

# Supporting Women with Precarious Immigration Status, Refugees and Refugee Claimants Facing Domestic Violence - Safety Assessment and Safety Planning Tool



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# Battered Women's Support Services (BWSS)

We contribute to the freedom and liberation of girls from gender-based violence, and we affect social change through the provision of direct services, training and education programs. We work on systemic advocacy and law reform.

For 40 years, we have been providing crisis intervention, community-based victim services, counselling, legal advocacy, employment program, and other specialized services to girls and women who experience gender-based violence



## 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.



## Intake Form For Safety Assessment and Safety Planning

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.



## 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.
- Threat of being deported.
- Threat of being separated from her children.
- Threat to affect her attempt to make a refugee claim.



# Outline

- Safety concerns
- Safety risk assessment
- Safety planning
- Resources in your community

# Why Women leave their countries of origin?

- Forced migration
- Displacement
- Gender persecution
- Sexual violence
- Oppressive cultural practices
- Trafficking
- Sponsorship
- Family
- Better Future





# Why Women leave their countries of origin?

- Child brides
- Forced marriages
- Mail order brides
- Poverty
- Fleeing country of origin with partner due to other forms of persecution
- Other reasons



# Safety Assessment and Safety Planning for Women with Precarious Immigration Status, Refugee and Immigrant Women





# Spiral of Gender Violence

- Intersectionality
- Social, economic and political conditions that contribute to gender violence, bound women's reproductive rights and self-determination

## ADULT

Domestic Violence, Same-sex domestic violence, violence by fathers-, mothers-, sisters-, brothers-in-law and natal family members; Sexual abuse includes marital rape, forced to watch and imitate pornographic acts, extreme sexual neglect or coldness; Economic abuse includes ruined credit, gambling; isolation, permanent or temporary abandonment; Battery during pregnancy; Coerced into criminal activity; Extreme exploitation of household labour; Sexual harassment by employers, other employees, fathers-, brothers-in-laws, clergy, therapists, doctors; Victim-blaming, rejection by community; Forced into unprotected sex, infected with STD's, STI's, HIV; Denying mothers access to, custody of children, international abduction/kidnapping; Intimate homicide, femicide, honour killings; Withholding adequate food, clothing, daily necessities, Stalking, cyber-stalking.

## YOUNG ADULT

Date violence, drug-facilitated rape; Rape, including wartime rape; Denied choice of marriage partner and/or sexual orientation; Dowry-related deaths; Intimate partner violence; Sexual harassment at work, college

## ELDER

Physical abuse by adult children, caretakers; Spousal abuse; Exploitation of household labour, child care; Withholding health care, medications, daily necessities; Demeaning widowhood; Coerced suicide pacts or mercy killings.

## CHILD

Little or no schooling; Child labour; Child prostitution; Physical abuse; Neglect; Abandonment; Incest; Sexual abuse; Molestation; Abusive "teasing" by sibling; Virgin cleansing.

## INFANT

Female foeticide; Sex-selected abortion; Infanticide; Mal/under-nourishment by withholding nutritious food; Medical care withheld.

## TEENAGER

Coerced sexual initiation, rape; Forced marriage to parent's choice, much older man, teen's rapist; Ignorance about sex, anatomy, sexual health; Control over sexuality and sexual orientation; Trafficked; Forced into prostitution; Cyber-stalking by boyfriend or unknown predators; Date violence; Harassment, public lewdness; Sexual harassment by extended family, teachers, coaches, peers.

# Safety Assessment

- Client's Information
- Name:
- Gender Identity: Gender identity is the personal sense of one's own gender. Gender identity can correlate with assigned sex at birth or can differ from it. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth-assigned sex. Gender identity is fundamentally different from a person's sexual orientation.
- Pronouns: She, her and hers or they their & them

# Safety Assessment

## Phone Number/s:

Safe to call: Ask the person if you can call her by using your first name and the organization you are calling from.

Not safe to call: If it is not safe to call her at all , make plan B. This plan may include calling a friend or a family member.

Safety plan when calling: Ask the person if it is safe to call and block the number you are calling from. She may want you to hang up if her partner answers the phone. She may want you to say you are a friend and to provide a different name.

Safety plan if call goes to voicemail: Is it safe to leave a message? What kind of message is safe to leave?





# Safety Assessment



- Age:
- Country of Origin: Has she lived in other countries previous to entering into Canada? Has she lived in other provinces within Canada?
- Ethnic or Racial Identity:

# Safety Assessment

**Immigration Status:** Gather as much information as the person is willing to provide. Remember that this information can be key when preventing her from being deported.

- Precarious
- Temporary Worker's Permit
- Visitor's Visa: **Has visa expired?**
- Refugee Claimant
- Convention Refugee
- Permanent Resident
- Sponsorship (who is the sponsor): **Where is the process at?**
- Canadian Citizenship    Other Citizenship(explain):
- Other:



# Safety Assessment

**First Language:** Remember she may speak more than one language

**English Level:**

**None (needs translation):** Even if she is able to speak English she may need an interpreter.

**Beginner**

**Intermediate**

**Advance**



# Safety Assessment

**Source of Income:** She may have an odd job, or a family member is sending money from overseas. She may be working underground (if this is the case, remember to provide information about the risk of working without permit) Whenever possible support her with information and resources to access some form of income that will not jeopardize her immigration status.

**Accessibility needs:**

# Safety Assessment

## Partner's Information:

### Safety Issues

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

When one or all of these 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:

# Safety Assessment

## Partner's Information:

### Safety Issues

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

Access to weapons: No    Yes: \_\_\_\_\_

Death threats: When: \_\_\_\_\_ Where: \_\_\_\_\_

How this person would do it?

# Safety Assessment

## Partner's Information:

### Safety Issues

#### Physical Violence (describe):

Strangulation: No      Yes: \_\_ non-fatal strangulation by an intimate partner is a risk factor for major assault, or attempted or completed homicide of women. Women who have experienced domestic violence commonly report non-fatal strangulation, sometimes referred to as choking. This type of violence is often minimised, missed and misidentified by victims, front-line workers, health workers and other service providers. Strangulation is both extremely dangerous and a risk factor for future serious harm and death.

# Safety Assessment

## 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? Is she applying to bring them to Canada? Describe.

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

# Safety Assessment

## Current Relationship Status:

Single

Dating

Living together

Common-Law

Married

Separated (indicate when): \_\_\_\_\_

Other: \_\_\_\_\_

Relationship History:



# Safety Assessment

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



# Safety Assessment

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

**Describe abuse in intimate relationship:**

- Isolation:
- Emotional abuse:
- Physical violence:

# Safety Assessment

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

- Sexual abuse/violence
- Financial abuse/control:
- Intimidation and threats:
- Other:

# Safety Assessment

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

- Gender-based Violence and Abuse:
- Childhood Abuse/Violence: It includes incest, sexual violence/ abuse, molestation and physical and emotional abuse among other forms of abuse.
- Child-Bride: Is she still with the person she was forced to married. Has she left? Does she want to change her situation?
- Arranged Marriage: Same as above.

# Safety Assessment

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

- Gender-based Violence and Abuse
- Forced Migration: It may include cultural practices that would impact her autonomy and safety. Harmful traditional practices exist in many different forms. These traditions reflect norms of care and behavior based on age, life stage, gender, and social class. While many traditions promote social cohesion and unity, others wear down the physical and psychological health and integrity of individuals, especially women and girls.

# Safety Assessment

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

**Gender Based Persecution:** The discriminatory, oppressive, harmful or abusive treatment of an individual, based on their gender.

The United Nations High Commissioner for Refugees lists a basic list of what kinds of activity can be classified as “Gender-based persecution”. As listed on the site, gender-based claims generally encompass, but are not limited to:

- Acts of sexual violence
- Family/Domestic violence
- Coerced family planning
- Female genital mutilation
- Punishment for transgression of social norms
- Discrimination against people who identify as homosexual

# Safety Assessment

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

- Gender-based Violence and Abuse
- Political Persecution: The definition of a Convention refugee states that a claimant's fear of persecution must be "by reason of" one of the five enumerated grounds - that is race, religion, nationality, membership in a particular social group and political opinion.



# Safety Assessment

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

- Gender-based Violence and Abuse
- Trafficked: Human trafficking involves the recruitment, transportation, harbouring and/or exercising control, direction or influence over the movements of a person in order to exploit that person, typically through sexual exploitation or forced labour. Victims, mostly women and children, are deprived of their normal lives and compelled to provide labour or sexual services, through a variety of coercive practices, all for the direct profit of their perpetrators. Exploitation often occurs through intimidation, force, sexual assault and threats of violence to the victims or their families.

# Safety Assessment

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

- Gender-based Violence and Abuse
- Have you accessed any support as a result of the gender-based violence or abuse you have experienced?

Please include any short-term support, counselling, psychologist or psychiatrist that the person might have accessed or might be currently accessing:

# Safety Assessment

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

We understand that many refugee and immigrant people do not trust police because they may have come from countries where they were tortured, criminalized or disregarded by the criminal justice system. Also, we know that for many women calling police is the last resort. Make sure that you clearly explain people's rights and responsibilities as it relates to the Criminal Justice System.

# Safety Assessment

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.

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?

# Safety Assessment

## 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:

# Safety Assessment

Has the violence or threats increased over the time?

We know that violence in intimate relationships escalates over the time. The person who is experiencing abuse may minimize it because she has not been hit. It is important to let her know that based on the patterns and abusive dynamics in relationships we know this.

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.



# Safety Assessment

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.**

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

**Be aware that many women get manipulated by the fear of partner killing himself. Let her know that it is not her responsibility and he should seek help.**

Have you been hurt by a member of your extended family or has any one threatened to hurt you or kill you here or abroad?



# Safety Assessment

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?**

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.**

# Safety Plan

1. What are the actions that you want to take at this time? **Staying, leaving or returning.**
2. Is there any one, 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?
  - o Family
  - o Friends
  - o Neighbors
  - o Other:

# Safety Plan

3. Provide information about Shelters, Safe Housing, Transition Houses, and Emergency Lines in your region.

See list of resources at the bottom of the tool

Resources provided:

# Safety Plan

## Safety Plan if Leaving

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

1. When are you planning on leaving?

# Safety Plan

## Safety Plan if Staying

Provide information about the cycle of violence and the “honey moon period.” Make note that in our experience violence usually escalates over the time.

- 1.What it 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

## 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 returning?
3. Describe your support system while staying



# Safety Plan

## Safety Plan if Leaving

Throughout the safety plan, provide support and information for the person to make an informed safety plan. Remember that person has been in the relationship for a time and person has a wealth of knowledge about the dynamics of abuse and abusive patterns.

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.

# Safety Plan

## Safety Plan if Leaving

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?

# Safety Plan

## Safety Plan if Leaving

### 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.



# Safety Plan

## Safety Plan if Leaving

### Safety Plan If there are Children living at home

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.



# Safety Plan

## Safety Plan if Leaving

### Safety Plan If there are Children living at home

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.



# Safety Plan

## Safety Plan if Leaving

### Safety Plan If there are Children living at home

Is there a safe room inside your house, preferably with a lock on the door where your child/children can go to? **(Whenever possible 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 Safety Plan for Children:



# Safety Plan

## Safety Plan if Leaving

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

Have you shared with anyone that you are planning to leave?



# Safety Plan

## Safety Plan if Leaving

Do you have an emergency plan in case your partner or other family member stops you from leaving?

Is your extended family or your community a resource or a risk for your safety? Explain:

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:**

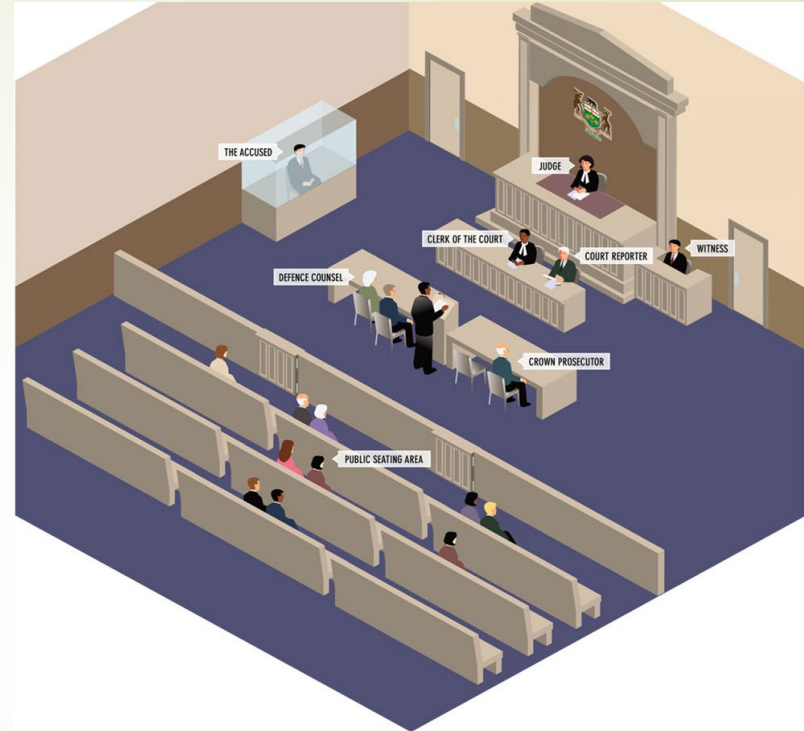
# Safety Plan

## Safety Plan if Leaving

Do you need information on:

- o Criminal Justice System
- o Family Law
- o Immigration Law
- o CBSA
- o Child Protection (MCFD)

Describe what information and resources were provided:



# Safety Plan

## Safety Plan if Leaving

Are you already dealing with any or an intersection of the systems above?

**Describe:**

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:

# Safety Plan

## Safety Plan if Leaving

How are you coping? Following your internal policies and practices make assessments on:

- Use of medication (prescribe or not prescribed)- Person may be overtaking prescribe drugs.
- Use of Substances- Person may be using substances such as alcohol , crystal meth, cocaine, marijuana or other kind of drugs.
- Suicidal Ideation- She may have suicidal thoughts but not a concrete plan

Remember that your client may be using these coping strategies as an attempt to mitigate her pain. The goal is not to stop her today but to make an assessment to better determine the right supports.

# Safety Plan

## Safety Plan if Leaving

- 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:



# Safety Plan

## Safety Plan if Leaving

Follow up plan after this appointment:

Is there anything else that you want me to know?

Follow up plan:

# Self- determination & Safety



# Self-determination

- Supporting our clients towards strengthening their self-determination so they can empower themselves and seek safety for themselves and their families



## Doing Initial Work

- Familiarize yourself with resources for women who have experienced abuse/violence in your area
- Listen to the woman's needs and concerns.
- Gather basic information about her situation
- Do not let “culture” to excuse violence in intimate relationships



# Doing Initial Work

- Explore with her what she needs at the moment and provide the appropriate resources
- Respect her confidentiality
- Validate what she has already done to keep herself safe
- Assess and provide a safety plan



## Doing Initial Work

- Ensure she understands her rights in Canada
- Ensure she has access to an interpreter who she can understand
- Acknowledge that she may not understand the Canadian legal system even when you have explained it



# Doing Initial Work

- Whenever possible make a follow up plan with the woman. Remember that you may be the first person in Canada whom she can trust.



# Meeting women where they are

- Women are the experts of their own experience and their healing journey
- Violence against women is the result of systemic oppression



# Resources

- Resources for immigrant women working with a lawyer - <http://www.bwss.org/wp-content/uploads/2014/10/Toolkit-for-Women-FINAL.pdf>
- Resources toolkit for lawyers to work with battered women: [http://www.bwss.org/wp-content/uploads/2011/01/Toolkit-for-Lawyers\\_EIWITLS.pdf](http://www.bwss.org/wp-content/uploads/2011/01/Toolkit-for-Lawyers_EIWITLS.pdf)
- Resource manual for front-line workers: <http://www.bwss.org/wp-content/uploads/2010/07/violenceagainstwomenthelaw-resources1.pdf>
- Lobat Sadreshashemi, “Gender Persecution and Refugee Law Reform in Canada” Battered Women’s Support Services (September 2012) <http://www.bwss.org/wp-content/uploads/2012/10/GENDER-PERSECUTION-and-REFUGEE-LAW-REFORM-IN-CANADA-.pdf>

# Resources

- When Battered women are Arrested, Empowering Non-Status, Refugee and Immigrant Women who Experience Violence - <http://www.bwss.org/wp-content/uploads/2010/06/whenbatteredwomenarearrested.pdf>



Thank you!

November 26<sup>th</sup>, 2019

**International Day for the Elimination of Violence against Women**