

Criminal Justice System and Violence Against Women

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Criminal Justice System and Violence Against Women
is part of a Manual published by
Battered Women's Support Services (BWSS) titled:

**“Empowering Non-Status, Refugee and Immigrant
Women Who Experience Violence – A woman-centred
approach to managing the spectrum of needs from
settlement to empowerment”**



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*It is against the law to beat, threaten or harass another person.
This includes your spouse, partner, ex-spouse, or ex-partner.*

The Criminal Code

In Canada, most crimes and criminal law procedures are consolidated into a single statute called the Criminal Code. Although the Criminal Code does not specifically address violence against women in relationships, there are a number of possible criminal offences which could apply, such as:

- assault;
- assault with a weapon or causing bodily harm;
- aggravated assault;
- unlawful confinement;
- kidnapping;
- attempted murder;
- sexual assault;
- sexual assault with a weapon, threats to a third party or causing bodily harm;
- aggravated sexual assault;
- criminal harassment (stalking);
- uttering threats;
- harassing telephone calls;
- intimidation; and
- mischief, destruction of property, theft, fraud.

Violence Against Women in Relationships (VAWIR) Policy

Violence against women in relationships is an escalating concern. The Ministry of Attorney General and the Ministry of Public Safety and Solicitor General developed a policy to ensure a coordinated and effective response to this type of violence. The policy:

- directs the justice system to emphasize the criminality of violence within relationships;
- to take the necessary measures to ensure the protection of women and children who may be at risk;
- relates to the continuum of violence that occurs in relationships; and
- applies to a range of criminal activities from harassing telephone calls or mischief to aggravated assault (MPSSG 2004)

The VAWIR Policy defines violence against women in relationships as:

...physical or sexual assault, or the threat of physical or sexual assault of women by men with whom they have, or have had ongoing or intimate relationships, whether or not they are legally married or living together at the time of the assault or threat. Other behaviour, such as intimidation, mental or emotional abuse, sexual abuse, neglect, deprivation and financial exploitation, must be recognized as part of the continuum of violence against young and elderly women alike (MPSSG 2004).

The VAWIR policy also applies to violence occurring in intimate relationships between same-sex partners.

Victim Service Workers

Women in abusive relationships should contact a Victim Service Worker for information about options. Victim Service Workers can provide emotional support, justice system information, safety planning, assistance in getting a peace bond or restraining order, referrals to counseling and other services and court accompaniment. They can also provide information and application forms for crime victim assistance benefits and victim notification.

The following specialized victim assistance and counseling programs provide services to survivors of sexual assault, violence in relationships and violence against children and youth:

- Community-based Victim Assistance Programs (CBVAPs);
- Stopping the Violence (STV) Counselling Programs;
- Stopping the Violence Outreach Programs; and
- Sexual Assault/Woman Assault Centres.

For more information:

Battered Women's Support Services

Phone: 604-687-1867

<http://www.bwss.org>

VictimLINK,

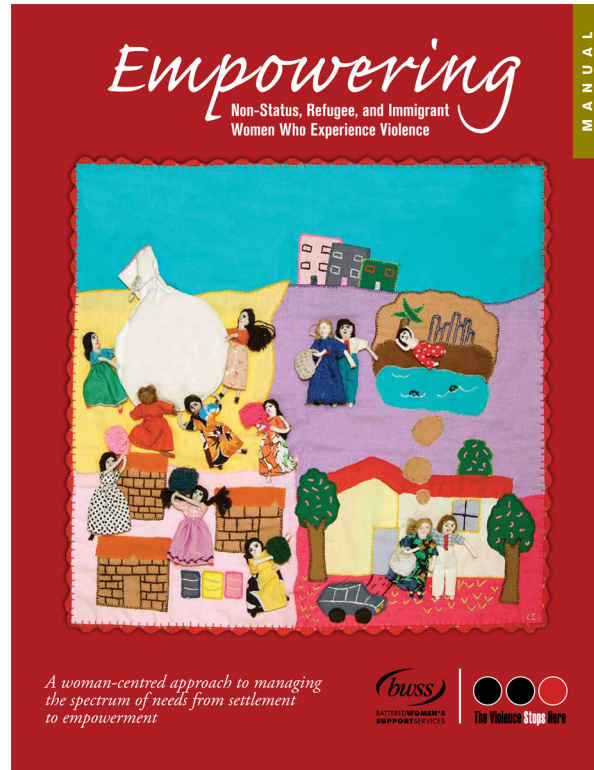
toll-free at 1-800-563-0808

Multilingual service, operates 24-hours a days, seven days a week

Reference List

Ministry of Public Safety and Solicitor General. (2004). Violence against women in relationships policy. http://www.pssg.gov.bc.ca/victim_services/directory/index.htm

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