

# A Strategic Framework to End Violence Against Aboriginal Women

Prepared by the Ontario Native Women's Association  
& the Ontario Federation of Indian Friendship Centres

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## Introduction

While reliable, evidence-based, recent statistics on violence against Aboriginal women in Ontario are currently lacking, some statistics point to significantly high rates of violence experienced by Aboriginal women, compared to their non-Aboriginal counterparts.

- According to the 2004 General Social Survey (GSS), Aboriginal women experience spousal violence from either a current or previous marital or common-law partner at a rate that is three times higher than that for non-Aboriginal women, nationally.
- In some northern Aboriginal communities in Ontario, it is believed that between 75% and 90% of Aboriginal women are battered.
- Children witness more than half of the violence that occurs between the adults in the home and are also targets for abuse, especially sexual crimes, with up to three quarters of Aboriginal girls under the age of 18 having been sexually assaulted.
- A study by the Ontario Native Women's Association (ONWA) entitled *Breaking Free* found that 8 out of 10 Aboriginal women in Ontario had personally experienced family violence.
- Aboriginal women are 8 times more likely to suffer abuse than non-Aboriginal women, and of those women, 87% had been physically injured and 57% had been sexually abused (Health Canada, 1997).



Aboriginal communities and organizations understand that these statistics do not reflect the whole picture and that in fact abuse likely occurs at significantly higher rates than those commonly cited, such as in the GSS.

As a result of these ongoing high rates of violence against Aboriginal women and the lack of progress in ending this violence, the Ontario Native Women's Association (ONWA) and the Ontario Federation of Indian Friendship Centres (OFIFC) convened a strategy meeting entitled "A Summit to End Violence Against Aboriginal Women" (the Summit) on March 20–22, 2007. The Summit was funded by the Ontario Women's Directorate and a number of provincial and federal officials attended.

The intent of the Summit was to bring together community "leaders" to develop a framework for a strategy to end violence against Aboriginal women. In addition to participants from the Ontario Federation of Indian Friendship Centres and the Ontario Native Women's Association, women from the Union of Ontario Indians, Nishnawbe Aski Nation, Grand Council Treaty #3, Independent First Nations, the Métis Nation of Ontario and some direct service providers also attended. The 120 Aboriginal women and a number of men who attended the Summit began the discussion by reviewing the work that had been done at two previous gatherings where ending the violence against Aboriginal women had been the focus:

- The National Policy Forum on Aboriginal Women and Violence held in Ottawa in March of 2006, hosted by Status of Women Canada; and,

- In May of 2006, the Ontario delegation to the National Forum followed up with a meeting in Toronto, hosted by the Ontario Women's Directorate.

There is a separate conference report that includes an overview of all the different aspects of the Summit, including the presentations of various speakers and some best practices.

While much of this Strategy was designed at the March 2007 Summit, it built on work initially undertaken to inform the design of the Aboriginal Healing and Wellness Strategy. The ONWA *Breaking Free* report, the *Aboriginal Family Healing Strategy: For Generations to Come the Time is Now*, and various research reports prepared by the OFIFC, all contributed to the design of this *Strategic Framework to End Violence Against Aboriginal Women*.

Fundamental to the Framework is an integrated approach, which will continue to evolve with the direct engagement of ONWA, the OFIFC, other Aboriginal organizations as they wish to participate, and most importantly, Aboriginal women themselves.

It is important to note that while not all violence directed at Aboriginal women comes from the Aboriginal community, violence against Aboriginal women must stop, regardless of the type of violence, or its origin.

In order to achieve this, a comprehensive strategy must be developed, supported, advanced and resourced, immediately. Action on this issue is long overdue by all organizations, governments and society as a whole.

## The Strategic Framework

The *Strategic Framework to End Violence Against Aboriginal Women* is based on a number of foundational principles:

1. Violence against Aboriginal women must end.
2. To successfully end violence, all people affected by violence against Aboriginal women (victim, abuser, affected families and witnesses) need to have specific supports.

3. Violence against Aboriginal women is always done within the context of a community, and as such, the community as a whole has a central role to play in addressing the issue.
4. Violence against Aboriginal women is rooted in systemic discrimination, and consequently, issues of gender, race and cultural exclusion must be considered as contributing factors.
5. A social health determinants model must be applied to ensure that the causal issues of violence are addressed.
6. Flexible, evolving and ongoing efforts must ensure government and Aboriginal community co-ordination and collaboration.
7. To be effective, all activities required to address violence against Aboriginal women must be directed, designed, implemented and controlled by Aboriginal women.
8. Recognition and implementation of a framework will involve changes in research, legislation, policy, programs, education, community development, leadership, and accountability.
9. Gender-based analysis must underlie all work involved with this strategy.
10. The capacity of Aboriginal communities and governments to respond to violent crimes committed against Aboriginal women must be strengthened.
11. All perpetrators of violence against Aboriginal women must be held accountable and be offered culturally based healing programmes to prevent future incidents.

### **Flexible Framework**

The Framework is proposed on a medicine wheel design, to provide a continuum of approaches to address the problem, and will require strategies at many different levels and around different issues to successfully deal with violence. Each aspect may be developed separately but must be integrated and consistent with the overall approach. In order to be successful in this initiative, a community based,

cultural and wholistic healing approach, focused on ending violence will have to be established. This cannot be done if all levels of government do not provide supportive policies, legislation, and resources for it to occur.

In order to ensure that a medicine wheel approach can be pursued it will be necessary not only to involve the individual, but the family, the community and ultimately the territory/nation. This process cannot be one where representation, rights, blame, or resources are permitted to thwart the outcome of ending violence against Aboriginal women.

The Framework must be designed so that there is accountability and reviews of progress at regular intervals by leadership, government and others engaged in the Framework.

### **Areas for Change: The Issues Framework**

The Framework addresses eight specific areas for change: research, legislation, policy, programs, education, community development, leadership, and accountability.



# Strategic Direction 1

## ***Undertake comprehensive research and data collection on issues related to Aboriginal women and violence.***

Aboriginal communities and organizations, as well as mainstream organizations and service providers, have long asserted that Aboriginal women experience significantly greater rates of violence than non-Aboriginal women in Ontario, and that the many intersecting factors related to these levels of violence are unique for Aboriginal women, because they are directly related to such ongoing historical realities as colonialism, the impacts of residential schools, discriminatory provisions under the *Indian Act*, lack of recognition of Métis identity, the residual effects of related community trauma (i.e. mental illness, addictions, homelessness, poverty, etc.); as well as mobility and migration. Consequently, these groups have also consistently asserted that Aboriginal women require support services that are specifically relevant for Aboriginal cultures and specific historical experiences and contexts.

However, despite this widely-accepted knowledge in both the Aboriginal-specific and mainstream Violence Against Women (VAW) sectors, there is a lack of formally documented, quantitative and qualitative knowledge that can inform policy makers about the actual incidence of violence against Aboriginal women in Ontario, the underlying factors that are contributing to the rates of violence against Aboriginal women, and the specific barriers, gaps and needs that must be addressed in order to work towards ending violence against Aboriginal women in Ontario.

**GOAL 1.1** That all levels of government, across various relevant areas of jurisdiction, will commit to supporting Aboriginal organizations and communities in the undertaking of comprehensive research

**and data collection on specific issues related to Aboriginal women and violence. This comprehensive research and data will be utilized to inform and guide policy planning and development.**

Research that is community-driven and conducted by and for Aboriginal women must be supported. In addition, the research must strengthen Aboriginal community and organizational capacity development, particularly in the areas of ending violence against Aboriginal women. Aboriginal knowledge must be respected and protected throughout any research endeavour.

### SPECIFIC ACTIONS

- Allocate funding for Aboriginal organizations and communities to undertake targeted studies on key issues related to Aboriginal women and violence.
- Undertake a province-wide study that would evaluate the effectiveness of community-based, local, provincial and federal responses to violence against Aboriginal women. Recommendations would subsequently be proposed to improve the effectiveness of these responses.
- Investigate the creation of a provincial baseline study and database to examine, document and monitor the rates of violence against Aboriginal women, as well as the ‘ripple effect’ impacts and costs of injury to Aboriginal women due to violence, including, but not limited to:
  - domestic violence;
  - dating violence;
  - sexual assault;
  - stalking; and
  - murder.

# Strategic Direction 2

## Legal reform and legislative change.

The current criminal justice system re-victimizes and re-traumatizes Aboriginal women within the context of addressing issues of violence. This is, in part, due to ongoing historical experiences of colonization, the cyclical impacts of residential schools and the many other negative experiences with dominant institutions, structures, processes and procedures. In addition, the current criminal justice system requires women to recount, and therefore recreate and relive traumatic, violent experiences in order to effectively participate in the necessary trials and hearings. Although this is the experience of all women, the lack of cultural relevance and appropriate supports within the current system serves to further victimize and marginalize Aboriginal women, and in many instances discourages their participation, thereby allowing the perpetrator to go free and the victimization to continue.

Additionally, various pieces of legislation may currently act as either systemic barriers or operate as contributing factors to violence against Aboriginal women. All relevant legislation must be reviewed within this context, and subsequent recommendations for legislative changes must be considered in order to effectively reduce the role of legislation as a contributing factor to this violence.

**GOAL 2.1 That specific legislation be created that expressly prohibits violence against women, with a particular focus on violence against Aboriginal women, and recognizes and enables Aboriginal women's rights to respectful, informed and judicious treatment under the law.**

### SPECIFIC ACTIONS

- The requirement for governments to evaluate periodically the effectiveness of federal,

provincial, First Nation and local responses to offenses against Aboriginal women.

- Recognition and differentiation between different communities which have a strategy to address violence against Aboriginal women, as opposed to those who do not, in the legislation and accompanying funding formulae.
- The inclusion in legislation of a response for habitual offenders.
- The creation of specialized courts to deal with violence against Aboriginal women.
- Culturally specific and sensitivity specific training for judges, police officers, and court officers.
- Review of relevant legislation from an Aboriginal-specific and gender-based analysis, and consideration of recommended reforms.
- Establishment of a working group comprised of Aboriginal representatives to specifically review relevant legislation.
- Addressing the issue of overrepresentation of Aboriginal children in the Children's Aid Society, some of which is a result of abuse Aboriginal women may be experiencing. [Thirty to 40% of all children in care in Canada are Aboriginal while only 5% of the child population in Canada is Aboriginal. (Attributed to Cindy Blackstock, First Nations and Family Caring Society of Canada). See <[www.adoption.ca/news/050101edabo411.htm](http://www.adoption.ca/news/050101edabo411.htm)>.]

**GOAL 2.2 To ensure that the Aboriginal Justice Strategy makes the issue of violence against Aboriginal women a specific priority, and that a specific strategy that addresses violence and Aboriginal women be developed, with dedicated resources attached.**

#### SPECIFIC ACTIONS

- The employment of a strict gender balance in the design and development of the strategy, starting with gender balance within the representation at the table.
- A willingness to explore modifications of our current justice practice and encourage further innovation.
- Reform of the criminal justice system as a critical part of addressing violence against Aboriginal women.
- A commitment to the development of community capacity and infrastructure to ensure that a true restorative justice does not re-victimize victims and whole communities.

#### **GOAL 2.3 That relevant existing legislation is reviewed to identify the contributions to the social constructs leading to violence against Aboriginal women.**

#### SPECIFIC ACTIONS

- Identification of the relevant legislation (for example, *Child and Family Services Act, Indian Act, Education Act, Criminal Code, Family Law Act, Divorce Act, Day Nurseries Act, etc.*).
- Review of relevant legislation to clarify jurisdictional responsibilities.
- Review issues related economic independence and the impact of poverty.
- Review of integrated approaches including justice, health and healing, literacy, education and housing.

## Strategic Direction 3

### ***The creation of a comprehensive policy to target and address violence against all Aboriginal women in Ontario.***

There are many complex, interrelated factors and issues that result in higher rates of violence against Aboriginal women. Currently, policies, programs and services aimed at addressing violence against women are designed, developed and delivered independently of one another, with very minimal coordination, at both government and community levels.

The development of a comprehensive, multi-faceted policy is critical to effectively addressing violence against Aboriginal women. Such a policy would require pro-active inter-ministerial policy integration and coordination that would include such interrelated areas as justice, health and healing, education, employment, training, housing and social services. This type of policy coordination must also take place inter-jurisdictionally (i.e. between provincial and federal

ministries and departments; between First Nations/ Aboriginal organizations and communities and governments).

The Aboriginal Healing and Wellness Strategy (AHWS) was created to address family violence and health issues within an Aboriginal context. It has been very successful at doing so. It does not, however, have a specific focus on ending violence against Aboriginal women. A specific strategic framework will have to consider the existing AHWS services. It may be necessary to evaluate/ renew AHWS from the specific perspective of targeting Aboriginal women. It will be also necessary to review the Domestic Violence Action Plan (DVAP) and ensure that a specific Aboriginal women's approach is agreed to by Ontario, rather than watered down efforts to end violence against Aboriginal women by incorporation into a generic approach.



While the AHWS has been successful in its approach on health-related aspects, there is a clear need for further direct interventions in the manner set out within this document.

**GOAL 3.1 That ongoing intergovernmental policy coordination will be proactively pursued for the purposes of innovative and comprehensive policy development and integration.**

**SPECIFIC ACTIONS**

- Provincial and federal governments should establish inter-ministerial and inter-departmental working groups to specifically coordinate around the issue of violence against Aboriginal women.
- Establishment of ongoing policy discussions to understand the interconnection of the issues and the importance of an integrated strategy. This can be done through an annual re-visioning and realigning of the strategy.
- Jurisdictional issues between governments must be worked out in a timely manner and mechanisms must be in place for all levels of government to work collaboratively and resolve issues.
- Relationships, protocols, MOUs and service agreements that create culturally appropriate partnerships must be established.
- Resourced and comprehensive housing policy approach that includes shelters, second stage housing and permanent housing for women who have experienced violence must be implemented.
- Creation of policies and programs aimed at addressing Aboriginal men's healing in the context of violence against Aboriginal women.
- Creation of policies and programs aimed at addressing Aboriginal children's healing in the context of violence against Aboriginal women.

**GOAL 3.2 That an Aboriginal-specific strategy is included in all provincial and federal government policies designed to address violence against women.**

**SPECIFIC ACTIONS**

- A review of relevant federal and provincial policies will be conducted to ensure that issues of Aboriginal women and violence are considered.
- The Domestic Violence Action Plan (DVAP) would be redesigned to include a specific element to address issues of violence against Aboriginal women.
- A review of federal and provincial policies will be conducted to ensure that issues surrounding violence and Aboriginal women are addressed.

**GOAL 3.3 That Aboriginal organizations and communities are directly involved throughout the process of policy planning and development on every matter of concern or interest to Aboriginal women.**

Simply adapting mainstream policies and programs has not proven effective in addressing violence against Aboriginal women. The current process in which policies and programs are developed must be transformed to include the direct involvement of Aboriginal people, and specifically Aboriginal women, in the policy planning and development process from the onset.

**SPECIFIC ACTIONS**

- Undertake a province-wide, community-based consultation and needs assessment to identify key issues and priorities.
- Aboriginal people will design, develop and deliver Aboriginal policies and programs, and will be included in all decision-making processes that impact Aboriginal people and communities.

## Strategic Direction 4

*The creation of a sustained policy and program infrastructure.*

**GOAL 4.1** That adequate fiscal resources are dedicated on an ongoing basis to policy and programs designed specifically to address violence against Aboriginal women.

Recognizing that Aboriginal women experience significantly higher rates of violence than non-Aboriginal women in Ontario, adequate resources must be dedicated to the proposed comprehensive policy and programs aimed at specifically addressing violence against Aboriginal women. It is not acceptable that Aboriginal service providers committed to providing support services for Aboriginal women living off-reserve in Ontario must currently compete with mainstream organizations for much-needed resources.

### SPECIFIC ACTIONS

- That designated resources for policies and programs designed to address violence against women include an Aboriginal-specific ‘set-aside’.
- Eligibility criteria for accessing the ‘set-aside’ will be determined by Aboriginal organizations and communities.
- Increase funding for existing policies and programs that are viewed as successful by the Aboriginal community.
- A flexible government funding structure.
- Funding formulas based on needs.
- Equitable funding between Aboriginal and mainstream organizations and service providers.
- Commitment to conduct ongoing evaluations and maintain accountability.

## Strategic Direction 5

*Public education campaign to raise awareness of violence against Aboriginal women.*

Education within the context of this strategy should be designed to support people in beginning and/or continuing their participation in the dialogue of ending violence against Aboriginal women. It is not intended only to give information or “educate” but primarily to stimulate discussion, action and capacity building within communities, Aboriginal organizations and governments in order to address the issues of violence. The education component of the strategy would address the areas of research, development and implementation of appropriate tools and curriculum, messaging, targeted marketing

as well as evaluative processes. This will result in community mobilization and increased accountability for all stakeholder groups.

**GOAL 5.1** To develop an ongoing, integrated public education campaign that teaches communities and stakeholders about the root causes of violence against Aboriginal women, violence prevention, and how to develop and maintain healthy relationships while opening up an ongoing dialogue about respectful relationships.



#### SPECIFIC ACTIONS

- Funding provisions for communications liaison staff specific to ending violence against Aboriginal women thereby increasing capacity in Aboriginal organizations.
- The development of culturally respectful educational resources and programming.
- Create culturally appropriate programming for men and encourage men to speak out against violence in the community.
- Focusing resources on preventative strategies to stop the cycle of violence before it begins. (e.g. Youth Culture Camps, integration of traditional teachings in school curriculum that educates all students about the traditional equal roles of women and men in communities).
- Development of a role modeling program.

#### **GOAL 5.2 Development of a province-wide media strategy and social marketing plan.**

#### SPECIFIC ACTIONS

- Creation of social marketing campaigns (e.g. Kizhaay Anishinaabe Niin) that blankets the public and Aboriginal communities

with consistent anti-violence and healthy relationships messaging, utilizing all available media. (e.g. web based, radio, television, print, multi-media).

- A targeted approach to educate large regional media outlets about the realities and scope of violence against Aboriginal women and what communities are undertaking to address the issue.
- Creation of youth specific media training supports. (e.g. film and video editing, screenplay development, website development).
- Development and implementation of a media relations curriculum for Aboriginal organizations.

#### **GOAL 5.3 Strengthen public knowledge and understanding of the historical context of violence against Aboriginal women.**

#### SPECIFIC ACTIONS

- Government in particular needs to initiate internal knowledge and capacity to understand the historical context and the traditional roles of women in Aboriginal society.

## Strategic Direction 6

***Build and sustain Aboriginal community and organizational capacity, as well as government capacity to end all forms of violence and abuse against Aboriginal women.***

In order to end violence against Aboriginal women a multiplicity of capacities need to be strengthened.

#### **GOAL 6.1 Government to increase its staffing to work with Aboriginal organizations and communities, to act as interface, to develop and maintain relationships, etc.**

#### SPECIFIC ACTIONS

- Dedicating resources to adequately staff Aboriginal policy and program positions and teams or divisions.
- The Ministries responsible for the comprehensive policy to address violence against Aboriginal women will undertake annual consultations to

solicit recommendations concerning the administration of funds and programs; enhancement of policies designed to address violence against Aboriginal women; and strengthening the government, organizational and community responses.

**GOAL 6.2 Increase Aboriginal community and organizational capacity.**

**SPECIFIC ACTIONS**

- Provide adequate and ongoing human and fiscal resources.

- Provide resources for organizations to build capacity around partnership development.
- Build capacity to negotiate a coordinated approach that address incidences of violence against Aboriginal women, particularly in high risk situations.
- Ensure that Aboriginal communities and organizations are able to respond appropriately to Aboriginal women in crisis.
- Increased capacity for resource, information sharing, and knowledge transfer.
- Increased opportunities for women in remote communities to address the high incidences of violence.

## Strategic Direction 7

### *Support and build community leadership that works towards ending the violence against Aboriginal women.*

There are many communities of Aboriginal people, whether they are on-reserve, or in urban settings. Each community has its' own specific needs and requires leaders that are willing to take up the role of ensuring that those needs are addressed. There have been many different models of leadership within communities, from the traditional to the more mainstream. At this time, communities need to see the development of positive leadership, which is actively working to end violence against Aboriginal women.

**GOAL 7.1 The creation and sustaining of effective, proactive leadership through education, awareness, and training.**

**SPECIFIC ACTIONS**

- Support positive leadership in women, men and youth.
- Develop appropriate education, awareness and training opportunities for leaders seeking to deal with this issue in their community.
- Actively address and name unhealthy leadership behaviour.
- Acknowledge leaders that work to restore the community spirit.

# Strategic Direction 8

## *Ensuring accountability for broad commitment to the strategy.*

It is critical to the success of the strategy that there be a broad commitment to this strategy by all parties involved and that such commitment be beyond mere lip service. Accordingly it is critical that measures of accountability be considered at all stages of the strategy to ensure that commitment remains legitimate and ongoing.

### **GOAL 8.1 Commitment and Involvement of all relevant parties**

#### SPECIFIC ACTIONS

- Involvement and commitment of First Nations and Métis leadership.
- Involvement and commitment of Aboriginal service providers.
- Involvement and commitment of federal government.
- Involvement and commitment of provincial government.
- Demonstrated commitment of mainstream organizations and service providers to support the strategy to end violence against Aboriginal women.

- Dedicated resources tied to the strategy to end violence against Aboriginal women.

### **GOAL 8.2 Creation of mechanisms to ensure the ongoing accountability of all relevant parties**

#### SPECIFIC ACTIONS

- The accountability mechanisms must be built in to the very design of the strategy.
- Gender balance and analysis inherent in all aspects, throughout the process.
- Monitoring and reporting of such activities as:
  - longitudinal evaluation;
  - impact assessment;
  - processes; and
  - performance.
- Restoration and encouragement of traditional approaches, traditional social norms/mores and the reassertion of the high esteem in which Aboriginal women were held in Aboriginal communities.

## Outcomes

If there is adherence to the broad guidelines, goals and principles set out in the Strategy there are real and achievable outcomes that can be produced.

These include:

1. That governments and Aboriginal organizations and communities work collaboratively to develop a 'continuum of care' to address issues of violence against Aboriginal women.
2. That we have clear, issue specific legislation to end violence against Aboriginal women.
3. That all Aboriginal women in Ontario are protected from every form of violence, be it physical, sexual, emotional or financial.
4. That Aboriginal women will once again join their rightful place as equal partners within Aboriginal communities, fully protected and enfranchised.

## Recommendations

1. That a specific *Strategy to End Violence Against Aboriginal Women* be developed, adopted, resourced and implemented, consistent with the principles and design set out in this document.
2. That an Aboriginal women-specific gender-based analysis be developed by Aboriginal women in Ontario and be applied broadly by all levels of government.
3. That through an intensive process of examination, amendment and/or replacement, all legislation, policy, funding and programming processes ensure Aboriginal women are protected from all forms of violence and abuse.
4. That the Ministers responsible for implementing the Domestic Violence Action Plan or its successor meet with Aboriginal women forthwith, to discuss the *Strategic Framework to End Violence Against Aboriginal Women* and ensure that they undertake, at a minimum, annual meetings with Aboriginal women concerning the progress of the Strategy, administration of funds, and the enhancements of policies designed to address violence against Aboriginal women and strengthen the government, organizational and community responses.

### Ontario Federation of Indian Friendship Centres

219 Front Street East  
Toronto, Ontario M5A 1E8  
Tel: (416) 956-7575  
Fax: (416) 956-7577

[www.ofifc.org](http://www.ofifc.org)

### Ontario Native Women's Association

212 East Miles Street  
Thunder Bay, Ontario P7C 1J6  
Tel: (807) 623-3442  
Fax: (807) 623-1104

[www.onwa-tbay.ca](http://www.onwa-tbay.ca)