



Nellie's Position on Violence Against Women and Children

Principles

All Women and Children have the absolute right to live their lives free from violence. This right is included in the United Nations Convention on the Elimination of All Forms of Discrimination against Women, The Canadian Charter of Rights and Freedoms and The United Nations Convention on the Rights of the Child.

Violence against women and children is rooted in social, political and economic inequality and continues because of the vested interest that those groups who have the power to shape social, political, and economic institutions have in perpetuating inequality.

Violence against women and children takes many forms including; partner abuse, sexual violence, workplace harassment, abuse within institutions and within community systems and services. Violence may be physical, sexual, emotional, psychological and/or spiritual.

Violence against women has a serious impact on children both immediately and in the future. Breaking the cycle of violence concerns children who witness and experience violence, growing up to be abusers or experiencing further abuse themselves. The impact of a child witnessing violence has deep emotional impacts and can be as damaging as physical abuse.

We believe all children have the right to a safe, nurturing environment within which to grow to their full potential, free from violence, abuse and neglect in all facets of their lives. It is the full responsibility of all of us to ensure these conditions are fulfilled. Children deserve to have their dignity and autonomy recognized and respected, to have voice and presence in the community, and to not be deprived of power over their own lives.

Racism, sexism, anti-semitism, classism, ageism, ableism, heterosexism, and transphobia are forms of violence against women. While all women live with the threat of violence, aboriginal women, racialized women, recent immigrants, women with disabilities, lesbian, bi-sexual and transsexual & transgendered women, older women, young women and poor women face multiple oppressions that place them at greater risk of violence and abuse.

Our Position

Nellie's analysis and framework is shaped by a feminist, anti-racist, anti-oppression approach, which means we understand society as being fundamentally based on patriarchal social relations as well as by racism and multiple other forms of oppression on the basis of: class, age, sexual orientation, disability, gender identification, colour, place of origin, ethnic origin, citizenship, religion, political affiliation, record of offences, marital status, family status, life experiences and appearance. Our analysis also highlights the complexity of dominant power relations, including the ways these multiple forms of oppression intersect and work together, to create differential impacts and diverse needs and issues for different groups of women.

Systemic racism, discrimination, and oppression based on race, class, sexual orientation, gender identification, age, and ability must be addressed as part of an integrated approach to addressing violence in the lives of women and children.



Nellie's Position on Violence Against Women and Children

Women's safety depends on a long term comprehensive approach that addresses the root problems of women's social, economic and political inequality. Violence against women is a gender specific reality and requires a solution specific to the experiences of women. While eradication of violence is the goal, this can only be achieved if accountability mechanisms are built into all of our social, political, and economic systems, and our systems of community organization, to ensure that they respond to the needs, and rights, of women and children to be free from violence. Women's input in transforming these systems is needed. These systems were not designed to promote, and do not in fact promote equality and freedom from violence for women and children.

Children who witness or experience abuse must be protected. We do not support the apprehension of children by child protection agencies solely because a child has witnessed violence against the mother as the best way to protect children in this situation. Rather, we believe the best way to protect children who either witness or experience violence is to provide the safety, supports and information required so that their mothers are protected. The abuser solely should be held accountable for his violence and its impact on the children. Subjective discretion and unequal application has resulted in a disproportionate level of child apprehension in the following communities; First Nations, low income, women of colour, women with disabilities, lesbians, refugee and immigrant women, and women in conflict with the law which is the result of racism, classism, heterosexism and ableism endemic in the child welfare system. This systemic oppression of women and their children must be addressed as part of an integrated approach to resolve the issues of violence in the lives of women and children. Wherein child protection services are involved, they must work with women and women's agencies to assist women and their children to find the most practical solution.

Where mothers are the perpetrators of abuse the child must be protected. Where a mother's decision to return to an abuser puts a child at risk of emotional, physical or sexual abuse, the responsibility to intervene and report is clear both legally and ethically.

Where violence occurs, children must be provided with information, made aware of their rights and provided with resources and support. Currently children are viewed and treated as possessions rather than as individuals. A fundamental shift in philosophy is required in order to truly protect children.

There is a lack of coordination between women's services and child protection services, despite initiatives such as the VAW/CAS Protocol. The Child and Family Services Act governs the obligations to report Child Abuse. Women's services are in a particularly difficult situation because they must report in accordance with the legislation but must also act as an advocate for the women they serve. Community based women's services are bound by the Act but do not have the same mandate as Child Protection Agencies. Our roles, approach and philosophical framework are considerably different and require that we work within the capacity of individual and systemic advocacy for women and children.

The child custody and access laws contribute to the continuation of trauma imposed on children by either removing the child(ren) from the mother's care or allowing abusers access simply because of their parental status. The Child Custody laws protect the rights of the abuser and do not take into consideration the emotional and physical safety of the mother and children. Where there is a threat to the safety of mother and/or child there should be no access. The criminal and family law systems need to be coordinated



Nellie's Position on Violence Against Women and Children

to support the protection of women and children, so that information, findings and orders are communicated between these two systems.

Social change is necessary, and requires a commitment of resources at all levels. Social programs and community and governmental services, particularly those having responsibility for providing services such as income security, health care, education, housing, legal aid, and women specific anti-violence services and neighborhood supports, are essential to assisting women and children. Government has a social, legal, moral and ethical responsibility to use and enhance public resources to stop violence against women and children. These above services should not only be accountable to women and children but also adequately funded to ensure that the services are available, and accessible, to all women and children who need them.

Public policy must come from participation and consultation of women and children from all communities. Legislative reform that reflects the reality of violence against women in the areas of family, civil and criminal law, immigration law, human rights, legislation governing the workplace, pay equity and employment equity and all areas of administrative law is needed.

Violence against women and children must not be accepted as inevitable by our society. We need to fight to change social, economic and political conditions so that violence is eradicated, but until that time comes women need to be able to access the means to protect themselves and their children from violence in their lives.

Strategies for Change

Board, staff and clients in service will be active in the strategies for change. The work will be based on our organization's mission and informed by the work we do with women and children in our programs and services.

We will work with other women's groups in coalition and partnership at the Municipal, Provincial and Federal level to address the issues of women's equality.

We will maintain membership in women's organizations that support equality and the prevention of violence, poverty, homelessness, violence and oppression.

We will maintain membership in children's justice organizations that support equality and the prevention of violence, poverty, homelessness, violence and oppression.

We will work across sectors in areas of community education and advocacy to change the conditions that impact women and children.

We will ensure that in all the violence against women and children work we are involved in we bring to the discussion a feminist anti-racist, anti-oppression framework for action. We understand that the multiple oppressions that women and children face require our active support and involvement in coalitions that address these issues.

We will actively lobby the Municipal, Provincial and Federal governments to provide adequate and proper funding for programs that prevent violence against women and children and support and assistance when it occurs.



Nellie's Position on Violence Against Women and Children

The methods we will use to effect social change may include participation in coalitions, public education and media campaigns, and direct political action such as participation in protests and rallies, deputations, complaints and, where possible, refusal to participate in oppressive government programs.

We will respond with programs and services that meet the needs of the diversity of women and children who have experienced abuse, poverty, homelessness, and violence. Programs and services that address the needs of women and strengthen their economic and social position will enable them to protect and support themselves and their children.

We will continue to identify the current reality and oppression in all systems through inclusive consultation with the women and children we serve, to identify the areas where current systems and laws are failing women and children, and to advocate for changes that will serve the goal of ending violence against all women and children.

Reference Material Used in development of this position:

United Nations Convention on Elimination of all Forms of Discrimination against Women
United Nations Convention on Rights of the Child
The Canadian Charter of Rights & Freedoms
Cross-Sectoral Anti-Violence Strategy Group
OAITH position on Child Protection
Child & Family Services Act