in the household, even if they do not witness the actual abuse, and that this has an effect.

Question #6: People abuse their partners because they cannot control their anger (False). This required clarification from the facilitators by bringing up the point that people can control their anger in various other situations (ie. when in a public place). Therefore, acting on anger in the household reflects a belief system that permits the exercise of such anger in forms of abuse.

Question #7: Men are just as likely to be victims of serious partner violence as women (False). This resulted in a brief debate between the facilitators and one of the participants who was adamant that women were just as abusive as men. The facilitators countered this by referring to research findings which demonstrated that women are more likely to be victims of serious assault; but the proportions are closer for less serious violence.

This exercise, which introduced discussion specifically focused on abuse, then led into another activity where participants split up into smaller groups and came up with examples for different types of abuse. The exercise provided opportunity for some of the quieter individuals to interact more in the smaller sub-group setting. One member of each group then presented their topic to the rest of the class. The four categories were financial abuse, emotional abuse, sexual abuse, and physical abuse.

Many of the participants were receptive to this exercise, later stating that they did not recognize many abusive behaviours as being abusive prior to this day. Financial abuse was one category that seemed to stand out in this way. Facilitators utilized motivational interviewing when some participants got off track, focusing on the abusive behaviours of their partner, rather than themselves. The purpose of this discussion was to get the men to think seriously about the various behaviours they may engage in that can hurt their partner. The facilitators would ask the drifting participant to focus on themselves and what they do, or they would ask questions that guided the participant to come up with the answer as to whether a certain action is harmful. The

facilitators asked that participants focus on things that they have done without giving context and deflecting blame, acknowledging that everyone has done something to bring themselves to this program.

This transitioned into the "Cookie Story". In summary, a mom was baking cookies while her boy was playing in the sandbox. When she comes back some of the cookies are gone. While under questioning the boy goes through stages of deflecting statements:

*Cookie Story*

1. *Ignore - when mom calls to talk to the boy*
2. *Denial - it wasn't me*
3. *Blame - it was my brother*
4. *Minimize - it was only one cookie*
5. *Excuse - you did not feed me and I was hungry*

Following this story the facilitators attempted to open the door for self-reflection by sharing their own shortcomings with accepting blame and taking responsibility in various situations. They described these stages as defense mechanisms to protect oneself from hurt, guilt, and shame. Furthermore, they acknowledged that everyone does this to some extent. This resulted in a discussion of issues that some of the participants had with their partner's unwillingness to change. Some of the men were still transferring blame to their partners. One of the facilitators concluded the discussion by posing the question, "When we focus on the other person can we change?" To which another participant acknowledged that they cannot. This further illustrated strategic motivational interviewing by deflecting the conversation away from the men's partners and back onto themselves by focusing on what is within their control for effecting change.

The first day concluded with participants sharing one feeling and one thing that they took away. It appeared that participants were becoming more open and receptive to the program

curriculum. Several of the men stated that they were surprised by the information they were learning and optimistic that they could work on some of the topics that were discussed.

### *Day 2*

Day 2 dived into more challenging exercises on gender norms and CBT. The foundation laid on Day 1 provided an environment in which participants were open to discussion and receptive to the curriculum for this day. Day 2 challenged the gender norms present within society that contribute to abuse in intimate partner relationships. It presented a framework giving the men a reference to consider how underlying thoughts about men and women's roles can influence their behaviour. By choosing to change their beliefs and thoughts they can change their behaviour, which will subsequently lead to different outcomes in various situations.

The facilitators began the day by asking everyone two questions: What stuck out from last class? And who is someone that they look up to? The most common response to the first question that morning was the exercise on different types of abuse. The men found that activity very eye-opening and informative. All participants had something to say, with the exception of one who claimed that they did not recall anything from last class. One participant indicated a strong commitment to a male dominant ideology with one of the role-model stories he shared in response to the second question. He stated that he should be able to do better, in terms of taking care of his home and family, than his hardworking mother because she is a woman. The facilitators did not spend much time addressing this gender misconception as gender norms were discussed later in the day.

The facilitators then turned this opening activity into an opportunity for private self-reflection by posing the questions to the participants: "What are my values? And do I want

someone to look up to me?" It is likely that all participants would have answered yes to the latter question. Setting up this role-model idea was to act as a hook for engaging the participants with the material that was about to be presented to them throughout the day.

This led into the Costs of Abuse exercise. Participants were split up into the same four small groups and were asked to come up with the different effects abuse can have on 1) their partner, 2) themselves, 3) their kids, and 4) society. The facilitators spent time assisting one group that now only had two people due to program attrition. The groups were able to come up with many different effects for each section. This built on last week's Types of Abuse activity that got the men thinking about all the different acts that can hurt someone. Now the men brainstormed all of the different ways that this hurt can be manifested.

Next a discussion regarding beliefs was initiated. This was setting up an introduction to gender norms, and would later play into CBT as well. The group discussed the various sources of our beliefs: parents, friends, relatives, associates, life experiences, heritage, and culture.

The facilitators then asked the participants to list beliefs they have about women based on information provided through their social environment. In turn, the group discussed their beliefs about what it means to be a man. They were able to come up with a large list of gender stereotypes that society reinforces. Many of the men could see how society was moving away from these images. However, they acknowledged that society is still stuck in these ideas to some extent. There was further discussion regarding how unrealistic it is to meet gender expectations. Particularly the expectation for men to be tough yet sensitive, and how this can be conflicting. Two of the participants who were immigrants confirmed responsivity by stating that these stereotypes were applicable to gender norms that they witnessed in their own cultures.

The topic transitioned from gender norms to CBT through a discussion of weighing positive and negative outcomes in any given situation. They set up a chart and went over a few examples, such as going out with one's buddies when their wife does not want them to. Motivational interviewing was also utilized in this exercise, as participants were not told what the right decision was in any given situation. However, the negative and positive outcomes were laid out so that they could make a careful and informed decision themselves.

A focused CBT exercise followed which revolved around negative self-talk. The group was presented with a hypothetical situation where they were at the bar and they observed their partner talking to another guy. The facilitators gave an overview of how we function cognitively by explaining that what we think, what we feel, and how we behave are related and reciprocal. Furthermore, thinking, feeling, and behaviour are fuelled by one's beliefs, referring back to the discussion earlier in the day. Beliefs that may come into play that could negatively affect the hypothetical scenario may be: she's my partner, she can't be trusted, she's my property, I have a right to have my partner. These beliefs influence what one thinks, or in other words how one interprets the situation presented to them. This in turn results in certain feelings that will arise. Subsequently, these feelings influence one's actions in response to the presented scenario. Finally, one's actions have certain consequences that will result. Negative beliefs fuel negative thinking, or self-talk, which filters through the cognitive process, resulting in negative consequences. The participants created a map of how the bar situation could play out using negative self-talk.

Next, the group looked at the same situation played out with positive self-talk. The facilitators emphasized that positive thinking does not necessarily mean everything will be alright in life. However, they stressed that positive or neutral thinking can help with the outcome

of a situation. This was the most overt CBT exercise in the program. The facilitators assigned the men for homework to come up with a situation which they had been involved in recently with their partner where they were using negative self-talk. They were to subsequently fill out the CBT table. They were then requested to fill out the table with positive self-talk for the given situation.

In closing, participants were asked why they were coming back next Saturday, aside from "Cause I'm finishing it." They were also asked what they took away from the day. Responses from the participants were all very optimistic and positive with regards to their program experience thus far. Some of the individuals who were pre-contemplative entering the program indicated that they were now contemplating change, based on their comments. The negative versus positive self-talk exercise was referred to as the take-away for most participants.

### *Day 3*

Day 3 was the final day of the program. This day saw a bit more of a push from facilitators to get participants moving towards change, as this would be their last opportunity to provide influence under Choose 2 Change. The goal of this day was to provide the participants with concrete tools and plans that they could apply outside of the program for the purpose of eliminating or reducing abusive behaviour.

The final day began with everyone sharing one quality that is or was in their partner that they feel makes their relationship worthwhile. Most participants were able to provide a positive quality that they appreciate in their current or former partner. There was one individual who provided an example that revealed some issues regarding his attitude towards his partner when they are arguing. Being the last day, the facilitators addressed this statement a little more

strongly, challenging the participant to reflect on what he was saying and telling him to be cautious that he is not putting himself in a position where he feels superior to his partner.

Next the facilitators addressed the self-talk homework that had been assigned last week. Everyone except for three of the remaining twelve participants had completed the assignment. One of these three completed and submitted it later that day. The assignments were collected to review in the participants' individual closing meetings.

The next topic presented was the Cycle of Abuse. Abuse transitions from a honeymoon period, to tension building, to abuse, and then back to the honeymoon period. Eventually the cycle turns into a spiral, as the honeymoon period begins to vanish and the transition between tension and abuse becomes quicker. The group brainstormed examples that characterized each stage of the cycle.

Participants were then asked to fill out the characteristics in the stages of their own cycle of abuse that occurs in their relationship. One of the men commented that he felt it was "*a challenge to fill this stuff out. It's hard when one person [in the relationship] is doing all the peeling [of the onion] and the other's doing nothing at all.*" The facilitators addressed this comment strongly with a motivational interview approach that resulted in a challenging discussion. One facilitator attempted to redirect the participant's focus on his partner by explaining that the point of this process is not to say he was the only one who was being abusive; but the focus is to look at his situation from the perspective of how his actions affect his partner. They challenged him to think about how his specific actions affect his partner and asked him how he would feel if he was on the other end of the specific behaviour. It was apparent that the discussion which followed challenged the participant and put him in a position of serious self-reflection. The discussion ended with the facilitators emphasizing that this abuse cycle is their

own, not their partner's. Therefore, they are not to use it on them, saying things like, "Oh that's your tension building, honey." There is going to be tension in relationships, as it will not be honeymoon all the time; but they cannot let the tension reach abuse. It is important in this way, to recognize one's warning signs.

The following activity had all participants state a trigger in their own relationship that makes them tense and aggravated. Participants were then asked to share the negative thoughts that start happening in these situations. The physiological body signs associated with these tense situations are uncontrollable. It was explained again to the participants that their associated thoughts are fuelled in their beliefs. The group then discussed the behaviours and beliefs that are associated with these tense situations.

Walking away came up as a negative behaviour in such situations. One participant questioned this, believing that walking away was a good thing. The facilitators responded that it depends on your thoughts and how you do it. This transitioned into the next topic of walking away versus time-outs. Participants were provided a chart (See Appendix E - Figure 2) comparing the differences between taking time-outs versus just walking away from an argument. The facilitators noted that time-outs do not resolve issues, they just prevent it from getting worse. The hard part is coming back and working through the given issue.

One participant questioned the realism of the time-out plan, stating that he could not see himself saying, "I need a time-out to do some self talking" in the middle of a heated argument. The facilitators explained that this is something that needs to be organized ahead of time so that both people in the relationship know what is going on when one walks away from the argument. They were told that their time-out plan is not going to be perfect, but the idea is to work on it and make it their own personal plan that is realistic for them. All participants were provided with a

time-out plan that they could fill out themselves (See Appendix E - Figure 3), along with guidelines for preparing the plan. Each of the men were also provided with time-out wallet cards that they could keep on their person for reference (See Appendix E - Figure 4). This exercise provided participants with a simple and personalized tool to pull themselves out of tense situations without being abusive.

The activities that followed the time-out plan took a positive perspective on intimate relationships. Participants were provided with and discussed a handout on tips for resolving conflicts in intimate relationships in a constructive manner. The men were then split into their four small groups to brainstorm the things that go into a good relationship, listing specific behaviours and examples. These activities highlighted where the participants wanted to be in their intimate relationships. This provided participants with an achievable goal in their personal lives, as well as reinforced motivation to apply the tools taught in previous exercises in order to achieve and maintain their desired relationships.

This theme was further emphasized with a handout and discussion of the Power and Control Wheel versus the Equality Wheel (See Appendix E - Figure 5). Participants were also provided with a self-care grid which outlined tips for living a healthy lifestyle. The group discussed seven areas in a person's life that could get them into trouble if faced with instability: friends/peer association, employment/school, family/marital, drugs/alcohol, recreation/leisure, attitude, and anti-social personality. Participants were then given an addictions package which outlined contact information for resources if they felt that they needed assistance in that aspect of their lives. The Healthy Lifestyle section ended the curriculum on a positive and hopeful note. This section was concluded by handing out a post-questionnaire which would be reviewed during individual outtake meetings to evaluate individuals' attitudes regarding partner abuse in

their personal lives at the end of the program. These would be compared to the pre-test comprised of the same questions, which participants filled out during Day 1 of the program.

The program concluded with the facilitators asking each of the men to share one thing they are going to do to improve their relationship or future relationship, as well as one feeling they have now that they have completed the program. All participants offered constructive goals for improving their relationships. In addition, they expressed positive attitudes coming out of the program. No participants expressed statements that would be characterized as pre-contemplative at the conclusion of Choose 2 Change.

## **Chapter 5**

### **Interview Findings**

This chapter focuses on the interview component of this study. In the first section I will present the results of the participant and the facilitators interviews. In the section I will focus on the experiences of program participants and facilitators and their insights into the strengths of the program and their view of changes that could enhance the program. In the second section I will focus on key informants' views of the program's strengths and limitations and also whether they view diversion as a legitimate response to DV cases. Key informants often serve as key opinion makers in our community and their opinion of the value of diversion will have an impact on the larger community's view of the appropriateness of diversion in DV cases.

#### ***Part I, Participant & Facilitator Interviews***

##### *Participant Interviews*

Participant interviews were able to further inform participant engagement and response to the Choose 2 Change program. These are the people for whom the program was designed and their input is valuable. They were questioned on what they saw as the most helpful components of the program, and their ability to apply program teachings since they left the program. I also inquired about factors that contributed to retention.

There was a two month delay between the completion of the treatment program and the participant interviews, as this section of the research was pending ethics approval. This presented a disadvantage as it was likely that fewer participants would be interested in an interview after

such a delay in time. Only two men volunteered for this part of the research. However, the advantage to this time delay was that participants' application and retention of what was taught in Choose 2 Change could be assessed after having some time pass between the interview and completion of the program.

Participants who attended the Choose 2 Change session that I observed were contacted upon receiving ethics approval. Each of the two interviewed participants provided unique insight into their response to and opinions of the program. One individual interviewed, I assessed to be in a maintenance stage of change. The other was still in a pre-contemplative stage, or at best contemplative stage, and did not seem to gain much insight from the program. I made these assessments based on the theoretical literature on the stages of change, as described in the theoretical chapter.

The first participant had taken other programming voluntarily, prior to his enrollment in Choose 2 Change. In comparison, he found Choose 2 Change to be a very efficient model that gets right into the heavier information, presenting a substantial amount of material in a short time frame. He stated:

*And I can say that, you know, especially for just 3 long Saturday sessions with Choose 2 Change, it's very informative. And I mean they talk to you about everything and... they were explaining every little bit of it and when anyone had any questions. You know, either the coordinators or other members of the group, they would just help put it into other words. Make sure everyone understood... basically the program permitted us to sort of immerse ourselves more quickly. Instead of just getting our feet wet and, you know, just standing in line for a while. It was... it basically just got right into it.*

Conversely, he felt that the short time frame posed a challenge to affect a significant change in participants. He acknowledged that resources were provided by the facilitators for further counselling, and he felt that access to these resources was important for continuing development after the program. The participant commented that he would like to see more details listed for the program references provided at the end of the session:

*Maybe there's not enough time. I mean all the ideas were explored, but then again it's not like when having anger issues like this that one should just attend one program and that's it.... But probably providing reference to another program that the person wishes to attend would be a good idea.... they did provide a list of other programs, right.... Maybe because not all these programs are the same. Like some are free, for one, some are not. And some have a different like you know course structure, like a different time structure.... I think more detailed description, even if it was a few pages... take the time to read a few pages, it gives you a better idea of what else is out there.*

Extra program references were provided in the form of a list of further programming that was handed out to each participant. Facilitators did offer expanded descriptions of certain programs, which they identified as particularly beneficial to some group members, by verbally highlighting and describing these for the group. However, the participant's suggestion to expand on the details of programs in the handout is worth consideration. Contact information was provided for programs, which would allow individuals to seek this information themselves. But perhaps a brief synopsis of available programming including fee schedules and length of

programs would be helpful. This information would allow participants to quickly assess whether any of the options are interesting or appropriate for their schedule and financial situation.

This participant highlighted the Different Types of Abuse activity as the most outstanding program component. He commented:

*... the categories of abuse and how all the different ways that it can be construed was all listed. I found that really eye-opening and something that I can actually work with... it basically tells me, okay this is what you shouldn't do. I mean some of it was obvious, but other things like, oh yeah I guess abuse really does come from a broad range of behaviours. It's easy not to think that way because, you know, there's some things that in this society we're simply allowed to get away with. Or it's just overlooked. So to that end, who knew how much of a negative effect it would have on a relationship. That was the eye-opener for me.*

Overall, he felt that the program provided him with good direction on what to do when he is in heated situations with his partner. Since he has reunited with his partner, they have been able to work out solutions to problems and have even utilized the time-out plan during one argument. He claimed, *"Before we couldn't even figure out solutions to a lot of our problems. Before they would just keep coming back. Now, we actually found a solution.... So that was like the part we weren't really able to do before, was actually figure out what went wrong and at least develop some sort of appropriate compromise."* As well, he found that the time-out worked well for the one heated argument they did have. The argument got to the point of shouting, but there was no abusive behaviours.

This participant demonstrated that he is currently operating in the maintenance stage of change. He is actively using the tools taught by the program to avoid abusive behaviours and have a better relationship with his partner. The focus for him now is to work on maintaining these tools and practises, in order to avoid setbacks and achieve the final stage of termination. His comments clearly indicated that he has taken the material from the program and applied it in a successful manner. Of additional note, this participant stated that his partner was informed of the goals of the program and provided with updates regarding his situation via victim services.

The other participant interviewed did not indicate much change and still held questionable views regarding his situation. He had taken previous counselling and asserted, *"[Choose 2 Change is] The top because I've only been in like maybe one or two others and I mean if they worked I wouldn't be here now, would I?"*

This participant commented that he felt the program should spend more time looking at women as aggressors:

*I think we should also look at, you know, women. Because, I mean I know a particular woman in general who puts men beneath her boot heel.... It should look at both, just men and women. Not just men as the aggressors, because when we were reading about the statistics of average male to female violence, I found it kind of staggering that women were never scrutinized as harshly as men. You know, and, you know now you've got female cops going into places, because I've been under the gun of a female cop myself and it's kind of scary because, you know, that's a female helping a distressed woman who made up a story that, you know, wasn't true because I had people collaborate with me. I*

*mean it could've gotten a lot worse for me, you know. So, I mean men are just... men are losing the battle. I'm a firm believer that, you know, if you want equality you got to do it on both levels and I don't see it.... Yeah and I would like to see more statistics showing that women can be just as violent and sadistic as men. It's just a one way street right now and it's not going so well.*

The activities which stood out to him were the Cycle of Abuse, the Richter Scale of Emotion, and the baggage that each individual brings into their relationship. His reasoning was because he felt that these activities applied to his situation, as his partner likes to rev it up and heighten his emotional level, thereby transitioning their state from honeymoon to abuse. He claimed that he and his partner walk away when their arguments get overheated. However, this was not a discussed time-out plan, as was recommended in the Choose 2 Change program. Rather, he described it as an unspoken understanding, which the program facilitators had cautioned against walking away from an argument:

*I'm making better choices, I'm not always getting in fights with my wife. If I get into a fight or an argument I just drop it, stick my head into headphones, and I walk away, you know. Or I go to my computer and she goes off to her mom's and doesn't come back for a couple days but... you know.... for some reason it wasn't discussed between the two of us. It's just always kind of been there. But then also I guess on her part she feels that we're fighting all the time, you know, and she's talking to her EIA worker and saying some very negative stuff which also then arises my, you know, that Richter scale... And so like she'll rev it up and it'll just yeah... it's like, you know... I'm trying to do what I gotta do to get*

*a job, to stay calm, to make everything functional in our house so we're not so at each other's throats but I'm doing what I gotta do, and I think the program's helping... Yeah, when she does rev it up, it does. Well, as I stated, it was kind of a thing that we sort of just... it was an unspoken thing.*

He felt that the best solution moving forward was to keep his head low and get out of the way, later stating that it is best to just stay away from women:

*Q: Okay, so in what way would you handle these situations differently using, I guess, specifically what you've been taught in the program? Is there anything?*

*P: Probably just keep doing what I'm doing now. Keep my head low and avoid being hit by stray ricochet bullets and, you know, avoid situations that are... that seem sort of toxic and deemed, you know, unsafe.*

*Q: Do you have anything further you would like to share that would help to improve a person's experience of the program or the effectiveness...?*

*P: Stay away from women.... They're dangerous. They're hazardous to one's health.*

*There is no such thing as normal women. Really there is no normal woman in this society anymore. They're just all kind of crazies.*

This participant said that this program was good for him. However, the above comments indicate that he has not taken away much of the tools and lacks an understanding of the curriculum provided by Choose 2 Change. Rather than focusing on himself, this participant took activities from the program and directed them to his partner, highlighting her role in escalating

his behaviour. As indicated by his lack of communication with his partner, he did not follow the time-out plan provided by the program and is simply walking away from arguments. It is apparent that this participant has not applied the tools taught in the program and is still deflecting blame for his actions onto his partner. This participant is contemplative of change at best. He did acknowledge some responsibility for the incident which brought him into the program in stating, *"I know what I did was wrong and I should've done it better. And by better I mean I should not have done it at all. And I should've like... I should've used my training... to just let it go."* This asserts that there is some recognition of his fault and desire to do better and disengage from such behaviour. However, he has demonstrated a failure to take action and apply the material taught in the program.

Participant interviews displayed two very different results a few months after program completion. One participant showed an understanding of the program and an ability to apply the tools taught. The other participant apparently did not. This illustrates that some participants are going to internalize the curriculum and progress in their change, while others will not. It is also important to note that the latter outcome does not necessarily mean that these individuals will engage in more physically abusive behaviour. It is possible that the experience of being arrested along with exposure to the program has had enough of an effect to reduce the use of violence. The second participant did show some signs of contemplation, as well. Ultimately, these individuals were considered low-risk based on the nature of the offense, and they have been provided with their one chance to receive treatment and avoid criminal prosecution. If they are arrested again for DV then they will most likely be prosecuted, as people do not get diverted twice.

### *Facilitator Interviews*

The facilitators were contacted through the Choose 2 Change program and interviews were subsequently set up at their convenience. One facilitator was also the coordinator of Choose 2 Change and he provided additional insight into the administration and operation of the program. The other facilitator was very experienced in a variety of DV treatment programming platforms, providing a comparative framework within which Choose 2 Change could be located and assessed.

Interviews with Choose 2 Change program facilitators revealed a substantial amount of information regarding different components of the treatment program, as well as possible changes that could make their efforts more successful. They identified several elements which they felt were most critical to an effective diversion program. Swift response, screening criteria, programming, intake and outtake assessments, and funding were highlighted.

They recognized that a swift response was crucial to capitalize on the state of crisis that is caused by the initial arrest. For the most part they found the referral process did allow them to begin treatment quickly. However, some individuals with a delayed response time begin to negatively affect the treatment process. They felt that once individuals start approaching the 6 month mark, too much time has passed and the program becomes more of a nuisance to participants once they have fallen back into their life's regular routine. Typically, there is a wait of 6 to 8 weeks between the arrest and a referral to the Choose 2 Change program. At that point, referrals may wait anytime from a few days to 6 weeks until they actually begin participating in the program. The wait after the referral is based on when the next group is running that the individual is able to participate in. Choose 2 Change runs approximately 9 groups per year.

Sometimes session start dates are delayed to accumulate enough people to form an appropriate group size.

In relation to response times one facilitator stated:

*...so for those who come in, you know, anything between 4 weeks and 8 weeks, I think that is a good time frame. I think anything beyond that is not helpful in terms of the learning or in terms of the... again when we talk about the stages of crisis that a person is in, if it's too far removed then it's more of an annoyance for the person to deal with the charge rather than to really take a look at himself of why this happens. So the time has gone past and so many other things have happened for him that it's just too much of a time delay when it comes to that. So I would say for the majority of the files it is a decent time frame, but there are certainly the ones that are just too long between referral or between arrest and referral.*

The other facilitator stated:

*... that does affect the process and research does show the quicker you get them in the better it is. So is there anything that can be done with that? I guess more groups being offered, but now that's the hard part. Because again it's only [facilitator name] and there's like three of us part time facilitators, and there's only one place to run it, and if it's a small enough group... you know, if there's not enough numbers then you don't do it, right. So it's all that that plays a part.*

Screening criteria was presented as another crucial element. One facilitator acknowledged what they felt the biggest risk associated with diversion was: "*... somebody goes through the program but primarily goes through the notions to formally fulfill all of the requirements, yet internally little or no change has happened. And I think that is the disadvantage of the diversion process.*" The facilitator suggested that a formal risk assessment, such as the Spousal Assault Risk Assessment or Ontario Domestic Assault Risk Assessment be added to the Crown's screening process. This concurs with one of the Crown attorneys interviewed who stated, "*... we don't have access to things like risk assessments.... Could we get more input from other professionals to determine whether or not, you know, we can divert cases that we wouldn't ordinarily divert? Yes.... I would like to think that we might feel a little more confident in our diversions if we had a little more information.*"

Also, it was noted that through the strength of group dynamics, the type of individuals making up the group can determine how effective the treatment is. It is important to have a good mix of precontemplative, contemplative, and preparation or action participants. Too many precontemplative individuals will result in a resistant group dynamic that is difficult to manage and affect. One facilitator who also had previous employment experience in working with largely pre-contemplative groups advised:

*... if you have a good blend of precontemplative, contemplative, some preparation, or maybe some... a couple that are action. If you have a good blend of that, then you can really get the bond happening more. Because the precontemplative guys aren't going to resist as much because they see everyone else not resisting as much, right. But if you*

*have a big group of largely precontemplative: well he's just as resistant as I am so I'm not gonna step forward, right.*

If there are a number of contemplative individuals who will engage with the curriculum, this will pull the precontemplative participants into going along with the group and opening up to the material. One or two individuals who are in a preparation or action stage can also act as a strong positive role model for the other members. In this way, being able to select the group make-up to some extent through screening can be of huge value.

Intake and outcome assessments were also identified as strong assets. Upon each Crown referral, the coordinator for Choose 2 Change will have an individual intake meeting with the accused. During this time a University of Rhode Island Change Assessment scale (URICA) is completed to gauge the participant's stage of change. This opportunity is also used to inquire background information and determine individual needs, such as mental health or addiction issues, that may need to be addressed. After completion of the treatment session, the facilitator will meet with the participant one last time through an individual outcome assessment. This is an opportunity for the facilitator to provide references for further individual counselling, housing, or Employment Insurance and Welfare if required. It is recognized that Choose 2 Change is a brief intervention strategy, and so some individuals may require more resources. The outcome meeting is an opportunity to offer such resources for individuals. Also, one facilitator noted that they suggest certain counselling avenues to the group as a whole if they feel that there are a few participants who could benefit from it: *"And I know that in the group that you were in... sitting in, I suggested to all of them about couple counselling, knowing that there was a few handful there that should get it."*

The intake and outtake assessments are essentially a strategy to address the diverse needs that individuals present in the program. In a group environment there is not necessarily enough time to deal with such individual needs. Intake and outtake interviews balance the limits of a group setting by providing some time to focus on individuals. One facilitator suggested having the other facilitators involved in the intake interviews, in addition to the coordinator:

*I myself would like... to be involved in the pre, to get to know them.... I know that they meet [coordinator] so that kind of gets around a lot of that; but if there's groups... I've done a group where he wasn't facilitating. So it would be nice for them to meet at least one of the facilitators before group actually happens. And that's been shown actually too to be successful. There's some research on that, about preparation for group work, you know. So meeting them ahead of time and talking a little bit about actually some of the stage of change stuff ahead of time and determining sort of where they're at in that sort of intake kind of meeting.... So yeah now I know okay my group starts next Saturday and I've met them all. And there's, you know, 8 of them are contemplative, 3 of them are precontemplative, you know. And I can kind of look at how I'm going to present.*

Funding was also mentioned to be a crucial element of diversion programming:

*... sufficient funding, I would say, for the program is necessary so that there's quality that is necessary in terms of the delivery of the program and in terms of the professional background of the people that work with the participants. Increased funding would*

*improve the quality of the program delivery, as well as present an opportunity to expand the program.*

Facilitator training and professional background quality was described as follows:

*... we have social workers who have a bachelor of social work, or a master of social work, or other counselling degrees, applied counselling degrees from red river. And generally people work either in the field of domestic violence, or in other social services in the city... So we have a skilled pool of facilitators that we work with.*

In regards to program fees one facilitator commented as follows:

*And we strongly believe in making the program accessible, you know, for everybody who wants that... we are in communication and negotiations for supplemental funding through the Manitoba Justice ministry, and to be able to make it even more possible for people who cannot afford even the 75 dollars to attend the program.... it's something that we believe in a fee as a way of... for a person to take responsibility, it adds another level of responsibility; but we always recognize that there is some circumstances where a fee can be more of a burden than, you know, a positive factor of rehabilitation. So in some ways we are, you know, considering are we... how can we manage that better to really be accessible to everybody.*

The facilitator further advised that program fees ranged from \$75 to \$500. Payments were subsidized within this range based on the participant's financial situation. Choose 2 Change was

relying on these participant fee payments to help finance the program. Improved funding would reduce the dependence on fees to provide programs. It is unfortunate that anyone would be rejected from participation on the basis of money.

The coordinator of Choose 2 Change found there to be sufficient communication between themselves and the senior Crown Attorneys. They advised that the Crown would be provided with information regarding the individual's standing in the program when required. These updates were also provided to Victim Services, so that the complainant would have access to such information. The other facilitator who was not involved as a coordinator, thought that his facilitation abilities could be enhanced through increased contact with the Crown and Victim Services. Prior to a session, if they were able to contact these individuals, they could obtain some background information regarding participant's situations. Such information could be utilized to personalize the delivery of the program to the participants so that the material presented and examples used can be more relevant, thereby having a stronger impact on participants:

*... I can find out more information ahead of time about... even just about what... and it doesn't even have to be about the incident, about what really happened, but how has he been through the process, or in terms of is he just going along with this because he doesn't want to go to jail. Or has there been some dialogue with him talking about you know greater dynamics of the relationship, you know.... You know that it's part of what really happened in his relationship, right.... that's your strength... if you know something about what's happened to them, you bring it up as a general discussion or in general questions... one of the options as one of the things that really did happen.... Or give it as a... you do it as a hypothetical situation. So, "Okay guys here's a hypothetical situation*

*here. So this... two people arguing over, you know, you stayed out late Saturday night so she wants to stay out late Sunday night." And you know that that happened with one of the guys. And so, "How would you deal with this kind of thing?", right. And that one guy is kind of like, "Holy fuck that's me." You know, right. And so now he starts hearing how other people... you know, what are the positive ways we can deal with this, so on, so forth, right. And then you do that throughout the group and I can pick, you know, scenarios that are hitting a number of the guys.*

Both facilitators had differing opinions regarding the ideal group size for a session. One preferred groups of 12 to 15, while the other thought of 8 to 12 as the ideal. They found that exceeding their preferred range becomes exhausting to manage, and makes it more difficult for quieter individuals to have opportunities to share and discuss. They both recognized that falling below the range begins to lose the positive effects of a group environment. The group allows participants to hear other men's experiences, connect with others who are in a similar situation, and learn from their peers on taking responsibility. These critical advantages can be lost with a diminished group size:

*And I find that learning occurs when people hear of, let's say, of a fellow man to man situation by example that is provided by having a number of other participants who are in a similar situation and they learn from each other. And especially when there is men who take the courage to actively and openly speak up about what happened and how it's impacted them and their partners when it, you know, came to abusive behaviours and their own willingness to address their issues. And that is something that is quite powerful*

*to other participants who might not be at the same level of change.... So compared to individual treatment, this would not be happening in the same way if it was an individual treatment process, because there just wouldn't be that amount of sharing that happens in a group. And the downside of the group is that you cannot go into depth into a certain situation with somebody, right. You cannot always focus on that person's needs, you know, which you could in an individual counselling session.*

They also highlighted that a male and female facilitator pairing is ideal, however, not absolutely necessary. A two man team can work well. A two female team has been identified to create an us versus them mentality among the participants, making it more difficult to engage the group. The advantage of having a male and female pairing is that this can be continually utilized as a tactic to address gender norms and stereotypes during the session. The facilitators should consciously demonstrate role reversal and equality among each other throughout the day, setting an example for the participants. An example provided was, *"I know I'd go make the coffee, you know, right. As they've said make sure the female facilitator doesn't make the coffee, you know. Do things like that that really help to role model equality and men doing roles outside of what traditionally they do."* Currently, there is only one section of the Choose 2 Change curriculum that overtly discusses gender norms. A male and female pairing would allow for this subject to be further emphasized throughout the session.

Another improvement suggested through the facilitator interviews was the updating of the formal Choose 2 Change curriculum to reflect changes that were made in practise by both facilitators. A facilitator stated:

*I think the manual, again, needs to be updated, right.... and the things that [facilitator name] and I do should be put in there concretely so everyone's doing it.... So that we're all at least on the same page, so that we know if we're veering off content, more or less we're all doing it for the same reasons and understanding why we're doing it, right.*

It was noted that the observed program conducted by these facilitators deviated from the set curriculum. One example being the introductory activity where each participant rated on a scale how much they wanted to be there and what they wanted to get out of the program. It was recommended that the curriculum be adjusted to reflect the activities and changes conducted by these facilitators. A revised edition to the program curriculum would be advantageous, as it would provide a framework for all facilitators to run their sessions.

Ultimately, interviews with the facilitators demonstrated that Choose 2 Change is a strong program that satisfies many elements of DV programming, as emphasized in the literature. Elements that appeared to be lacking during observation, such as an ability to adequately address individual needs in the group, were addressed during facilitator interviews. The facilitators identified intake and outtake interviews as a forum to address individual issues. Additionally, the facilitators were able to provide great insight into the programming and what possible improvements could make Choose 2 Change a stronger program. In summary the areas identified for improvement were: 1. reducing response times through faster referrals; 2. more group meeting options; 3. better funding to permit fee waivers or subsidies; 4. updating the curriculum; and 5. increased involvement of other facilitators in individual interviews and communicating with the Crown attorney and/or Victim Services.

## ***Part II, Key Informant Interviews***

Key informant interviews provided valuable insight into the detailed processes and operations of diversion for DV cases in Winnipeg. Interviews were conducted with one Winnipeg Police officer, two senior Crown attorneys, one Victim Services worker, and two Judges who had extensive experience working with DV files. Key informants were contacted by my thesis advisor Dr. Ursel, who inquired about their interest in participating in an interview. Those who were interested gave permission to forward their email address to me. I then contacted these individuals to provide further information about the study and arranged a time for the interview, which was conducted in private at their place of work.

### *Winnipeg Police Interview*

An accused enters the CJS through the police. Police perspective on diversion for DV cases and information on how domestic assaults are handled by police provides an important context for understanding the diversion process.

The interview conducted with a Winnipeg Police Service member revealed that Winnipeg Police respond to many domestic-related calls. These calls for service were described as: "... *some of the most volatile calls that police respond to. It is also one of the most awkward. There is really no other way of putting it. It is awkward when you visit good friends or family when they are not getting along never mind complete strangers.*" Policy change has created a forum where it is the responsibility of the police to arrest and lay charges if they have reasonable grounds to believe that an offense has occurred, regardless of the victim's wishes. However, it is

also important to recognize that achieving reasonable grounds is difficult in the absence of a cooperative victim.

*Police are often faced with victims that do not want police intervention and are just looking to have the aggressive person removed before an incident has occurred. It is emotionally taxing to be in a profession that is there to help someone who is refusing the help. It is also frustrating when we have repeated calls to the same residence and we suspect that there is abuse but without her being forthright with police there is not enough grounds to lay a charge.*

The Winnipeg Police Service member commented the following regarding the impact of DV diversion on police dealings:

*Diversion has had little or no impact on police response to domestic violence matters. We are still an emergency response service. We are still bound by the criminal code and our own policy in how we respond to domestic violence calls. Regardless on a courts disposition, police action cannot change. We play no role in the court's ruling to submit an offender to the program. We just present the details of the offence and the offender and the courts decide on the path for the offender.*

When asked about their view of diverting DV cases the police officer stated, "*Education is never a bad thing. Offenders learning of healthy relationships and how to sustain that*

*relationship, could benefit the family home, the children and the community overall. Anything that breeds respect and a healthy home life is valuable."*

This interview highlighted that diversion has little to no impact on police response. However, it can be concluded that police response has an impact on diversion and DV policy. The respondent states that in the absence of a cooperative victim charges are rarely laid. This points out the limitations of a mandatory arrest policy. This policy is a useful tool which has been implemented in some circumstances. However, reasonable grounds usually requires some level of cooperation from the victim anyways.

Winnipeg police deal with a wide variety of circumstances when responding to domestic incidents. Developments in DV policy have an effect on all domestic calls for service attended by police. It is crucial to consider how such policy will affect the various situations that are dealt with by police. Police action determines which accused persons end up coming in further contact with the CJS whether it is for diversion or other dispositions. In consideration of further improvements to the diversion process it is important to consider how this affects front line officers in dealing with various family dynamics, whether it be for criminal or non-criminal incidents.

#### *Senior Crown Attorney Interviews*

After charges are laid by police in a domestic assault, cases are reviewed by senior Crown Attorneys to determine their suitability for diversion. Two senior Crown attorneys were interviewed for this part of the research. These respondents were favourable to diversion and very involved in the screening process. The Crown attorney interviews provided detailed information on screening criteria that is used to assess an accused's suitability for diversion, as

well as insight into the screening process as a whole. Senior Crown Attorneys revealed that there are many such factors taken into consideration.

Critical factors taken into consideration are: the nature and circumstances of the assault; injuries; whether there were weapons involved; and level of violence used. Equally important consideration is given to the accused's prior history of reported and unreported DV.

Conversations with and reports from Victim Services can be used as a tool to determine if there have been previous domestic assaults that were unreported. A prior record for generalized violent offenses is also subject to review. The presence of children during the offense is another factor.

Research on the harmful effects DV has on children elevates the seriousness of the matter in these cases. Age in relation to their criminal history is another factor that can help assess the individual's likelihood of reoffending. It is also important that the accused informally

acknowledges some level of responsibility in order for treatment to be an effective option.

Whether the accused was intoxicated at the time of the offense is taken into consideration.

Mandatory addictions counselling may be imposed as a diversion condition should the accused be provided that option. Input from the complainant and Victim Services is also taken into consideration. Victim Services is able to provide the Crown with information about the offense and the history of their relationship, ultimately making a recommendation as to whether they believe diversion is appropriate. Finally, prior diversion for DV is a factor, as individuals are generally not diverted twice.

One Crown Attorney highlighted their biggest challenge in dealing with DV cases:

*I think the big challenge we face is a lot of times just the uncertainty of our evidence and, you know, in criminal prosecutions in other fields police are able to investigate and...*

*and you can feel certain at some point.... you have some certainty as to what your evidence is going to be. In a domestic violence case often there is no certainty... you have no certainty that, you know, you're going to have a case to present to the court. You know, even up to the date of hearing because there is a, you know, significant pressure that is placed on the victim to either recant or tell the prosecution that they don't want to proceed, or just, you know, say that they don't want to proceed, you know, with the case. So that... that uncertainty as to the evidence that we can call is, I think, one of the major challenges in sort of having put us through our cases and obtain criminal convictions.*

Diversion is beneficial by taking pressure off victims' testimony. Diversion presents an option for Crown Attorneys to achieve an alternative level of intervention for low-risk accused without having to rely as heavily on witnesses.

They also noted that diversion is a substantial benefit to the CJS, creating a meaningful impact on the workloads of Crown Attorneys and court time spent. The amount of cases being diverted frees up a significant amount of resources:

*Yeah weeks per case if you add up all the time, yeah. Yeah I mean there's still a few hours' worth of court time used on a diversion matter because it's still set in a court room, right. So it's still going to be going for updates. So there is a little bit of time. But in comparison we're talking maybe a couple hours worth in total versus weeks of time. Yeah so it's a substantial benefit to our system, yeah.*

Also of note, the Crown Attorneys felt that accessibility and accountability were the most critical features of the diversion program. They felt that such programming needs to be accessible to people at all financial levels and that nobody should be turned down who cannot afford treatment. As well, the program needs to be accessible in a timely manner for treatment to be effective.

*I think the program needs to be accessible. I think it has to be... it has to be, you know, available on a timely basis.... accessible... means being available on a timely basis and on a cost-effective, cost-efficient, and low cost basis.... we deal with folks from all walks of life, but criminal law ultimately oftentimes is poverty law and people of limited means have to have access to those resources. So accessibility I think is a key part of it. You know, timeliness has to be a key element of it.... It has to be done I think within the event. And, you know, there's no point in diverting something where somebody has to wait 4 or 5 or 6 months, you know, to get treatment. It has to be done on a timely basis.*

In terms of accountability, both Crown attorneys strongly felt that the accused needs to take ownership and responsibility for their actions in order to succeed in a diversion program. *"Number one is ownership and accountability by the accused. That's it, because nothing works unless they're going to accept that they've dropped the ball."* If they are going to divert blame and refuse to open up to the process, it is expected that treatment will be ineffective. One Crown attorney stated:

*... we send them a letter and in the letter we say if you believe that you have a defense to the charge, or would plead not guilty, or aren't prepared to accept all of the elements of the charge, then we're not prepared to divert it and we would simply ask you to sit the matter down for a hearing. Now we've had instances where we've done a diversion, presumably on the basis of some exception to the acceptance of responsibility, we get a report from the diversion agency and they tell us well we only, you know, put this person through one session because he denied it and we didn't think that he needed any domestic violence counselling. So that's the results that you get if there's no sort of admission of responsibility or acceptance of responsibility. So, you know, we're prepared to have that admission done outside of the formal court process so there's no guilty plea. But it... there has to... if there's going to be an effective... effective participation in a group setting or in any kind of, you know, diversion, you know, there has to be acknowledgement.*

In specifically discussing Choose 2 Change both Crown attorneys spoke very highly of the program and wished to see it expand so that more people could be referred:

*We're trying to get all of our accused in the Choose 2 Change program that are male. And of course we'd like to see it expanded to female, a program similar.... I'd like to see it in action because I've read the criteria and I think it's amazing. I think it could benefit anyone, whether it's domestic violence, or just anger issues, or stress, or anything.*

Regarding possible improvements to the diversion process, one Crown attorney suggested "... *we might look at expanding the numbers that we divert...*" However, they noted, "... *but when we divert we rely on a set of criteria that, you know, I guess that we apply in our office.*" Such development requires a balancing act between expanding diversion candidates and ensuring the safety and well-being of victims. The introduction of formal risk assessments and obtaining more information on mental health and addictions issues were highlighted as measures that would make them feel more comfortable and informed with regards to whether the people who they are diverting will recidivate, as well as providing a fuller picture of the intervention that this person requires. When reviewing the timeline between time of arrest and commencement of treatment, one Crown Attorney commented, "*I don't know from our end whether there's anything that we can do. I think we try to move them along pretty quickly from the time the file comes in from the police to... I mean the only other way you might do it is if police did diversion.*" All in all, both Crown Attorneys were very pleased with the diversion process and felt that it was well developed. With regards to improving the process, one Crown's comment says it well, "*There's always room for improvement and enhancement. We always got to keep our eyes open and think outside the box.*"

#### *Victim Services Interview*

One Provincial Victim Services worker was selected as a key informant because they are in a profession which represents the interests of the victim or complainant. They provide a victim perspective when discussing diversion for DV cases. An interview with a Victim Services worker began with a discussion of the primary functions of Manitoba's specialized victim services unit which is to conduct safety planning, answer questions about the court process, and

connect complainants with resources. Safety planning involves discussing warning signs and safety concerns with complainants, as well as providing them with tools so that if they do decide to leave the relationship then they know what steps can be taken to ensure their safety. Victim Services also has access to information such as court dates and details of protection orders that can be offered to inquiring complainants. Victim Services will also provide complainants with resources should they desire further counselling or intervention measures. Couples counselling, addictions counselling, and mental health resources are common referral areas.

These services are also provided to some complainants who come in contact with police where there are no charges laid. For all non-criminal domestic incidents police will complete a non-criminal domestic referral summarizing incident details. All of these reports are forwarded to Victim Services for their consideration. Victim services then has the ability to offer resources to complainants from non-criminal incidents when they see it as appropriate to do so.

With regards to the diversion of DV cases, the interviewed Victim Services worker was of the following opinion:

*A lot of the victims are very much on board with the idea of diversion because when people make a call to police for domestic violence, a lot of the times... I'm not saying all the times... but a lot of the times they're not necessarily looking to lock their partner up and throw away the key and seeking revenge or things like that. They're looking for help and they're looking for help for their partner and I think that's what diversion offers them.*

When an ex-partner or current partner is referred to the Choose 2 Change Domestic Violence Diversion program, the Salvation Army sends a letter to the partner through Victim Services. This letter advises them of what their partner will be doing in the program and what they can expect from Choose 2 Change. Refer to Appendix F for a scanned copy of this letter.

Overall, Victim Services plays a significant role in keeping victims and complainants informed of updates in files and connected with resources and further information requests. Ultimately, it appears that diversion is viewed favourably from this perspective as this practise falls in line with the goals that many victims are seeking. There are also measures in place to address non-criminal incidents through referral forms and the agency's open door policy. Victim Services effectively satisfies a crucial component of the diversion process in maintaining contact with victims.

### *Judges Interview*

Two Judges were interviewed to discuss their experience with DV cases and their view of the role of diversion in the justice system. They advised that Judges take training and education on the dynamics of DV, in order to make appropriate sentencing and bail decisions. Awareness of the relationship and psychological dynamics behind victim recantation, unwillingness to testify, and delays in reporting are crucial to have a fuller understanding of the situation being presented before them in court.

One of their biggest challenges was described as balancing an accused's right to release with their risk for reoffending. The information which they have to work with is often limited and it can be difficult to properly determine an accused's likelihood to reoffend:

*And if you look at the provisions of the Criminal Code, the presumption is they're entitled to their release unless the Crown otherwise shows why they should be detained. But in the background of your mind, you're concerned about whether this person poses an immediate risk for reoffending. So I think sometimes it's the lack of information on the risk assessment that people possess that I think causes you a problem.*

Issues specific to diversion programming identified in this interview were financial and practical barriers to some accused persons' participation. In relation to program access they commented:

*... oftentimes it costs them money to go to a program. The problem with that is many of the people we have in court don't have the money to attend a program. So it can be prohibitive for poor people or working poor people.... Yeah it seems to me that if money's a bar to someone getting the help they need then it doesn't make sense.... And one of the problems is, of course, that some of these programs are only offered in Winnipeg so it puts people at a disadvantage who live in remote or rural areas of this province who don't have access to counselling programs.*

Furthermore, it was suggested that in the future it may be beneficial for diversion programs to move towards conducting face to face meetings between the complainant and the accused:

*And I personally think that having a component, a diversion process that allows for an understanding by an accused of the effect of their crime on a victim is very important. And I also think... and I don't think this happens in the programs in domestic violence, that oftentimes if you look at programs around the world where they're very successful in restorative justice, there are meetings between victim and accused where the victim can actually understand and get satisfaction from the accused that they understand the effect of their crime on them. But I'm not sure we've advanced so far as to do that type of face to face mediation in all sorts of domestic violence cases. We do them in non-DV, but...*

With regards to amount of court and personnel time saved through diversion, the judges commented that it was difficult to tell from their position and that this would be something better assessed through the Crown's office.

*... it really depends on... On those cases. Like the particulars of those cases. How many witnesses for example would be required in case A, as opposed to case B. If you're diverting a case that requires one witness, maybe you've saved a couple of hours. If that case required six witnesses maybe you've saved a day of court time. If the case can be prosecuted without police witnesses you don't have overtime costs for the police service.... It's hard to estimate how much court time.... either than I think you can say, when you divert cases successfully and you're not setting them down for trial, you're going to save court time and you're going to save costs of prosecution.*

The Judges recognized that barriers to accessing programs, be it lack of fee subsidies or lack of rural programming, were obstacles that should not be in place for any individual wanting to access a diversion program. They felt that it was important for these issues to be resolved. An additional recommendation was to consider conducting a face to face meeting between the accused and the complainant as a component of the diversion process. Furthermore, they acknowledged that diversion certainly saves court time and costs of prosecution. However, they felt that the extent of these costs could be more accurately estimated through the Crown's office.

## Chapter 6

### Analysis

The goals of this research project are to answer the following questions: 1. What does the research literature identify as the key criteria for effective treatment programs for men with abusive behaviour? 2. To what extent does the Choose 2 Change program meet these criteria? 3. What do program registrants and facilitators identify as the key program components in their experiences of the group treatment process? 4. How do key informants working in the field of domestic violence view the Choose 2 Change program in particular, and diversion of domestic violence cases in general? In this section I will provide answers to these questions based on the research findings.

#### *Adherence to the Key Criteria*

When assessing the criteria highlighted in the theoretical framework, Choose 2 Change proves to be a very strong DV treatment program. Crucial elements of a successful program were emphasized in the literature as follows: 1. swift treatment response, 2. adhering to the risk-need-responsivity model, 3. motivational interviewing, 4. CBT, 5. addressing gender norms, 6. teaching non-abusive alternatives, 7. group dynamics management, 8. maintaining contact with victims, 9. accessibility, including fee subsidies and waivers, 10. consequences for attrition, and 11. participant engagement and response. Throughout the observational research, Choose 2 Change illustrated an ability to satisfy all of the above-mentioned criteria.

When considering the first element of successful programming, swift treatment response, accused persons are typically looking at 6 to 8 weeks until their referral. Once referred to Choose

2 Change, enrollment in a session can take anywhere from a few days to 6 weeks. This essentially means that most individuals are admitted within a time frame of 6 weeks to 14 weeks. Interviews with facilitators and Crown attorneys indicated that this was a reasonable time frame to work with. However, it was acknowledged that there were advantages to speeding up the process and respondents took time to consider how this could be accomplished. Addressing the response time between the initial arrest and commencement of treatment has been identified as a criterion that presents opportunity for improvement. A suggestion for improvement will be discussed in the conclusion.

Choose 2 Change facilitators satisfied the second criterion, which is the risk-need-responsivity principle. The intensity of the program was appropriate to the risk level of the enrolled participants. As diversion candidates, these individuals were screened as low-risk. The duration and intensity of the curriculum appropriately reflected this. At the same time, the program is very brief in nature and duration expansion could present opportunities for improving the focus on certain aspects of this program. More in-depth discussions regarding gender norms and allowing more group time to be spent addressing and discussing individual issues or concerns are areas which could be improved through a brief increase in the duration of Choose 2 Change. Additionally, Choose 2 Change facilitators presented material that directly related to the needs of the participating individuals. Previously noted discussions and exercises surrounding CBT, gender norms, and alternative non-abusive behaviours directly applied to the challenges and situations associated with domestic abuse. As previously emphasized, the limited time frame presented a challenge to thoroughly respond to the unique needs of each individual in the group. The material was presented in an efficient manner, requiring facilitators to focus program time towards the larger group. The group makeup included a wide variety of individuals in terms of

age and cultural background. It was apparent that the material was presented in a way that all individuals could understand and relate to it. Much of the material was relatively universal in its application. Other topics, such as societal gender norms, required discussion regarding how this looks different across different cultures and age groups. The facilitators were also diligent in checking with other members as to whether this material applied to their own culture, to which they answered affirmatively.

The third criterion, motivational interviewing, stood out as one of the greatest strengths of the facilitators. It was clear that they were well experienced in this practise. As previously stated, the first day was primarily focused on utilizing motivational interviewing to obtain a comfort level with the new participants.

Early on in the first day, one facilitator attempted to set the facilitator-participant relationship by telling the participants that they are the driver of the ship and the facilitators are there to make suggestions. This statement captured the essence of motivational interviewing by minimizing the facilitators' position as experts and letting the participants know that they are the experts on themselves and what works best for them. The facilitators were present as a guide. They did not have the ability to force anyone to do or accept anything that was presented. This fell directly in line with a core principle of the program, the social constructivist paradigm. Social constructivism aims to develop knowledge from the participant's interpretation of their situation (Cresswell, 2013). It asserts that the construction of reality is developed through the joint interpretations of those who shape that reality.

Furthermore, there were numerous examples throughout all three days of the facilitators using motivational interviewing to address challenges, questions, and issues presented by the

men. This served to present a forum where the men were more responsive and willing to open up and engage in discussion and with the material being presented to them.

With regards to the fourth element of programming, CBT proved to be another strongpoint of Choose 2 Change. There were numerous activities that utilized CBT as a foundation. Positive versus Negative Self-Talk, Cycle of Abuse, and Weighing Outcomes were the most notable CBT activities. These topics were well-received by the participants and many referred to them when asked what activity they took away from the session. It appeared that participants generally had a good understanding of these topics in terms of how they could be applied in their own lives. The facilitators did an excellent job in presenting this by clearly explaining the topic and answering questions. As well, further homework and exercises provided participants with an opportunity to apply these topics to their own lives and situations.

The fifth criterion, gender norms, was addressed during the program. There was extensive discussion on the second day regarding how society informs peoples' interpretations of what it means to be a man or a woman. The facilitators provided thorough explanations and numerous participants engaged in discussion, appearing receptive to the information. However, comments noted throughout the session indicated that there were some participants who held misogynistic views. It is not realistic to expect that a brief treatment program will reverse such culturally-ingrained values. It is possible that individuals could benefit from slightly more time spent on addressing gender norms. Although this then has to be balanced with the needs of the larger group. For the current length of the program, I believe that the amount of time spent on gender norms was appropriate. However, if the time frame expands in the future, this is one category that could be considered for further development. More time spent addressing misogynistic views could be of benefit to some individuals.

With regards to the sixth element of successful programming, participants were sufficiently provided with non-abusive alternative behaviours. CBT and Time-Out planning provided participants with a selection of several options for addressing situations that may arise. Participants appeared to have a good understanding of the alternative behaviours. These options were explained clearly enough by the facilitators so that the participants should be able to apply them in their lives outside of the program.

With respect to the seventh criterion, group dynamics management, the program demonstrated a strong ability to utilize the strengths of a group format. Probably the most important strength of a group setting with respect to treatment effectiveness is that individuals at a higher stage of change can act as role models for other participants and help facilitate their movement towards behavioural change. In a group with poor dynamics, the opposite situation can be the case, wherein group members feed off of each other's negativity. In the observed treatment session there was one participant who was clearly further along the change process than other members. Many participants voiced that they admired the way this individual was dealing with his situation. They said that this individual inspired them and gave them hope for their own situations. This man was very vocal throughout the session which further emphasized his role in the group. At the end of the session, one participant stated: *"I think [Andrew] has given the most hope to us with what you've gone through and where you're at. Change can happen. You're a success story."*

Conversely, blame-diverting statements made by other members of the group were generally criticized by the majority. One member made a comment to me, *"We are all here for a reason and need to accept responsibility,"* in response to a blame-diverting statement made by another participant. The group dynamics were functioning in a way that the members were

receptive to positive influences and rejected negative influences. I believe that this is due to the fact that a majority of participants were enrolled in the program at a contemplative stage of change. If the majority of participants were pre-contemplative they may be more likely to feed off of each other's negativity with regards to the curriculum. This highlights the importance of screening for setting up a positive group dynamic in a diversion program.

The facilitators demonstrated exceptional skill and ability in group management. There were challenges present when conducting group treatment that required skilled facilitation. One such challenge was the management of time spent on certain issues. Choose 2 Change is a group treatment program and this meant that the curriculum needed to be directed towards and in the interest of the group. On many occasions individuals presented a need to spend more time on certain issues or topics. The facilitators would spend some time addressing the issue, as required to facilitate progression for the given individual. However, the facilitators also recognized when it was time to move on from that issue, whether or not it may have been resolved, so that the rest of the participants could continue progressing through the curriculum that was to be presented within a limited timeframe. The facilitators handled this balancing act well in terms of weighing individual needs versus the needs of the larger group. However, lengthening the program duration could present the opportunity to spend more time addressing such individual concerns.

The facilitators also continuously used techniques to engage all members of the group in discussion. Directly asking quieter participants questions and breaking up into small groups were strategies frequently used to draw in quieter members. Discussion was still generally dominated by a few participants, as is seen in many group environments. However, opportunities were provided to bring other group members into these discussions.

With regards to the eighth criterion, maintaining contact with victims, communication between the Crowns, victim services, and Choose 2 Change was sufficient to keep all parties up to date and have the appropriate information available for victims. The interview with the victim services worker demonstrated that there is sufficient communication with victims regarding the diversion process. Victim services initiates contact with complainants and maintains an open door policy. They keep clients informed of the diversion process, providing updates and resources as required and requested.

With respect to the ninth element of successful programming, accessibility, at the time of this research Choose 2 Change had only been able to reduce program fees from \$500 to as low as \$75. This research concurs that a fee payment adds a level of investment and coinciding sense of responsibility to the treatment. Choose 2 Change did demonstrate an ability to financially compensate individuals to this extent. On the other hand, poverty and crime correlate. It is of the utmost importance to ensure that individuals coming into contact with the CJS are able to benefit from diversion if they are an appropriate candidate. Money should not be a barrier to accessing diversion. If individuals demonstrate an inability to pay, Choose 2 Change should have the ability to admit them free of charge. Choose 2 Change is limited by its need for funding of program resources and trained facilitators. Applications for increased funding could present Choose 2 Change with the ability to offer the program to anyone who is referred.

The tenth key criterion, consequences for attrition, is adequately addressed by Choose 2 Change and Winnipeg's diversion process. Facilitators advised that individuals who drop out of treatment do have the option of signing up for another group. However, they are not refunded their program costs, if they sign up for another program they have to pay the fee again, and they also risk reaching their court date before program completion. If they have not completed the

required programming in time they will be prosecuted. Additionally, it was emphasized by the Crown attorneys that they do not divert files twice. Therefore, individuals get their one chance at diversion and any subsequent offenses are prosecuted. Appropriate consequences are in place for individuals who do not complete the required diversion programming.

With regards to the final element of successful programming, this research indicated a strong participant engagement and response to the treatment. The majority of men were receptive and engaged with the material that was being presented to them. Group discussion was generally dominated by three individual participants. However, the ones who did not talk as much were still observed to be clearly attentive and appeared to be interested in the topic. Overall, progress was observed among the group participants. This was evident when comparing comments and attitudes articulated by the men on the first day versus the last day of the program. As an example, in talking about the situation that brought him to the program one participant said during Day 1, *"But is my wife going to be motivated to change? Because she needs to change too. She's the one who starts it. I was defending myself. But now with zero tolerance I got the short end of the stick."* On Day 3 he changed his interpretation of that event stating, *"I didn't do what I was trained to do to diffuse the situation. I went straight to behaviour.... I was just tired of the fighting. I knew what I should have done."*

In referencing the literature review, there are six stages that an individual progresses through in the achievement of behavioural change. The first stage is the pre-contemplative stage. It is defined by a reluctance on the part of the individual to acknowledge that they need to modify their behaviour. The second stage is the contemplative stage, which involves an admission that there is a problem and some indication that this will require a change in their behaviour. The third stage, preparation, is characterized by an intention to take action in the near

future. The fourth stage, action, involves the individual making clear modifications to their behaviour in order to overcome their problem. The fifth stage, maintenance, focuses on developing strategies to prevent relapse into the undesirable behaviour. The final stage, termination, is defined by an internalization that requires no further need to practise maintenance strategies. (Prochaska & Norcross, 2001)

Participants' comments on Day 1, regarding what they wanted to get out of the program revealed that for the most part these men were interested in what the program could potentially offer them. At the same time, there were individuals who revealed a precontemplative mindset or neutralizing behaviours through their statements. Neutralizing behaviours refer to statements that shift the blame away from oneself either by minimizing their actions or diverting blame onto other people. My estimated distribution of participants' stage of change is summarized in Table 1.

**Table 1 -**

Estimated stage of change for participants based on introductory group activity for Day One

Stage of Change	<b>Pre-contemplation</b>	<b>Contemplation</b>	<b>Preparation</b>	<b>Action</b>
# of participants	5	9	1	

This table is based on my interpretation of statements participants made in the introductory exercise. I have outlined three examples from each stage of change category: A precontemplative individual stated, *"I shouldn't be here. I'm here because my partner was stalking me and made me violate the contact order. I want nothing to do with her."* A contemplative

participant stated, *"I want to learn how to diffuse situations and function in a healthy relationship. Like [Mike] said I want to discover if my partner is the problem or me."* The participant who was in the preparation stage said, *"I know it's me.... I want to heal the scar in my heart.... I've changed and I hope the judge has mercy. I'm determined to show my wife that I can see my family again."* It should be noted that there may be discrepancies between what the participants said and how they actually felt. It is also important to note that these stages run on a continuum. There are some participants who leaned more towards the pre-contemplative side, but may have shown indications that they were closely approaching contemplation. However, the majority of the men were contemplating changing their behaviour. They recognized that they may have a problem and were considering taking steps to deal with it. This contemplation very well may have been fuelled by the state of crisis that these individuals would have experienced through being arrested, as explained in the literature review.

This introductory activity indicated that there were some participants who were pre-contemplative in terms of changing their behaviour. The last day of the program revealed that all participants were at least contemplating change to some extent. They were receptive of the program material and were buying into the ideas being presented. It is unknown through program observation how far along the stages of change participants were located at this point. It is fair to say that they had been provided with the tools necessary to be at the preparation stage at this time, anticipating near future progression into action. However, assessing the participants' stage of change at program completion would require another component to the evaluation, such as an extensive exit interview, that was not part of this research project. As an observational researcher, I am comfortable concluding that all participants had at least entered the contemplative stage of change by the end of the program. Although there were two participants

who still leaned somewhat towards pre-contemplation. This was largely assessed through analyzing remarks made by each participant during the concluding activity on Day 3 of the program: *"There is no problem big or small that we can't fix. It's just a matter of good communication. I may make mistakes but I'm going to make myself better. I feel happy that I will soon see my wife."* *"I'm going to try not to react so quickly. I'm going to think about things first."* *"I'm going to work on time-outs. I had tried them before but did them poorly."* *"I'm going to work on having a positive attitude and positive discussions. Thank you all for sharing your stories and I hope I don't see any of you in a similar situation again. I feel confident to know these things."* As well, by the final day all participants appeared to be engaged with the material and remarks made by individuals that day indicated that they were at a minimum reflecting on their own behaviour and considering change.

It is possible that pro-abusive beliefs and attitudes among some participants were not verbalized at the end of the session for various reasons, such as fitting in with the positive group atmosphere that was present. It is also questionable whether these positive attitudes were sustained long after the program. Is it possible that some participants may revert back after a certain amount of time? Participant interviews conducted several months after the program revealed that one participant was in an action stage, while the other appeared to revert to pre-contemplation. However, during the program it was apparent that all participants acknowledged that they could do something different to improve their relationships, indicating at least a contemplation of change, which was an improvement for some of the men.

This session experienced minor attrition issues. Three of the fifteen initial participants did not complete the program. Two dropped out after the first day. The third drop-out did not return for the final day. Two of these men were at a pre-contemplative stage and showed little to no

positive responsiveness to the curriculum. The other dropout was enrolled voluntarily and appeared very engaged with the program. His absence came as a surprise to me and the facilitators. However, it was unknown what his reason may have been for discontinuing the program.

Overall, the men who completed the program participated and were engaged with the material. All men displayed signs that showed progress in their stage of change. There were some attrition issues, as is to be expected in a DV treatment program. Not every accused person is appropriate for this avenue of intervention. Program attrition functioned to filter out some of these individuals. A brief program is not going to be able to change all beliefs of individuals. The objective is to set them on a path towards change and prevent future violence. All participants were observed to be contemplating change by the conclusion of the session. Only recidivism rates can illustrate the extent of success regarding violence prevention.

#### *Key Program Components Identified by Participants and Facilitators*

During interviews participants and facilitators identified several key DV diversion program components through their experience with Choose 2 Change and other programming. In accordance with the risk principle, a participant highlighted this program's ability to efficiently deliver the necessary information in a brief period of time as a crucial task which was accomplished. He also addressed the importance of offering other programming options for those who wished to continue or further their progress after completing Choose 2 Change. In terms of specific exercises, the participant identified the different types of abuse discussion and the time-out planning to be the most valuable. Different types of abuse was described as eye-opening in terms of realizing that abuse manifests itself in many forms physically, sexually, emotionally,

and financially. Time-out plans were identified as a practical activity for preventing escalation in arguments and it had already been effectively used in the participant's private life.

Facilitators identified several criteria which they viewed as integral to effective DV diversion programming. A swift response is important for capitalizing on the state of crisis experienced by accused persons at the time of their arrest. Diversion also relies on appropriate screening to ensure that the individuals entering the program are going to be responsive to treatment. It is important to have a good blend of precontemplative and contemplative individuals, as well as a roughly ideal group size, so that the facilitators can capitalize on the immense benefits of the group process. Skilled facilitation combined with the proper group dynamics creates an environment conducive to change where the group members positively learn from and feed off of each other. Intake and outtake meetings were identified as key program components that balance out the disadvantages of the group process by creating a forum upon which facilitators can offer further resources to individuals, better address individual needs and issues, and utilize information gained during intake meetings to assist in preparation for the group meetings. Funding was also highlighted as crucial for the purpose of improving quality of the program delivery, expanding the program, and increasing its accessibility to those who are unable to afford program fees. Finally, communication with the Crown and victim services are important for facilitating communication with victims and group preparation.

The key program components identified by participants and facilitators largely overlap with the key criteria identified in the literature. Furthermore, Choose 2 Change satisfies these criteria, as demonstrated through these research findings and analysis. Funding and providing more details on further programming are two of the identified components which present opportunity for improvement and this will be discussed further in the conclusion. The key

program components identified by participants and facilitators collaborate with the key criteria previously identified in the literature and discussed in this analysis.

### *Key Informant Perspectives of Choose 2 Change and Diversion*

In terms of how Choose 2 Change and the diversion of DV are viewed by key informants, interviews demonstrated that these views were favourable. The Winnipeg Police officer acknowledged that education and teaching healthy relationships is a positive goal in support of diversion. They also discussed how police are minimally affected by diversion. Police make arrests when there are reasonable grounds to do so and the courts deal with the rest. In this way, police have no further involvement than making the initial arrest. As will be discussed in the conclusion, it could be beneficial to increase police involvement in diversion.

The Crown attorneys that were interviewed were very favourable of Choose 2 Change and the diversion of DV cases and were aware of several advantages that it presented to their office. It allows them to achieve a level of intervention for low-risk accused persons without having to rely on further victim testimony. They recognized that significant time is saved through these referrals, presenting a substantial benefit to the CJS. They were eager to see the program expanded by including female accused persons and a greater number of referrals. In general they seemed open to other improvements in order to further capitalize on the benefits that diversion offers such as having police divert, conducting risk assessments, or introducing couples counselling to the process.

The victim services worker advised that diversion often falls in line with victim's wishes regarding their partner's disposition. An alternative to prosecution that is capable of stopping the violence is favourable. Choose 2 Change fulfills this and thus presents itself as an attractive

option in the eyes of many victims. This is significant as the victims are of central importance when dealing with these situations. When safety and the CJS permit, it is important to take victim perspectives into consideration when looking at diverting an accused.

Interviewed Judges acknowledged that diverting DV cases saves time and costs. They emphasized that accessibility is an integral aspect of programming which requires improvement. Financing and location were discussed as barriers that many people face who may desire to access such programs. Accessibility has been identified as a key element of effective DV diversion programming. Commentary from the Judges further emphasizes the visible need to improve program accessibility so that financial and even location barriers do not prevent individuals from participating in appropriate programming.

### *Conclusion*

This qualitative observational research found Choose 2 Change to be a very strong treatment program that meets the key criteria for an effective program. There is an appropriate response time between arrest and program commencement. Although, there is opportunity for improvement with this criterion. Choose 2 Change has a limited time frame of three days, each consisting of seven hours, as well as individual intake and outtake meetings. This poses challenges when it comes to spending time on more demanding needs of particular individuals. However, Choose 2 Change is intended to be a brief intervention strategy, as previously discussed. Therefore, such challenges are simply the resulting nature of the time frame and they were appropriately managed by the facilitators in this way. Additionally, intake and outtake meetings further address these challenges. Motivational interviewing, group dynamics management, and CBT stood out as its biggest strengths. The facilitators were very skilled in

running the observed group. Gender norms were adequately discussed. Adequate tools were provided for participants to stop their abusive behaviour when returning to their partners or developing a relationship with a new partner. Victims are appropriately informed and updated regarding program enrollment. The standard program fee of \$500 can currently be reduced to as low as \$75 which is helpful for many individuals wishing to enroll. Ideally, improved funding could allow a complete fee waiver for eligible participants.

There are significant consequences in place for attrition, namely prosecution and no refunding of program fees. All participants were observed to be at least contemplating change by the end of the program. It appears that the program was able to accomplish a progression towards change for all who completed treatment. Furthermore, participants appeared to respond well to the curriculum. Program participants and facilitators largely corroborated these criteria as being crucial to an effective DV diversion program. Interviewed key informants were favourable of Choose 2 Change and the diversion process. Choose 2 Change proves to satisfy the criteria emphasized in the literature on DV treatment programs. Choose 2 Change is an excellent option for diversion candidates.

## **Chapter 7**

### **Conclusion**

DV has always been a significant issue in the lives of many individuals, as well as the larger society. When the CJS came to acknowledge this in the 1980's, significant policy development was implemented in an attempt to more appropriately address serious offenses. As a result, the courts received a heavy workload of cases, reflecting the pervasiveness of DV. Diversion was developed as a strategy to reduce this workload, while achieving a more appropriate level of intervention for low-risk accused.

Diversion is reliant on proper screening and effective program treatment to be successful as a practise that benefits all parties involved with the offense. The literature identifies variables predictive of recidivism and attrition as critical criteria for screening out candidates. The Crown's office takes such factors into consideration as well as many other safety factors when selecting appropriate individuals for diversion. Rehabilitative remand provides the Crown the opportunity to pursue the charges should the accused drop out of a diversion treatment program. Individuals selected for diversion face significant consequences if they do not comply. This operates as a second-tier screening effort, while simultaneously holding the accused accountable for their adherence to treatment standards.

Diversion to an effective treatment program that results in changed behaviour is critical for ensuring rehabilitation and victim safety. Swift response between arrest and commencement of treatment, adherence to the risk-need-responsivity principle, motivational interviewing, CBT, addressing gender norms, teaching non-abusive alternatives, group dynamics management, maintaining contact with victims, program accessibility, appropriate consequences for program

attrition, and participant engagement and response to the program have been identified in the literature as criteria that are critical for implementing a successful diversion program as a whole. These criteria were further corroborated by interviews that were conducted with participants, facilitators, and key informants. While Choose 2 Change has satisfied these key criteria there are still opportunities for improvement which can allow the program to become more effective.

### *Recommendations*

Winnipeg's diversion program is strong. However, as stated in an interview with a senior Crown attorney, we should always be looking for new and creative ways to improve and progress further. This evaluation was able to identify several avenues that could potentially make the diversion process even stronger through adjustment. Areas for potential improvement are: fee waivers; improved victim services communication; the introduction of formal risk assessment tools; more comprehensive supplementary programming referrals; a suggestion of including complainants into the treatment process; and faster response times.

Fee waivers have been previously discussed at length. The importance of maximizing the accessibility of Choose 2 Change has been highlighted by facilitators and key informants. It would be ideal if Choose 2 Change can be funded to a level which allows them to completely waive the fees of participants who are unable to afford the programming. The basic fee of \$500 has been decreased to a minimum of \$75, which is helpful. However, this still leaves room for improvement. A fee is important to maintain program resources and instill a greater sense of responsibility in the participant, but no individual should be excluded from the program for financial reasons.

In the interview with one of the program facilitators, he identified a specific advantage from expanding communication with victim services. Currently only the program coordinator is in communication with victim services. The other facilitator felt they would gain a great deal by being included in the communication. They suggested that background information on the accused and the incident that brought them into the program can be used in preparation for group sessions. Facilitators can adjust certain stories or activities so that they apply more directly to their audience. If victim services is able to forward whatever background information they have to the facilitators conducting the session, this could allow for a more strategically planned treatment process.

Several different informants brought up the idea of introducing a formal risk assessment tool into the screening process. The use of a Spousal Assault Risk Assessment or Ontario Domestic Assault Risk Assessment may add insight into the accused's likelihood to recidivate. In reflection of the strict screening criteria, the Crown attorneys advised that they would like to consider increasing the number of diversion referrals. In this regard, they felt that a risk assessment would be helpful for instilling confidence in their diversion choices. Increasing the pool of appropriate candidates would be a constructive intervention which could further improve the positive impact of diversion on the community. If risk assessments can be utilized by Crown attorneys to divert higher numbers of appropriate candidates, then this is a practise which should be implemented.

In an interview with one of the program participants, he suggested that he would have liked to be provided with more details regarding further programming. He acknowledged that Choose 2 Change is a brief intervention strategy and wished to have access to more quality counselling options to further his development. The program facilitators did briefly discuss

future counselling options. As well, individual referrals would have been discussed in the intake interview. Considering this participant's request, it may be a good idea for Choose 2 Change to develop a more in-depth summary of counselling options that participants can refer to in the future.

During a key informant interview it was suggested that a more traditional restorative justice approach would include complainants at some stage in the treatment process. Perhaps after the charges are stayed and the contact order is dropped, there could be an optional meeting arranged between the participant, the complainant, and a facilitator. This would present a formal opportunity for the participant to acknowledge responsibility for their actions against their partner or ex-partner. It is uncertain if many would accept a voluntary opportunity to hold such a meeting. During treatment, the No Contact order would make it inappropriate to conduct a face to face session. I do not feel that this is a recommendation that should be implemented in the near future. I think more treatment advantages to conducting such a meeting would have to be identified in order to make its implementation worthwhile. Additionally, facilitators would need to be trained in couples counselling in order to properly facilitate such a meeting. I do not think that this is a realistic proposal at this time. However, in the future DV treatment may be in a position where this suggestion may be considered. There is research which presents arguments in favour of implementing conjoint therapy for relationships involving domestic abuse (Stith et al., 2004).

### *The Challenge of Rapid Referral to Treatment*

A final consideration is in response to the literature which identifies that early referral to treatment after an incident has been associated with better outcomes. Currently the average

referral to diversion from the Crown attorney's office is approximately six to eight weeks after the incident. Some of this delay is attributable to the time it takes for a file to go from the police to Crown attorneys. Prosecutors indicate that it takes on average four to six weeks for a file to arrive on their desk. Thus, one solution to reducing the time from arrest to treatment is to implement a process at the police level that would allow for much faster transmission of case files to the prosecutor's office. This could be achieved by having responding officers, with Sargent approval, indicate if a particular person would be a good candidate for diversion and have that file fast tracked to the Crown attorney's office. This would entail some administrative changes but other than that the usual screening process conducted by the senior supervising prosecutors would remain the same. They would just get the case files faster.

An alternative response would be to explore the possibility of implementing diversion at the policing level. The Winnipeg Police have recently started implementing a test run of diversion in the North End (District 3). Accused persons who are under arrest for a dual procedure offense may be diverted to programming by police. Dual procedure offenses, also known as hybrid offenses, refer to Criminal Code offenses which may be prosecuted either as an indictable offense or summary conviction offense. This is the case for the majority of offenses in the Criminal Code. If accused persons meet the following conditions they may be diverted by police: 1. They are releasable on a Promise to Appear or Appearance Notice; 2. They accept responsibility for the offense; 3. They are interested in the diversion option 4. Police think diversion would be an appropriate option; 5. The accused has not participated in diversion programming within the past year; 6. The Sargent approves of this decision. Exceptions are drug offenses, domestic offenses, and impaired offenses, wherein these accused are not subject to diversion by police. Low-risk accused who fit the criteria are currently being submitted for

diversion at the policing level. Pending results, there are plans to slowly open this practise to the entire city and apply adjustments as seen fit. There has been some discussion within the Winnipeg Police Service regarding the possibility of opening the diversion program to include domestic offenses.

Police diversion currently includes accused that are subject to arrest.. Under reasonable grounds police place the individual under arrest and bring them to the district station for processing. As is common practise with any low-risk accused person, the police then release the individual with a court date, rather than transporting the individual to the Remand Centre for a bail hearing For domestic assaults, this would be in the form of a Promise to Appear with an Undertaking condition not to contact or communicate with the victim directly or indirectly. The accused is still provided a court date (3 months post-arrest) and it is expected that they show up to that court date should they fail to complete the mandated programming within that timeframe. Otherwise a Warrant for their arrest is issued and they are charged with failing to appear in court on top of the previously laid charges. If the agency is satisfied with the accused's participation then the court date is cancelled and the charges are stayed.

Because there is an elevated level of complexity and risk when dealing with DV offenses diversion at the police level would entail some significant changes in police protocol and training. There would have to be more limitations put in place when police are considering DV diversion, as opposed to other types of crimes. I propose that if police do consider diversion at their level they proceed with a limited pilot in one district and they introduce further criteria for eligibility for diversion in DV cases. Another important precondition would be to expand police training in domestic violence. Domestic incidents represent a large portion of the calls for service in Winnipeg and this provides front-line officers with a wealth of first-hand experience in

dealing with many of these situations and dynamics. However, there are also factors at play in abusive relationships which may not come to the attention of front-line officers during the course of their duties. A training initiative would be important for providing all officers with the opportunity to gain a more holistic understanding of the complex factors and dynamics that could have an influence on diversion for domestic violence files.

If police proceeded to include DV cases for diversion at their level the following steps could be implemented. Police would go through a check sheet with their Sargent to determine if the accused is an appropriate candidate for diversion. If the boxes get checked off indicating that the accused is to be considered low-risk then the case can be diverted. If the decision is questionable or there are areas of concern, then the arrest can be processed as usual and the Senior Crown can make a further review of the file, as is currently standard DV diversion practise. I propose that the following be mandatory criteria regarding accused history for police to process a DV diversion referral: 1. No previous convictions for violent offenses within the past 5 years (ie. assaults); 2. No previous convictions for violent or domestic related offenses (ie. assault, utter threats); and 3. No previous convictions for fail to comply with conditions or fail to appear in court within the past 5 years. 4. No previous diversions for domestic related offenses. These 4 criteria are reflected in an accused's record. The following are criteria that should be met regarding the nature of the incident for which they have been arrested: no victim injuries; no use of weapons; and the accused informally takes responsibility for the offense and wishes to proceed by way of diversion. The above criteria would provide a more thorough assessment if police were to undertake diversion decision-making. In addition, police would have to serve an Undertaking on the accused with a condition to not contact the victim, as is standard practise when releasing accused persons on a Promise to Appear for a domestic offense.

Police should not be conducting risk assessments or diverting questionable cases. Those files can be left to the decision-making of senior Crown attorneys. When an individual is arrested who clearly falls into the low-risk category, this can be identified by using a check sheet based on the criteria described above. These files which are more straight forward could be diverted by police to save time and resources for the Crown's office and create a swifter response between the initial arrest and commencement of treatment.

It is recognized that DV cases and policies are dealt with carefully and in a sensitive manner. In this respect, it may be considered inappropriate to implement the practise of police diverting DV files without an evaluation of the Service's ability to do so safely and appropriately. I propose that the diversion of DV files at the policing level be introduced in collaboration with the senior Crown attorneys who are already experienced and trained in diverting such files. If police were to begin diverting DV files, there should be a trial period where the senior Crowns would still receive these files and review them further before determining if they are indeed appropriate for diversion. After a period of time, if the Crowns are finding that there are many police diverted files coming to their attention which they believe to be unsuitable, then it would be clear that either this is an inappropriate practise for implementation at the policing level, or there needs to be more measures put in place to further ensure that unsuitable cases are not being diverted by police. If the Crowns find that diversion decisions being made by the police are in line with their views, then it illustrates that this is something which could be adopted by the Winnipeg Police Service. Further feedback from the treatment facilitators on the suitability of participants being referred to their program would also be valuable in making this assessment.

Implementing this trial period or pilot would be facilitated because the police already have a diversion process in place that could be adopted for domestic referrals. In addition, Crown attorneys already review domestic arrest files from the police. Arresting officers would simply be flagging files to be considered for diversion and the Crown would review it to assess the suitability of this decision. The Crowns would then provide feedback to the police, which is currently done with the diversion program that is being tested in District 3. Of note, the Crown attorneys have reported back to Winnipeg Police management that they would like to see more diversions being put through by officers for the current non-domestic offenses. A Restorative Justice training session is being delivered to each shift in an attempt to educate and encourage members to regularly consider diverting arrested persons. This indicates that police have been very conservative with their diversion choices thus far, which is positive feedback when considering the concerns raised for the diversion of DV files.

I believe that allowing police to divert accused could be a very beneficial change. Winnipeg Police immediately have access to a significant amount of screening criteria. Inside and outside records can be brought up at the touch of a button, allowing for a review of the accused's criminal history. From attending to the scene, police can observe any injuries that the victim may have and identify if weapons were used. Furthermore, police can contextualize and gain a sense of the nature of this incident through discussions with the victim and accused. These are all things that are a part of police practice when attending a domestic assault. It could be argued that police have a better understanding of the situation under question in certain respects, as they are actually present in attending to the scene, whereas the Crown has access to a summarized report which was written by the attending officers themselves.

From a consequential perspective, it is not expected that there would be higher

frequencies of diversion referrals if this process were to be implemented at the policing level. Police would only be diverting accused persons who would ordinarily be considered a clearly suitable candidate when presented to a senior Crown attorney. The role of the police would not be to increase the number of diversion referrals; rather, it would be to relieve the workload of the Crown attorneys and speed up the referral process for appropriate candidates. The Crowns would still be diverting individuals who do not necessarily meet the requirements imposed by the police check sheets, but they may be considered an appropriate candidate for other reasons. The police would be removing a load off of the Crown's desks by diverting the straight forward cases.

Diversion at the policing level has the significant advantage of removing the initial referral wait time, which is generally 6 to 8 weeks. The accused could realistically be referred and contacted within a few weeks after their arrest. Now they are looking at maybe only 2 to 8 weeks total before commencing treatment, depending on when the next program session starts. This would allow the treatment to better capitalize on the state of crisis resulting from arrest. As well, it would significantly speed up a lengthy process. From the policing perspective, this would present itself as a useful tool allowing police to exercise more discretion in resolving the wide variety of domestic situations that are attended to on a daily basis.

In considering the two options for reducing time from arrest to treatment, the first option i.e. fast tracking case files to the Crown attorney's office would involve the least change in the current system of selecting potential candidates for diversion. The 'Fast Track' option would require a police assessment of potentially eligible cases and then undertake to get those files to the Crown attorney's office within a week or two. The second option, "diversion by police" involves a greater shift in police protocol, especially with regards to training, but it also would reduce the timeline from arrest to treatment, as well as reduce the workload of Crown attorneys.

### *Summary of Recommendations*

The recommendations resulting from this research pose some suggestions that should be implemented as soon as possible and others that should be tucked away for future considerations. Fee waivers should be implemented as soon as Choose 2 Change program funding permits. Risk assessments for the purpose of safely increasing diversion referrals could be a strong benefit if adopted by senior Crown attorneys. Recommendations for victim services communication, updating the program manual, and more detailed future programming referrals are fairly simple changes that can be considered immediately. Introducing complainants into the treatment process does not appear to be appropriate at this time. However, as things progress it may prove to be beneficial. Finally, with regard to reduction in timelines two options are available that entail greater police involvement, the “fast track” option and the “diversion by police” option. These options would require changes in police practice but have the potential for significant improvements to the current system.

### *Study Limitations*

There were a few limitations to this research study that should be noted. First, during observation of the Choose 2 Change program I reverted to my notepad in order to record what was going on during the group session. This had the advantage of providing myself with an ability to recall the large amount of information that was being presented, so that I could further analyze these notes at a later date with little reliance on my memory. However, this strategy presented two disadvantages. First, at times my attention was taken from what was occurring in the group environment so that I could record my notes. As a result, there were moments when I was less than fully focused on what was happening in front of me. The second disadvantage was

that this may have created a more obtrusive researcher presence, as making notes while participants were discussing sensitive material could have created a level of discomfort for some individuals.

The second noted limitation of this research was that there was a very small number of participant interviews conducted. This section of the research was reliant on group participants' willingness to take the time for a face-to-face interview. Only two participants were willing to do so. More participant interviews would have provided the opportunity to obtain broader perspectives on the Choose 2 Change program. As well, it would have provided a larger sample for documenting participant engagement and response.

The third limitation is with regards to the assessment that all participants were at least contemplating change at the end of the group session. This assessment was made from observation. However, it should be noted that observation was limited in this respect. It is unknown exactly how participants truly felt at the end of the program. This research was conducted in a group environment and some participants may have made certain statements to fit in with the positive group attitude at the end of the program. As well, it is unknown through observation if participants maintained such attitudes after the program was completed for some time. Observation did not provide me with the opportunity to see inside each individual's mind nor did it provide me the opportunity to assess individuals post-program, unless they volunteered for an interview. Observation provided me with the ability to assess the behavioural change participants exhibited throughout the program and this showed that they were contemplating change by the completion of Choose 2 Change. Whether they truly felt that way or reverted back to pre-contemplation after some time was unknown and unable to be assessed through this research.

### *Future Research Considerations*

There are four identified areas of future research considerations which could further build on the information gathered from this study. The first is extensive exit interviews to assess participants' stages of change in more detail upon completion of the Choose 2 Change program. As discussed in the study limitations, a small number of participant interviews and the limits of observation for assessing stage of change progress are notable limitations of this study. Future research could fill in some of the gaps in this research by conducting a project more focused on interviewing participants post-program. Research involving a larger number of interview participants and questions specific to stage of change could provide more insight into the mindset of participants after program completion.

Second, research focused on risk assessments with the aim of determining which particular assessment tool would best model the requirements of Winnipeg's DV diversion screening process should be considered. It was previously noted that adding formal risk assessments to the senior Crown attorneys' screening process could be of benefit for safely expanding the number of diversion referrals. The next question is, what risk assessment would be the best fit? Whether it be a pre-existing model or something that is newly and specifically developed for this purpose. Research on risk factors and assessments specific to Winnipeg could provide more insight into this avenue of development.

Third, as DV policy changes, especially with regards to innovations in the diversion process, updated data on recidivism rates and referral numbers become increasingly important. This is in order to track the impact that policy changes have on the system with respect to changes in the number of accused persons being diverted, the types of individuals entering

diversion programs with regards to their stage of change, and the efficacy that diversion programs have on these individuals.

Finally, research on other diversion programs is an important future research consideration. Choose 2 Change is only one program. There are others that accused persons in Winnipeg and even other cities are attending as a requirement of DV diversion. Further research on the quality and efficacy of other Winnipeg programs and other cities' DV diversion programs is essential for developing a framework within which these programs can be evaluated and compared.

### *In Conclusion*

These research results show that the Salvation Army's Choose 2 Change is a strong DV diversion program when measured against the standards proposed by the literature on DV treatment programming. Motivational interviewing, CBT, and group dynamics management stood out as the most superior aspects of the program. The group makeup of the session which was observed fit nicely into what the facilitators wanted to be working with in a brief diversion intervention strategy: a few pre-contemplative individuals, mostly contemplative, and perhaps a few who are in preparation or action. This balance in participants' stage of change is crucial for utilizing the substantial advantages of a group process. This group makeup indicates the efficacy of the Crown's screening process.

Observation and interviews provided this researcher with the opinion that all participants who completed the program were engaged with the material and responded well to treatment, at least contemplating change upon completion. Individuals who started the program at pre-contemplation demonstrated varying degrees of improvement. Some appeared to be stuck in a

cycle of shifting the blame and holding values associated to hegemonic masculinity. These attitudes could result in individuals who are less likely to fully progress through the stages of change, therefore sitting at a higher risk to recidivate. It was apparent that most participants were strongly receptive to what Choose 2 Change had to offer. For the minority of individuals who did not appear to respond as well, they were ultimately determined to be low-risk by the senior Crowns. If they do come back into contact with the CJS for a domestic-related offense they have now had their one chance. In this case, they would be subjected to prosecution the next time around, as individuals are generally not diverted twice.

In the end, this research has determined that Winnipeg has a strong diversion process for DV cases. The Choose 2 Change program is an exceptional and brief intervention strategy that is congruent with the recommendations in the literature for such treatment. The facilitators who conducted the observed session were highly skilled and able to engage the participants through extensive use of motivational interviewing. Participants appeared to benefit from this engagement and progression through stages of change was observed. The screening criteria appear to be appropriately applied and the subsequent programming that is offered is of high quality, thereby satisfying the critical elements of diversion. Implementing the above stated recommendations to the current program could further enhance what is currently an excellent model.

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## Appendix A

### Participant Interview Guide

1. Can you tell me about your experience in the program?
2. Were there any specific activities or topics covered in the program that stood out to you in a positive way?
3. Were there any specific activities or topics covered in the program that stood out to you in a negative way?
4. What do you see as the strengths of the program?
5. What do you see as the weaknesses of the program?
6. If you see weaknesses, how do you think these could be solved?
7. Can you tell me about your attitude entering the program?
8. Can you tell me about your attitude at the end of the program?
9. Do you think this program has had an impact on your behavior?  
  
If so, how?
10. If you are still with your partner, do you think your partner understood the goal of the program?
11. Do you think your partner appreciates the changes you are trying to make?
12. Can you tell me about the incident that brought you into this program?
13. Do you feel that completion of the program is now going to help you handle such situations better?
14. In what way will you handle these situations differently, using what you have been taught in this program?
15. Do you have anything further you would like to share that would help to improve a person's experience of the program or the effectiveness of the program?

## Appendix B

### Program Facilitator Interview Guide

1. Are you aware of the diversion process for domestic violence cases in Winnipeg? (If yes continue) (If no explain diversion process)

1. Could you describe your experience working on domestic violence cases in your field?
2. What has this experience been like for you?
3. What changes have you seen take place over time in addressing domestic violence cases?
4. What are the major challenges you face in addressing domestic violence cases?
5. What do you think of diversion for low-risk domestic violence cases?
6. What do you know about their application in Winnipeg?
7. What do you find to be the general community's attitude towards diversion for low-risk domestic violence cases?
8. What components do you think are critical to a diversion program?
9. How would you measure whether a diversion program is successful?
10. Do you see any disadvantages to diversion as a process in low-risk domestic violence cases?
11. Do you think diversion is being implemented effectively in Winnipeg or are there some crucial improvements that you think need to be made?

1. Do you notice significant differences between the different treatment groups you facilitate? (If yes): What factors account for these differences?

2. How do you address the diverse needs and backgrounds found among group participants?
3. Do you think that the screening process for selecting diversion candidates is effective?
4. How much communication do you have with the Crown attorneys throughout this process?
5. How much communication do you have with Victim services throughout this process?
6. Is maintaining contact with the victim something that takes place throughout the treatment process?

(If yes): What is the nature of this contact?

What benefits arise from this for the victim or treatment process?

(If no): Do you think victim contact throughout treatment is something that could be beneficial to the victim or treatment process?

Is this something that you could see being implemented in the future?

7. What are the major challenges you typically face when facilitating a treatment group?
8. A swift response has been highlighted as an important component of treatment. This refers to moving the accused quickly into treatment after arrest. Do you feel that diversion candidates are being quickly moved into treatment?

9. Roughly how much time does it typically take for a diversion candidate to begin treatment from the time of arrest?
10. Do you see possible ways of reducing the time a diversion candidate waits to enter a treatment program?
11. Do you feel that Choose 2 Change is able to adequately accommodate individuals who are unable to pay the program fees?
12. What is the ideal group size for treatment?
13. What advantages do you see the group environment providing that could not be achieved with an individual treatment setting?
14. What amount of time do you generally get to spend with a group?
15. Do you find this amount of time to be adequate?
16. What is your typical makeup for group facilitators in terms of number of facilitators, their gender, and training background?
17. At what stages of change do most participants come into the group?
18. How do you evaluate the stage of change for each participant?
19. How do you address the different stages that participants are entering with?
20. To what extent and effectiveness do you utilize motivational interviewing in treatment?
21. To what extent and effectiveness do you utilize Cognitive Behavioural Therapy?
22. To what extent and effectiveness do you address gender norms in treatment?
23. Do you assess for additional treatment needs, such as substance abuse?
24. Have you experienced difficulty in engaging some individuals in the group who may be more reluctant to participate?  
(If yes): What are some strategies that have been useful for engaging such individuals?

## Appendix C

### Key Informant Interview Guides

#### General Questions for All Participants:

1. Are you aware of the diversion process for domestic violence cases in Winnipeg? (If yes continue) (If no explain diversion process)
1. Could you describe your experience working on domestic violence cases in your field?
2. What has this experience been like for you?
3. What changes have you seen take place over time in addressing domestic violence cases?
4. What are the major challenges you face in addressing domestic violence cases?
5. What do you think of diversion for low-risk domestic violence cases?
6. What do you know about their application in Winnipeg?
7. What do you find to be the general community's attitude towards diversion for low-risk domestic violence cases?
8. What components do you think are critical to a diversion program?
9. How would you measure whether a diversion program is successful?
10. Do you see any disadvantages to diversion as a process in low-risk domestic violence cases?
11. Do you think diversion is being implemented effectively in Winnipeg or are there some crucial improvements that you think need to be made?

#### Police Questions:

1. Do you think diversion has had any impact on police response to domestic violence cases?

#### Victim Services Questions:

1. What are the attitudes of victims towards diversion that you have observed in domestic violence cases?
2. Do you maintain contact with victims whose partners are in a diversion program?  
(If yes): What is the nature of this contact?  
(If no): Do you see any benefits to extending contact with victims throughout the process?
3. Do you maintain post-program contact with victims?  
(If yes): What is the nature of this contact?  
Do victims report any changes in their partner's behaviour or attitude?  
(If no): Do you see any benefits to contacting victims after treatment completion?

**Judge Questions:**

1. If approximately 150-200 cases are diverted each year, could you estimate how much court time and personnel time would be saved?
2. Do you know what happens when a diversion candidate fails or drops out of treatment?
3. What do you think should happen?

**Crown Attorney Questions:**

1. What criteria are used for screening diversion candidates?
2. Is there victim input for screening from Victim services?
3. Do you think the screening process is effective?
4. How could screening be improved in Winnipeg?
5. A swift response has been highlighted as an important component of treatment. This refers to moving the accused quickly into treatment after arrest. Do you feel that diversion candidates are being quickly moved into treatment?
6. Roughly how much time does it typically take for a diversion candidate to begin treatment from the time of charge/arrest?
7. Do you see possible ways of reducing the time a diversion candidate waits to enter a treatment program?
8. Are diversion candidates assessed for additional treatment needs, such as substance abuse problems?
9. What do you know of victim services' contact with the victim when their partner is in treatment?
10. What is the result when diversion candidates fail or drop out of treatment?
11. Do you see diversion as allowing for greater time and attention to more serious offenses?
12. If approximately 150-200 cases are diverted each year could you estimate how much court time and personnel time would be saved?

## Appendix D

### Consent Forms

#### 1. Observation consent form



UNIVERSITY  
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Department of Sociology

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Winnipeg, Manitoba  
Canada R3T 2N2

#### Informed Consent Form

**Study Title:** A Qualitative Evaluation of Diversion for Domestic Violence Cases in Winnipeg

**Principal Investigator:** Jacob Simoens, Graduate Student

**Co-Investigator:** Dr. Jane Ursel, Professor

**Sponsor:** Salvation Army: Correctional and Justice Services

This consent form, a copy of which I will leave with you for your records and reference, is only part of the process of informed consent. It should give you the basic idea of what the research is about and what your participation will involve. If you would like more detail about something mentioned here, or information not included here, you should feel free to ask. Please take the time to read this carefully.

#### **Project Description:**

“A Qualitative Evaluation of Diversion for Domestic Violence Cases in Winnipeg” examines the quality and effectiveness of the Criminal Justice System’s engagement in diverting low-risk domestic violence cases to treatment programs. As a practice, diversion saves court resources and provides accused individuals with the opportunity to have their charges stayed upon completion of the program. It is important that such programs be evaluated so that they can be improved and receive funding for further development. This study, in collaboration with a

quantitative project on rates of reoffending, will be presented to policymakers and program managers.

This is a three part study. The first part, which this consent form is addressing, contains an observation component. The researcher will be attending this treatment program and unobtrusively observe how the program is being run and participant interactions. They will not interfere with the treatment program. They will be as nonintrusive as possible so participants will engage in the program as usual. During the meeting, they will make notes on a grid that outlines the program curriculum. Any notes that reflect a contribution from a facilitator or participant will be made on this notepad. The other parts of this study involve interviews with program participants on their opinion of the program, and interviews with service providers on their views of diversion efforts in Winnipeg. This consent form is solely for the Part I observation component.

Participation in the observation portion of the study is accomplished simply through attending the Choose 2 Change treatment program and giving consent to have the researcher observe the treatment program sessions. Participation in this study is voluntary and you may withdraw from the study at any time without any negative consequences. Two signatures of consent will be provided on this form. The first is consent to have the researcher present in observing the group. The second is consent to have anonymous notes recorded regarding your individual participation in the group. You are welcome to look at the notepad before and after the meeting. If you deny or withdraw consent to have notes taken about your participation, the researcher will remove your notes from the notepad and continue observation without recording notes regarding your individual participation. If you withdraw consent to have the researcher present to observe the group, the researcher will withdraw completely. Your decision to participate or not participate will in no way affect your relationship with the Choose 2 Change program or other agencies.

**Confidentiality:**

Any research notes produced from this observation will maintain confidentiality for the research participants. There will be no information that can personally identify the participants contained in these notes. Personally identifiable information that will be possessed by the researchers is that contained within this informed consent form. This consent form will be kept strictly confidential and will be kept in a locked drawer at the RESOLVE Research Centre. Only the researchers involved with this project will have access to this information. The research notes and consent forms will not be destroyed until October 2019.

A report of this study will be prepared. This report will not include the names of individuals, businesses/organizations or communities. Information from this report may also be presented at meetings and conferences and may be used to prepare a publication for an academic journal. No information that could personally identify participants (their names or names of businesses/organization or communities) will be included in these presentations or publications.

Please note that we are required by law to report current and past unreported abuse of children or persons in care, or situations dangerous to children or persons in care, to Child and Family Services. This refers to people who are currently children or dependent on the individual's care,

not to past abuse to people who are now adults. These are the same laws followed by service providers and the treatment program facilitators.

**Consent:**

Your signature on this form indicates that you have understood to your satisfaction the information regarding participation in the research project and agree to participate as a subject. In no way does this waive your legal rights nor release the researchers, sponsors, or involved institutions from their legal and professional responsibilities. You are free to withdraw from the study at any time without prejudice or consequence. Your continued participation should be as informed as your initial consent, so you should feel free to ask for clarification or new information throughout your participation.

The University of Manitoba may look at research records to see that the research is being done in a safe and proper way.

This research has been approved by the Psychology/Sociology Research Ethics Board. If you have any concerns or complaints about this project you may contact any of the above-named persons or the Human Ethics Secretariat at 204-474-7122, or e-mail [margaret\\_bowman@umanitoba.ca](mailto:margaret_bowman@umanitoba.ca). A copy of this consent form has been given to you to keep for your records and reference.

I \_\_\_\_\_ (print name) understand what the study is about and what participation involves and the signature below means that I agree to have the researcher present observing the program.

---

Participant's Signature \_\_\_\_\_ Date \_\_\_\_\_

---

Research and/or Delegate's Signature \_\_\_\_\_ Date \_\_\_\_\_

I \_\_\_\_\_ (print name) understand what the study is about and what participation involves and the signature below means that I agree to have the researcher record notes on my participation in the program.

\_\_\_\_\_  
Participant's Signature Date

\_\_\_\_\_  
Research and/or Delegate's Signature Date

Please initial here if you would like to receive a summary report of the research findings \_\_\_\_\_

Contact information:

Email or mailing address for receiving summary report of research findings.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 2. Participant interview consent form



UNIVERSITY  
OF MANITOBA

Department of Sociology

Jacob Simoens  
Isbister Building  
Winnipeg, Manitoba  
Canada R3T 2N2

### Informed Consent Form

**Study Title:** A Qualitative Evaluation of Diversion for Domestic Violence Cases in Winnipeg

**Principal Investigator:** Jacob Simoens, Graduate Student

**Co-Investigator:** Dr. Jane Ursel, Professor

**Sponsor:** Salvation Army: Correctional and Justice Services

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**Project Description:**

“A Qualitative Evaluation of Diversion for Domestic Violence Cases in Winnipeg” examines the quality and effectiveness of the Criminal Justice System’s engagement in diverting low-risk domestic violence cases to treatment programs. As a practice, diversion saves court resources and provides accused individuals with the opportunity to have their charges stayed upon completion of the program. It is important that such programs be evaluated so that they can be improved. This study, in collaboration with a quantitative project on rates of reoffending, will be presented to policymakers and program managers.

This is a three part study. The first part involves the observation of a full treatment session for the Choose 2 Change: Domestic Violence Diversion Program. The third part is comprised of key informant interviews with service providers. The second part, for which this consent form is addressing, is focused on interviews with participants from the Choose 2 Change program. The objective is to have input on the program’s strengths and weaknesses from those who actually participated in the program. This is seen as a very important element of the program evaluation.

Participation in this component of the study is accomplished through an audio recorded interview, which is expected to take 30 to 60 minutes. Participation in this study is voluntary and you may withdraw from the study at any time without any negative consequences. In addition you are free to not answer any questions that you do not want to answer.

The benefits of this study will be its ability to provide detailed documentation and assessment of a particular diversion project. It will also provide information on practitioners’ perspectives on diversion projects and their application to domestic violence cases. This will be of value to the Criminal Justice System, program facilitators, practitioners, victims, and accused involved with domestic violence cases.

**Confidentiality:**

In order to protect confidentiality, you are asked to refrain from using names during the interviews. The audio recordings will be downloaded to a computer file that is password protected. These recordings will be transcribed by the principal interviewer and all names will be removed from the transcript. Transcripts will be identified with a code number. If you do not

wish to be audio recorded, there is an option for the interviewer to make hand-written notes during the interview instead.

This consent form will be kept in a locked drawer at the RESOLVE Research Centre. Only the researchers involved with this project will have access to this information. The audio recordings, transcripts, and consent forms will not be destroyed until October 2019.

A report of this study will be prepared. This report will not include the names or any identifiable information of the individuals interviewed and data will be aggregated whenever possible. Information from this report may also be presented at meetings and conferences and may be used to prepare a publication for an academic journal. No names will be included in these presentations or publications either.

Please note that we are required by law to report current and past unreported abuse of children or persons in care, or situations dangerous to children or persons in care, to Child and Family Services. This refers to people who are currently children or dependent on the individual's care, not to past abuse of people who are now adults. We are also obligated to report situations where we believe that you could harm yourself or others. These are the same laws followed by service providers.

**Consent:**

Your signature on this form indicates that you have understood to your satisfaction the information regarding participation in the research project and agree to participate as a subject. In no way does this waive your legal rights nor release the researchers, sponsors, or involved institutions from their legal and professional responsibilities. You are free to withdraw from the study at any time without prejudice or consequence. Your continued participation should be as informed as your initial consent, so you should feel free to ask for clarification or new information throughout your participation.

The University of Manitoba may look at research records to see that the research is being done in a safe and proper way.

This research has been approved by the Psychology/Sociology Research Ethics Board. If you have any concerns or complaints about this project you may contact any of the above-named persons or the Human Ethics Secretariat at 204-474-7122, or e-mail [margaret\\_bowman@umanitoba.ca](mailto:margaret_bowman@umanitoba.ca). A copy of this consent form has been given to you to keep for your records and reference.

I \_\_\_\_\_ (print name) understand what the study is about and what participation involves and the signature below means that I agree to participate.

---

Participant's Signature

Date



**Principal Investigator:** Jacob Simoens, Graduate Student

**Co-Investigator:** Dr. Jane Ursel, Professor

**Sponsor:** Salvation Army: Correctional and Justice Services

This consent form, a copy of which I will leave with you for your records and reference, is only part of the process of informed consent. It should give you the basic idea of what the research is about and what your participation will involve. If you would like more detail about something mentioned here, or information not included here, you should feel free to ask. Please take the time to read this carefully.

**Project Description:**

“A Qualitative Evaluation of Diversion for Domestic Violence Cases in Winnipeg” examines the quality and effectiveness of the Criminal Justice System’s engagement in diverting low-risk domestic violence cases to treatment programs. As a practice, diversion saves court resources and provides accused individuals with the opportunity to have their charges stayed upon completion of the program. It is important that such programs be evaluated so that they can be improved. This study, in collaboration with a quantitative project on rates of reoffending, will be presented to policymakers and program managers.

This is a three part study. The first part involves the observation of a full treatment session for the Choose 2 Change: Domestic Violence Diversion Program. The second part is comprised of interviews with participants from the program. The third part, for which this consent form is addressing, is focused on key informant interviews with service providers. Practitioners who are knowledgeable about the diversion process will be the subjects of these interviews. The objective is to gain an understanding of how service providers view the nature of diversion in Winnipeg.

Participation in this component of the study is accomplished through an audio recorded interview, which is expected to take 45 to 60 minutes. Participation in this study is voluntary and you may withdraw from the study at any time without any negative consequences. In addition you are free to not answer any questions that you do not want to answer.

The benefits of this study will be its ability to provide detailed documentation and assessment of a particular diversion project. It will also provide information on practitioners’ perspectives on diversion projects and their application to domestic violence cases. This will be of value to the Criminal Justice System, program facilitators, practitioners, victims, and accused involved with domestic violence cases.

**Confidentiality:**

In order to protect confidentiality, you are asked to refrain from using names during the interviews. The audio recordings will be downloaded to a computer file that is password protected. These recordings will be transcribed by the principal interviewer. Transcripts will

receive a code number and all names will be removed. If you do not wish to be audio recorded, there is an option for the interviewer to make hand-written notes during the interview instead.

This consent form will be kept in a locked drawer at the RESOLVE Research Centre. Only the researchers involved with this project will have access to this information. The audio recordings, transcripts, and consent forms will not be destroyed until October 2019.

A report of this study will be prepared. This report will not include the names or any identifiable information of the individuals interviewed and data will be aggregated whenever possible. Information from this report may also be presented at meetings and conferences and may be used to prepare a publication for an academic journal. No names will be included in these presentations or publications either.

Despite these precautions, because of the small sample size, it is possible that someone reading the research report could identify you because of your responses. If this concerns you, then you should not participate in the interview.

**Consent:**

Your signature on this form indicates that you have understood to your satisfaction the information regarding participation in the research project and agree to participate as a subject. In no way does this waive your legal rights nor release the researchers, sponsors, or involved institutions from their legal and professional responsibilities. You are free to withdraw from the study at any time without prejudice or consequence. Your continued participation should be as informed as your initial consent, so you should feel free to ask for clarification or new information throughout your participation.

The University of Manitoba may look at research records to see that the research is being done in a safe and proper way.

This research has been approved by the Psychology/Sociology Research Ethics Board. If you have any concerns or complaints about this project you may contact any of the above-named persons or the Human Ethics Secretariat at 204-474-7122, or e-mail [margaret\\_bowman@umanitoba.ca](mailto:margaret_bowman@umanitoba.ca). A copy of this consent form has been given to you to keep for your records and reference.

I \_\_\_\_\_ (print name) understand what the study is about and what participation involves and the signature below means that I agree to participate.

---

Participant's Signature

Date

---

Research and/or Delegate's Signature \_\_\_\_\_ Date \_\_\_\_\_

I \_\_\_\_\_ (print name) understand what the study is about and what participation involves and the signature below means that I agree to have my interview audio recorded.

---

Participant's Signature \_\_\_\_\_ Date \_\_\_\_\_

---

Research and/or Delegate's Signature \_\_\_\_\_ Date \_\_\_\_\_

Please initial here if you would like to receive a summary report of the research findings \_\_\_\_\_

Contact information:  
Email or mailing address for receiving summary report of research findings.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Appendix E

### Choose 2 Change Observation Figures

#### Figure 1 - Myths and Facts about Intimate Partner Abuse

1. Intimate partner abuse is not all that common - False
2. Partner abuse only happens with people who are married - False
3. Partner abuse can include more than just physical injuries - True
4. Abuse only happens because of drugs or alcohol - False
5. Children know the abuse is going on - True
6. People abuse their partners because they cannot control their anger - False
7. Men are just as likely to be victims of serious partner violence as women - False
8. If the abuse was that bad the person would just leave - False
9. Children who are raised in an abusive household, but are not direct victims, are not affected by the abuse - False
10. Partner abuse most often occurs in low-income families - True

#### Figure 2 - Walking Away vs. Time-Outs

##### Walking away vs. Timeouts

Walking Away	Time Out
Your goal is to avoid talking about things.	The goal is to work things out.
Your partner is confused about what's going on.	You talk to your partner about how you are feeling.
You don't agree to it and it happens quickly.	Is a plan that you and your partner have agreed to before things get hot.
You blame your partner for making you angry and tell yourself "It's all your partner's fault".	You take responsibility for your feelings, thoughts and behaviors.
Time away is spent blaming your partner and doing negative things that hurt the relationship. (E.g. drinking, hanging out with friends that support your negative behavior, etc).	Time outs are spent focusing on your positive self-talk and reflecting on the situation
You return more angry and frustrated and want to make things worse.	Once you are relaxed and ready, you return with ideas of how you can handle things differently. You are ready to listen to your partner's thoughts and feelings.

Figure 3 - Time-Out Plan

**Time Out Plan**

Rules for Time Out:

- Say "I need a time out" or give the time out signal.  
Leave the situation for one hour; call if you need more time and then return.
- No alcohol, no drugs, no driving, no weapons, no video games, and no heavy physical activity.
- Go for a walk. Think about something calming.
- Check your warning signs before returning home.
- Call home to see how your partner is feeling or check planned signals to make sure it is ok to go home.
- Let your partner know you are back. Talk about the situation if both are willing.
- If things get tense again, take another time out.

During my time out I will do the following:  
I will go (be specific, e.g to my uncle Sam's house):

---

I will talk with (give names):

---

I will use these community resources (list 3 and their phone numbers):

---

I will tell myself (self talk):

---

Before having contact with my partner I will:

---

When I return to the situation I will:

---

I understand that, if this plan is going to work, I must share it with my partner and practice using the plan on a daily basis.

Figure 4 - Time-Out Wallet Card

**Time-Out Reminders**

- ✓ Know your triggers
- ✓ Voice your need for a time-out (about 1 hour)
- ✓ Reflect using positive self-talk
- ✓ Relax (no substances/video games etc.)
- ✓ Check-in with your partner
- ✓ Communication: *You can agree to disagree*
- ✓ If you need another time-out let your partner know

Resolve the issue when you both are ready.

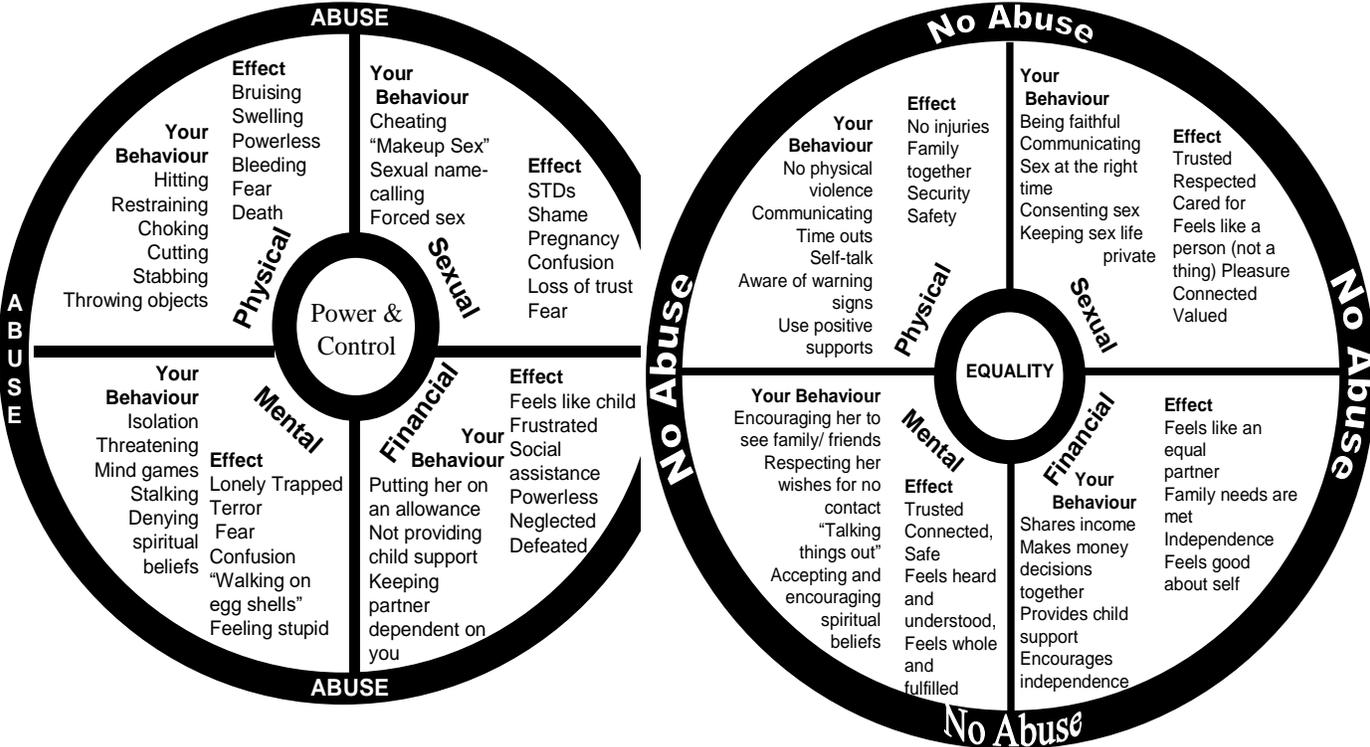
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**I NEED A TIME OUT**

---

**Men's Resource Center – 1-855-672-6727**  
**MB Suicide Line – 1-877-435-7170**  
**Klinic Crisis Line – 1-888-322-3019**  
**Mobile Crisis Line - 1-888-617-7715.**

Figure 5 - Power & Control vs. Equality Wheels



## Appendix F

### Choose 2 Change Letter to (Ex)Partners



THE SALVATION ARMY  
CORRECTIONAL AND JUSTICE SERVICES  
324 LOGAN AVENUE, 2<sup>nd</sup> FLOOR, WINNIPEG, MANITOBA R3A 0L5  
Telephone: (204) 949-2100 ~ Fax: (204) 949-2110

PROGRAMS/SERVICES

- INSTITUTIONAL CHAPLAINCY
- COURT CHAPLAINCY
- COUNSELLING AND REFERRAL
- FINE OPTION & COMMUNITY SERVICE ORDER
- ADDICTIONS REFERRAL
- POSITIVE LIFESTYLE DIVERSION PROGRAM
- ANGER MANAGEMENT DIVERSION PROGRAM
- PROSTITUTION OFFENDER PROGRAM
- PEACE OF MIND SUPPORT GROUP FOR WOMEN
- CHOOSE 2 CHANGE DOMESTIC VIOLENCE PROGRAM

#### Choose 2 Change – Domestic Violence Program for Men

#### Information for (Ex)Partners

Your (ex)partner has been referred and accepted into our Choose 2 Change Domestic Violence Program. We hope that this information sheet will address questions or concerns about this program. Choose 2 Change is a short term, intensive group counselling program which includes an individual intake meeting, a closing meeting and three full day group workshops that your (ex)partner has to attend. Participants also have to pay a fee which is income based and on a sliding scale.

In order to be accepted into the program your (ex)partner had to admit responsibility for the abusive and/or violent behaviour towards you. The goal of the program is to help your (ex)partner become aware of the abusive behaviour and to recognize the effects. It also gives him the opportunity to develop skills and ways of responding in a more positive, non-abusive way. The following topics are discussed during the group sessions:

- Different types of abuse (physical, emotional, sexual, financial) and the effects on you, the children, him and the community
- Information about the cycle of abuse and how to break the cycle
- How he can take full responsibility for the abuse and not make excuses or minimize it
- How to be aware of his warnings signs that can potentially lead him to become abusive
- How to solve conflict in a positive way: positive self-talk, time outs and communication skills
- Provide information about further counselling options

Many men have stated that the program has made a difference in how they see their behaviour and many have made positive changes in their relationships.

We also offer a support group called Peace of Mind for women that have experienced abuse in a relationship.

**If you are interested in that group or if you have any questions about the Choose 2 Change Program please call us at 204-949-2100!**

WILLIAM AND CATHERINE BOOTH  
*Founders*

ANDRÉ COX  
*General*

SUSAN McMILLAN  
*COMMISSIONER*

SHAWN CRITCH  
*DIVISIONAL COMMANDER*