



Canadian Council of Muslim Women
Le conseil canadien des femmes musulmanes

VIOLENCE AGAINST WOMEN

A Toolkit for
Community
Engagement



© Canadian Council of Muslim Women 2013

All Rights reserved.

CCMW gratefully acknowledges the support of Status of Women Canada.

ISBN: 978-0-9920292-4-1

Design by Sarah Khalid

Printed and bound in Canada

by Print Pros Inc., Toronto, Ontario.

Developed by Pamela Cross.

Published by the Canadian Council of Muslim Women

P.O. Box 154, Gananoque, Ontario K7G 2T7 Canada

www.ccmw.com



Canadian Council of Muslim Women
Le conseil canadien des femmes musulmanes

TABLE OF CONTENTS

Introduction	1
About CCMW	2
Acknowledgements	3
Community Workshop Presentation	5
Muslim Wheel of Domestic Violence	15
Case Studies	17
Fact Sheets	21
Community Workshsop Evaluation	35

INTRODUCTION

Violence against women exists in every culture, every country, and every community in the world. No one is immune; no one is protected by virtue of their race, skin colour, nationality, religion, age or class. Violence against women can be physical, psychological, and sexual. It can happen in the home, in the workplace or in the community. It can be perpetrated by intimate partners, parents, children, friends, schoolmates, work colleagues, religious leaders, and governments.

With funding from the Status of Women Canada, the Canadian Council of Muslim Women (CCMW) has undertaken a two year project which has resulted in a research publication entitled *Violence Against Women: Health and Justice for Canadian Muslim Women* and a community development tool focused on violence against women in Muslim communities in Canada. The goal of the project is to raise awareness among communities, service providers and policy makers and to identify strategies for making positive change happen. The project focuses on four areas of violence: female genital cutting/mutilation; forced marriage; violence against women in the family and femicide.

You may want to support a friend or family member who is experiencing violence or talk to a friend or family member who you think may be abusive. You may be a community health worker, a shelter worker, a child protection worker, a worker in a settlement agency and hear stories from your clients that concern you. You may be a teacher or athletic coach and have concerns about your students. Or you may be a religious or cultural leader who wants to help your community move forward in addressing issues of violence against women.

This toolkit is intended to support all of you in finding ways to have conversations about difficult topics. It will also assist you in developing strategies for moving forward and provides you with resources for further study and thought.

We hope you can use this toolkit to make change in your community. For ongoing support and information, please visit the Canadian Council of Muslim Women's website at www.ccmw.com or talk to a member of your local CCMW chapter.

ABOUT CCMW

The Canadian Council of Muslim Women (CCMW) is a national non-profit organization whose overarching mission is to ensure the equality, equity and empowerment of Muslim women. Founded in 1982, the organization has drawn upon faith and social justice for the betterment of Canadian society. For over 30 years CCMW has proudly advocated on behalf of Muslim women and their families and developed projects that enrich the identity of Canadian-Muslims, encourage civic engagement, empower communities and lastly promote inter-cultural and inter-religious understanding. Past initiatives include the coalition for No Religious Arbitration, the Muslim Marriage Contract Kit, My Canada and the Common Ground Project. CCMW is composed of a National Board that works to further CCMW's objectives at a national level, and its 12 local Chapters and members, whose passion and hard work advances the vision of CCMW within local communities.

OUR GUIDING PRINCIPLES

- We are guided by the Quranic message of God's mercy and justice, and of the equality of all persons, and that each person is directly answerable to God
- We value a pluralistic society, and foster the goal of strength and diversity within a unifying vision and the values of Canada. Our identity of being Muslim women and of diverse ethnicity and race is integral to being Canadian.
- As Canadians, we abide by the Charter of Rights and Freedoms and the law of Canada
- We believe in the universality of human rights, which means equality and social justice, with no restrictions or discrimination based on gender or race
- We are vigilant in safeguarding and enhancing our identity and our rights to make informed choices amongst a variety of options
- We acknowledge that CCMW is one voice amongst many who speak on behalf of Muslim women, and that there are others who may represent differing perspectives
- We aim to be actively inclusive and accepting of diversity among ourselves, as Muslim women

ACKNOWLEDGEMENTS

This project was made possible by the endless support and work of our advisors and collaborators. CCMW would like to thank the following individuals and organizations for their time, resource and invaluable guidance:

- Pamela Cross (LLB and Consultant)
- Dr. Asma Barlas (*Ithaca College*, Professor)
- Dr. Elizabeth Whitmore (*Carleton University*, Project Evaluator)
- Springtide Resources
- The Barbara Schlifer Clinic
- The South Asian Legal Clinic of Ontario (SALCO)
- The Metropolitan Action Committee on Violence Against Women and Children (METRAC)
- Community Legal Education Ontario (CLEO)
- The Young Women's Christian Association (YWCA)
- The Social Services Network (SSN)
- The Indo-Canadian Women's Association
- The Shield of Athena
- CCMW's Local chapters

CCMW would especially like to give thanks to the **Status of Women Canada** whose funds allowed us to turn our creative vision into a reality.

COMMUNITY WORKSHOP PRESENTATION

Welcome and Introduction

- Facilitator introduction
- Agenda review
- Review of materials
- Housekeeping
- Participant introductions

1

Setting the Context

- Violence against women and girls exists in every culture, every country, every community in the world
- It can be perpetrated by intimate partners, parents, children, schoolmates, work colleagues, religious leaders, governments
- What it looks like can vary

2

Setting the Context

- Four kinds of violence against women and girls – violence in the family, forced marriage, female genital mutilation/cutting and the murder of women – in Muslim communities in Canada.
- What is being done about these issues?
- What can we do about them in our community?

3

COMMUNITY WORKSHOP PRESENTATION

Setting the Context

- How to talk about difficult issues
- Finding emotional support if you need it

4

Setting the Context

- Our focus is on the situation in Canada
- This discussion is the starting point for more conversations
- We want to find more ways to collaborate

5

www.ccmw.com

6

COMMUNITY WORKSHOP PRESENTATION

Violence against women and girls takes many forms, and for Canadian Muslim women there are additional forms of violence rooted in culture/traditions/customs that they may have to contend with. . . . The perpetrators of such violence, which is often attributed to religion/culture, offer many rationales and justifications to convince Muslim women that these practices are for their own benefit. . . .

7

Violence Against Women and Girls within the Family

- Often called domestic violence
- Does not accurately describe the problem
- The vast majority of violence in families is committed by men against their wives and fathers against their daughters
- It affects thousands of women across Canada every year
- Approximately 80 women are killed by their husbands or former husbands each year in Canada

8

Violence Against Women and Girls within the Family

- It is expensive: it costs at least \$74 billion a year to pay for such things as policing, health care, safety strategies, victim relocation, criminal prosecutions, funerals and lost wages, etc.
- No religious justification for violence against women
- Women in Muslim communities have the same risk of experiencing violence as women in other communities
- Muslim women may be reluctant to reach out for help

COMMUNITY WORKSHOP PRESENTATION

Violence Against Women and Girls within the Family

- Muslim Wheel of Domestic Violence
- In Canada, domestic violence is against the law
- Women are equal to men in Canada because of the *Charter of Rights and Freedoms* and human rights legislation
- Family laws in Canada reflect this equality
- Deciding to leave an abusive relationship is hard

10

Forced Marriage

- Difference between forced and arranged marriage is **consent**
- Consent means the person has agreed to do something voluntarily not under force, coercion or duress
- Forced marriage can damage a woman's dignity and equality and put her at risk of future harm

11

Forced Marriage

- South Asian Legal Clinic work on forced marriage tells us who is being forced into marriage, how they are being pressured and why people believe forced marriage is acceptable
- Canada has no legislation that speaks specifically to the issue of forced marriage
- Marriage laws require that people consent to being married
- The *Criminal Code* contains provisions that address activities related to forced marriage

12

COMMUNITY WORKSHOP PRESENTATION

Female Genital Cutting/ Mutilation

- Is it cutting or mutilation?
- What is FGC/M?
- There are NO health benefits
- Immediate harmful consequences
- Long term harmful consequences
- Psychological harm

13

Female Genital Cutting/ Mutilation

- 2 million girls a year at risk, mostly in Africa and the Middle East
- In Canada, girls are sometimes removed to another country to have FGC/M performed
- those who support the practice of FGC/M believe it can control women's sexuality and that it conforms with traditional values
- Little statistical information in Canada

Female Genital Cutting/ Mutilation

- Women are often embarrassed so do not seek medical care
- Engaging in FGC/M and removing a child to undergo FGC/M elsewhere are both criminal offences in Canada
- FGC/M is inadequately addressed in child protection legislation and policy

15

COMMUNITY WORKSHOP PRESENTATION

Femicide

- Femicide or “honour killing”?
- Role of the media
- Approximately 80 women a year in Canada are killed by their husbands or former husbands
- Young women are at highest risk
- Women from all cultures, races and religions can be killed

16

Femicide

- Risk factors include a history of domestic violence, actual or pending separation, recent loss of employment, suicide threats, access to weapons and mental health issues
- Most acts of femicide are based in the perceived need by men that this is an appropriate way for them to maintain power and control over the women and children in the family

17

**Femicide is a criminal offence,
most often murder**

18

COMMUNITY WORKSHOP PRESENTATION

What is Being Done?

- 2011 Call to Eradicate Domestic Violence
- Muslim Resource Centre for Social Support and Integration
- Legal information material for women
- South Asian Legal Clinic of Ontario
- Our Selves, Our Daughters

19

Crafting a Community Response

- Some key principles:
 - The involvement of men, especially young men
 - The involvement of religious and community leaders

20

Crafting a Community Response

- Collaborating with service providers
- The involvement of the entire community
- Advocating for changes at the policy level
- Building on existing models

21

COMMUNITY WORKSHOP PRESENTATION

Small group discussions using case studies

22

Violence Against Women and Girls within the Family

- Education for children and youth about healthy relationships
- Information for women
- Increased cultural competency by mainstream agencies providing VAW services

23

Forced Marriage

- Increase awareness of SALCO's work
- Build on the recommendations made by SALCO in its report
- Engage governments
- Research

24

COMMUNITY WORKSHOP PRESENTATION

- Establish a national working group
- Engage professional associations of teachers, child protection authorities, health care providers and others
- Expand community VAW/child protection protocols and collaborative agreements

25

Female Genital Cutting/ Mutilation

- Research
- Community engagement and education
- Encourage professional colleges to develop explicit policies and procedures, including best practices

26

- Aggressively enforce existing immigration and criminal laws
- Increase attention by child protection authorities
- Education and prevention programs in schools
- Develop and expand information materials and campaigns for new Canadians

27

COMMUNITY WORKSHOP PRESENTATION

Femicide

- Improve provincial and territorial family law
- Develop public policy
- Training for those who may be able to identify warning signs

28

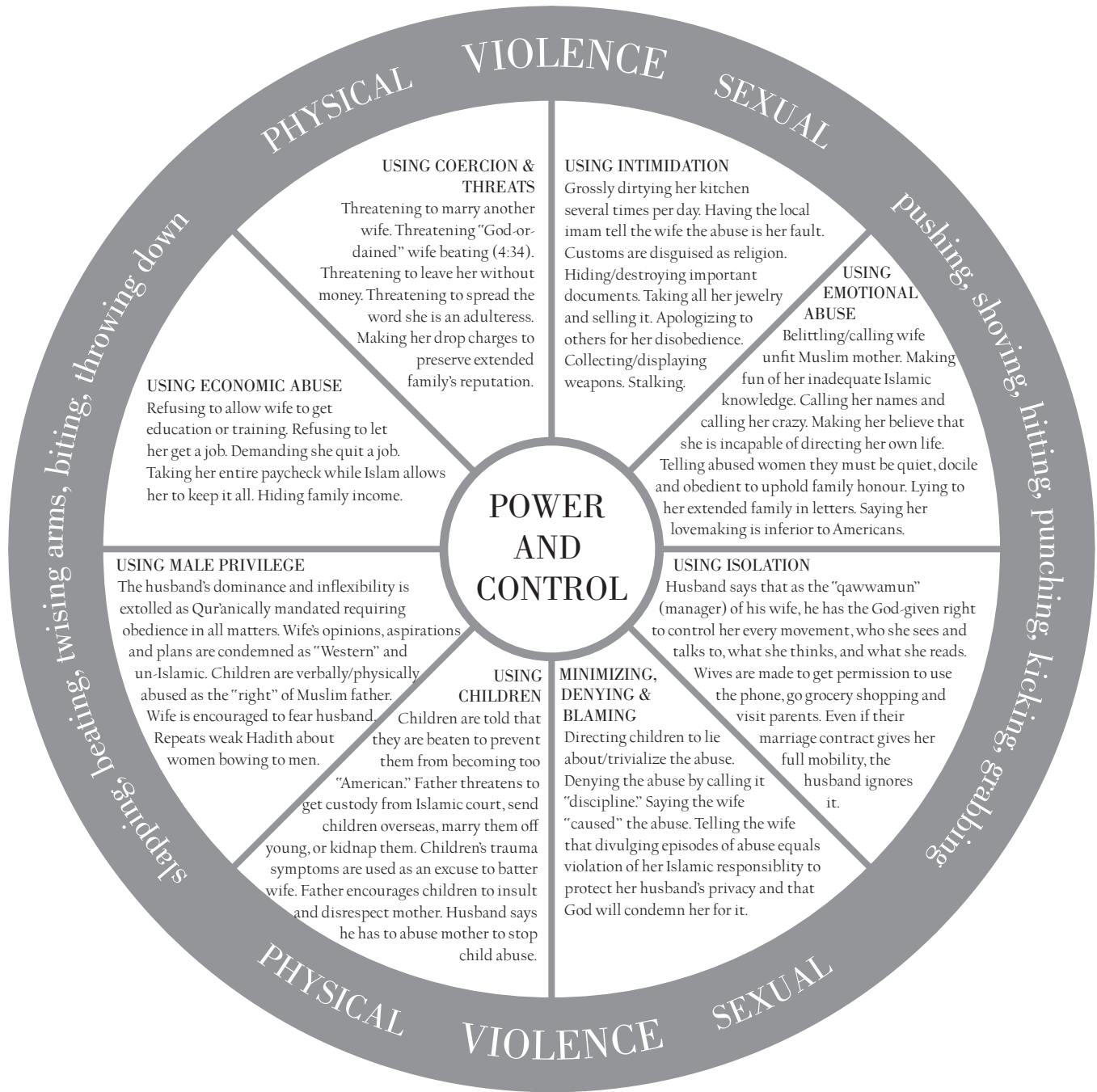
Next steps

29

Thank you for coming!

30

MUSLIM WHEEL OF DOMESTIC VIOLENCE



By Sharifa Alkhateeb
Adapted from the Duluth Model
Peaceful Families Project
P.O. Box 771
Great Falls, VA 22066
703.474.6870
www.peacefulfamilies.org



AISHA'S STORY | CASE STUDY

Aisha married her husband when she was 20 years old. He sponsored her to come to Canada, and she married him as soon as she arrived in the country. They lived with her husband's family, and his parents were very involved in their marriage.

Aisha had very little contact with her family. There was never enough money for her to travel or to bring them to Canada, she did not have access to the internet/email and her husband or his mother always seemed to be listening when she tried to talk to her mother by telephone.

Aisha stayed at home from the time she got married. As a result, she spoke only limited English and had few friends other than those she met through her husband, his family and the mosque. She did not have a driver's licence or her own money, as her mother-in-law did all the shopping for the household.

Aisha and her husband had two daughters. Her husband and his parents were very angry about this because they said it was her duty to provide sons for the family. Both Aisha's husband and his mother were verbally and physically abusive to her. From time to time, his brother, who also lived in the house with his wife, would abuse her too. Once Aisha talked to the imam about what was going on at home, but he told her it was her duty to be patient and try harder to make her marriage work.

One day when she was at home alone, she watched a TV documentary about violence against women and realized that

what was happening to her was wrong and was not her fault. Aisha did not want her daughters to grow up in this kind of environment.

When her husband came home, she confronted him and told him he had to stop hitting her or she would leave him and take their daughters, who were 7 and 10 years old at the time. He beat her badly and told her that if she left him he would find her and bring her and their daughters home. He told her she did not have the legal right to take their children and that she could go to jail if she did.

Aisha's injuries were so serious that her husband had to take her to the hospital for medical attention. While there, she was screened for domestic violence and had the opportunity to speak to a social worker without her husband in the room. She downplayed what had happened, telling the social worker that the fight was her fault and that nothing like this had happened before. The social worker gave her a card with some information about the women's shelter, and Aisha hid it in her clothes.

A few weeks later, when Aisha was at home with her daughters, she called the shelter number and asked for help. The shelter sent a cab to her house, but just as it arrived, Aisha's husband came home. He sent the cab away, and that night beat Aisha to death for trying to take his daughters away from him.



DISCUSSION QUESTIONS

Community Members

- What were some of the warning signs about serious and increasing abuse?
- What could a community do to support a woman like Aisha?
- What resources do you know about in your community for abused women?

Service Providers

- What can a shelter do to support a woman in Aisha's situation?
- Is there more the hospital social worker could have done to support Aisha?
- What could your agency/organization do to support a woman in this situation?

Community Leaders

- What could the imam have done differently to support Aisha?
- Are there other community leaders who could have played a role in supporting Aisha?



FATOUMA'S STORY | CASE STUDY

Fatouma is a 35-year-old woman. When she was 4, she had a clitoridectomy performed on her by a traditional healer. She married when she was 18, and she and her husband came to Canada when she was 25. Fatouma and her husband have 3 children: 2 sons, who are 15 and 10 years old and one daughter, who is 5.

Fatouma has always had a great deal of difficulty becoming pregnant. She has had several miscarriages in addition to the pregnancies she has carried to term. She has also experienced many negative side effects of the FGC/M that she has undergone. She is so ashamed of what she thinks of as her mutilation that she does not go to the doctor, even when she is sick. She has worked with a midwife from her community each time she has been pregnant and given birth because she does not want to explain her situation to a doctor who may not understand why this was done to her.

During one pregnancy, Fatouma had to be admitted to the hospital because of FGC/M related complications. The physician asked questions that embarrassed her so she discharged herself and went home without getting the medical attention she needed.

Now, Fatouma's husband and members of their community are pressuring her to take her daughter "back home" to have the procedure performed on her. They have told her that many of the other girls in their community are being taken out of Canada by their parents during the summer holidays to have this procedure performed. They tell her it will be much better for her daughter than it was for her because it is now performed by a medical doctor in a sterile setting.

Fatouma loves her culture and wants to respect it. She also wants her daughter to fit in, but she does not want her to be cut as she was. She and a few other women with young daughters in their community have started to talk to one another about how they could protect their daughters without seeming disrespectful to their community leaders or their husbands.



DISCUSSION QUESTIONS

Medical Professionals

- How could the physician who saw Fatouma for her pregnancy complication have handled the situation so that she might have felt able to talk to him/her about her concerns?
- What could happen to the doctor who does the surgery if it were done in Canada?

Legal Professionals

- Is FGC/M permitted in Canada? What rules or laws govern it?
- What could happen to Fatouma and her husband if their daughter has FGC/M performed on her?

Community Members

- Do you know of any resources Fatouma and her friends could use to help them?
- What resources to support Fatouma exist in your community?

Service Providers

- What would your agency/organization be able to provide to Fatouma and/or her daughter if they turned to you for support?



SARA’S STORY | CASE STUDY

Sara came to Canada with her parents and her three younger brothers when she was 16. Her father had a job and her mother was at home with the children, as she had been before the family came to Canada.

Both Sara’s parents are strict Muslims. They monitored her activities closely, especially her contact with boys and young men. Sara’s father used physical force with her mother and her if they spoke out with a different opinion than he had or if they did not do something as he had told them to. He also regularly grounded Sara if he thought her social life was not appropriately sedate.

When Sara was 18, she met a young man from her community who seemed very kind and understanding. Her parents were delighted when she began to date him. Ali was 24 and was a medical student. He told her he was looking for a wife who would be able to support him through medical school and then provide him with children and run the household. While Sara had thought about going to university herself, she realized that Ali would be a wonderful provider and husband.

While they were dating, Ali was very attentive. He bought Sara a cell phone so she would feel safe when she was coming home from her part-time job in the evenings. He called her every evening that he did not see her to make sure everything was fine. Whenever she got together with her friends, he would call or drop by, just to see what they were doing. He encouraged

her to become involved in the recreational activities he enjoyed so they could spend more time together.

When Sara was 19, Ali asked her father if he could marry her. He agreed, and so did Sara. They were married 6 months later. Sara and Alia have now been married for 18 months. They live with Ali’s parents because he is still in school and they don’t have enough money for their own place. Sara is pregnant and, because she has been sick a lot, has had to leave her job.

Ali is often verbally abusive to Sara and, in the past few months, has started to hit her from time to time. He says he is under great pressure at school and is worried about money now that Sara has had to leave her job. He blames her for getting pregnant too soon, even though he is the one who did not want her to use birth control.

Sara is very unhappy and has tried talking to her mother about her situation, but her mother tells her that it is up to Sara to make things right with her husband. Sara has talked to her mother-in-law, but her mother-in-law told Ali that Sara was complaining about him, and Ali slapped her very hard across the face.

Sara feels completely trapped and does not know what she can do, especially because she is 7 months pregnant, has only a high-school education, few employable skills and she has no one she can turn to for support.



DISCUSSION QUESTIONS

Community Members

- Were there any warning signs about Ali’s abusive nature before he and Sara got married?
- Is there anything Sara or her parents could have done before she married Ali?
- How could other people in her family be involved in helping Sara and Ali develop a healthy relationship with one another?

Service Providers

- What resources are available for Sara in your community?
- In your role, what support might you be able to offer Sara?



FARRAH'S STORY | CASE STUDY

Farrah was born in Canada and grew up here. Her parents were devout Muslims who had immigrated to Canada before they had their children. While her parents were very strict about recognizing religious occasions and attending the mosque regularly, they allowed Farrah and her younger sister quite a lot of freedom in their dress and social activities. Like any parents, they were protective of their daughters, especially when Farrah reached dating age. Her parents talked often about the importance of marrying someone suitable to the whole family and with similar values and beliefs. Despite this, Farrah has been on dates with a few boys, some from her religious community and some not.

Farrah is now 17 and is in her final year of high school. She has applied to go to university, where she wants to study zoology and then work as a zookeeper. She has very high marks, so is optimistic she will be accepted at her first choice of university. Her parents have told her that if she gets high enough marks, they will send her on a trip to their home country in the summer. Farrah is very excited about this because she has not seen her relatives for many years. She would like her sister to come with her, but her parents have said this trip is just for her.

Farrah has noticed that, for the past few months, her parents have become increasingly protective of her and have interfered in her social life more often than in the past. They have had a number of meetings with the imam from their mosque that Farrah is very curious about because after these meetings her mother always seems to look at her in a funny way. Also, several times when she has come into the room where her parents are talking, they have stopped their conversation abruptly and have seemed very uncomfortable. Her father has a file of papers that he hides every time Farrah comes near him.

Yesterday, her father received an urgent phone call to come to work right away. He left the house without putting this file away, so Farrah decided to see what was in it. To her horror, she discovered that her parents were planning to send her back to their home country to marry a distant cousin. She put the file away and spent the evening in her room so she would not have to talk to her parents.

When Farrah came to school today, she was very upset and told her favourite teacher what she had found. The teacher has reported this to the principal, who has set up a meeting with the guidance counsellor and Farrah's parents for the afternoon.



DISCUSSION QUESTIONS

Medical Professionals

- What were some of the warning signs that Farrah's parents might be thinking about forcing her to marry someone of their choice?

Legal Professionals

- Should the school principal have set up a meeting with Farrah and her parents?
- Was there another way the principal and/or teacher could have handled the situation?
- What could/should be done to protect Farrah's younger sister, who is 14?

Community Members

- What role could/should the imam play in supporting the family to resolve this situation?
- Is there a role for other services providers in supporting the family?

Service Providers

- Could Farrah go to the women's shelter in your community if she wanted to?
- What are some resources the school and Farrah might want to use to assist her?
- What could/should be done to protect Farrah's younger sister, who is 14?
- Is there a role for child protection authorities in this situation?



What is femicide?

Femicide is the term used to describe the killing of women or girls because they are female. Most often, but not always, femicide is committed by men. It is rooted in sexism, misogyny and women's inequality. While femicide includes the killing by women and girls by anyone (partner, friend, family member, and stranger), the most common perpetrator of femicide is the woman's partner or former partner or male members of the girl's family.

Does it matter which term we use?

The Canadian Council of Muslim Women (CCMW) is strongly opposed to the use of the term "honour killing" to describe the murder of women and girls. Femicide is the term used in many parts of the world, including South America and Africa, and is the term used by the United Nations in its work on violence against women.

CCMW urges that all murders/killing of girls and women be identified as femicide – the killing of women and girls simply because they are females. This term does not separate women and girls into distinct groups based on race, culture or religion. CCMW holds that all forms of violence against women are regressive because somewhere in here lies misogyny and the lessened value of the lives of women and girls.

What is honour killing?

The term "honour killing" is used by some to describe the killing of a family member by other family members because they believe the victim has brought dishonour to the family.



Femicide in Canada

- In 2010, more than 80 women were killed by their partners or former partners in Canada. This number has remained relatively constant over the past several years, at a time when the rate of all other kinds of homicide has been on a steady decline
- Young women and women in common-law relationships are at the highest risk of being killed by their partner/former partner
- While men are sometimes killed by their female partner, the rate of this is extremely low. Canadian women are three times more likely than men to be killed by an intimate partner

Femicide in Muslim Communities in Canada

Women from all cultural, racial and religious backgrounds can be and are killed by their partners or former partners. Available data does not break down the cultural, racial or religious identity of either victims or perpetrators in domestic violence related homicides, so there is no formal information about numbers of women or men who identify as Muslim involved in such homicides.



Risk factors for women

According to research, the two most common risk factors for women of being killed by a partner or former partner are a history of domestic violence and actual or pending separation. It is sad, but true, that women may increase their risk of being killed or experiencing other serious violence by leaving an abusive partner.

Other common risk factors include:

- Recent loss of employment
- Suicide threats or attempts
- Access to weapons
- Mental health issues

Criminal law response to femicide in Canada

In Canada, femicide is dealt with under the murder/manslaughter provisions of the Criminal Code. There are two levels of murder: *first degree* (meaning the murder was thought out and planned ahead of time) and *second degree* (meaning there was no advance planning but the killer intended to cause the death of the victim). Almost half of all femicides are considered to be pre-meditated, meaning they should lead to charges of first degree murder.

Manslaughter is the charge that can be laid when there was no intention to cause the death of the victim but the actions of the accused were reckless about whether or not death could result (for example, someone who drives drunk and hits and kills another person).

These provisions apply to all situations in Canada where one person kills another, including those killings described by some as “honour based.” There is no separate provision in the Criminal Code for so-called honour-based killings.

The Canadian Council of Muslim women believes the present provisions in the Criminal Code provide an adequate criminal response to femicide and that the introduction of specific “honour-based killing” provisions are not needed. In fact, such provisions might result in a ghettoizing of those murders designated as “honour-based.”

What does cultural relativism have to do with any of this?

Cultural relativism means understanding an individual's values, beliefs and actions within the terms of his or her culture. Unfortunately, cultural relativism can set up a false dichotomy between what many view as “Canadian” values and the values of other cultures. Canadian values are seen as positive, so actions such as wife assault and murder are attributed to a failing on the part of the individual who commits them; whereas when a person of another culture commits the same act, it is the culture and not the individual that is blamed.

The Canadian Council of Muslim Women does not believe cultural relativism is an appropriate lens through which to examine the murders of girls and women, as this simply serves to further “other” women from Muslim communities, as well as to de-value their lives and their deaths.

►► Ideas for moving forward

Addressing femicide in Canada requires a community response. While Canada's murder laws are strong, changes to both policy and service delivery could reduce murder rates of women and girls. For instance:

- A national policy statement that “honour killing” is femicide and a form of violence against women
- Increased resource allocation by federal/provincial/territorial governments to enhance community collaboration
- Increasing cultural competency of mainstream violence against women agencies
- Training for teachers, child protection workers, health care practitioners and others to increase their ability to identify warning signs
- Involving community and religious leaders in speaking out against femicide
- Broadening the dissemination of information about violence against women to women from marginalized communities
- Involving men and young people in community dialogue about women's equality, gender roles and violence against women
- Involving the entire community to support families struggling with violence



Helpful resources

Baobaid, Mohammed and Hamed, Gahad. “Addressing Domestic Violence in Canadian Muslim Communities.” Dec. 2010, *The Centre for Children and Families in the Justice System*, 21 Feb. 2013
<http://www.lfcc.on.ca/MFSP_Manual_2010.pdf>.

Fournier, Pascale, “Introduction: Honour Crimes and the Law – Public Policy in an Age of Globalization.”
Canadian Criminal Law Review. 16.2 (2012): 103-115.



What is female genital cutting/mutilation?

Female genital mutilation, also known as female genital cutting (FGC/M), is any procedure that involves total or partial removal of the external female genitalia or other injury to the female genital organs for non-medical reasons. There are four types of procedures that are generally meant by the term FGC/M:

1. *Clitoridectomy*, which involves the partial or total removal of the clitoris;
2. *Excision*, in which the clitoris and the labia minora are partially or totally removed, with or without excision of the labi majora;
3. *Infibulation*, which involves narrowing the vaginal opening through the creation of a covering seal;
4. All other harmful procedures performed on the female genitalia for non-medical purposes, including pricking, piercing, incising, scraping and cauterizing.

Approximately 140 million girls and women around the world have undergone FGC/M, the vast majority of them in Africa and the Middle East.

Does it matter what we call it?

Many women who have undergone FGC/M reject use of the word “mutilation” as it feels demeaning and as though they are being judged. Nonetheless, it is also important that the language not diminish the seriousness or extent of the issue, which some people feel is the effect of using the word “cutting.”

The Canadian Council of Muslim Women uses the term female genital cutting/mutilation (FGC/M) to respect the opinions of women who have experienced the procedure as well as to show strong opposition to this practice.



FGC/M in Canada

- There is little statistical information about FGC/M being performed in Canada. Because the practice is illegal, it is difficult to determine where and how often FGC/M may be performed in this country
- Women are most likely to come into contact with the medical system after the procedure has been performed because of problems that have arisen or in the course of receiving regular health care
- Even the frequency of girls being removed from Canada to undergo FGC/M is not easy to determine, although some violence against women organizations report having contact from girls who are seeking assistance in not being removed from Canada to undergo FGC/M

How do people justify it?

Most reasons given by those who engage in or support the practice of FGC/M relate to the perceived need to control women's sexuality. Practitioners say that it helps women resist "illicit" sexual acts, thus increasing their marriageability by ensuring virginity. Some see the practice as increasing hygiene and cleanliness.



The impact on women

There are no health benefits to FGC/M. The list of possible harms is long and includes both immediate and longer term consequences ranging from severe pain, infection, chronic bladder infections, infertility, childbirth complications, the need for corrective surgery, negative impact on sexuality and psychological effects including shame and anxiety to death.

Responses to FGC/M in Canada

- Engaging in FGC/M in Canada is a specific criminal offence under the aggravated assault provisions of the *Criminal Code*. The *Criminal Code* also prohibits the removal of children from Canada to undergo FGC/M. However, charges under either of these provisions are virtually non-existent
- Some of Canada's human rights bodies have identified FGC/M as a violation of the human rights of girls and women
- A number of medical associations explicitly prohibit their members from performing FGC/M and require them to report any information about physicians who have done so to both the relevant medical association and the appropriate child welfare authority
- No provincial child welfare statutes speak specifically to the issue of FGC/M, but all require child protection agencies to become involved where children have been physically, sexually or emotionally harmed or are at risk of experiencing such harm

▶▶ Ideas for moving forward

Addressing FGC/M is challenging and requires a community collaboration model. A Winnipeg project called Our Selves Our Daughters provides an excellent model for community engagement and education. Other areas where work is needed include:

- Research, so we understand the nature and extent of this issue in Canada and can develop appropriate policies and practices to respond to it
- Development of regulations and best practices by those Colleges of Physicians and Surgeons that have not already done so, as well as professional bodies regulating nurses, midwives and other health care professionals
- Making FGC/M an explicit ground for intervention by child protection authorities, which should develop best practices and policies for responding to such situations
- Development of duty to report protocols for all professionals

►► Ideas for moving forward (continued)

- Education for all professionals, including teachers, health care practitioners, child welfare workers, teachers and violence against women workers about FGC/M and about culturally competent ways of working with girls and women who may have undergone this procedure or who may be vulnerable to experiencing it in the future
- Making more information about Canadian laws, policies and practices related to FGC/M available and accessible to newcomer families



Helpful resources

Hussein, Lula and Marian Shermarke. Female Genital Mutilation: Report on Consultations Held in Ottawa and Montreal. Ottawa: Department of Justice Canada, 1995.

Huston, Patricia. "Female Genital Mutilation," 1999, *The Canadian Women's Health Network*, 14 Feb. 2013 <<http://www.cwhn.ca/sites/default/files/resources/fgm/fgm-en.pdf>>.

Khaja, Khadija, et al. "Female Genital Cutting: African Women Speak Out." International Social Work. 52 (2009): 727-741.

Khaja, Khadija, et al. "Female Circumcision: Toward an Inclusive Practice of Care." Health Care for Women International, 31.8 (2010):686-99.

Migliardi, Paula. "Symposium of Female Genital Cutting (FGC): Focus on Canadian Approaches to Addressing FGC Report." Sep. 2011, *Sexuality Education Resource Centre Manitoba*, 12 Feb. 2013 <<http://www.serc.mb.ca/resource-library/symposium-female-genital-cutting-fgc-focus-canadian-approaches-addressing-fgc>>.

Minister of Employment and Immigration v Farah (I.R.B. Toronto, Doc. 93-2198, May 10, 1994.)

Our Selves, Our Daughters, "Our Selves, Our Daughters: Community-Based Education and Engagement Addressing Female Genital Cutting (FGC) with Refugee and Immigrant African Women in Winnipeg 2010-2011." Apr. 2012, *Sexuality Education Resource Centre of Manitoba*, 3 Feb. 2013 <http://www.serc.mb.ca/sites/default/files/resources/Our_Selves_Our_Daughters2010-11_Final_Report.pdf>.



What is forced marriage?

A forced marriage is one in which someone other than the people getting married (usually other family members and particularly fathers) make the decision about who is to marry whom. It could be either person or both who are forced into the marriage. They may or may not know one another.

What is the difference?

The difference between a forced marriage and an arranged marriage is choice. There is no choice for the person being married in a forced marriage. The person to be married will be pressured into accepting the decision made by others. This pressure can include threats and/or physical, psychological or sexual abuse.

In an arranged marriage, even though possible spouses may be selected by family members of the person to be married, that person can say no if she or he does not wish to marry the person being suggested.

What is an arranged marriage?

An arranged marriage is one in which the families take a leading role in choosing the marriage partner, but the choice of whether to enter the marriage is left to the people getting married.



Forced marriage in Canada

- There is little hard data about forced marriage in Canada. Fortunately, recent research conducted by the South Asian Legal Clinic of Ontario (SALCO) provides some important information about the situation in Ontario
- Thirty agencies reported having served 219 forced marriage (FM) clients in a one-year period. Women made up the overwhelming majority of people (92%) affected by FM, with young women between 15 and 24 years of age being the largest group forced into marriage
- Survey data confirmed that forced marriage is not restricted to any particular culture, religion or geographic region. In Canada, forced marriage can be found in a number of different religious and cultural communities



Warning signs

Identifying a possible forced marriage is, of course, the best way to intervene before the marriage takes place. While there are few clear cut warning signs, there are some common red flags, as identified by SALCO in its work:

- A planned marriage where one person is significantly younger than the other
- Fearfulness by a young person about a family trip
- Isolation of a young person prior to such a trip
- A marriage by means of telephone or internet
- Unexplained depression
- Eating disorders
- Self-harm
- A drop in academic or work performance

Young women from poor families or who lack employable skills or education may be particularly vulnerable to being forced into a marriage against their will.



What is consent?

For a marriage to be valid in Canada, both people have to consent. This means they have to have agreed voluntarily, with a clear understanding of the facts and knowing the limitations and consequences of what they are doing. A marriage is considered to be forced if there is no consent. This could be because someone has used coercion – imposed their will by the use of physical or psychological force or threats of such force – or duress – put unlawful pressure on someone to do something that person would not ordinarily do – to get the person to marry someone else.



Implications for women

- A woman forced into a marriage enters it from a position of inequality and with a lack of dignity from which it may be difficult if not impossible to recover. This places her at risk of further harm within that marriage
- Harm can include: physical and sexual abuse and violence, unwanted pregnancy and/or an end to education, which can lead to financial dependency on the husband
- Women in a forced marriage may feel very isolated. They may not know they can leave, especially if they are unfamiliar with Canadian laws and their legal rights
- Leaving may create immigration/refugee problems for her or her spouse or could cut her off from family support

Responses to forced marriage in Canada

Federal laws set out rules about who can marry whom, and provincial laws establish minimum ages at which people can get married. In Canada, the age of consent to marry is either 18 or 19, with younger people permitted to marry in some circumstances.

If a person can persuade the court that she did not consent to the marriage, the marriage can be “voided.” This is different from getting a divorce – if a marriage is voided; it is as though it never happened. However, having a marriage voided is difficult.

In Canada, the courts have done so when they have found that the duress was such that the person’s powers of choice were so affected that there was no consent. Mere allegations of fear are not enough. The courts have said that duress can be established through non-physical pressure if it was severe enough that the person’s mind was overcome by oppression and there was an absence of free choice.

Forced marriage is not prohibited by Canadian criminal law. However, the *Criminal Code* does contain provisions that could address activities related to forced marriage. These include kidnapping and forcible confinement, parental abduction, uttering threats, assault, sexual interference, sexual exploitation and procurement for the purpose of sexual activity.

Ideas for moving forward

The work being done by the South Asian Legal Clinic of Ontario should serve as a model and starting point for work in other parts of the country. Communities wishing to address forced marriage could:

- Work to implement SALCO’s recommendations
- Advocate for further research to determine the extent of forced marriage across Canada
- Engage and provide training for professional associations of those who might see young people who are potential victims of forced marriage
- Develop violence against women and child protection protocols and working agreements that include a response to forced marriage involving children and young people
- Offer cultural competency training to violence against women and community services



Helpful resources

Anis, Maryum, et al. "Who/If/When to Marry: The Incidence of Forced Marriage in Ontario." Sept. 2013, *South Asian Legal Clinic of Ontario*. <[http://www.salco.on.ca/SALCO%20-%20Who,%20If,%20When%20to%20Marry%20-%20The%20Incidence%20of%20Forced%20Marriage%20in%20Ontario%20\(Sep%202013\).pdf](http://www.salco.on.ca/SALCO%20-%20Who,%20If,%20When%20to%20Marry%20-%20The%20Incidence%20of%20Forced%20Marriage%20in%20Ontario%20(Sep%202013).pdf)>.

Foreign and Commonwealth Office, et al., "The Right to Choose: Multi-agency Statutory Guidance for Dealing with Forced Marriage." 2008, *Forced Marriage Network*, 6 Feb. 2013 <http://www.forcedmarriage.net/media/images/righttochoose_118.pdf>.

Foreign and Commonwealth Office. "Forced Marriage: Guidance for Members of Parliament and Constituency Offices." 3 Jul 2009, *The UK Government*, 3 Feb. 2013 <<https://www.gov.uk/government/publications/forced-marriage-guidance-for-members-of-parliament-and-constituency-offices>>.

Government of Canada. "Forced Marriage." 22 Mar. 2013, *Government of Canada*, 4 Feb. 2013 <<http://travel.gc.ca/assistance/emergency-info/forced-marriage>>.

www.salco.on.ca



What is Violence Against Women and Girls?

Violence against women and girls means any act of violence – physical, sexual or emotional – that is committed against a woman or girl because she is female. This violence can occur in a woman's or girl's private or public life, and can be committed by someone she knows or a stranger. Violence against women within the family is primarily perpetrated by men against women. When it is children who are the victims of violence within the family, it is most often girl children, and that violence is primarily committed by fathers and/or older brothers.

What is domestic violence?

Domestic violence is the term most frequently used by government and institutions such as the police, courts and health care providers. It refers to all violence – adult to adult, adult to child, child to adult - that occurs in the domestic (i.e. family) setting.

Does it matter which term we use?

The language we use to identify a social problem is very important. Because the violence that women experience, both within the family and elsewhere, is largely rooted in sexism and misogyny, we need to name the gendered nature of that violence. If we do not, we will not be able to create appropriate responses or work towards ending the violence.



Violence against Women and Girls in Canada

- Half of all women in Canada have experienced at least one incident of physical or sexual violence since the age of 15
- Every six days, a woman is killed by her partner or former partner
- While men also report being abused, 83% of all police-reported assaults are against women. Three times as many women as men experience serious violence. Women are much more likely to be injured and to fear for their lives
- Approximately 3,000 women and 2,500 children enter women's shelters to escape violence
- Violence against women in Canada costs more than \$5 billion a year in terms of police, court, medical and other expenses



Violence Against Women and Girls in Muslim communities in Canada

It is important to remember that violence against women and girls occurs in all communities regardless of race, culture, religion and socio-economic status. Recent research looking at Muslim marriage and divorce in North America found that approximately one-third of the women interviewed had experienced abuse within their marriage, which is at a similar rate to women in the general population.

While the existence of violence against women and girls is the same across communities, there can be differences in the details of the violence. In some communities, religion or culture may be used to justify the use of physical force against women and girls. In some, violence against women within the family may be perpetrated not just by men but also by other women in the family.

According to research, violence against women and girls in Muslim communities tends to occur most often in families where the husband/father is resistant or unable to let go of old patterns of marital interaction and gender expectations.



Warning signs

While there is no one way to identify violence against women and girls, because it takes different forms for different women, there are some common indicators to be aware of:

- A woman's husband puts her down and tries to embarrass her or make her look stupid in front of others
- The husband makes all the decisions and controls all the family's money
- The husband does all the talking and cuts his wife off if she tries to express an opinion
- Signs of physical injuries, especially bruising and burning, which the woman may attempt to cover or hide
- Poor explanations for injuries
- Signs of emotional harm, such as nervousness (especially when her husband is present), excessive sadness or depression
- Missed work or poor work performance by the woman
- Increased isolation of the woman (e.g. she withdraws from spending time with her friends and even her family)

Of course, just because you observe one or two of these indicators does not mean the woman or girl is being abused. However, if you notice a number of them over a period of time, if she seems frightened or unwilling to talk if you raise your concerns with her and/or if her husband/father/male family member is dismissive or angry if you ask him, then you have good reason to be concerned.

Responses to Violence Against Women and Girls in Canada

- The *Charter of Rights and Freedoms* and human rights legislation guarantee freedom from discrimination on the basis of sex
- In Canada, a woman must consent to sexual activity. If she does not, and the man persists, it is illegal and is called sexual assault. This is true even when the man and woman are husband and wife
- Physical assault is also prohibited under the *Criminal Code*, as is stalking behaviour. In most parts of the country, the police will charge a man whether or not the woman wants them to: this is known as mandatory charging
- Most provinces have laws dealing with custody, access and child protection that address issues related to violence within the family



Barriers for women from Muslim communities

It is not easy for any woman to leave an abusive partner. Women in Muslim communities must deal with the same challenges as all women, but also with some barriers that may be unique to their situation. For instance, a woman who is a newcomer to Canada may not know about the laws or her legal rights. She may not trust the authorities such as the police and courts. She may have concerns about her or her husband's immigration/refugee status if she reports the abuse. She may fear that her husband will take the children and return to their country of origin. If she is isolated, she may not know about community services or may speak only limited English. Available services may not bring a culturally competent approach to their work, so she may not wish to use them.



Ideas for moving forward

A great deal is already being done to address violence against women in Muslim communities in Canada. For example, the Canadian Council of Muslim Women offers resources and support to Muslim women in Canada (www.ccmw.com)

Communities could learn from and build on a model such as London, Ontario's Muslim Resource Centre for Social Support and Integration (www.mrcssi.com)

More generally

- Any strategy to end violence against women must involve men, especially young men
- Involving religious and community leaders is also extremely important: women should not have to leave their religious and cultural beliefs and communities behind in order to leave violent situations
- Mainstream agencies providing services to women who have experienced violence need to do more to ensure they provide what is needed by women from Muslim and other cultures whose values may be different from those of mainstream Canadian society
- Communities need to work together to find innovative approaches to responding to and working to end violence against women in communities



Helpful resources

Alkhateeb, Sharifa. "Muslim Wheel of Domestic Violence." *The Centre for Children and Families in the Justice System*, 10 Dec. 2012 <http://www.lfcc.on.ca/muslim_wheel_of_domestic_violence.html>.

Baobaid, Mohammed. "Guidelines for Service Providers: Outreach Strategies for Family Violence Intervention with Immigrant and Minority Communities." *The Centre for Children and Families in the Justice System*, 23 Feb. 2013 <http://www.lfcc.on.ca/MFSP_Guidelines.pdf>.

Baobaid, Mohammed and Hamed, Gahad. "Addressing Domestic Violence in Canadian Muslim Communities." Dec. 2010, *The Centre for Children and Families in the Justice System*, 21 Feb. 2013 <http://www.lfcc.on.ca/MFSP_Manual_2010.pdf>.

Macfarlane, Julie. "Understanding Trends in American Muslim Divorce and Marriage: A Discussion Guide for Families and Communities." 5 Jan. 2012, *The Institute for Social Policy and Understanding*, 9 Feb. 2013 <<http://www.ispu.org/getreports/35/2399/publications.aspx>>.

Riley, Krista. "Violence in the Lives of Muslim Girls and Women in Canada: Symposium Discussion Paper." Sep. 2011, *The Centre for Research and Education on Violence Against Women and Children*, 15 Feb. 2013 <<http://www.learningtoendabuse.ca/sites/default/files/Violence%20in%20the%20Lives%20of%20Muslim%20Girls%20and%20Women.pdf>>.

World Health Organization. "Understanding and Addressing Violence Against Women." 2012, *The World Health Organization*, 3 Feb. 2013 <http://apps.who.int/iris/bitstream/10665/77431/1/WHO_RHR_12.43_eng.pdf>.

www.neighboursfriendsandfamilies.ca

COMMUNITY WORKSHOP EVALUATION

Workshop Feedback

Please rate (circle) your response to each of the following questions:

	Before				After			
My knowledge/understanding of :								
1. Violence against women	None	Some	A lot		None	Some	A lot	
2. Forced marriage	None	Some	A lot		None	Some	A lot	
3. Female genital cutting/mutilation	None	Some	A lot		None	Some	A lot	
4. Femicide	None	Some	A lot		None	Some	A lot	
My comfort and ability to talk about these topics is:	Needs work	OK	Good	Excellent	Needs work	OK	Good	Excellent
The materials distributed were relevant and useful.	Strongly disagree		Disagree	Agree	Strongly agree			
There was a good mix between listening and activities.	Strongly disagree		Disagree	Agree	Strongly agree			
The activities were useful learning experiences (if applicable).	Strongly disagree		Disagree	Agree	Strongly agree			
The workshop was well paced.	Strongly disagree		Disagree	Agree	Strongly agree			
The workshop improved my understanding of the topics.	Strongly disagree		Disagree	Agree	Strongly agree			
I would recommend this workshop to others.	Strongly disagree		Disagree	Agree	Strongly agree			
I would attend other workshops on this topic.	Strongly disagree		Disagree	Agree	Strongly agree			

Please add any additional comments you may have in relation to the above questions:

COMMUNITY WORKSHOP EVALUATION

Venue Feedback

Please rate (circle) your response to each of the following questions:

The venue was comfortable.	Strongly disagree	Disagree	Agree	Strongly agree
The venue was well located and easy to access.	Strongly disagree	Disagree	Agree	Strongly agree
Food/refreshments were adequate (if applicable)	Strongly disagree	Disagree	Agree	Strongly agree

Please add any additional comments you may have in relation to the above questions:

Facilitator Feedback

Please rate (circle) your response to each of the following questions:

The facilitator was well prepared and organized.	Strongly disagree	Disagree	Agree	Strongly agree
The facilitator made good use of the allotted time.	Strongly disagree	Disagree	Agree	Strongly agree
The facilitator's presentation style was effective.	Strongly disagree	Disagree	Agree	Strongly agree
The facilitator was responsive to participant's questions.	Strongly disagree	Disagree	Agree	Strongly agree

Please add any additional comments you may have in relation to the above questions:

COMMUNITY WORKSHOP EVALUATION

1. Of the following considerations, please select up to 3 that were most important in your decision to attend this workshop:
 - a. The person facilitating
 - b. The cost (free)
 - c. The date/time of workshop
 - d. The topic
 - e. The length
 - f. Other (please specify): _____

2. What was particularly helpful for you in this workshop?

3.
 - a. Did this workshop meet your expectations? Yes or No (please circle one)
 - b. Why or why not?

4. What would you recommend to improve the workshop for future participants?

5. Other comments/feedback:

Thank you for your time and feedback! Please return this form to the workshop facilitator.