

Supporting Women with Precarious Immigration Status, Refugees, Refugee Claimants and Immigrant Women Facing Domestic Violence

Safety Assessment and Safety Planning Tool // November 2019



BC
Refugee
Hub



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Disclaimer:

The information presented in this safety assessment tool and accompanying PPT deck training tool are not intended to be and does not constitute legal advice. Immigration law changes quite frequently. Do not, under any circumstances, rely on information found in this tool as legal advice. Legal matters are often complicated. For assistance with your specific legal problem or enquiry, please contact a lawyer. Please see the resources section for free or low-cost legal support services.

Introduction

Working with women with precarious immigration status, refugee, refugee claimants and immigrant women

Women who have precarious immigration status in Canada seek safety and support from abuse for themselves and their children at times when accessing services is vital to their well-being. It's important to reinforce the commitment to continue to work collaboratively to increase networks and connections to positively change the inequalities that migrant women face within the economic, social, legal and political systems. Inequalities that, more than often, deny basic rights to migrant women and their families.

With the aim of understanding women's migration and gendered violence, first of all, we have to acknowledge that girls and women all over the world have experienced some form or a spectrum of gender-based violence. From the moment a woman is born, and her gender is defined as female, she will be oppressed and discriminated against. Migrant women flee from their countries for many reasons and one of the main reasons is the dismantling of their land.

Furthermore, forced migration is prompted by women's experiences of gender violence and a broad spectrum of violence that girls and women face through their lives, which includes gender oppression, gender persecution, political persecution, feminicide, war, economic violence and the impacts of colonization and globalization. Women are continually forced to leave their land and migrate to a foreign country where they may be discriminated against based on their social status in society.

Once a migrant woman makes it into Canada, she might have been trafficked — or she might have come as a refugee claimant, through sponsorship, on a visitor's visa, under temporary work permit or undocumented, among other alternatives. Their immigration status will play a huge role on the level of barriers and oppression that she will face as well as the services available to her. Many migrant girls and women will continue experiencing all forms of violence such as physical, emotional, verbal, and sexual abuse from intimate partners, family members or extended family. The process of migration and a precarious immigration status makes girls and women more vulnerable to experience further violence.

With this in mind, the Battered Women Support Services supports migrant women with precarious immigrant status, non-status, refugee claimants and permanent residents who have or are experiencing violence. BWSS are strongly committed to understanding and recognizing that migrant women don't "just come" to Canada, migrant women flee from their countries under extreme circumstances and with an immense need for support to overcome the impacts of gendered violence, the impact of migration and the complex process of adaptation. BWSS has taken many steps to ensure that appropriate support is provided but also that they affect systemic change.

BWSS provides support to all migrant girls and women who access services. Through a feminist anti-oppression, intersectional and decolonizing approach, BWSS recognizes that migrant women deal with shared "cultural" as well as individual and unique experiences. This acknowledgment of the collective and individual needs requires caring and compassionate assistance and support. In the work supporting migrant women, BWSS walks alongside each woman with an understanding that migrant women face huge social isolation and many structural barriers related to their precarious status and social location.

BWSS specialized services include but are not limited to: assistance navigating the legal system, including education and information about the Canadian legal system, assistance to access legal support including referrals to lawyers and low-cost legal support services, accompaniment and support to attend refugee hearings, assistance to access basic supports such as food/clothing/furniture, health services, shelters and transition houses, advocacy and support to obtain social assistance, education, information and support about child protection and parenting, language specific counselling and support groups and assistance and advocacy to apply for social housing.

BWSS, ISSoFBC and the BC Refugee Hub strongly believe that continued access to a full range of programs such as the services offered by Battered Women's Support Services and a strong collaboration among service providers, at municipal, provincial, national and international level, is vital to migrant women's capacity to overcome the impact of gendered violence, forced migration and adaptation.

Initial Intake Form

This safety assessment and planning tool has been specifically developed for women and self-identified women. From hereon in, for the purposes of this tool, any mention of "woman" or "women" refers to anyone who has self-identified as a woman for their gender identity. If the person comes from the LGBTQ, two spirit, non-gender conforming communities, it's important to have the proper training and adequate resources to support this person internally in your agencies.

Date:

Worker:

Program:

Client's Information

Name:

Gender Identity:

Pronouns:

Phone Number(s):

Safe to call:

Not safe to call:

Safety plan when calling:

Safety plan if call goes to voicemail:

Address:

Age:

Country of Origin:

Ethnic or Racial Identity:

Immigration Status:

Precarious

Temporary Worker's Permit

Visitor's Visa

Refugee Claimant

Convention Refugee

Permanent Resident

Sponsorship (who is the sponsor):

Canadian Citizenship

Other Citizenship (explain):

Other:

Partner's Information

Name:

Gender Identity:

Pronouns:

Address:

Age:

Country of Origin:

Ethnic or Racial Identity:

Immigration Status:

Precarious

Temporary Worker's Permit

Visitor's Visa

Refugee Claimant

Convention Refugee

Permanent Resident

Sponsorship (who is the sponsor):

Canadian Citizenship

Other Citizenship (explain):

Other:

First Language:

English Level:

None (needs interpreter)

Beginner

Intermediate

Advanced

Source of Income:

Accessibility needs:

Children's Information:

Indicate children's names, ages, living or not living with mother, immigration status, and relationship to partner

Are there children living abroad?

Does the abusive partner have the power to affect children's mobility from abroad?

Current Relationship Status:

Single

Dating

Living Together

Common-Law

Married

Separated (indicate when):

Other:

First Language:

English Level:

None (needs interpreter)

Beginner

Intermediate

Advanced

Source of Income:

Safety Issues (related to abuser)

Has this person ever been abusive or violent towards your client prior to coming to Canada? Explain:

When one or all of the following factors are identified, this case should be highlighted as HIGH RISK and the organization's internal procedures should be followed.

Does this person have power to affect your client's immigration status? Explain:

Has this person ever been charged here or abroad? Explain:

Access to weapons:

No Yes

Death threats:

When:

Where:

How would they do it? (provide details if available)

Physical Violence (describe):

Relationship History:

Strangulation:

No Yes

Member of a gang here or abroad:

Has this person threatened to harm your client's family members here or abroad? Explain:

Additional Notes:

Additional Notes:

History of Gender-Based Violence and Abuse/ Violence in Current Intimate Relationship

(provide examples where applicable for her)

Describe Abuse in Intimate Relationship:

Isolation:

Emotional abuse:

Physical violence:

Sexual abuse/violence

Financial abuse/control:

Intimidation and threats:

Other:

Gender-based Violence and Abuse

Childhood Abuse/Violence:

Child-Bride:

Arranged Marriage:

Forced Migration:

Gender-Persecution:

Political-Persecution:

Trafficked:

Displacement:

Other:

Has the person accessed any support as a result of the gender-based violence or abuse they have experienced?

Please include any short-term support, counselling, psychologist or psychiatrist that the person has accessed or is currently accessing:

Safety Assessment

We understand that many refugee and immigrant people do not trust police because they may come from countries where they were tortured, criminalized or disregarded by the criminal justice system. Also, we know that for many women calling the police is the last resort. It is important to clearly explain to the client their rights and responsibilities as it relates to the criminal justice system.

Provide information about calling 911, about criminal justice system as it relates to domestic violence, as well as the person's right to ask for an interpreter when calling police.

Questions to ask the client:

1. Have you called 911 before? Are you willing to call 911? What could stop you from calling 911?

2. If there is violence or you are in danger what would you do?

3. What are the current safety concerns?

Physical Safety:

Threats of being deported:

Threats of harming or killing a family member here or abroad:

Children's safety or threatening to take children away:

Sexual Violence:

Jeopardizing employment:

Other:

4. Has the violence or threats increased over time?

5. Has the past violence ever resulted in injuries? Are there any current injuries?

If yes, have you seen a doctor? Have you, or someone you know documented the incident by telling someone else, writing down dates, times, and details of the incident, as well as taking pictures of marks or injuries? Encourage the person to document the incident and to go to the doctor as soon as possible.

6. Has your partner/ex-partner threatened to hurt or kill you without or with a weapon? What kind of weapon? Be aware that knives and other objects are considered weapons.

7. Has your partner/ex-partner ever threatened to commit suicide or self-injure if you leave, or do not go back with them?

8. Have you been hurt by a member of your extended family or has anyone threatened to hurt you or kill you here or abroad?

9. Has your partner engaged with the criminal justice system here or abroad? Have there been any charges laid? Is there any kind of protection order here or abroad (e.g. Peace Bond, No Contact Order or Family Law Protection Order). Do you have a copy of it?
10. Has your partner breached the protection order? Describe when and what happened. Have you reported this breach to police? When? *Gather as many details, names and contact information as possible.*

Additional Notes:

Safety Plan

1. What are the actions that you want to take at this time? (Staying, leaving or returning)

2. Is there anyone (friend, neighbor or family member), you might be able to reach out to if you need help? What supports do you currently have? Can you contact any of them in case of emergency?

Family:

Friends:

Neighbors:

Other:

3. Would you like information about shelters, safe housing, transition houses and emergency lines in your region? (List resources provided)

Safety Plan if Staying:

Provide information about the cycle of violence and the "honeymoon period." Make note that in our experience violence usually escalates over the time.

1. What is your concrete plan if violence arises?
2. What factors will make you safe while staying?
3. Describe your support system while staying:

Safety Plan if Returning:

Make note that in our experience violence usually escalates after returning.

1. What is your concrete plan if violence arises?
2. What factors will make you safe while staying?
3. Describe your support system while staying:

Safety Plan if Leaving:

Remind the person not to share her plan with her children or someone who may disclose this plan to their partner or extended family. If there are children involved always assess the children's safety and remind the person that whenever possible it is important to bring children with her to a safe place.

Questions to ask the client:

1. When are you planning on leaving?

Throughout the safety plan, provide support and information to the person to make an informed safety plan. It is important to remember that violence and abuse usually escalates after a woman has left or if the abusive person gets any indication that she is planning to leave. It is imperative to highlight that she should not show any hint that she is planning to leave.

2. What steps will you take before leaving?
3. What steps will you take if your partner arrives while leaving?
4. Can you identify signs or situations that would increase your partner's use of violence?
5. Who lives with you? (Refer to information to the right if children live with the woman)
6. Have you shared with anyone that you are planning to leave?

Safety Plan if there are Children Living at Home

Mothers can teach their children some basic safety planning. It is based on the belief that the most important thing that children can do for their mothers and their families is to get away from the area of violence. It is known that children often try to stop the violence by distracting the abuser or directly interfering in the violent incident, it is important to tell children that the best and most important thing for them to do is to keep themselves safe. Children who experience or witness abuse or violence can be profoundly affected. It is very traumatic for them to be faced with violence directed at them or at someone they love. Personal safety and safety planning are extremely important and necessary for children whose families are experiencing violence. Children should learn ways to protect themselves.

Is there a safe room inside your house, preferably with a lock on the door where your child/children can go to? (Whenever possible, the mother should make a safety plan for her children to go to a safe room as soon as violence arises).

Is there a safe place outside your house where your child/children can go to?

Describe the Safety Plan for children:

If there are children living with you, are they able to call 911 in case of emergency?

7. Do you have an emergency plan in case your partner or other family member stops you from leaving?
8. Is your extended family or your community a resource or a risk for your safety? Explain:
9. Do you need your worker to provide more information or to collaborate with you on making a safety plan? Describe worker's contribution to the person's safety plan:
10. Do you need information on:
- Criminal Justice System*
 - Family Law*
 - Immigration Law*
 - CBSA*
 - Child Protection (MCFD)*

Describe what information and resources were provided:

11. Are you already dealing with any or an intersection of the systems above? Describe:

12. What documents do you have and what documents do you need to get from your partner? Describe:

Birth Certificates

Passports

ID

Bank Statements

Paystubs

Other:

13. How are you coping? Following your organization's internal policies and practices, make an assessment on:

Use of Medication (prescribed or not prescribed)

Use of Substances

Suicidal Ideation

Plan to Commit Suicide (follow your internal policies and practices to make an assessment and safety plan)

Self-Injurious Behaviors

Other:

Resources and Information Provided:

14. Next steps after this appointment:

15. Is there anything else that you want me to know?

Follow up plan:

Write down where the woman has been referred to:

Resources in BC

Women's Organizations, Transition Houses, Community Organizations and Victim Services and Available Support in BC Regions

bwss.org/resources/resources-for-women-in-bc

Resources for Immigrant and Refugee Women

bwss.org/resources/immigrant-and-refugee-women

Support Groups

bwss.org/support/programs/support-groups

HealthLink BC – Domestic Violence

www.healthlinkbc.ca/health-topics/te7721#show-all

VictimLink BC

Call 1-800-563-0808 for toll-free, confidential, multilingual service available 24 hours a day, 7 days a week.
www2.gov.bc.ca/gov/content/justice/criminal-justice/victims-of-crime/victimlinkbc

Legal Resources for Immigrant Women

The following are legal resources for low-income immigrants and refugees providing legal advice and support on family and immigration law.

Legal Resources

bwss.org/support/law-reform/legal-resources/for-immigrant-women

Legal Services Society

Legal aid / 1-866-577- 2525 / 604-408-2172 (Greater Vancouver)

- **Family Law in BC**
familylaw.lss.bc.ca

Law Students' Legal Advice Program

604-822-5791

Access Pro Bono Society

1-877-762-6664 or 604-878-7400 (Greater Vancouver)

The Law Foundation of BC – Legal Advocacy Programs

- **ISSofBC Legal Advocacy Program**
778-222-7568 / issbc.org/legaladvocacyprogram
- **MOSAIC Legal Advocacy Program**
604-254-9626 legaladvocacy@mosaicbc.org / mosaicbc.org/services/settlement/legal-advocacy-program

LGBTQ2S

LGBTQ2S and non-binary survivors of violence

bwss.org/support/lgbtq2s

QMUNITY – BC's Queer Resource Centre

qmunity.ca / 604-684-5307

PridelineBC

1-800-566-1170 (toll-free in BC) or 604-684-6869 (in the Lower Mainland). Available weeknights (Monday to Friday) from 7:00 pm to 10:00 pm

Trans Care BC – Provincial Health Services Authority

phsa.ca/our-services/programs-services/trans-care-bc

Mental Health Supports

POVNET – Mental Health Supports

povnet.org/find-an-advocate/bc/mental-health

Vancouver Coastal Health – Accessing mental health & substance use services

vch.ca/your-care/mental-health-substance-use/accessing-mental-health-substance-use-services

POVNET – Crisis Services

(provides list of services across BC)

povnet.org/find-an-advocate/bc/crisis-services

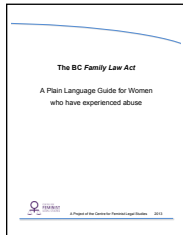
Province of BC – Mental Health & Substance Use Supports in BC – Trauma and Abuse

www2.gov.bc.ca/gov/search?id=CC03B59AB17649D6ACE87653E349DAA7&tab=1&q=Trauma+and+Abuse

Vancouver Association for Survivors of Torture (VAST)

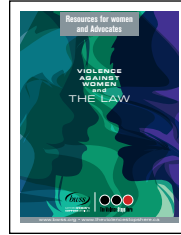
vast-vancouver.ca

Publications & Toolkits



The BC Family Law Act – A Plain Language Guide for Women who Have Experienced Abuse

bwss.org/wp-content/uploads/2010/07/fla_guide.pdf



Violence Against Women and the Law – A Resource for Women and Advocates

bwss.org/wp-content/uploads/violenceagainstwomenthelaw-resources1.pdf



Toolkit for Lawyers to Work with Battered Women

bwss.org/wp-content/uploads/2011/01/Toolkit-for-Lawyers_EIWITLS.pdf



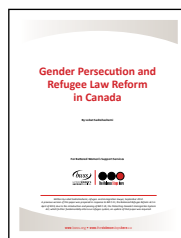
Report on Violence Against Women, Mental Health and Substance Abuse

canadianwomen.org/wp-content/uploads/2018/03/PDF-VP-Resources-BCSTH-CWF-Report_Final_2011_-Mental-Health_Substance-use.pdf



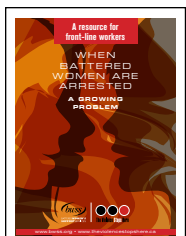
Toolkit for Immigrant Women Working with a Lawyer

bwss.org/wp-content/uploads/2014/10/Toolkit-for-Women-FINAL.pdf



Lobat Sadreshashemi, "Gender Persecution and Refugee Law Reform in Canada" Battered Women's Support Services (September 2012)

bwss.org/wp-content/uploads/2012/10/GENDER-PERSECUTION-and-REFUGEE-LAW-REFORM-IN-CANADA-.pdf



When Battered Women are Arrested – A growing problem: A Resource for Front-Line Workers

bwss.org/wp-content/uploads/womens-arrest-toolworker-web.pdf

Canada Department of Justice – Publications on Abuse and Family Violence

justice.gc.ca/eng/cj-jp/fv-vf/pub.html



When Battered Women are Arrested – A Growing Problem: Overview

bwss.org/wp-content/uploads/womens-arrest-toolwomen-web1.pdf

Family Violence in Canada: A Statistical Profile, 2017

www150.statcan.gc.ca/n1/pub/85-002-x/2018001/article/54978-eng.htm