



ACCESS TO JUSTICE FOR FAMILY VIOLENCE IN NUNAVUT

A RESEARCH PROJECT & AWARENESS CAMPAIGN

— PHASE I – RESEARCH PRELIMINARY FINDINGS —



Department of Justice
Canada

Ministère de la Justice
Canada



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ADVISORY COMMITTEE

The Advisory Committee was originally intended to be designated Members from Pauktuutit Inuit Women of Canada; however, when community consultations were undertaken in Spring 2019, the Law Society of Nunavut and Pauktuutit recognized the importance of inviting a wider-range of organizations, both government and non-government, legal and non-legal, to consider sitting on the Advisory Committee.

The Advisory Committee is composed of the following representatives from various organizations:

- Caroline Anawak (Until December 2019) and Sherri Robertson (January 2020), Executive Director, Y.W.C.A. Agvvik Nunavut
- Christine Aye (Fall 2020), A/Director, Community Justice, Department of Justice, Government of Nunavut
- Tagalik Eccles, Youth Representative, Nunavut Law Program Student
- Priscilla Ferrazzi, University of Alberta, Adjunct Professor (Until February 2020)
- Nancy Hellyer, Legal Aid Family Law Lawyer, Maliiganik Tukisiinakvik Legal Services, Iqaluit
- Hagar Idlout-Sudlovenick, Director of Social Policy, Qikiqtani Inuit Association
- Donna Olsen-Hakongak, A/Community Justice Manager, Department of Justice, Government of Nunavut
- Natalie Salguero (Fall 2020), Senior Policy Analyst, Department of Justice, Government of Nunavut
- Nicole Sikma, Justice of the Peace
- Rita Strickland, Assistant Deputy Minister, Department of Justice, Government of Nunavut (Until July 2020)
- Margaret Wormell, Family Violence Specialist, Department of Family Services, Government of Nunavut
- Jessica Young (Summer 2020), Assistant Deputy Minister, Public Safety, Department of Justice, Government of Nunavut

In addition, we acknowledge Margaret Piercey, Health Promotion Specialist, who was designated in December 2020 and also provided invaluable recommendations and suggestions on the preliminary findings on behalf of the Department of Health, Government of Nunavut.

The wealth of knowledge and expertise shared by these representatives ensures the project is carried out in a relevant, appropriate and sensitive manner. We are grateful for their ongoing commitment and guidance.

PROJECT TEAM

We acknowledge and truly appreciate the compassionate work of the Project Team. Many travelled long distances and in extreme weather to meet with women with lived experience and service providers.

Law Society of Nunavut	Pauktuutit Inuit Women of Canada	Consultants
<ul style="list-style-type: none">• Nalini Vaddapalli – Chief Executive Officer• Gloria Song – Law Society Member and Access to Justice Coordinator• Romy Leclerc – Law Student (LL.B.)	<ul style="list-style-type: none">• Raha Ravasian – Project Manager (since November 2019)• Maya Doyon-Hanson – Project Manager (up until November 2019)• Rebecca Jones – Project Assistant (up until November 2019)	<ul style="list-style-type: none">• Community Facilitator and Writer – Dianne Rogers, Consultant• Communication Advisor – Penny Taylor, Atiigo Media• Evaluator – Nadine Crossland, Lichen Consulting

Finally, the project would not have been possible without the support from Tracy O'Hearn, Executive Director of Pauktuutit Inuit Women of Canada. The Law Society of Nunavut is thankful for the opportunity to establish this first time partnership between both organizations.

REPORT IN BRIEF

This project aims to raise awareness about family violence, especially intimate partner violence, and legal options to address it in Nunavut. Specifically, the project focuses on the experiences of Inuit women who are dealing with family violence, including through the law and the The Family Abuse Intervention Act¹ (FAIA). FAIA was created in Nunavut, based on Inuit principles and values, to provide tools to deal with abuse. The main tools offered by FAIA are the Emergency Protection Order (EPO) and the Community Intervention Order (CIO). There are two other orders available under FAIA, which were outside of the scope of this project. By talking to individual women and service providers, we wanted to understand what is working, what is not working and what needs to change.

The objectives of the project are:

1. To support Nunavummiut in recognizing family violence.
2. To provide Nunavummiut with a better understanding of what they can do to deal with family violence, including gaining a better understanding of available legal options.
3. To understand how the FAIA is, or is not, meeting the needs of Inuit women dealing with domestic abuse.
4. To open dialogue among Nunavummiut about what constitutes family violence, how to recognize family violence and what can be done to address family violence.

The first part of this project seeks to understand the current state of family violence and the law in Nunavut. A literature review provided the Project Team with context to develop the approach for qualitative data collection. Interviews were held in seven communities in Nunavut: Iqaluit, Kingait (Cape Dorset), Pangnirtung, Kugluktuk, Cambridge Bay, Rankin Inlet and Arviat. A total of 38 women who have experienced family violence were interviewed. Seven focus groups were held and comprised of Inuit and non-Inuit service providers. The second part of this project will involve a public awareness campaign about family violence and access to justice with key messages gleaned from data collection. This report shares the preliminary findings.

Through this qualitative data collection process, the Project Team gained valuable insights into how Inuit women experience family violence, and how they interact with the legal system in Nunavut.

Families play an important role in Inuit society. When it comes to family violence, family members can be very helpful in providing support. Unfortunately, sometimes family members pressure Inuit women dealing with family violence to do nothing, or provide information that is not correct. This can make it difficult for women to understand their options and make good decisions for themselves and their children. Sometimes family members are violent themselves. It is important for family members to talk to each other about family violence and how to provide support.

The women the Project Team talked to were also worried about how family violence affects their children. They want to protect their children from the violence and make sure their children get the counselling they need. The women did not want their children to grow up to become violent or become victims of family violence themselves.

In many situations of family violence, alcohol and drugs were involved. The need for increased support for dealing with addiction in Nunavut remains.

Despite family violence, many Inuit women have found the strength to find a way to survive. They should not be seen just as victims. It is important to support Inuit women and their families where they are at so they can deal with family violence. Women find 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 can also help women learn about the law and available supports to deal with family violence.

Positive feedback regarding FAIA included comments related to the EPO. In some situations EPO have given women short term protection and safety, providing the abuser obeyed the order. This is not always the case. Problems were identified with the way that EPO work, such as difficulties with enforcement when breaches occur. There needs to be more than the EPO.

Some women do not use the law to deal with family violence. This could be because they don't know what the law can do for them. Some women interviewed did not know that they can apply for CIO through FAIA, and wanted to learn more. Others did know that they can use the law to get help, but were afraid because their abusers threaten them. Women also said that they did not always trust the legal system. They worry that the legal system will help their abuser more than it will help them. They also worry that an EPO will not be taken seriously by the abuser. They don't believe that EPO will work, and if the abuser does not follow the EPO, they don't think that the RCMP will respond quickly enough. In some communities, women with lived experience said they feel the EPO takes too long. Women also feel like they don't receive enough communication about what is happening when they go through the legal system.

Through both the interviews and the focus groups, participants raised concerns about elder abuse. Some adult children take advantage of elders. And the elders may not be able to ask for help through the law, especially if they don't speak English.

It is important that women get the help they need in a way that works for them. They want the violence to stop, but they still worry about what will happen to their abuser. Some women just want their abuser to change. Inuit service providers, in particular, expressed that it is important to deal with family violence in a way that works with Inuit values. They talked about the differences between the legal system and the Inuit way.

The issue of family violence in Nunavut is complex and involves many stakeholders. There is a need for different kinds of support and programs that meet the specific needs of each woman and child. This includes safe housing, for both the abuser as well as women and their children. There also needs to be healing services like

wellness programs that work for Inuit, offered by service providers who are trained to understand family violence in Nunavut. Presently, it can be difficult for some women to find help from mental health workers or social workers whom they can trust.

Having counsellors who understand Inuit culture will be especially important if more people begin to use CIOs under FAIA. A CIO can order counsellors to provide counselling for both parties. Everyone who provides counselling must be given training to understand the cycle of family violence and its impacts, so that they can be better equipped to ask relevant questions and give helpful advice. Counsellors also need to have enough resources to help women and children.

While FAIA is meant to deal with family violence using Inuit principles, there are still a number of opportunities for improvement. There needs to be more awareness and understanding of the tools available under FAIA. It is important to help Nunavummiut learn more about how to use the law, including CIOs, to deal with family violence. It is also important to make sure the legal system better supports them. There is a need to improve other forms of support systems besides the law, so that the whole community can work together to fight family violence.

This project has gathered qualitative data from women with lived experience, services providers and community representatives. The Project Team has gained a better understanding of the successes and challenges of FAIA as well as the current state of family violence in Nunavut. The preliminary findings from the qualitative data collection will inform a public awareness campaign to help Nunavummiut understand family violence and how to get help. The public awareness campaign will launch on March 8th, 2021 and run throughout the year.





RECOMMENDATIONS

Pauktuutit and the Law Society of Nunavut are committed to continuing to work with the stakeholders and support their efforts to collaboratively find solutions to end the cycle of family violence in Nunavut. 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 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 their children who are fleeing violence.
- Provide proactive outreach to families who are known to need support with information about Family Abuse Intervention Act (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 Inunnquiniq 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 to 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 Qaujimagatuqangit (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 Emergency Protection Orders (EPO) by providing a Justice of the Peace in each regional time zone.

- Inform community members about the overall process to apply for Community Intervention Orders (CIO) 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 *aajiiqatigiingniq* – keeping the family together and restoring harmony and balance.
- Improve neutrality for applicants and abusers 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 on healthy relationships, anti-bullying and peacemaking, for 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.

1. ABOUT THIS PROJECT

1.1 Project Purpose

This project aims to raise awareness about family violence, especially intimate partner violence, and legal options to address it in Nunavut. It is comprised of two components: a research study and a public awareness campaign. The desired outcome is to better support Inuit women to improve access to legal options.

1.2 Project Goal

To support Inuit women in Nunavut in getting access to protection, including legal protection, from family violence.

1.3 Project Objectives

1. To support Nunavummiut in recognizing family violence.
2. To provide Nunavummiut with a better understanding of what they can do to deal with family violence, including gaining a better understanding of available legal options.
3. To understand how the Family Abuse Intervention Act (FAIA) is or is not meeting the needs of Inuit women dealing with family violence.
4. To open dialogue among Nunavummiut about what constitutes family violence, how to recognize family violence and what can be done to address family violence.

1.4 Project Key Deliverables/ Project Milestones

1. A research report on the results of the study, reporting on the level of awareness and perception of the FAIA in Nunavut and access to justice barriers for survivors of family violence.
2. A plain-language summary of the research report for the benefit of partners, stakeholders, and the general public.
3. Awareness campaign products will include products such as videos, posters, podcasts, radio and social media, workshops, and other plain language resources, depending on the key messages developed from the research findings.

1.5 Project Approach

Pauktuutit Inuit Women of Canada and the Law Society of Nunavut conducted qualitative research to determine the legal needs of Inuit women in Nunavut concerning family violence, specifically, the effectiveness of FAIA and related access to justice issues. Data was collected from interviews with individual Inuit women with lived experience and focus groups with Inuit and non-Inuit service providers. Based on an analysis of this data, the project team developed recommendations aimed at various sectors of the community. These recommendations will inform key messages in a public awareness campaign for Nunavut about FAIA and family violence, with a view to clarifying steps to access justice and cultivate healthy relationships.

A research license was acquired through the Nunavut Research Institute. The project team developed a data storage protocol to ensure the data collected would remain confidential and secure to protect those interviewed for this project.

Interviews and focus groups were conducted in the following communities:

1. **South Baffin/Qikiqtaaluk**
 - Iqaluit
 - Kinngait (Cape Dorset)
 - Pangnirtung
2. **Kitikmeot**
 - Kugluktuk
 - Cambridge Bay
3. **Kivalliq**
 - Rankin Inlet
 - Arviat

CJOWs helped identify appropriate service providers for the focus groups. These included those working in mental health, policing, education, social services, nursing and legal aid, as well as elders. Project Team members also recruited women with lived experience of family violence. Recruitment was conducted through public service announcements on the local radio and at shelters, in both English, Inuktitut or Inuinnaqtun, Facebook, word of mouth, and through the service provider focus groups.

The interviews and focus groups were held in a safe venue. Nutritional snacks were provided for each session, along with community-specific brochures about FAIA and local self-care resources in English and Inuktitut or Inuinnaqtun.

Project Team members completed the nationally recognized *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (TCPS 2) Course on Research Ethics*. When conducting the interviews, they practiced trauma-informed interviewing approaches. Counsellors were identified in each community to provide mental health support should any of the interview participants require support.

Project Team members explained the project and ethical implications to the participants, including confidentiality measures. Participants were informed that they could stop the interview if they felt uncomfortable. Everyone was required to sign consent forms for their participation, an honorarium was offered to interview participants with lived experience for sharing their stories.

Some challenges were encountered during the data collection phase of this project, including:

- Logistical issues relating to synchronizing community visits, including adverse weather conditions, requiring plans to be changed. Despite this, the project team was able to respond proactively and make the most of the time in each community.
- Difficulties in recruitment for some communities. Circuit court was occurring in one community at that time and may have had an impact.
- The travel measures imposed in response to the COVID-19 pandemic meant that the project team was unable to visit, Nauyasat, as planned. Efforts will be made to travel to this community at a later date.



2. LITERATURE REVIEW

2.1 Family Violence in Nunavut

Indigenous communities throughout Canada experience disproportionately high rates of intimate partner violence compared to the rest of Canada. Family violence continues to be a significant social and health issue facing Inuit. Although some level of family violence has always existed in Inuit society, Inuit acknowledge that there is now much more violence than has historically been the case.² More research is required on the prevalence of violence against Inuit women and girls, particularly in the form of Inuit-specific data.³ Still, it is known that violent crime rates, including family violence and sexual assault, are much higher in Nunavut than in the rest of Canada on a per capita basis;⁴ women are more likely to be victims, and men are more likely to be perpetrators.⁵ Statistics Canada data reveals that the rate of family violence in Nunavut is 17 times higher than it is in Ontario. 75% of victims who reported incidents of family violence (specifically intimate partner violence) in the territories were Indigenous.⁶ In a previous report, Pauktuutit Inuit Women of Canada identified certain factors that make Inuit woman more at risk of spousal abuse. These factors include either being under 24 years old or over 64 years old; experiencing or witnessing violence and abuse as a child; being pregnant; and leaving or threatening to leave a relationship.⁷

It is crucial to understand the root causes of family violence in Nunavut, which is much more complex than the individual victim and abusers themselves.⁸ A key root cause of family violence in Nunavut, mentioned by nearly all sources in the project literature review that discussed root causes, is colonization and the resulting loss of Inuit self-determination and culture.⁹

A history of policies imposed by Canada such as forced relocations, residential schools and the imposition of a Canadian justice system has deeply affected all aspects of Inuit life. This includes impacts on gender relations, leaving many Inuit – especially Inuit men – with unresolved trauma and feelings of uncertainty and hopelessness about their purpose, identity, and future.¹⁰ Violence against women and girls can also be understood as an expression of the complex and multiple oppressions women face as a result of gender inequality. Inuit women face marginalization based on both their gender and their Indigenous identity.

The family violence experienced by Inuit women in Nunavut has far-reaching implications for them, their families and communities. Besides family violence, this unresolved trauma has shown up in other various forms of violence in social media such as cyber-bullying,¹¹ and alcohol and substance abuse which are closely associated with violence.¹² Abuse has been normalized in a continuing intergenerational cycle of violence, with victims of abuse often becoming abuser themselves.¹³ Inuit have made it clear that much healing is required to confront these issues of family violence and other effects of colonization.¹⁴

2.2 Family Violence and the Justice System in Nunavut

Past reports have reviewed the justice system in Nunavut, both criminal and civil, noting common challenges relating to Nunavut's geography of small remote communities, and fluctuating Arctic weather affecting the travel of the circuit court into each community and the timing of legal processes.¹⁵ Delays in resolving a domestic violence case in court can have a stressful effect for both the victim and accused, particularly in small communities that do not have a women's shelter.¹⁶

A lack of sufficient numbers of legal professionals in Nunavut can lead to heavy caseloads and vicarious trauma, which may affect the quality of service provided.¹⁷ Reports also note a lack of public understanding about the law among Nunavummiut.¹⁸ Furthermore, reports have described Nunavummiut's lack of trust in the justice system. This originates from the historical imposition of the Euro-Canadian justice system on Inuit, as part of colonialist efforts to affirm Canadian sovereignty in the Arctic and de-legitimize Inuit justice practices.¹⁹ As a result, many Inuit women are reluctant to call the Royal Canadian Mounted Police (RCMP) to resolve family violence problems, out of fear of their children being apprehended or their spouse being arrested, which may not be how Inuit women want to address the abuse.²⁰

Cultural issues with respect to the justice system extend beyond language barriers²¹ (although language is also noted as an issue). There are vast differences between the Canadian legal system and Inuit practices of dispute



resolution.²² Previous reports have remarked that justice in Nunavut requires addressing the broader context of deeply-rooted social issues, beyond the Nunavut Court of Justice's narrow scope of adjudication.²³ As a result, despite efforts to incorporate Inuit elements into the justice system after the creation of Nunavut, many feel that the courts still remains a mostly non-Inuit institution that does not reflect the values and realities of local communities, which has had quite negative implications for Inuit women confronting family violence.²⁴

Imaruittuq, an Inuit elder, explains the frustrations of Inuit in the court system:

*"The person is faced with intimidation, fear, and shame. They feel bad, so they make things worse for themselves. If the Inuit ways were used, they would have felt sincerity and concern, but today they see it as hopeless. They just say, 'Forget it. I don't care anymore. I might as well just make things worse'."*²⁵

2.3 The Family Abuse Intervention Act

Although family violence is not a new phenomenon, the justice system's response to family violence has evolved over time. In response to the high rates of family violence, the Nunavut Legislature unanimously passed the Family Abuse Intervention Act (FAIA) in November 2006. The legislation was created in Nunavut and based on Inuit principles and values. Its purpose is to provide tools for holistic interventions for abuse prevention, to minimize the escalation of abuse, and to provide an alternative option to the criminal justice system to address situations of family violence.²⁶ Although FAIA provides four different types of orders, a significant feature of FAIA is the option to grant a Community Intervention Order (CIO). CIOs could direct abusers as abusers, and victims as applicants, to attend traditional Inuit counselling.

This innovation provides for a legal option that does not necessarily require a separation or for the relationship to end.²⁷ The CIO can play a significant role in restoring harmony to families and relationships (Community Justice Department, *FAIA Annual Report 2015–2016* 9).²⁸

Unfortunately, CIOs have been underutilized in Nunavut, as there have been very few CIO applications.²⁹ This can be due to several factors, such as a lack of awareness of this option, or the fact that abusers may decline to participate³⁰ (as participation must be voluntary). Some have noted other potential issues with CIOs. For example, if elders are to serve as traditional Inuit counselors, special consideration must be given to ensure that elders have the capacity and resources to counsel domestic violence issues specifically.³¹

FAIA also provides for Emergency Protection Orders (EPO) restraining the abuser, as the abuser, from engaging in certain behaviours. EPOs can also prohibit the abuser from contacting the victim.³² It can also order the abuser to leave home. The EPO can be seen as providing women with some control over the situation since they can apply for an EPO without involving the RCMP.³³ However, concerns have been raised about the ability to enforce EPOs as a legal option. For example, because the RCMP would serve an EPO to the abuser, there is still a reliance on a justice system that Inuit may not feel comfortable with or trust.³⁴ It also cannot be assumed that a woman wants to end the relationship. Given that women are especially at risk when separating from their partner,³⁵ an EPO could, in fact, potentially endanger the safety of women seeking protection.³⁶ There are also practical concerns with no-contact orders in small communities in Nunavut. It may not be possible for the parties to avoid contact, where there are few alternative housing options and where everyone in the community knows each other.³⁷ Finally, there is a concern that there is not enough awareness of the options that FAIA provides for Nunavummiut in dealing with family violence.³⁸

2.4 Identifying Research Needs: Knowledge Gaps for Family Violence in Nunavut

Addressing family violence, especially gender-based violence and access to justice, requires an intersectional and holistic perspective. Solutions must be culturally relevant and Inuit-specific. A review of the existing literature prepared for this project identified several knowledge gaps that research could fill with respect to family violence. In general, more research is required on justice issues in Nunavut to build a solid evidence base by measuring unmet needs for legal services.³⁹ More information is required on the extent and nature of violence against Inuit women and girls,⁴⁰ the cost of such violence,⁴¹ the factors that contribute to this violence,⁴² and the protective factors that prevent abuse victims and witnesses from becoming abusers themselves.⁴³

One of the objectives of FAIA is to “reflect the right of every individual in Nunavut to a full and productive life, free from harm and fear of harm.”⁴⁴ It is, therefore, essential to understand where FAIA currently stands in meeting this objective.

Justice service providers such as lawyers and CJOW, as well as Inuit women themselves, have anecdotally noted issues with respect to accessing the remedies provided by FAIA. There is a need to further study the unmet legal needs in Nunavut with respect to family violence, and specifically, whether FAIA is meeting the needs of survivors of intimate partner violence. The few studies that have been done on the implementation of FAIA indicate that while there have been some successes, there are some concerns with respect to implementation.⁴⁵

It is hoped that this project will contribute to filling these knowledge gaps, by documenting the powerful voices of women with lived experience of family violence, the perspectives of service providers who work with them, and from community members who shared invaluable insight.



3. RESEARCH FINDINGS

Inuit women with lived experience who were interviewed eagerly shared their compelling survival stories with the Project Team. Women came from a variety of backgrounds as homemakers, students, and/or professionals. By sharing their personal stories, they hoped their contributions would ultimately make a difference in changing the “normalcy” of family violence in Nunavut. The themes that emerged from the 38 interviews were consistent with previous discussions of family violence, but each story resonated elements of trauma, pain, blame, low self-esteem, powerlessness and guilt. Women spoke of layers of tragic events and impacts by abusive partners fueled by alcohol and rage. The impacts on their families, for themselves and their children, included having nowhere to run to and nowhere to hide, and intimidation by the abuser's family. Some noted a lack of response from the Royal Canadian Mounted Police (RCMP) and lack of resources and supports.

From the focus groups, the Project Team learned how Community Justice Outreach Workers (CJOWs), RCMP officers, social workers, lawyers and /or court workers all play a role with respect to family violence in Nunavut. They strive to work collaboratively, such as by sharing information. Service providers in each community visited took the time to meet with the Project Team to share their perspectives on access to justice issues relating to family violence in Nunavut. Based on their professional experiences, some of their observations echoed the stories shared in the interviews with women with lived experience. In contrast, other observations opened up new and different perspectives about the issue.

Findings from these interviews and focus groups presented some common themes relating to experiences of family violence and what is working, or not, with respect to the law in dealing with family violence.

3.1 Emerging Themes Relating to Experiences of Family Violence

Although these themes speak more generally to the issue of family violence, they present significant contextual factors to consider when contemplating effective legal solutions for family violence in Nunavut.

3.1.1 Role of Other Family Members in Family Violence

Family has always played a key role in Inuit society.⁴⁶ The stories shared by women with lived experience revealed that family members played a variety of roles with respect to family violence. This ranged from helpful support to unhelpful pressure and misinformation, to harmful sources of violence. Sometimes women received support from their mother, father, grandparent, brothers or sisters, to deal with the violence. Family members would sometimes call the RCMP. Women also reported that too often, there is no family support and, in particular, no support from the abuser's family⁴⁷.

“The family members didn't even call the cops – they don't want the guy to go to jail anymore.”

—Woman with lived experience

Women often reported being intimidated by the abuser and his family members before and after court hearings. This might be done over Facebook, by telephone, or in public, being told to stay in, or go back to the abusive relationships.

“[She said] ‘He's the man. He's the man of the house. If he wants, if has to do something, then he'll do it.’ I was like: ‘Even beating the shit out of me?’. She was like: ‘Yeah.’”

—Woman with lived experience

In other situations, family members could be the perpetrators of family violence themselves.

“We all woke up, and my sister started yelling at my mom to stop (trying to choke her husband). Then, she finally woke up from her anger, blackout and the stuff she was doing, and my dad caught his breath, and then she left, she left home and never came back.”

—Woman with lived experience

“[My sister] would beat me up, she would beat me up the same way. She was really bad. So, I've been physically abused not only by my husband but then by my sister.”

—Woman with lived experience

This report highlights the importance of addressing family violence in its various forms in Nunavut beyond intimate partner violence.

Women participants also brought up a need for more communication in order for extended family members to play a supportive role.

"There have been so many significant changes that basic communication about crises and coping skills I think are missing. It's a very hush-hush thing. There's a lot of lack of communication. How to communicate? What is the proper way to communicate? There's confusion on every level... it's very silent."

—Woman with lived experience

This suggests that an awareness campaign could fill an essential need in encouraging families to communicate about family violence.

3.1.2 Role of Alcohol and Drugs in Family Violence

It is important to note that alcohol, as well as drugs (specifically marijuana), was a significant factor in some of the very abusive situations. Service providers spoke about community members having too much access to alcohol and drugs with only limited resources, support, and treatment to help.

"He's the best hunter, and he's a good provider. I never lack country food because of his skill in hunting. But when he's drinking, he's different."

—Woman with lived experience

"Alcohol and violence are the number one things we deal with in communities. Alcohol and drugs control us. There are so many drug dealers that are prominent people... so many bootleggers that are so very prominent – you never know what they are doing because they have to have a front all the time. It affects the community in a real negative way, and it becomes real violent."

—Service provider

Alcohol itself is not what causes family violence. However, it can not be ignored that alcohol was involved in many situations of family violence. The literature review suggests that intoxication likely aggravates underlying determinants such as trauma resulting from colonization.⁴⁸

"I got an EPO against the father of my children after he beat me badly. He went to my house drunk and tried to break down the door. So many times, I had to escape."

—Woman with lived experience

"I thought he would quit drinking, but he didn't, and it got worse. I left the house when he drank. He manipulated me into going back with the EPO still on. He would come secretly and then start drinking. He went to prison three times because of assault. I started reporting him to the RCMP. So, a no-contact order was placed."

—Woman with lived experience

The role of alcohol and drugs in family violence is important in any discussion about resolving these issues because there are very limited addiction supports in the Nunavut.⁴⁹

3.1.3 Impacts on Children

When dealing with family violence, women were concerned not only with their own safety and well-being, but also that of their children. Mothers spoke of the need to protect their children. Women talked about having safety plans for themselves and their children when violence broke out in the home. For example, if the abuser returned home drunk, the children would know to get ready to go to their grandmother's home with their mother if she could leave the house. Their bags were packed and ready to go at a moments notice. Mothers were also worried about their children being taken away. For some women, it impacted their willingness to speak up about family violence and ask for help.

"I just stayed quiet. I was scared because if I ever said something, I was afraid they were going to take my kids. The kids were quiet and scared."

—Woman with lived experience

The women also worried about their children repeating the same behaviours as their father and want counselling for them. For example, one mother insisted on getting counselling for her son so that he wouldn't grow up "mad, sad and angry." Others could not get support for their children, so they took the counselling on themselves. Two women told their children not to be an abuser. Women are tormented by how to protect themselves and their children while still caring for their abusive partners.

"I told my son: "If you ever get a girlfriend if you ever get a wife, you don't ever do to her what your dad did to me. You saw how hurt I was. You seen how scared I was. You saw how scared you were. And you've seen how scary it is. So, I was like, "You don't do that to anybody. Don't ever do that to anybody."

—Woman with lived experience

Another mother counselled her daughters that they have a choice to make in life.

"I told [my daughters], 'You can stop the violence, or you can continue and just, you know, society will not be mad at you, and they're going to expect you to fail. Choices are all yours; I'm not going to make them for you. But I can push you to keep yourself safe. You can kill your pain if you want... but this is a choice you can make. You can have it all or have none. It's all up to you.'"

—Woman with lived experience

This desire to stop the cycle of violence reflects Inuit women's sharp awareness of the role that intergenerational trauma plays as a factor in family violence. This has been reported in other literature on Inuit family violence.⁵⁰ It speaks to the need to provide more resources for women, and families in general to stop this intergenerational cycle of violence.

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(RESILIENCE/RESISTANCE)

3.1.4 Resilience, Strength and Determination of Women Experiencing Family Violence

Throughout the interviews women talked about their ability to survive. Their journeys were long and arduous, but they were present and accounted for, ready to tell their story – often with tears, and sometimes with humor and great insights. This demonstrates that rather than focusing on Inuit women as mere victims, it is crucial to recognize the formidable strength of Inuit women in finding ways to deal with family violence. They all spoke about the strength of character to survive.

"I always say to myself, inside my mind, I can do it, I can stand by myself, I'm strong."

—Woman with lived experience

Some women reported that they were able to reduce, or end the abuse, by the sheer force of their survival instinct and their ability to thrive. Some women said they had experienced family violence every day of their lives from childhood through to adulthood. One individual wondered, "How the hell did I survive all that?"

This suggests that in recognizing the firm determination of women to deal with family violence, any proposed solution must involve empowering Inuit women and their families to meet their goals in a manner that will work for their situation.

3.1.5 Women Helping Women

Although the silence about family violence was reported as a significant problem, the Project Team was told that women often helped one another by sharing information about what has worked for them. One woman said she and her neighbor had a pact to knock on the wall if they were in trouble, which was a sign for the neighbor to call the RCMP. They also engaged trusted family members, usually brothers, to protect them when by sending a cell message that "he is in the house." Several women reported not having access to a cell phone which increased their sense of isolation and vulnerability to violent assaults.

Mothers of women who are being abused have offered support and guidance and sheltered their daughters and grandchildren until the crisis passed, or for longer periods of time when needed.

"My house is a safe house – other women are not accepted at the shelter all the time. They're scared, really scared to get an EPO on their own. I grab them by the hand and take them. Some are too shy. Some are belittled so much they think they don't deserve to be helped or no confidence in themselves. You have to build them back up- their self-esteem and how to care for themselves even."

—Woman with lived experience

"Because I would speak to a lot of women. They would tell me – 'I can do this. I can do that.'"

—Woman with lived experience

This reliance on one's network of other women in the community demonstrates that Inuit women find creative ways to take action to seek safety for themselves and their children and deal with family violence. Understanding what resources women rely on for help and information is key to informing the awareness campaign.

3.2 Positive Observations of the Law's Role in Addressing Family Violence

Service providers were positive about the potential that legal remedies such as those under Family Abuse Intervention Act (FAIA) could provide. Service providers considered FAIA to be an impartial process. Although the applicant can begin the process without the abuser present, the abuser can challenge the provisions, including those relating to child custody. RCMP indicated that they preferred Emergency Protection Orders (EPOs) over criminal charges. They reasoned that when EPOs are granted, it validates and empowers the applicant. This sends the message that one has the right to be safe; stay where they belong, have support, for them and their children, have the right to live a healthy life without threats and crises. EPOs provide a cooling-off period if the individuals involved want to access counselling for underlying issues, such as intergenerational trauma, alcohol, drugs, overcrowded housing etc. If the applicant and abuser do not break the conditions, an EPO provides safety from another violent incident, even homicide.

Service providers observed that EPOs help minimize stress on the courts as the charges are non-criminal until the order is breached. In a large community, EPOs can be granted within 24 hours as judicial contacts are more

accessible. Applicants can request custody a 90-day cooling-off period which gives both the applicant and abuser time to get support and guidance. EPOs can potentially provide safety and protection that women want. However, this requires the conditions to be respected by the abuser, which is not always the case.

The women with lived experience who were interviewed were also able to share some positive stories about the law in addressing family violence, in terms of successfully obtaining EPOs under FAIA.

"I could've done something instead of an EPO, but I was scared. I said, 'I'm not going to be scared of anything to get him away from me.' So, I did, I felt safe."

—Woman with lived experience

Service providers observed that women would often come back to the CJOW multiple times before they felt ready to go ahead with an EPO. Service providers, therefore, felt that EPOs allow women to voice their concerns, stand up for themselves by empowering them and make healthier and safer choices. Some of the women interviewed also noted that although they resisted applying for an EPO at first, they later decided to apply for one. This gave them the support to deal with the situation. Some women wanted to work things out with their partners and wanted their partner to seek help to make the relationship healthy again. In these situations, the EPO was seen as a "wake-up call" for the abuser. Couples were given the opportunity to work on their relationship.

"The cycle of abuse and the EPOs is all over the map. We hear a lot about I love him, and I love him – he just about killed me, but I love him, and he just about killed my kids, but I love him. That's very, very common, and that's part of the cycle. Even so, EPOs empower people to have a voice, to have control, to stand up, and to say no, I don't want you to do this to me anymore. It's very difficult for people to come in and talk about the worst thing that's happened to them and you know I need help because this is happening to me and my children – it empowers people to make that choice."

—Service provider

In other cases, a few women said once an EPO was granted and the abuser complied with the conditions, the applicant was able to begin the long recovery from shelter, to education and employment as a single mother. Women know that support is essential to support them on their road to recovery.

In one instance, the EPO appeared to help address family violence issues with a woman's sister:

"It was actually my sister... I put an EPO on her. She would beat me up; she would beat me up the same way. She was really bad. So, I've been physically abused not only by my husband but then by my sister. The sister I am keeping her child. I put an EPO on her a couple of years ago. Yes, it helped... a bit. She kind of stayed away a little bit longer, and she wasn't as crazy as she used to be, I guess. And the RCMP warned her... and tell her that if she comes around and doesn't leave, they'll have to take her. So, kind of winded down. So, it did help."

—Woman with lived experience

It is important to note, however, that there were some reservations even in the positive observations of the effectiveness of the EPO. Some women left abusive relationships without an EPO, while others were able to move forward after an EPO was granted. Those who were granted an EPO said they felt safer, although many went back to the relationship and the cycle would start again. There was a range of opinions about the effectiveness of the EPO. Women often returned time and again for an EPO because the abuse continued when the abuser moved back into the family home. A few women reported remaining in their relationship after an EPO was issued and suffered more abuse.

"After I charged him (with an EPO), and he was scared, he stopped abusing me. I told them to drop the charges. The process took too long; my father passed away. I wanted my husband to be with me. I told him if he ever did that to me again, I'd leave him because I watched that in my whole life because I'm not going through that bullshit. I would have liked to go to counselling."

—Woman with lived experience

3.2.1 Potentially Positive Role of Shelters in Providing Support

One important positive finding was the role that shelters play in helping women access the law and other services to address family violence. This has been noted in previous studies.⁵¹

"At the shelter, I got some help. So, in some ways, the EPO was kind of successful."

—Woman with lived experience

Where shelters were accessible, they provided a safe haven for women and their children. The shelters would bring attention to the services available for the women experiencing family violence. In these situations, after an EPO was granted all the community services would come into play.

"I got the care I needed, and the RCMP came, and they took action. We stayed at the women's shelter. So, I was glad and happy. And then they held my ex-boyfriend in custody, and he got sent to jail. He did his time. I did my healing with a mental health worker for three years, along with my kids coming with me. He did come and go. And then finally, that's when I never let him back."

—Women with lived experience

Shelters could, therefore, potentially play an important role in providing resources to women about their options for dealing with family violence. This is an important consideration for the awareness campaign. However, smaller communities in Nunavut do not have shelters or safe houses.

In some communities where no shelters are available for women, there are interagency approaches and cooperation to provide women with options including women's groups to temporarily provide women with a safe space.

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(HOPE)

3.3. Issues Hindering the Law's Effectiveness in Addressing Family Violence

When granted, EPOs under FAIA gave some women immediate relief to stop the abuse for a short period of time. However, other factors are required for long-term change to stop the cycle of abuse, particularly if the abuser will not respect the conditions imposed by an EPO.

"When FAIA was being drafted, it was certainly one of the big issues especially in small communities in Nunavut, the confusion around the previous legislation – FAIA was an attempt to put resources into communities that could immediately help people in crisis – support workers were supposed to be put into communities, and trained and other resources were supposed to be forthcoming – we are still struggling with this many years later."

—Service provider

"EPO is a very hard process. There is no real healing for our people in our language, culture and values. I would recommend FAIA – it makes a difference for women to get out. It helped me finally, and it can help others. People need to be more aware of FAIA. Everyone needs help here. No one talks about it. It is frowned upon to talk about it. We Inuit fall through the cracks. A lot of women and children are abused physically, emotionally, sexually. We need to move forward, Talk. Start healing."

—Woman with lived experience

"An EPO can work because it protects both the victim and the abuser, but the no-contact order shouldn't be placed... if things get worse, she can call the RCMP or seek help from a family member. A lot of people take off or sneak around from the law and make things more complicated for themselves. They sometimes want the relationship to work – they don't want the relationship to end. With no-contact orders, they will find another partner. And then the same cycle."

—Woman with lived experience

It is important to examine why some women do not pursue the legal options under FAIA for help to deal with family violence. Women reported a number of reasons for not seeking help through the legal system. Reasons ranged from understanding that both their lives have been full of family violence, suggesting a normalization of violence, to understanding the abuser was a good person when he was sober. Women explained that they felt sorry for their abusers because of their past trauma and inability to get grounded in their lives. Women said they have "big hearts", and by loving them more they thought they could change them. They also reported that feelings of fear, guilt or embarrassment stopped them from seeking support. Women also reported feeling there was no hope. Many of the women interviewed felt they were held hostage in their own homes with no access to help, especially if they did not have a cell phone.

"Most women do not ask for help – they just keep it to themselves."

—Woman with lived experience

The following section explores some women's reluctance to seek help through the law in further depth.

3.3.1 Lack of Awareness of Legal Options

Interviews revealed a significant lack of knowledge, sometimes at the community level, about the options provided by FAIA. Some women did know about the possibility of getting a No-Contact Order or the criminal justice process. Some women were familiar with EPOs but had not heard of FAIA. This suggests they were not aware of the other types of orders available under FAIA such as Community Intervention Orders (CIOs). Even for those aware of FAIA, there was some uncertainty about how to apply for an EPO. Service providers also observed a lack of consistent information about FAIA and a general lack of training for all service providers. All services providers would benefit in having an understanding of the various available legal options, clarify the differences in terms of purpose, scope and timeline in relation to the criminal justice system.

"I've never heard of FAIA even though we've been through the court system and Spousal Abuse [program] and mental health and all, I've never really known. Nobody told me anything. I was on probation for a bit but never told me anything about it."

—Woman with lived experience

"Nobody's blaming anybody – when the Act first came out, it was confusion like what is this? It was just kind of thrown out without any education in terms of what it is or what it can actually do. If you're going to have this Act and it is beneficial for family violence, then let's use it but get people who are implementing it educated and get the support workers educated so that it can be an effective tool."

—Service provider

Service providers noted that community events to raise awareness about FAIA do not happen often enough due to capacity issues. There was a concern that CJOWs might find it challenging to find the time to raise awareness about FAIA.

"It's huge, that whole FAIA piece, and what causes us grief is if people don't know FAIA and we get referrals constantly that aren't FAIA – they're a Peace Bond – or someone who is trying to use FAIA to boot someone out of the house because we have a housing shortage."

—Service provider

"People probably don't know who to contact, and it needs to be overdone [...], so people say, 'Hey listen, I heard this the other day and here's the person to contact.'"

—Service provider

The need for more understanding about FAIA extends to service providers as well. Many service providers had limited knowledge of FAIA in most communities, except for the local CJOW, due to not enough interagency collaboration. One CJOW brought a copy of FAIA to the focus group and gave a mini-presentation about the Act. Questions related to FAIA were directed to the CJOW. This provided for an opportunity to educate the rest of the focus group participants.

"There are a lot of informal processes and moving parts to FAIA – you've got the RCMP, the Specialist, you've got the CJOW, and sometimes there's no CJOW, sometimes there's the social worker, and they [the women] have kids in the office so that it might be a lack of human resources...I also think that [for] the awareness of FAIA and the knowledge to really understand it, you need to be trained and engaged. I think there's things we could do to get more people on board because it's inconsistent."

—Service providers

Service providers in general wanted more information about FAIA and training so they could better support women who came to them for support with family violence issues. They want to be better equipped to support the work of CJOWs and the RCMP. Inter-agency meetings are not consistent, which makes it even harder to share information to support both other service providers and women seeking refuge and support. Training opportunities are limited because of capacity issues or funding. CJOWs try to do ongoing training, but time is limited due to the demanding needs of clients and the workloads involved in each case.

"It's ongoing – it's huge with vacancies, and the knowledge is gone – sometimes we've talked about having a position identified as trainer."

—Service provider

It would appear that women with lived experience were not aware of CIOs. When the difference between EPOs and CIOs was explained to them, they asked more questions about CIOs, suggesting there was interest in learning more about their available options. This should be a consideration for the awareness campaign.

"I just had a recent client asking about CIOs, so hoping that it will go forward as something that I can learn from – it not only protects from the abuser but helps regain their relationship."

—Service provider

3.3.2 Intimidation by Partner About Using the Law

Some women are reluctant to make use of their legal options even when they are aware of them. A few women reported that their abusers had threatened them – sometimes with death – if they told anyone they needed help, sought an EPO or continued with EPO proceedings (if commenced). Abusers also threatened suicide if the women did not take them back, and sometimes did die by suicide, shamed by the public knowledge.

"[I was] Just scared, he said he was going to kill me and kill himself. I just wanted him out of my life – I didn't even want to bring the situation to the RCMP. I didn't even want to hear his name."

—Women with lived experience

"Even so, he manipulated me into going back even though the EPO was still on. He would come secretly and start drinking."

—Women with lived experience

If intimidation and threats stop some women from seeking help, this reflects a lack of confidence that help would be effective and forthcoming. This could be linked with a lack of trust in the effectiveness of the legal options available.

3.3.3 Lack of Trust in the Effectiveness of Legal Options

When interviewed, women reported that they were unsure whether EPOs could help them. They indicated that they were afraid to apply for an EPO for the same reasons they do not report abuse. Although some felt safer once they were granted an EPO, some did not.

"So many years, so many RCMP that comes and goes, and they know, they know what we are going through. He has been charged so many times in the past, so many times. He went once to BCC for two years."

—Woman with lived experience

"It is just kind of lawless in this area. It really is."

—Woman with lived experience

During these interviews, women reported a lack of trust in the legal system in several ways. Some indicated that they believed the system works in favor of the abuser rather than for them, and that abusers knew how to work the system. This perception surfaced in an interview where a woman recounted how the abuser was told to get letters of support to strengthen his case and that as the applicant, she was never asked for letters of support, even though she was the one who had been abused. A service provider also expressed concerns about potential conflicts of interest where a CJOW may assist both the applicant and the abuser.

Women expressed concern that EPOs were not taken seriously, whether by the abuser or the RCMP. Some women believe the court system is too lenient on abusers. If there is a breach of conditions for an EPO, it takes courage and commitment for women to show up in court and testify about the breach. Due to these issues with the court system, many women choose not to testify, and the cycle begins again.

"I don't believe in the court system when it comes to domestic violence. I knew he wouldn't get much even if I showed up. I showed up to show him that I can show up."

—Women with lived experience

It is essential to acknowledge that these perceptions women hold about the legal processes are often based on their past experiences or observations. During the interviews many specific concerns about the processes under FAIA emerged, which will be shared next.

3.3.4 Concerns about the Effective Enforcement of the Law

Although an EPO might help a woman leave an abusive relationship for a period of time, some women questioned the actual value of EPOs if the orders are not taken seriously by the abuser who may break the conditions imposed by the order.

"I hoped he would change for the kids and me. EPO's are not the best option because he won't listen. Should have something besides EPO. I didn't feel safe."

—Woman with lived experience

Some participants reported situations of “revolving doors” of EPOs and other legal processes. Some women applied for, and were granted EPOs, five times or more. Some raised concerns about the effectiveness of the legal system as a long-term solution.

“I did an EPO. He would manipulate me into going back with him. After a couple of months, we got back together with the EPO still on. He would come secretly from the RCMP, he would manipulate me by being nice, so I wouldn’t call the cops. After the 3rd appointment [with an elder], I didn’t go home because I was scared, he was going to do something to me. It [EPO] was removed then I charged him. He went back to prison three times because of assault.”

—Woman with lived experience

Service providers brought up the concern that if no interpreter is present, the abuser may not always understand the conditions of an EPO. As such, the abuser may breach the conditions knowingly or unknowingly.

Inuit service providers also suggested that No-Contact Orders do not work in the communities, echoing conclusions made in previous literature.⁵²

Although some service providers believed there were very few breaches of EPOs, women with lived experience reported differently. One woman said she felt like she needed a bodyguard outside her house even after getting an EPO. In the end, her abuser broke into her house and hung himself there.

“I had my nose and jaw broken at that time – if they had come sooner, it would have stopped a whole lot sooner. Every minute counts. I don’t feel safe with the RCMP around.”

—Woman with lived experience

Response time and trust depend on individual police officers. In one community, one female police officer inspired women with her dedication, and she was trusted. In other situations, women said the RCMP did not come quickly enough when conditions are breached, and they call for help. They had to call a couple of times to get them to respond, even for an emergency. By the time the RCMP arrived, the women were severely beaten.

“I had him charged with assault, and I am charged with assault, and there’s a restraining order after he got out of jail. Those still don’t mean anything. You know, it’s just a piece of paper, and he still came to the house, and he would, you know, just stay there. And I was scared to call the police, scared to do anything. I was ashamed. I was embarrassed. RCMP asked me why I let him back in. Like it was my fault. I couldn’t answer that. I was trying to protect my children. He’s the father of my children.”

—Woman with lived experience

Inuit service providers observed that the trust is broken between community members and the RCMP due to slow response times to calls for help. Calls are routed to Iqaluit, causing a delay in police response time. RCMP indicated that they respond as quickly as they can but explained that detachments have business hours from 9:00 AM to 5:00 PM, and then are on-call late at night and on weekends. This slows down their ability to respond quickly to women in distress even if the crisis is a few minutes away from the detachment. Once an EPO is in place, it is the responsibility of the applicant to inform the RCMP about any breaches.

Women do not always have access to a phone to call for help when there is an emergency, which is a significant practical concern. One woman was held hostage with her children for several days by a family member, who took her cell phone away and she could not access police or medical help. They were all sexually abused. When the incident was over, she was so traumatized that she could not call the RCMP or ask for medical help for herself or her children, explaining, “I was too hurt, I couldn’t get up.” When the victim turned to her sister for help, her sister was too scared to call the police. She reported that everybody was too scared. It took some time to get her relatives to call the police. She noted that the abuser, a family member, was given three months in jail and would be free in the community in the near future.

“[The family member] raped my kids and me. They said, ‘It only takes five years if I murdered someone.’ That’s scary.”

—Woman with lived experience

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(HARDSHIP)

3.3.5 Timing of EPOs and Other Legal Processes

Many women who were interviewed expressed concern that EPOs would take too long to be granted, sometimes five to ten days, or even longer, all while still living under the threat of their abusers. During that period, they also had time to change their minds.

"It happened in September, and nothing was finalized until November. So, it was for three months. I wasn't happy about that, because people need an EPO. It should be done as soon as possible. Like there are people, women, men, who were killed by their spouses because... that EPO wasn't going through as soon as possible... as it should be."

—Woman with lived experience

In one situation, a woman went to get an EPO from the CJOW and found a sign on the CJOW's office door, saying "away until further notice." She then went to the RCMP who told her she had to wait until the CJOW returned. The RCMP did not ask if she was in any immediate danger or whether they could connect her with anyone else.

CJOWs who participated in the focus groups said they would work whatever hours they had to, to speed the process. It was noted that there is a system overload of cases and it could be challenging to connect with the Justice of the Peace due to the sheer volume of files. Service providers also worried about the length of time for an EPO to be granted by a Justice of the Peace, who could be in a different time zone. They noted that EPOs require a lot of time-consuming documentation. Service providers expressed concern that CJOWs are in a high-risk role and could suffer burnout, especially if they are the only CJOW in a small remote community. CJOW team planning for the applicant's safety is compromised when both applicant and abuser break the conditions.

If the abuser does not comply with the EPO conditions, they could be charged through the criminal justice process, but this would need to proceed through the circuit court. For some communities the circuit court arrives in the community every few months, which leaves too much time for the abuser to re-offend, or for the couple to reunite. This causes a delay in efforts to address the violence directly and promptly.

Service providers also observed that cases are often delayed, causing stress for both the applicant and the abuser, which has also been observed in previous studies.⁵³

3.3.6 Communication with Women During Legal Processes

Part of the lack of trust in the legal system could be linked to women's concerns about effective communication throughout the legal process, especially when the criminal justice system is involved. Women expressed concern that the legal system does not inform them that the abuser is out of jail to allow her to put a safety plan in place. Women also need to know if the case has been delayed and whether the abuser will be coming back to the community or not. Even though processes have been put in place to help them, there is uncertainty as to whether such help will be available. Women indicated that there wasn't enough communication between police, the legal system and vulnerable women. Women shared how they were always looking over their shoulders if they heard from other community members that the abuser had been released from jail. Sometimes they found an abuser was back because he began stalking them, resulting in another period of fear.

"I was trying to find out about what happened and why he wasn't charged. Why they [RCMP] weren't telling me things. I tried to go to Mental Health. Social services. A few times to the police station. But still, nothing happens."

—Woman with lived experience

"Every time he said he found a job, 'Oh, you found a job. He shouldn't go [back] to jail'... 'Oh, he found a place to stay,' 'He's in counselling now. Give him a break.' I do not believe in the justice system. Just trying to get in touch with legal aid... to find out, they don't call you back. It's just a waste of time."

—Woman with lived experience

3.3.7 Elder Abuse

Service providers raised concerns about the rise in elder abuse. There are examples of adult children who, due to a lack of housing, financially abuse their parents. They may take over the parental home while dealing

with their own alcohol and drug abuse issues. Service providers agreed that elders are very vulnerable people in some communities, with little protection or support to deal with intimidation. Many elders live a traditional lifestyle, and may not speak English, or are accustomed to speaking out against their adult children. They may be particularly vulnerable if the elder is a woman, and the abuser is her adult son. Where elders were traditionally respected and offered guidance to younger community members, now service providers feel that elders can find themselves in vulnerable situations where they are disrespected and invisible, unless they have something younger people want, such as money, housing, food, and so on.

Women also noted during their interviews that elders are amongst the vulnerable women who need EPOs. However, service providers need to speak Inuktitut or provide interpreters, because in some communities the majority of elders do not speak English. As such, if an elder does not have an advocate who can interpret, she is unable to access help.

3.3.8 The Need for Solutions that Align with what Women in Nunavut Need

It was clear during interviews that women dealing with family violence often wanted a different solution than what was offered by the law through EPOs. Some men can be made into understand, they need to change their behaviour. Others end up in jail when they breach the conditions of the order. One woman explained that jail is not a healing facility saying, "Some men become angrier, more aggressive and retaliate when they are released."

Some women remained silent and often did not seek help or apply for an EPO because of fear, shame, guilt, low self-esteem and stigma associated with family violence. They worried about what would happen to their partner who has burned all his bridges with his family and other community members, and there is no men's shelter in the community. In nearly all cases, women talked about trying to protect the abuser from exposing his behaviour to community members and the law. They consistently spoke about the love they had for their partner, wanting him to be respected as a man and as a father.

"I tried to keep things quiet so he can be respected. That's how much I loved him. Because I wanted him to be accepted as a man and as a father figure."

—Woman with lived experience

Others simply wanted the whole situation to end.

"I just wanted him out of my life, like all of it. I didn't even want to bring the situation to the RCMP. I didn't even want to hear his name."

—Woman with lived experience

The RCMP spoke of the need to be more involved in community activities and be more involved in outreach as everyone knows which families require attention in small communities.

"Let's approach the family and say 'hey, what can we do for you or here's what we can do for you' and get them to help instead of just waiting for them to come to you. So, that's what needs to be done in some of these small communities because what's happening now is not working."

—Service provider

During these events, women are torn between saving themselves and wanting to honor the bond between the father and his children while living through traumatic events. Women caught up in the cycle of violence do not necessarily want their partners to lose the respect of their family and community members. Even though they may be scared of their partners, many shared that they still love them.

Inuit service providers also expressed concern that issues too often go straight to the court system rather than being referred to service providers who can supply information about resources and supports. Inuit service providers objected to the expectation that community members should accept and comply with a colonial style legal framework. Rather, they prefer finding a way to practice Inuit Qaujimajatuqangit (IQ) principles, which highlight a holistic, harmonious approach. They understand breaches must be dealt with as criminal offences, and do not object to legal procedures. But before a abuser becomes involved in the EPO process, and while the EPO is in place, they want abusers to receive counseling that includes reclaiming the Inuit way of being. The lengthy court processes do not work in favor of either the applicant or abuser. Inuit service providers believe the crisis needs to be addressed right away according to the IQ principle, *aajiiqatigiingniq* – decision making through discussion and consensus. This approach would foster a path to regain balance and harmony for the sake of a healthy community instead of often taking years

to resolve. Courts are very public, which acts as a deterrent for people to lay charges or to attend their own hearings. They do not want everyone to know their business, which causes men to feel shame. These differences between the legal system and Inuit ways of resolution have been observed in previous literature.⁵⁴

"If you keep doing it [letting him back into your life], you're probably going to lose your life, or you're always gonna live like this. That's your choice, but I know I could leave if I have to, I'm going to, but I love him."

—Woman with lived experience

"It's minus 40, the children are crying for him or her, and they will have him or her back in the house within an hour because you care about that person, you don't want to see them hurt, you don't want to make an impulse decision that could impact your life. It's harder to enforce [an EPO] when you don't have the other supports in place. Whether through the community, extended family, or just having like a resting place, like a shelter for that other person."

—Service provider

Inuit service providers reported there is a need for more prevention and early intervention, which means more resources, supports, and continuous programming need to be provided.

"Somebody has dropped the ball if a person ends up at emergency services like Family Services or the RCMP, and they feel alone and isolated – something needs to be done ahead of the crisis."

—Service provider

Service providers noted that many Inuit community members already help other community members informally outside of the legal processes. They listen and validate women through their informal networks or support. Inuit community members have taken on the informal roles of counsellor, shelter provider and police. They are filling gaps in infrastructure and services but are not funded by the government. This has also been observed in previous reports.⁵⁵

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(COOPERATION)

"It's the most frustrating thing, and the government is not providing the services they think they are providing."

—Service provider

It is clear that the law alone cannot fully solve the problem of family violence in Nunavut. Instead, while providing effective legal options, other interventions across sectors are essential to address family violence. Lack of infrastructure (such as alternative housing), a need for support to deal with addiction, financial constraints, and the children's desire to see their father all constitute factors that a woman considers when deciding whether to get back together with her abuser. As such, men need to be taught that emotional, verbal and physical abuse is wrong, as too many abusers currently learn about relationships by watching how their parents treated each other and their children.⁵⁶ Women also spoke about a lifetime of abuse from childhood onwards. If children don't get adequate support to deal with all forms of violence such as physical, sexual or emotional abuse, they will lose confidence and become beaten down emotionally and physically. This could lead to a lifelong cycle of abuse. These issues can make them feel victimized, unable to ask for help and unable to strive toward a life free of violence.

Service providers also saw EPOs as a way to stop the abuse and provide the fastest route for women fleeing family violence to find safety. However, they saw EPOs as a short-term fix – a band-aid measure not fully understood by women nor always respected by abusers. A long-term goal would require more resources.

The service providers suggested that regular interagency meetings are needed. Presently there is no real consistency or continuity among agencies, and wraparound support needs to be implemented with EPOs. The CJOWs say they follow up with support, but outreach is limited, and there are no formal or informal protocols to follow up with the abuser. As such, alongside legal interventions that work for Inuit families, there is a need for continuing care for all other aspects of their lives, including addiction treatment. A few of these issues will be further explored in depth.

3.3.8.1. The Need for Adequate Housing

The lack of safe alternative housing interferes with the law's ability to effectively address family violence.⁵⁷ An EPO can order an abuser to leave the house, but he will need a place to stay. Abusers often do not have

alternative housing except for relatives or friends, which is complicated by violent behaviours that family, friends and neighbours do not want to contend with. Some abusers have no choice but to go back to the house where their partner and children are, thus contravening EPO conditions.

"There's a lot of guilt and shame associated with family violence, and there's really not the provision of adequate services for building relationships and helping healthy communication. Housing is definitely an issue – when you're under constant stress like that, and there's a whole bunch of people you're living with, it's guaranteed to have conflict."

—Service provider

On the other hand, a woman will find it difficult to leave an abusive relationship if she does not have a safe place to go. One woman spoke about living in nine different houses with family and friends over a two-year period as her relationship continued to be abusive.

"There's no other option but to remove the female because there is no men's shelter, so you're forced to remove the woman and her children too because she is the primary caregiver. Even though nine times out of 10, the male is the aggressor, you cannot remove him because there is no housing for him to go to, and no family is willing to take him, so what do you do? The woman goes to her mother's two-bedroom home with six children."

—Service provider

Both women and men would benefit hugely from enhanced infrastructure, such as housing options. Overcrowded housing, poverty, food insecurity and a lack of self-sustainable work have created great insecurity in a fast-growing population.⁵⁸

During the interviews, the women with lived experience talked about the uncertainties of being in a shelter and insecurities about their future, especially after an EPO was in place. There are no shelters in small communities for men or women, and few, if any, safe houses. If an EPO is granted to a woman in a community where there are no shelters, service providers may help women find a place to stay with family or to a shelter in another community. Women may want to leave the community because of fear of reprisal from abusers and other

community members who might disapprove of the woman's actions. The lack of shelters or transitional houses is a significant barrier to addressing family violence; healing from an abusive situation takes a long time.

3.3.8.2. The Need for Effective Inuit-Specific Trauma-Informed Healing Services with Appropriately Trained Service Providers

Women with lived experience expressed a need for service providers – especially first responders – to be adequately trained to work with Inuit women dealing with family violence and other related issues such as addiction. Inuit service providers also pointed to a lack of communication between southern service providers (such as the RCMP) and community members. They expressed concern that southern service providers do not know about Inuit culture nor the root causes of the family violence.

"Unfortunately, the first responders are usually the police... don't take it seriously. I don't like to use that word, but it seems to be that way, especially if there's alcohol involved. Then they question the victim, which is very degrading to the victim as it takes a lot of courage to... to go to the police or anyone for that matter and to be... just shush like that. Once it happens again, they don't call the police because they know they won't get any kind of help. So, it's a big issue, here anyway, in a small community, maybe not all over. But is it an issue?"

—Woman with lived experience

The role of Inuit Special Constable with the RCMP was eliminated a number of years ago. Some Inuit service providers and RCMP are calling for this position to be restored because Special Constables can provide interpretation, cultural liaison and act as guides for the RCMP. They were trusted permanent members of the community who could advocate on behalf of community members.

There are not enough Inuit-specific prevention and wellness programs. A profound need for continuous funding leaves community members without long term support. Some Inuit service providers are already involved in prevention/intervention wellness programs such as the Aqqumavvik Society in Arviat. These are Inuit -specific programs that provide a holistic approach to community

wellness. They build a strong sense of cultural identity and healing from colonial trauma to help people get back on track. The need for effective Inuit-specific trauma-informed healing services re-enforces recommendations made by previous reports on family violence in Nunavut.⁵⁹

During the interviews, women reported not having any confidence in the mental health workers or social workers. It often takes many visits to different service providers to find someone they could trust who could validate their story. Sometimes a woman would find that person. Sometimes she would not. This experience can be very discouraging for women trying to get help.

"Especially for the children who witnessed violence and heard it all of this happening... social services don't come in at all. Even though it is mental health and they are called upon, and they kind of scrutinize the victim."

—Woman with lived experience

The need for Inuit-specific counselling is essential for effective long-term solutions for family violence, especially if CIOs begin to be utilized more often. This includes mental health counselling and alcohol/drug treatment accessible in Inuktitut or Inuinnaqtun, with an understanding of Inuit culture. During the interviews, some women reported that they do not trust southern service providers, as they cannot talk about their trauma in English. Women need guidance and emotional support through communication in their own language throughout the whole legal process.

"Inuit [have a] way of dealing with family violence. And it's not in the policies, unfortunately...I think it's a goal that Nunavut should be aiming for... to have a vision for... that offender or victim and the family to be dealt with, you know, in a more holistic way."

—Woman with lived experience

"The people who live here and have always lived here know exactly what they are doing and what exactly needs to happen, but they have no voice. People coming into our community with one thing in mind to help, but your hearts are not here, and you leave again."

—Service provider

"We have our own ways of dealing with those people."

—Service provider

"The power to look after our own has been stripped of us – they (the government) may as well look after them because Inuit community law is non-existent."

—Service provider

"All these policies that aren't so relevant to Inuit way of life and identifying and grasping what's around you and how the family unit can come around in family violence – it has to be a whole family unit. We had elders and community members who would join in together as a diversionary group who met with the offender, the victims and the children... we discussed family dynamics and... how support could happen. Then we would follow up. We really had good support. Once we left, they just... It just disappeared."

—Woman with lived experience

If CIOs were backed up by enough resources that reflected IQ, there could potentially be significant benefits for the communities in the spirit of reconciliation. However, service providers expressed concern about there being enough service providers to actually provide the kind of long-term counselling needed for CIOs to be successful.

"There needs to be a lot of resources put into the CIO – a lot of roadblocks and a lot of challenges for a CIO to be successful from the beginning of someone coming into the office to completing it and going in front of a Justice of the Peace and get it actually granted. But I think CIOs should be a driving force in Nunavut because most people who do an EPO – my experience – they come back, and they want to work it out with their partner. They don't want it (the relationship) to be over."

—Service provider

"It touches upon community well-being. I'm happy about this Act being reviewed because the IQ portion really needs to be factored into the Act."

—Woman with lived experience

It is equally vital that Inuit-specific counselling be trauma-informed and based on a sound understanding of the power dynamics involved in family violence. Women reported being confronted with humiliating questions such as “What did you do to put yourself in that situation?” from service providers. The need for trauma-informed counselling skills extends to traditional counsellors as well. Some women reported that elders sometimes confuse women, urging them to stick with the man even if he is abusive. Previous literature has observed conflicts between community members’ values and perceptions of family violence. Some community members, including some elders, do not perceive gender-based violence to be a serious problem. They may require more skills to counsel abusers specifically in the area of family violence.⁶⁰

“That’s why I can’t. Some people don’t go onboard because they’re scared of being comfortable and their trust being broken with someone they should trust. Both Inuit and southern counsellors.”

—Woman with lived experience

“You really have to be dedicated to go [to counselling]. It’s no wonder nobody goes for help. It’s so draining. I don’t want to talk to elders or [community] counsellors... I don’t want others to know what I went through. I don’t want to burden them. I would say the support needs to be improved. There’s a phone number they provide when you’re going through a rough time, So, I used to call, but they’re down south, and they don’t have a clue. They told me to take a walk in the woods. That’s when I hung up on him.”

—Women with lived experience

Women talked about the lack of continuity of counsellors due to high turnover in staff at the health centers and on the difficulties in securing appointments. If they chose to go to counselling, they were frustrated by having to tell their story over and over to someone new without resolution. They felt the trust was broken and often gave up seeking support.

“I’ve tried many times. It just doesn’t help, and by the time we get another meeting, it was a new counsellor, so we have to start all over again. And I just stopped going.”

—Woman with lived experience

Service providers also observed that staff turnover is an issue in Nunavut, leading to mistrust between the community members and service providers.

“There’s a lot of turnover in shelter workers and part of it again it’s the same as the turnover in Justice Outreach Workers – the work they do is really tough, and they’re not getting enough support whether it’s addressing their own trauma, addressing health care – people want to help, but they just get really overwhelmed after a while, and they quit – if we can prevent this from happening.”

—Service provider

“I can understand why we have capacity issues – I would say a bulk of CJOWs probably leave because FAIA overwhelms them. It can be very targeted in the frontline in a small community. I can see why it’s not easy for a CJOW in a community alone.”

—Service provider

Service providers expressed concern about not having enough resources to support women. They saw women moving onto new relationships, which created a continuation of violence along with other problems. Service providers were acutely aware of the need for more resources and services in small communities in particular.

These counselling options must be available to all members of the family who are affected. Some women who were interviewed believed that when men do go to counselling, it’s only because they have been mandated by the court: “He’s not going there because he wants to help. He’s going there to show he’s a good man. And that’s what a lot of people thought.” Inuit-specific trauma-informed counselling is essential for abusers to change their behaviours by learning healthy coping methods.⁶¹ Children will also require counselling to stop the intergenerational cycle of abuse. In particular, if children are required to serve as witnesses, they will require follow-counselling to avoid feeling alone.

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4. KEY FINDINGS

Following is a summary of research key findings

4.1 Addressing Family Violence Through the Law, Including FAIA

- Family Abuse Intervention Act (FAIA) was meant to address family violence, particularly through the promising features of Community Intervention Orders (CIOs) to use Inuit Qaujimajatuqangit (IQ) principles of prevention and intervention to restore balance and harmony through counselling. However, implementation issues still remain.
- Women with lived experience and service providers reported that Emergency Protection Orders (EPOs) could be used as a wake-up call to deal with family violence. However, longer-term solutions are still required to escape the cycle of abuse, as EPOs alone cannot solve family violence.
- CIOs are still under-utilized, and there remains a lack of awareness, both among service providers and the public generally, about these options provided under FAIA.
- There is a critical lack of awareness generally in Nunavut about how the law can be used to confront family violence.
- There is a lack of trust in the effectiveness in the legal system. Some question whether legal remedies can effectively be enforced. Concerns include a lack of understanding of Inuit culture, delays in the process (including delays in responses when calling the police), communication during the process, and a perceived lack of alignment between what the law provides and what Inuit women need for their specific situation.

4.2 Strengthening Informal Support Systems

- Discussions with women with lived experience and service providers revealed the significant roles that family members, other women, elders, shelters, and the community play in helping women address family violence according to their specific needs.
- To provide remedies through the law it is crucial to strengthen informal support systems amongst friends, family members, and elders. They can provide understanding about safety planning and how to address family violence generally. Community members can provide support in a manner that is aligned with Inuit family values and meets the specific needs of Inuit women and their families.

- Support systems must also specifically address the inter-generational impacts of family violence on children.
- Strengthening informal support systems to complement legal solutions is part of a holistic, preventative approach to solving family violence in Nunavut. Specific examples are set out in the following key findings.

4.3 Providing Support for Dealing with Addiction

- It was evident in the discussions and the literature review that alcohol and drugs are significant factors involved in many family violence situations. Both men and women in Nunavut struggle with addiction issues. These could be better addressed with improved trauma-informed addictions services and support systems.

4.4 Safe and Adequate Housing

- The housing shortage in many communities is deeply connected to family violence in Nunavut. Ensuring that Inuit families have safe and secure housing at all stages, including immediate shelter, transitional second-stage housing, and long-term housing, is a key component to alleviate the problem of family violence.
- There is a need for shelters and/or safe housing in every community for women and their children who are seeking safety. These shelters need adequate funding for food, clothing and supplies to help women be safe. Shelters can also provide important resources for women to learn about their legal options and should be provided with such resources.
- There is a need for shelters and healing programs for men who are abusers while separated from their partners, such as when EPOs are in place.

4.5 Effective, Inuit-specific Trauma-Informed Healing Services

- Service providers must be appropriately trained and have the right resources to work with Inuit families on family violence.
- Services that are provided, whether by justice personnel, traditional Inuit counsellors, or other service providers, must be collaborative, holistic, Inuit-specific, trauma-informed, and based on an understanding of the power dynamics of family violence in Nunavut.



5. RECOMMENDATIONS

The findings of this study to date indicate that improving the lives of Inuit women experiencing family violence will take a comprehensive approach, involving all sectors of the community. It will not be easy, and resources will be required.

Everyone interviewed, without exception, strongly agreed that a public awareness campaign about family violence, access to justice, Family Abuse Intervention Act (FAIA) legislation, and associated Inuit-informed FAIA practices needs to reach all members of society. The campaign must have a continuous presence in the communities and on social media. As noted in the "Next Steps" section of this report, a public awareness campaign is planned for the near future.

The key recommendation is for a sustained collaborative approach amongst all stakeholders. This can be accomplished by ensuring continuous inter-agency cooperation. By working together, agencies can offer a coordinated approach to information and resource sharing. They can provide consistency in training for those working with Inuit men, women and children experiencing family violence. They can also provide coordinated outreach to families known to be in need of support before a crisis is reached.

Pauktuutit Inuit Women of Canada and the Law Society of Nunavut are committed to continuing to work with the stakeholders and support their efforts to collaboratively find solutions to end the cycle of family violence in Nunavut. The project partners for this report cannot direct agencies and service providers to take action or make specific changes.

The project partners are willing to continue to play a supportive role in working collaboratively with the agencies and services providers to advance the following proposed recommendations. These 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.

5.1 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 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 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 recommendations. This may be achieved through a proposed Working Group to end family violence, *Piliriqatigiinniq – working together for a common cause*.

5.2. 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 their 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.

5.3. Government of Nunavut – Department of Family Services

- Ensure continued funding support for preventative programs across Nunavut, such as Inunnquiniq 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 to improve counselling outcomes.
- Build the capacity of Inuit counsellors who live in the community and 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.

5.4. Government of Nunavut – Department of Justice

- Explore ways to further incorporate Inuit Qaujima-jatuqangit (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 Emergency Protection Orders (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 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 CIOs to improve couple relationships, aligning with the Inuit Societal Values of *aajiiqatiglingniq – keeping the family together and restoring harmony and balance*.
- Improve neutrality for applicants and abusers in filing EPOs by providing separate representation and guidance during the EPO process.

5.5. Nunavut Court of Justice

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

5.6. Public Schools, High Schools, Youth Programs

- Expand existing programs and deliver education and support programs on healthy relationships, anti-bullying and peacemaking for 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.

5.7. 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.



6. NEXT STEPS

6.1 Public Awareness Campaign

A territory-wide public awareness campaign will be designed and developed to bring attention to family violence and highlight the legal rights and options for Nunavummiut. The findings from interviews, focus groups and input of community members will inform the campaign. The public awareness campaign aims to empower survivors to break the silence. It will give them the information, tools and resources they need to make decisions about their lives. With this information, Nunavummiut will better be equipped to help themselves and to support family members, neighbours, co-workers and friends experiencing family violence.

The public awareness campaign will strengthen the public's capacity to recognize abusive situations. A key focus will be to increase the public level of understanding of the FAIA legislation and its applications, as well as other available legal options. The development of this campaign will be guided by Inuit Qaujimajatuqangit (IQ), Inuit Societal Values and Practices. The key messages will be informed by the results of the research study, both in the messaging approach and content.

The campaign will address both community members and service providers. The information will be disseminated by a multimethod approach to maximize outreach. Tactics will include information sessions, videos, posters, podcasts, plain-language resources, radio interviews and professional and social networks in Inuktitut, Inuinnaqtun, English and French. This approach is backed up by the literature review, which states that efforts to raise awareness must be done in ways that are relevant to Inuit communities, focusing on Inuit values.⁶² This means not relying solely on printed materials, given the lower rate of literacy and higher costs of distributing printed materials⁶³ and using multiple formal and informal ways to share information.⁶⁴

A plain language, multimethod approach was endorsed by the participants in this study. For example, women with lived experience and service providers indicated that communication tools should be in plain language and use visual graphics with the key messages. Information about who to contact and the criteria for applying for FAIA orders should be provided.

Aligned with the literature review, interviewees said that the public awareness campaign should not rely solely on printed materials. They also told us that information should include highly visual posters at the post offices where everyone reads the public bulletin board. Other suggestions included PSAs on local radio stations, television stations like APTN, social media such as Facebook, and webinars. They also suggested face-to-face events at health centres, churches, housing offices and recreation centers. Women also suggested health fairs, career days, schools and trade shows as suitable venues to provide information.

The Project Team was advised that information sessions and workshops should include food, beverages, music, door prizes and games as incentives for participants. This would help create an environment for individuals to “then talk about the real stuff like how to get help and get a survivor to talk if they’re not too scared or shy.” Both women with lived experience and service providers stated that messaging needs to be continuous, like the Government of Nunavut’s Tobacco Cessation Campaign. Women mentioned that community workshops should focus on skills such as coping strategies, anger management, dealing with alcohol and drug abuse, and suicide prevention. Workshops should be held in a conversational tone with inspirational Inuit speakers and events. The public awareness campaign should take place between October and March, as during other times community members are on the land. Service providers told us that family violence and FAIA training should be part of professional development for all service providers.

7. CONCLUSION

Access to justice is an ongoing concern for women facing family violence in Nunavut. There is a need to improve such access, along with other resources and supports that are currently either scarce or do not exist at all in Nunavut.

The interviews drew evidence of the pervasiveness and severity of violence that Inuit women experience at all ages, and the challenges they encounter in seeking safety from the abuser, his family, and community members when violence occurs. They can feel intimidated. They experience racialized responses that stem from institutional policies and practices. Many Inuit who perpetrate violence have themselves been victims of family violence during their lifetime. Violence has been escalated for survivors and perpetrators by the use of alcohol. There is also a gap between what women are experiencing with police and service providers, and what police and service providers believe they are offering to women with lived experience.

There are a number of key steps that will be needed to go forward: build awareness of legal and other supports available to those experiencing family violence; ensure that those supports are available in all communities;

and build on the capacity of community members to help each other, both formally and informally. These steps will require a comprehensive effort from all sectors of the community.

This project is only a small part of a more significant long-term effort. It is hoped that it has created an evidence base for future policy-making. The project has documented facts and first-hand experiences that should help decision makers understand the depth of the challenges. This understanding can underpin implementation of programs and policies to reduce the incidence of family violence and improve access to justice for all Nunavummiut.



ENDNOTES

1. Family Abuse Intervention Act, S.Nu. 2006, c.18.
2. Pauktuutit Inuit Women of Canada, "National Strategy to Prevent Abuse in Inuit Communities and Sharing Knowledge, Sharing Wisdom: A Guide to the National Strategy," 2006, 3, http://www.pauktuutit.ca/wp-content/uploads/InuitStrategy_e.pdf.
3. Pauktuutit Inuit Women of Canada, "Engaging Men and Boys in Ending Violence Against Women and Girls – A Gender-Based Analysis," 2014, 1, http://www.pauktuutit.ca/wp-content/uploads/EMB_GBA_Report.pdf.
4. See next section "Research needs: Knowledge gaps for family violence in Nunavut"-for more details on knowledge gaps
5. Campbell et al, "Intimate," 257; Scott Clark, "The Nunavut Court of Justice: An Example of Challenges and Alternatives for Communities and for the Administration of Justice," *Canadian Journal of Criminology and Criminal Justice*, vol. 53, no. 342 (2011):347; Pauktuutit, Gender-Based Analysis, 1.
6. Samuel Perreault, 2015, "Criminal Victimization in Canada, 2014," *Juristat* (2015): 15–17, Statistics Canada Catalogue no. 85-002-X.
7. Pauktuutit, *Gender-Based Analysis*, 5.
8. Pauktuutit Inuit Women of Canada, "Strategic Plan for Inuit Violence Prevention and Healing," 2016, 1, https://www.pauktuutit.ca/wp-content/uploads/StrategicPlan_English.pdf.
9. Don Clairmont, "Review of Justice System: Issues Relevant to Nunavut: Part One," *Atlantic Institute of Criminology*, 1999, 36–37; Pauktuutit Inuit Women of Canada, *Abuse Prevention Services in Inuit Communities*, 2004, 13, http://www.pauktuutit.ca/wp-content/uploads/AbusePreventionServices_e.pdf; Pauktuutit, *Gender-Based Analysis*, 19; Pauktuutit, *National Strategy*, 4; Pauktuutit, *Strategic Plan*, 1; Pauktuutit Inuit Women of Canada, "Study of Gender-Based Violence and Shelter Services Needs across Inuit Nunangat," 2019, <http://www.pauktuutit.ca/project/study-of-gender-based-violence-and-shelter-services-needs-across-inuit-nanangat/>, 38.
10. Pauktuutit, *Gender-Based Analysis*, 19–22; Pauktuutit, *National Strategy*, 4; Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 29.
11. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 34.
12. Clairmont, "Review of Justice System," 27–28; Pauktuutit, *Abuse Prevention Services*, 13.
13. Pauktuutit, *Abuse Prevention Services*, 13; Pauktuutit Inuit Women of Canada, "Research Report: Applying Inuit Cultural Approaches in the Prevention of Family Violence and Abuse," 2005, 4, http://www.pauktuutit.ca/wp-content/uploads/InuitAbusePrevention_e.pdf; Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 31–32.
14. Pauktuutit, *Abuse Prevention Services*, 13; Pauktuutit, *Applying Inuit Cultural Approaches*, 6.
15. Travis Anderson and Mary Stratton, *The Civil Justice System and Public, Justice for Nunavummiut: Partnership for Solutions, Final Report*, (Canadian Forum on Civil Justice, University of Alberta, 2008), 31, <http://cfcj-fcjc.org/sites/default/files/docs/2008/cjsp-nunavummiut-en.pdf>; Clark, "Nunavut Court of Justice," 349; IER and Dennis Glen Patterson, *Legal Aid Research Series: Nunavut Legal Services Study Final Report*, (Justice Canada, 2002), 30, http://www.justice.gc.ca/eng/rp-pr/aj-ja/rr03_la14-rr03_aj14/rr03_la14.pdf.

16. Clark, "Nunavut Court of Justice," 350; David Matyas, "Short Circuit: A Failing Technology for Administering Justice in Nunavut," *Windsor Yearbook of Access to Justice*, vol. 35 (2018): 391; Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 39.
17. Anderson and Stratton, *Civil Justice System*, 12; Clark, "Nunavut Court of Justice," 352; IER and Patterson, *Nunavut Legal Services*, 71.
18. Anderson and Stratton, *Civil Justice System*, 33.
19. Nunavut Tunngavik Incorporated, *Annual Report on the State of Inuit Culture and Society 13–14: Examining the Justice System in Nunavut*, (Iqaluit: Nunavut Tunngavik Incorporated, 2014), 4, www.tunngavik.com/files/2014/10/2013-14-SICS-Annual-Report-ENG.pdf.
20. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 38.
21. Clark, "Nunavut Court of Justice," 349; Matyas, "Short Circuit," 391; IER and Patterson, *Nunavut Legal Services*, 37.
22. Anderson and Stratton, *Civil Justice System*; Matyas, "Short Circuit," 393; Mary Crnkovich, Lisa Addario, and Linda Archibald, *Inuit Women and the Nunavut Justice System* (Department of Justice Canada: 2000), 7, http://www.justice.gc.ca/eng/rp-pr/aj-ja/rr00_8/rr00_8.pdf; Nunavut Tunngavik Incorporated, *Annual Report*, 6; Tim Stuempel, "Towards a Northern Justice: A Preliminary Exploration of Inuit Qaujimagatuqangit and the Nunavut Criminal Justice System," MCA Thesis (University of Ottawa, Department of Criminology, 2004) [unpublished]:79.
23. Anderson and Stratton, *Civil Justice System*, 10–11; Clairmont, "Review of Justice System," 43.
24. Crnkovich, Addario, and Archibald, *Inuit Women*, 9; Matyas, "Short Circuit," 393; Nunavut Tunngavik Incorporated, *Annual Report*, 6; Jarich Oosten and Frédéric Laugrand, "Qaujimagatuqangit and Social Problems in Modern Inuit Society. An Elders Workshop on Angakkuuniq," *Études/Inuit/Studies*, vol. 26, no. 1, (2004): 23; Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 38; Stuempel, "Towards," 78–79.
25. Mariano Aupilaarjuk et al, *Inuit Laws: Tirigususiit, Piqujait, and Maligait*, ed. J. G. Oosten et al., (Nunavut Arctic College Media, 2017), 79.
26. Community Justice Division, Department of Justice, *Family Abuse Intervention Act (FAIA) Annual Report 2016–2017*, (Government of Nunavut, 2017), 3, [assembly.nu.ca/sites/default/files/TD-45-5\(2\)-EN-Family-Abuse-Intervention-Act-2016-2017-Annual-Report.pdf](http://assembly.nu.ca/sites/default/files/TD-45-5(2)-EN-Family-Abuse-Intervention-Act-2016-2017-Annual-Report.pdf); YWCA Agvik Nunavut, "Nunavut Legal Information Manual For Violence Support Services," 2014, 7.
27. Chris Durrant, "'None of That Paper Stuff Works': A Critique of the Legal System's Efforts to End Domestic Assault in Nunavut," *Appeal*, vol. 19 (2014): 56.
28. Community Justice Division, Department of Justice, *Family Abuse Intervention Act (FAIA) Annual Report 2015–2016*, (Government of Nunavut, 2016), 9, [assembly.nu.ca/sites/default/files/TD-334-4\(3\)-EN-Family-Abuse-Intervention-Act-Annual-Report-2015-2016.pdf](http://assembly.nu.ca/sites/default/files/TD-334-4(3)-EN-Family-Abuse-Intervention-Act-Annual-Report-2015-2016.pdf).
29. Community Justice Department, *FAIA Annual Report 2015–2016*, 9; Community Justice Department, *FAIA Annual Report 2016–2017*, 6 and 8; Durrant, "None of That Paper Stuff," 56.
30. Community Justice Department, *FAIA Annual Report 2015–2016*, 8.
31. Durrant, "None of That Paper Stuff," 57.

32. Community Justice Department, *FAIA Annual Report 2015–2016*, 8–9; FAIA, ss.7(2)(a).
33. Durrant, "None of That Paper Stuff," 55.
34. Durrant, "None of That Paper Stuff," 56.
35. Pauktuutit, *Gender-Based Analysis*, 5.
36. Durrant, "None of That Paper Stuff," 55.
37. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 39.
38. Community Justice Department, *FAIA Annual Report 2015–2016*, 8; Community Justice Department, *FAIA Annual Report 2016–2017*, 6.
39. Anderson and Stratton, *Civil Justice System*, 57–59; Clairmont, "Review of Justice System," 2, 16; IER and Patterson, *Nunavut Legal Services*, 51.
40. Pauktuutit, *Gender-Based Analysis*, 1.
41. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 70.
42. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 26.
43. Pauktuutit, *Gender-Based Analysis*, 27.
44. FAIA, preamble.
45. Community Justice Department, *FAIA Annual Report 2015–2016*, 10; Community Justice Department, *FAIA Annual Report 2016–2017*, 6–7; Community Justice Division, Department of Justice, *Family Abuse Intervention Act (FAIA) Annual Report 2017–2018*, (Government of Nunavut, 2018), 6–7, [http://assembly.nu.ca/sites/default/files/TD-169-5\(2\)-EN-Family-Abuse-Intervention-Act-2017-2018-Annual-Report_0.pdf](http://assembly.nu.ca/sites/default/files/TD-169-5(2)-EN-Family-Abuse-Intervention-Act-2017-2018-Annual-Report_0.pdf); Durrant, "None of That Paper Stuff," 58; Nunavut Tunngavik Incorporated, *Annual Report*, 28–30; Scott Clark Consulting Inc., "Review of the Nunavut Community Justice Program: Final Report," (Department of Justice Canada, Research and Statistics Division, 2004), 349.
46. Pauktuutit, *Gender-Based Analysis*, 11.
47. For the purpose of consistency and simplicity, the term "abuser" is used throughout the document. However, it should be noted that the Family Abuse Intervention Act defines "respondent" to mean a person against whom an order under this Act is sought or granted (Abuser).
48. Clairmont, "Review of Justice System," 27–28; Darryl S. Wood, "Alcohol Controls and Violence in Nunavut: a Comparison of Wet and Dry Communities," *International Journal of Circumpolar Health*, vol. 70, no. 1, (2011): 20.
49. Nunavut Tunngavik Incorporated, *Annual Report*, 27; Pauktuutit, *Strategic Plan*, 3.
50. Nunavut Tunngavik Incorporated, *Annual Report*, 29; Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 30–31.
51. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 58.

52. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 39.
53. Clark, "Nunavut Court of Justice," 350; Matyas, "Short Circuit," 391; Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 39.
54. Stuempel, "Towards a Northern Justice."
55. Pauktuutit, *Abuse Prevention Services*, 18–19.
56. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 32.
57. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*.
58. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*.
59. Nunavut Tunngavik Incorporated, *Annual Report*, 19.
60. Crnkovich, Addario and Archibald, *Inuit Women*, 30–31.
61. Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 90–91.
62. IER and Patterson, *Nunavut Legal Services*, 85; Pauktuutit, *Abuse Prevention Services*, 13; Pauktuutit, *National Strategy*, 5.
63. *Access to Justice Services Agreements – Evaluation: Final Report*, (Justice Canada, Evaluation Division, Office of Strategic Planning and Performance Management, 2012) 28; IER and Patterson, *Nunavut Legal Services*, 85; Pauktuutit, *National Strategy*, 6.
64. IER and Patterson, *Nunavut Legal Services*, 85; Pauktuutit, *Abuse Prevention Services*, 14; Pauktuutit, *National Strategy*, 6; Pauktuutit, *Study of Gender-Based Violence and Shelter Service Needs*, 75.





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