



ACCESS TO JUSTICE FOR FAMILY VIOLENCE IN NUNAVUT

— VALIDATION OF FINDINGS REPORT —



Department of Justice
Canada

Ministère de la Justice
Canada



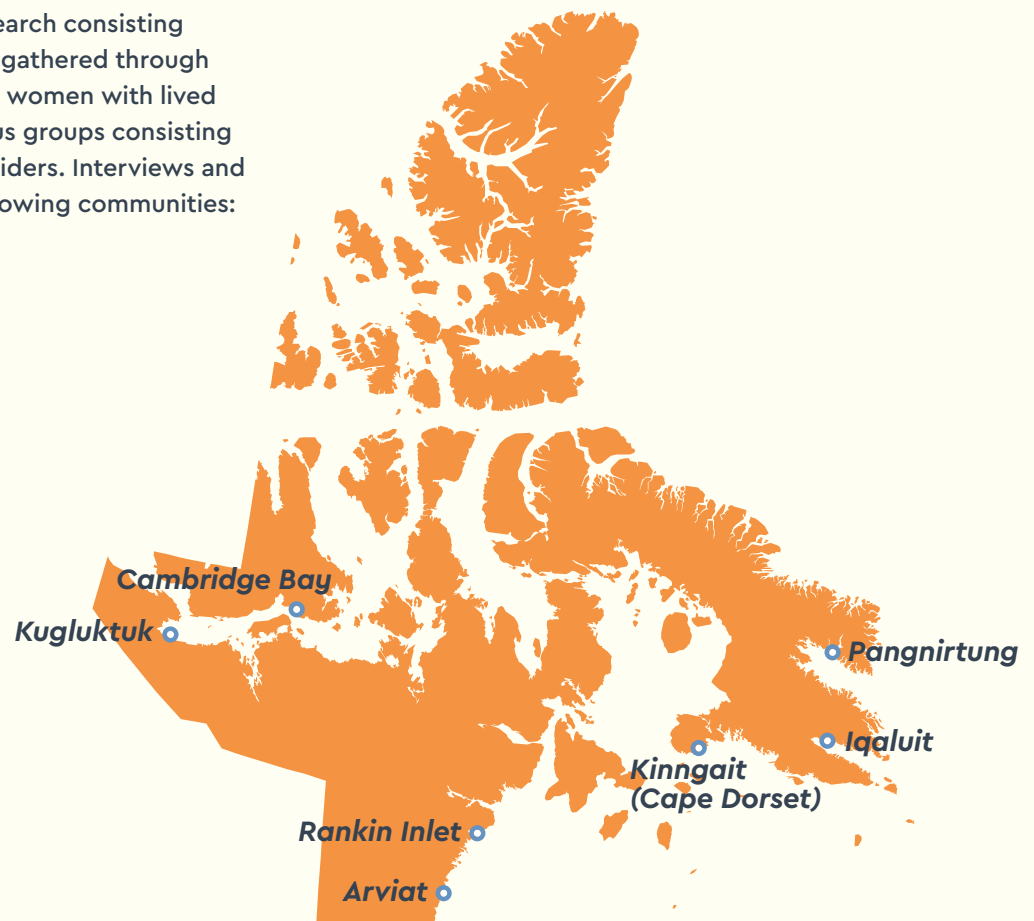
ABOUT THIS PROJECT

In the spring of 2019, Pauktuutit Inuit Women of Canada (Pauktuutit) and the Law Society of Nunavut (LSN) joined forces to undertake a project that would break the silence on family violence in Nunavut. The goal is to better understand the needs of Inuit women dealing with family violence and access to justice.

The project consists of a research study that will inform a follow-up public awareness campaign. With guidance from an advisory committee and with the support of both government and community-based partners, Pauktuutit and the LSN conducted research that specifically focused on the effectiveness of the *Family Abuse Intervention Act (FAIA)*.

The *Family Abuse Intervention Act*, S.Nu. 2006, c.18 (FAIA) is legislation intended to provide tools for interventions to prevent family abuse and minimize the escalation of abuse. The Act provides a civil process for obtaining orders separate from the criminal justice system. Under FAIA, applicants may ask for a Community Intervention Order (CIO). This order can require abusers, or both the abuser and victim, to get traditional Inuit counselling to deal with family violence. Another option is to request an Emergency Protection Order (EPO). This type of order can restrain the abuser (as the respondent) from engaging in certain behaviours, compel the abuser to leave the home temporarily, or to refrain from contacting the victim.

Over a period of four months¹ research consisting of qualitative data collection was gathered through 38 interviews with individual Inuit women with lived experience, along with seven focus groups consisting of Inuit and non-Inuit service providers. Interviews and focus groups were held in the following communities:



The following are key findings resulting from the qualitative data collection.

ROLE OF INUIT SOCIETY

An early emerging theme was the important role of Inuit society. The interviews revealed that women with lived experience often turned to the family and community first for help or support. This included turning to Elders for more traditional Inuit Qaujimajatuqangit (IQ) advice and guidance. The stories shared by these women interviewed spoke to how often the support offered by the family, community and Elders were not aligned.

Inuit service providers also echoed the importance of the role of Inuit society as it relates to dealing with family violence. In their opinion, the way forward must carefully incorporate Inuit Societal Values: the legal system and the Inuit way must build a common path to come together.

IMPACTS ON FAMILY MEMBERS AND RELATIONSHIPS

The stories shared by the women with lived experience indicate that family violence is not only experienced between intimate partners, but can include children, siblings and elder abuse. Participants felt that supports and counselling for all types of family relationships are necessary in order to break the cycle of violence.



FACTORS THAT CONTRIBUTE TO FAMILY VIOLENCE

Alcohol and drugs were mentioned by numerous participants as factors contributing to or exacerbating violent situations. Concerns were expressed that there are not enough resources in Nunavut to adequately deal with addiction problems.

IMPLEMENTATION OF FAIA PROVISIONS

EPOs were seen as helpful by some interviewees. However, CIOs were infrequently used. Concerns raised about FAIA included the following:

- Need for more information to increase awareness about the options (legal and non-legal) available to women.
- Need for more information to understand the overall process including the length of time it takes to get an order.
- Need for more information specifically on the legal processes.
- Need for better communication about what was happening during the process.
- Fear of reprisals from the abuser or other community members for resorting to the legal system.
- Respondents may not comply with the orders.



TRUST

Some women said that they do not trust the legal system, given previous negative experiences. Other women feel the legal system may help the abuser more than them. They expressed concerns about Royal Canadian Mounted Police (RCMP) response times to calls when reporting abuse or breaches of EPOs. Some of the Inuit service providers noted differences between the legal system and the Inuit way, which may not foster trust.

ADDITIONAL SUPPORTS AND FOLLOW-UP NEEDED

The interviews and focus groups highlighted the need for other community support systems that would help family members participating in FAIA processes. These include the following:

- Emergency housing or shelters for both abusers who may be ordered out of the home, as well as for women and children fleeing violence.
- Information about assistance available under FAIA as well as other programs to be provided at shelters and community spaces.
- More programs to be provided to meet the specific needs of women and children.
- Inuit-specific healing services and wellness programs.
- Family support and social workers, with appropriate trauma-informed and culturally sensitive training, who can provide follow-ups to family members.

NEED FOR A HOLISTIC APPROACH

Both the women with lived experience and the service providers expressed their views on the need for more than a law to solve family violence in Nunavut. The problem of family violence is complex and requires a more holistic approach.

STRENGTH AND SURVIVAL

Despite experiencing family violence, many Inuit women have found strength and ways to survive their situation. The women interviewed found creative ways to help each other, such as making safety plans with their neighbours or family members when they need to ask for help. Shelters also helped women learn about the law and other supports to deal with family violence.

BUILDING ON SUCCESSES

It is equally important to note that positive stories were also shared from both women with lived experience and service providers. While there are obvious gaps in the system, FAIA has offered support to women experiencing family violence. These successes have been captured and shared in the Preliminary Findings Report². Learning from these experiences will be invaluable to bridge the gaps.

VALIDATING THE FINDINGS

Pauktuutit and the LSN are committed to sharing the preliminary findings with those women with lived experience who participated in the interviews as well as the service providers and stakeholders who participated in the focus groups to confirm what was heard, and what was captured as themes and key findings.

Over the months of July, August and September, six virtual workshops were held with 20 of the original 31 focus group participants (service providers) attending. Pauktuutit and the LSN also met with five key stakeholders to share the key findings along with proposed recommendations (Appendix A) and asked for their feedback regarding next steps.

Service providers validated the preliminary findings while continuing to elaborate on the impact of colonization to traditional Inuit life and the family unit. Colonization was specifically called out through the validation of findings as a key root cause to the issue of family violence in Nunavut.

The service providers reinforced the negative impacts of drugs and alcohol and its contribution to family violence – specifically the lack of support in the communities for those who need it. The ability to access support was discussed at great length. Access to counselling was key, especially counselling services focused on youth. To break the cycle of family violence, it is important to be able to support children and youth before they become victims or abusers themselves – as well as those currently dealing with family violence.

The problem of family violence is complex and requires a more holistic approach. Through the interviews and focus groups and finally through the validation of findings workshops, Pauktuutit and the LSN heard that there also needs to be other forms of support and programs, such as:

- Parenting programs
- Inuit-specific prevention and wellness programs
- Programs on healthy relationships
- Shelters and healing programs for abusers
- Safe housing for both the abuser, the victim, and their children (including second stage housing and affordable housing).

Service providers also spoke to the need for additional training for themselves, specifically cultural sensitivity training. The high turnover rate requires ongoing training and support for service providers. In addition to more training, workshop participants also spoke to the need for more inter-agency collaboration and information-sharing. Some communities currently have this type of collaboration happening, which could be further explored as a model for other communities.



The following chart provides a combination of information, updates and perspectives on family violence in Nunavut³.

THEMES	RESEARCH KEY FINDINGS	WHAT WE HEARD
Colonization	<p><i>Role of Inuit society</i></p> <p><i>Impacts on family members and relationships</i></p>	<ul style="list-style-type: none"> • Loss of Inuit identity, especially at the community level. • Elders use to be more involved in promoting the Inuit culture – having children watch and learn the life skills needed to survive. • Southern influences, such as media, social media and video games, have negatively impacted the family unit. These influences have contributed to an intergenerational breakdown – everything is about being free to be your own self. Now everyone is having to find their own way, but without much guidance. • Lost connection between parents and child. Colonization resulted in children being taken from their parents, and the lost bond between parents and children. Rebuilding the connection needs to be a priority. • The increase of violence is related to the loss of identity. • Reliance on purchasing items (from the south) to survive as oppose to learning traditional survival skills such as sewing and hunting.
Drugs & Alcohol	<p><i>Factors that contribute to family violence</i></p>	<ul style="list-style-type: none"> • Southern media showing people having fun with drugs and alcohol – negative influence on youth; increased positive messaging is needed. • Investing in initiatives that focus on empowering parents and Elders to be more involved with youth and act as role models. Encourage them to stay away from drug and alcohol. • Children raised / adopted by grandparents is a known fact, as is children who disrespect their parents or grandparents; financial struggles can contribute to unhealthy family relations which may lead to criminal activities to access drugs or alcohol. • Lack of self regulation / restrictions of drugs and alcohol in the community is adding to the problem. • People going and returning to court is a known fact; it seems like the court docket has become busier than ever. Alcohol is often an underlying cause that leads to criminal charges. • The need for better communications skills to build healthy relationships.
Support – Victims	<p><i>Trust</i></p> <p><i>Additional supports and follow up needed</i></p> <p><i>Strength and survival</i></p>	<ul style="list-style-type: none"> • When women are being abused, they are often not well equipped to deal with the problem. • Instead of protecting the woman from the man, offer culturally appropriate couples counselling and more guidance. • People know there is a phone number to get support, but the invitation part is missing. That is the part that most people need today. They hesitate to go to people for help. Have a particular event open to everyone; be intentional about extending an invitation. • Need to find ways to build trust between community members and service providers; consider a proactive approach. • They are afraid to be the only one; the only one feeling this way. Need to be reminded that they are not alone and where they can go to for support. • Mental health struggles in Nunavut is a real issue. Recognizing the high turnover, recruitment of mental health workers remains critical. How can Inuit-trained counsellors be fully recognized and be involved in the delivery of services. At the end of the day, the real victims are the ones dealing with the mental health issues. • New community-based government positions, Coordinator, Prevention of Violence Against Women are in the works and some are already available that focus on women's safety and women's leadership. • Shelters – The Rankin Inlet shelter (Katauyaq Society Crisis Center) is the only one in the Kivalliq Region. The Baffin Region shelter (Qimavik Transition House) gets the overflow from the Kivalliq Region. There needs to be more shelters, as well as transition shelters. • Need to promote safety plans as part of a preventative measure. • Outreach to families before a crisis occurs.

THEMES	RESEARCH KEY FINDINGS	WHAT WE HEARD
Support – Service Providers, Resources and Programming	<p><i>Implementation of FAIA provisions</i></p> <p><i>Need for a holistic approach</i></p> <p><i>Building on successes</i></p>	<ul style="list-style-type: none"> • The communities need more counsellors to provide support. • Need for counselling for children. • Better, more sustainable plan for recruitment and retention. • Need to find ways to build trust between the counsellors who aren't from the community and the people in the community. • Exploring funding options to deal with the very immediate needs (counsellors' salaries) while longer term recommendations / actions are determined / worked on. • Funding of programs (inconsistent and seasonal) as well as easier access and user-friendly. • Training of counsellors' salaries is also important; not just from a technical perspective but also from a cultural sensitivity perspective. • Availability of CIO's in all the communities is a concern. CIOs as a tool need to be better communicated / promoted (clearly define what it is, what is used for, timing and manage expectations). This allows those who want to work on their relationship, to have a real opportunity. • Ability to access EPOs effectively and efficiently is also a concern raised from community to community. As a tool, the EPO needs to be better communicated / promoted (clearly define what it is, what it is used for, timing and manage expectations). • Clarity in what tools (legal and non-legal) are available to support people in their community and how to go about accessing them in an effective and efficient way. • Clarity on roles and responsibilities within the service providers / support system as well as to the public. • Critical that Inuit Principles and Inuit Societal Values are considered in all recommendations and work going forward. • Government of Nunavut's Department of Family Services and Department of Health need to be looked at as two separate service providers while information-sharing and collaboration are important including with Department of Justice (holistic approach). • Collaboration is critical for success moving forward.





NEXT STEPS

The immediate next step for the *Access to Justice for Family Violence in Nunavut* project will be to share the research findings through a preliminary findings report. With input from key stakeholders, and insights gained from the validating the findings, Pauktuutit and the LSN will commence with the development of a public awareness campaign that will bring this topic to the forefront, helping to break the silence on family violence in Nunavut.

At the completion of the public awareness campaign, a final report will be written capturing the findings from the entire *Access to Justice for Family Violence in Nunavut* project. The intent of the final report is to inform the critical next steps to break the cycle of family violence in Nunavut and to ensure an ongoing commitment, accountability, and implementation of a sustainability plan.

BREAKING THE CYCLE OF FAMILY VIOLENCE

Pauktuutit and the LSN are committed to continuing to work with the stakeholders going forward, both governmental and non-governmental. There will be support for their efforts to collaboratively address the issues, work towards solutions and take the necessary steps to implement the recommendations arising from the project findings.

To break the cycle of family violence in Nunavut, the important role of Inuit society as it relates to dealing with family violence and Inuit Societal Values must be practiced; solutions must be culturally relevant and holistic. The legal system and the Inuit way must continue to build a common path together.

The women with lived experience who found the strength and courage to stand up and share their stories have broken the silence on family violence in Nunavut. Pauktuutit and the LSN stand beside them and commit to supporting them by continuing to collaborate with the project stakeholders, service providers, the communities, Elders and families. Joining efforts by remaining committed to ending the cycle of family violence in Nunavut – *Piliriqatigiinniq – working together for a common cause.*

APPENDIX A – RECOMMENDATIONS

The project partners for this report cannot direct agencies and service providers to take action or make specific changes. Nonetheless the following proposed recommendations arise from the findings from the interviews and focus groups. If acted upon, these proposed recommendations may make a critical contribution to the collaborative and holistic approach that is recommended for going forward.

1. Ongoing collaboration

To break the cycle of family violence in Nunavut, the important role of Inuit society as it relates to dealing with family violence and Inuit Societal Values must be considered; solutions must be culturally relevant and holistic. The legal system and the Inuit way must continue to build a common path together; a collaborative, sustainable plan must be developed and implemented.

The Law Society of *Nunavut's Access to Justice* mandate is to build connections using a collaborative approach. This mandate will help us to better respond to the legal needs and interests of all Nunavummiut. The Law Society of Nunavut, with support from Pauktuutit, will continue to collaborate with stakeholders to assist with the implementation of the project's recommendations. This may be achieved through a proposed Working Group to end family violence – *Piliriqatigiinniq – working together for a common cause*.

2. Community Service Providers

Ensure continuous inter-agency cooperation and collaboration by providing holistic, team-based (wraparound) trauma-informed practices and follow-up for women and children who are fleeing violence.

Provide proactive outreach to families who are known to need support with information about FAIA, resources and supports to build relationships and trust before there is a crisis.

3. Government of Nunavut – Department of Family Services

Ensure continued funding support for preventative programs across Nunavut, such as Inunnguiniq Parenting Program, wellness and healing groups for Inuit to reclaim their culture and traditional ways of being as part of the healing process.

Provide ongoing in-depth, trauma-informed and meaningful cultural orientation training for social

services and mental health workers. This can enhance the understanding of the root causes of gender-based violence in Nunavut and improve counselling outcomes.

Build the capacity of Inuit counsellors who live in the community who can provide trauma-informed counselling in Inuktitut and Inuinnaqtun.

Provide trauma counselling relapse prevention and access to treatment for men, women and families to reduce the escalation of violence.

Improve access to counselling for children involved in family violence. Provide them with mental health support and life skills to address inter-generational trauma.

Ensure that food vouchers and other necessities are available to adequately supply informal safe houses in communities where there are no shelters.

4. Government of Nunavut – Department of Justice

Explore ways to further incorporate Inuit Qaujjimajatuqangit (IQ) in FAIA practices. Align practices with policy to improve communication, trust in the system, and the ability of Inuit community members to gain access to justice when family violence occurs.

Reduce delays in granting EPOs by providing a Justice of the Peace in each regional time zone.

Inform community members about the overall process to apply for CIOs and EPOs – specifically the role of the Justice of the Peace, and timelines, when applying for a CIO.

Invest in a new Community Justice Outreach Worker (CJOW) position dedicated exclusively to FAIA training in Nunavut to educate Elders, traditional counsellors and other community members about the options available under FAIA and other legal options.

Provide more training for CJOWs who can assist people to apply for CIO to improve couple relationships, aligning with the Inuit Societal Values of keeping the family together and restoring harmony and balance (*aajiiqatiglingniq*).

Improve neutrality for applicants and respondents in filing EPOs by providing separate representation and guidance during the EPO process.

5. Nunavut Court of Justice

Explore ways to mitigate delays in addressing breaches of conditions of EPO and similar offences between circuit court visits to the community.

6. Public Schools, High Schools, Youth Programs

Expand existing programs and deliver education and support programs in all communities on healthy relationships, anti-bullying and peacemaking for Nunavut children and adolescents.

Identify and build awareness of opportunities for youth to take part in programs available to them.

Identify opportunities to support organizations and stakeholders who are delivering educational programs for youth on healthy relationships.

7. Royal Canadian Mounted Police (RCMP)

Explore opportunities to provide improved responses to domestic violence disputes.

Ensure ongoing, in-depth, trauma-informed and culturally sensitive training to understand the root causes of gender-based violence in Nunavut and improve communication and trust between RCMP and community members.

ENDNOTES

1. A first round of consultation took place in Iqaluit in May 2019 with a planned visit to Pangnirtung. The latter was postponed due to weather conditions.
2. Preliminary Findings Report. page 16
3. Additional details can be provided upon request to provide further clarity. However, the names of participants or the community of a specific participant cannot be disclosed, as described in the Nunavut Research Institute license and the consent form signed by the participants.



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