

**“IT’S NOT ALL THE COPS”: INVESTIGATING THE VARIANCES IN
POLICE RESPONSES TO WOMAN ABUSE**

by

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Dedication

For my Mammy, Frances Harris (1933-2002)

Abstract

The goal of this institutional ethnography was to link police responses in woman abuse incidents to the larger institutional and structural factors governing police action using both abused women's understanding of their experiences with police as well as officers' accounts of their work. From the in-depth, qualitative interviews, it is apparent that women's dissatisfaction with police largely stems from officers' inability or refusal to adhere to their requests to have their abusers removed from the home, arrested, or charged. While policies and domestic violence police training shape the ways in which officers "handle" domestic disputes, their individual attitudes and perceptions also play a large role. In addition, the police response is influenced by how the officer perceives police work. Despite the intention of protocols to ensure a consistency in police responses, differences in police training, attitudes and perceptions mean that the response an abused woman receives largely depends on the officer who takes her call.

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I would like to acknowledge the assistance of community members and organizations. The director of the women's emergency shelter in the municipality where I conducted the research provided pamphlets on abuse and the criminal justice system to distribute to women. She also gave me permission to refer participants in need of debriefing to shelter staff. Thank you to shelter staff for giving me a tour of the house.

I would also like to thank the public library and a local business for providing a free and private space for conducting interviews with women. Thanks

also to the newspaper reporter for taking a special interest in the research and writing an article about it, which inspired needed participants to come forward and take part in the study, and to the current editor for providing me with copies of the news article.

The biggest debt of gratitude goes to the research participants. Special thanks to the police force for welcoming me into the organization and giving me the opportunity to interview members. To the 911 dispatchers and police officers, thank you for taking the time to share your experiences and knowledge with me.

A final tribute goes to the women who have shared their stories with me. Without you, this research would not have been possible. Your strength is inspirational. Thank-you.

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Chapter 1

Introduction

Three in ten Canadian women have been beaten or sexually assaulted by a current or former marital partner (Fitzgerald, 1999; FREDA Centre for Research on Violence Against Women and Children, 2002; Rodgers, 1994). Each week, at least one woman is murdered by a husband or boyfriend in Canada (Manitoba Human Rights Commission, 2001; Ministry of Community, Aboriginal and Women's Services, 2000; Morris, 2002). Only when an abused woman is in imminent danger or has exhausted all other alternatives is she likely to call the police for help (Sev'er, 2002). Even though the police have the power to intervene in a "domestic dispute," physically remove an abusive partner from his home, and lock him in jail for 24 hours they are often a last resort for many abused women who desperately want to resolve the conflict, if only for the time being.

Calling the police represents taking the situation to the "next level," a point beyond no return. What once occurred behind closed doors is now public knowledge, and there is no turning back. The abused woman's fear that she is betraying a private relationship by calling the police is compounded by fears that her partner will be arrested, he will retaliate with more violence, or their relationship will end. Further, a battered woman does not know how an officer will respond to her cries for help when she makes the call to police (Law Reform Commission of Nova Scotia, 1995; Stanko, 1989). The fact is the police response to woman abuse varies between police forces and even among individual police officers. How a "domestic disturbance" is handled by police depends not only on the particular

circumstances of the dispute, but on the training officers receive, the departmental and provincial policies which guide police action and the individual attitudes of the responding officer(s). Moreover, police responses have various impacts on women who are abused by intimate partners.

Research problem

The variance in police responses to woman abuse has received a great deal of research attention over the past two decades. Numerous studies have explored the legal and extra-legal factors that influence police decision-making in cases of woman abuse. Physical injury to the victim, the presence of witnesses, and previous police intervention are legal issues officers consider in decisions regarding arrest. Extra-legal factors, such as the demeanour and behaviour of the victim and the offender, the relationship between them, and their ascribed characteristics (e.g., race) also filter into arrest decisions (Berk & Loseke, 1980-81; Buzawa & Austin, 1993; Ferraro, 1989b; Hatty, 1989; Stanko, 1989; Waaland & Keeley, 1985; Worden & Pollitz, 1984). These and other studies also emphasize the influences of officers' attitudes on their decisions to apprehend a violent partner. An officer's view of women and their "appropriate" gender roles, his/her beliefs about the causes of violence in intimate relationships and why women stay with abusive partners, as well as his/her feelings regarding the appropriate level of police intervention in "domestic disturbances" shape how s/he will respond (Davis, 1984; Ferraro, 1989b; Hart, 1993; Hatty, 1989; Law Reform Commission of Nova Scotia, 1995; Martin, 1997; Rigakos, 1995; Rigakos, 1998; Sadusky, 2001; Saunders & Size, 1986; Stanko, 1989; Stewart & Maddren, 1997; Waaland et al., 1985). Some of this research

situates officers' attitudes towards women and violence in the police occupational culture. The informal socialization into the masculine police subculture affects police action in cases of woman abuse (Edwards, 1989; Hatty, 1989; Rigakos, 1998; Rigakos, 1995; Smith & Gray, 1983). A third group of studies examines the effects of mandatory arrest and pro-charge policies on the likelihood of arrest (Department of Justice Canada, 2003; Hannah-Moffatt, 1995; Jaffe, Wolfe, Telford, & Austin, 1986).

Despite the wealth of research on police decision-making in woman abuse cases, explorations into the effects of police responses on abused women *from their standpoint* are much scarcer. Most qualitative studies on police responses report on interviews with police officers only (Hanmer, 1989; Hannah-Moffatt, 1995; Rigakos, 1995; Rigakos, 1998). Very few studies examine the impact those responses have on women (Department of Justice Canada, 2003; Flynn & Crawford, 1998; Ruttenberg, 1994) and even fewer include women's accounts of their experiences with police in their analysis (Alberta Law Reform Institute – A.L.R.I., 1995). Until now, no one had explored and documented the policies and practices of any New Brunswick police force in woman abuse cases. This study remedies this deficiency and provides a unique contribution to the scholarly literature.

Research on police responses to woman abuse in New Brunswick would benefit a number of provincial groups, including police officers, abused women, service providers, policy makers, and researchers. Unfortunately, many institutional responses to the problem of violence against women have inadvertent negative effects on the people they intend to help. "As well as being victimized by their

abusers,” Deborah Harrison (2002) argues, “woman abuse victims are additionally victimized if they live in particular social contexts and/or *if they are ‘processed’ by social institutions which lack the motivation or knowledge to understand and accommodate their unique needs*” (p.213, emphasis added). Abused New Brunswick women stand to gain the greatest benefit from this research. Having the opportunity to tell their stories *in their own words* and having those stories form the centre of research analysis can be a very validating experience for abused women who have been put down by intimate partners and, in some cases, also by helping professionals. Research from abused women’s standpoint would also help police officers, policy makers, and women’s service providers to better assist and support abused women. Research in this area would reveal for police officers the effectiveness of their responses from women’s perspectives. The efficacy of provincial and departmental policies would become more evident to policy makers. And finally, researchers could obtain ideas for future exploration.

Research objectives

The purpose of this institutional ethnography was to explore the ways in which police respond to and treat women who have been abused by an intimate partner in one New Brunswick community with a municipal police force. More specifically, the study sought to identify the police training, provincial and departmental policies, and individual attitudes of officers that influence police responses to woman abuse. The research also intended to examine the effects of such responses on women who have requested police assistance as a result of being abused. In many ways, this study compares what police officers say they do in

woman abuse cases with what abused women experience (or what officers actually do).

Research questions

The central questions of my research were: 1) How do police training, the policies and practices of the police force, and the individual attitudes of its officers influence the police response to woman abuse? And 2) How do these responses affect abused women?

A number of subquestions to these central questions narrowed the focus of the study and became topics specifically explored in the interviews with police officers, 911 dispatchers, and abused women. These are: 1a) What training have officers received in “domestic violence”? 1b) What procedures or policies guide officers’ and dispatchers’ actions in woman abuse cases? 1c) How is the decision to arrest or not arrest made? 1d) What demeanour do officers convey to abused women and abusive men and how is it conveyed? 2a) What kind of help do abused women seek from the police and why? 2b) What kind of help do abused women receive from police? 2c) What do abused women remember about their experience with police? 2d) How did they feel and why did they feel this way?

Methodology

Dorothy Smith’s institutional ethnography (IE) provides an excellent point of departure from which the explication of how police training, the various policies and practices of a New Brunswick municipal police force and the individual attitudes of its officers affect abused women may begin. It is essential, according to Smith, that

feminist inquiry begin in the actualities of women's lived experience. Unlike traditional sociological methods that seek to explain how and why people behave and act as they do, institutional ethnography seeks from particular experience situated in one's everyday world to explore and display the relations, powers, and forces that organize and shape this experience (Smith, 1999). Hence, Smith's notion of the everyday world as problematic assumes that social relations external to the mundanity of everyday life are present in its organization and lived experiences (Smith, 1987).

Ewick and Silbey's (1998) view of law as external to, but present in, everyday life closely conforms to Smith's notion of the everyday world as problematic. Although law "generally sits on a horizon of our lives, remote and often irrelevant to the matters before us," it occasionally intrudes into the everyday world and displaces our very experience of mundanity (Ewick et al., 1998, pp.15-16). Only when the formal law makes an appearance, do we become aware of the law and our relationship to it. When the motives, relationships, obligations, and privileges of abused women are redefined within legal constructs and categories, the taken-for-granted practices of everyday life are purposively negotiated, monitored, and enforced by police officers, attorneys, mediators, social workers, and judges (Ewick et al., 1998).

Smith's institutional ethnography builds on socialist feminism and Marx's theory of alienation. IE researchers share Marx's view that "those who have been excluded from 'the making of ideology, knowledge, and culture' find themselves caught up in systems that have power over, but do not reflect, their own lived

experiences” (Harrison & Laliberté, 1994, p.6). Not only are the everyday lives of women without power structured by discourses they did not create, but their experiences are used as a mere resource, instead of a genuine basis for most of the writing done about them. As Harrison and Laliberté note, Western men’s ideologies and fantasies have predominantly informed much of what has been written about women.

Moving beyond the feminist belief that “all knowing is grounded somewhere,” Smith’s inquiry proposes a new way to look at accepted and authoritative methods of knowing, including sociological inquiries (Campbell & Gregor, 2002). Like other feminists, Smith (1999) questions the standpoint from which established sociology is written. Sociology was “thought, invested, and written largely from the perspective of [white] men” (Smith, 1987, p.152). Smith could not help but wonder what had been excluded from topics and relevances of sociological discourse when women’s ideas, voices, and experiences were absent.

Smith (1999) also criticizes sociology’s objectifying practices that override women’s local experience. She seeks solutions that will preserve women’s voices and interpretations. Smith’s strategy intends to maintain women’s standpoint instead of transforming them into objects (Smith, 1987). In taking the standpoint of those who are being ruled, IE investigators inquire how an individual’s experience is organized and shaped by the ruling relations. With the individual at the centre of analysis, they attempt to uncover, explore, and describe this organization that occurs without the individual’s explicit awareness (Campbell et al., 2002).

Women's standpoint does not treat experience as knowledge (Smith, 1999).

Rather, experience is a place to begin inquiry. Smith (1999) writes:

A sociology beginning in people's everyday/evernight experience takes for granted that experience is as various as people are. It does not seek to supersede this variety by constructing a version that overrides all others. Differences in experience arise in a matrix of everyday/evernight activities and through how they are entered into and coordinated with others' activities (p.96).

Moreover, Smith's epistemology does not universalize a particular experience (Smith, 1987). Instead, it creates a space for an absent subject or experience to be filled with the spoken experience of actual women speaking of and in the actualities of their everyday worlds. In Smith's institutional ethnography, accuracy or truth is not decided on the basis of authority or on shared beliefs and experiences of a community (Smith, 1999). A sociology from women's standpoint joins with poststructuralism/postmodernism in rejecting sociologies that objectify and create metanarratives.

Institutional ethnography and postmodernism depart on the assumption that there is no such thing as concrete, material experience, independent of discourses. Instead, experience is of "key methodological importance" in IE research (Campbell, 1998, p.56). Institutional ethnographers argue that "[women's] experiences are an entry into the social relations of the setting that, when mapped and disclosed, make those experiences understandable in terms of the ruling arrangements permeating both the organization and their own experiences" (ibid, p.55). Traditional sociological methods of thinking and inquiry have been criticized for their incapacity to grasp feelings, emotions, pain and the body when exploring actors'

experiences. However, the work of intellectuals within the post-structuralist and feminist traditions has encouraged sociologists to rethink their conceptions of experience (Mulinari & Sandell, 1999). According to Diana Mulinari and Kerstin Sandell (1999), feminist scholars are not only claiming women's experience, but are claiming women's right to explore and name what is really happening. For feminist researchers, women's experiences were not previously untheorized or uninterpreted. But, as Mulinari and Sandell point out, their experiences were silenced, misrepresented and misinterpreted by standard sociology (p.288). In the words of Sandra Bartky (1990):

Feminists suffer what might be called a 'double ontological shock': first, the realization that what is really happening is quite different from what appears to be happening, and second, the frequent inability to tell what is really happening at all (p.18).

In addition to the notion of experience, the concept of narratives is also prominent in feminist theorizing. Experience and the language of stories (narratives) are significant to this research project for two reasons. First, the purpose of the study was to arrive at an understanding of women's experiences, from their standpoints, of their interaction with the police. The concept of narrative is also important because individuals tend to explain their actions to themselves and to others through stories. Individuals report, account for, and relive their activities through narratives. By telling stories about themselves and their lives, individuals are able to constitute and interpret their experiences. A story describes the world as it is lived and understood by the storyteller. "As a form of social action, stories thus

reflect and sustain institutional and cultural arrangements, bridging the gap between daily social interaction and large-scale social structures” (Ewick et al., 1998, p.29).

Smith’s sociology for women does not speak only of women (Smith, 1999), but of all marginalized humanity. Even though Smith wanted a practice that would produce knowledge *for* women (DeVault, 1999), her strategy for sociological inquiry produces knowledge *for* all oppressed by the ruling relations, or relations of power.

In short, Smith hoped to achieve a sociology that is capable of hearing people’s everyday experiences, their accounts of those experiences and explicating to the social relations that shape them (Campbell et al., 2002). To do so, a sociologist must seek to comprehend and listen to people in their everyday/everynight world, for it is only at this intersection that the extra-local’s influence and domination of the local is revealed.

As a research procedure that both reflects the experiences of women and goes beyond this to explore and explicate the ruling apparatus, or the larger institutional context, that regulates, organizes, governs, and otherwise controls the everyday lives of women (Smith, 1987), institutional ethnography has a sequence of stages. Using this methodology, I explored both the variance in as well as the effect of police responses to women seeking refuge from abusive partners in one New Brunswick community.

During the design stage of this project, I had numerous discussions with my advisors regarding the research method, including how to recruit participants, the number and length of interviews, and so on. After months of drafting and re-writing

my research proposal, I submitted a copy to UNB's Research Ethics Board. In July 2003, I received approval to begin data collection. In line with institutional ethnography, I carried out the research in two stages.

Stage One: Interviewing women

I began the study by contacting the director of the city's emergency shelter for women to inform her about the project and to see if a pro bono counselor was available to speak with women in the event that participation caused them distress. Since there were waiting lists at that time to see a counselor, the director suggested I refer any distraught women to the staff at the shelter instead. Fortunately, none of the participants required additional debriefing upon completing the interviews.

I then posted notices about the study in various businesses throughout the community (shopping centers, stores, and restaurants), public libraries, doctors' offices, and the community college. I also ran an advertisement in a local newspaper for eight weeks to invite women to share their stories with me (See Appendix A). I chose not to advertise at the emergency shelter or the courthouse as I did not intend to interview women who were currently living in, or who had very recently left, an abusive relationship. Participation in such instances may have instigated further violence by women's partners. As it turned out, however, one of the participants in my sample was still living with her formerly abusive husband at the time of the interview. Using funds provided by a Nels Anderson Research Grant, I had an additional phone line with a 1-800 number installed in my Fredericton residence so women could contact me toll-free. I also created a new email account, which was used exclusively for research purposes. Although it was not my intention, the ways

in which I recruited participants excluded women who do not read the local newspaper and do not frequent the locations where notices were posted. Participation in the research was also limited to those women who had access to a telephone or email.

At the beginning of the research, I had hoped to have ten women participants in my study, but I had planned to select a sample of fifteen email respondents and callers just in case any decided to “opt out” in the course of the research. The sample did not need to be random. Nor did it need to represent all area women who have had an experience with police officers after being abused by an intimate partner. Institutional ethnography does not attempt to achieve generalizability in the manner of survey research. Rather, “generalizability in institutional ethnography relies on discovery and demonstration of how ruling relations exist in and across many local settings, organizing the experiences informants talked about” (Campbell et al., 2002, p.89). In other words, IE researchers are not interested in commenting on the commonalities of people’s experiences; instead, they aim to demonstrate how the relations that organize those experiences – even if they are “specific to one time and place, and one set of actors” (Campbell, 1998, p.69) – are general.

I only received five calls in the first few weeks of advertising. I made arrangements with the community’s public library to use a private room to conduct the interviews. I also made arrangements to use private office space at a local business. The two women I know personally were interviewed in their homes. Another was interviewed in a public park and the fourth, on the telephone.

Shortly after running the ad, I received an email from the editor of a local newspaper as one of his reporters wanted to do a story on the research. From my advisors I learned that the media can be a double-edged sword to a researcher. On the one hand, the media can give a study wide exposure and make it easier to recruit participants. On the other hand, the media can make it difficult to proceed with a study if a reporter misrepresents the researcher's intentions and position on issues. After considering the possible advantages and disadvantages of media involvement, I decided to meet with the reporter. The reporter agreed to write the article using the information provided on my informed consent form for women. He emphasized in the article the difficulty I was having getting women to come forward to participate in the research.¹ In the days following the story's release in the newspaper, six women and one man contacted me about taking part in the study. However, one woman did not live in the area, another did not respond to my requests to set up an interview time, and a third did not involve the police when she was being abused by a same-sex partner. I agreed to meet with the male caller, but he did not show up for our scheduled interview. From this sample of respondents, I interviewed three women.

Before conducting the interviews, I alerted all participants that I am a relative of a police officer in their city. I understood that some abused women might not want to participate for this reason. However, if I did not offer this information prior to carrying out the interviews and the women somehow learned of it afterwards, they

¹ I did not include the news article in the Appendices as doing so would identify the community in which the research was conducted.

may have felt as though they were deceived. To reassure all participants, abused women and police officers alike were guaranteed anonymity.

I informed the women interested in participating ahead of time that the interview would take approximately two hours. I did not provide the participants with the interview schedules as doing so may have intimidated the abused women. Nonetheless, it was clear to the women that I was seeking to understand their general experiences with and perceptions of the police responses. More specifically, I asked them about the kinds of help they sought from the police and the kinds of help they received and how they were affected by the police response.

I used a feminist approach in conducting the interviews. Ann Oakley (1981) asserts that conventional methods of interviewing depersonalize both the interviewer and the interviewee and invalidate women's subjective experiences (Gelsthorpe, 1990). IE researchers, in contrast, understand interviewees to be experts in what they do and experience and "rely on learning from them" (Campbell et al., 2002, p.66). The purpose of the interview, from a feminist and IE approach, is to produce knowledge for the people (the researched) instead of knowledge for the ruling (or the researchers) (Campbell et al., 2002; Oakley, 1981).

I gave a clear description of foreseeable harms and benefits from research participation to the women. Due to the sensitive nature of the topic, I pointed out that some of the topics to be addressed in the interview might stir underlying emotions, such as anger, pain, sadness, or fear. I was prepared to debrief any participants who experienced an emotional reaction during an interview. I carried with me the phone number to the emergency shelter in case further counseling was

necessary. I emphasized to all women that they were free to not participate, discontinue participation, or withdraw data pertaining to them at any time during the research without penalty.

One of the interviews was especially heartbreaking and emotional. Immediately after the interview, the woman and I took some time to discuss her participation. She did not regret doing the interview and requested a transcription to aid in writing a book about her experiences. Although her past is painful for her to talk about, she insisted that it helped in her healing. She strives to assist others who have endured similar hardships and her strength and determination is truly inspirational. I've been in contact with this participant since her interview and she is doing very well.

As James Ptacek (1999) points out, shame and stigma continue to surround public perceptions of abused women and negative images of women who have suffered violence are prevalent in today's culture. Therefore, I was cognizant of the fact that being identified as a woman who has sought protection from the law can be particularly painful and humiliating for participants. I was careful not to ask any questions or make any comments during the interviews that were stigmatizing or could have been interpreted as belittling. Abused women who have children often fear losing them to their estranged partners or to child-protection authorities (Ptacek, 1999). They also fear the effects exposure to abuse and public censure may have on them. For these reasons, it was necessary for me to take care in establishing trust in the interviewer-interviewee relationship. It was also important that I deviated from the traditional hierarchal relationship between the researcher and the researched

(Gelsthorpe, 1990). Because feminist methodologies depend on forming a relationship with the interviewee to achieve the desired qualitative information, I had to establish rapport with the research participants and not minimize my personal involvement. I needed to approach the interviews as a 'co-investigation' in which both the participant and I constructed knowledge together (DeVault & McCoy, 2002).

I gave adequate opportunity for the women to discuss and contemplate participation in the research. All of the participants (abused women, police officers, and 911 dispatchers) were provided the occasion to give free and informed consent about participation and were aware that participation would only continue if their consent was maintained. Each participant was required to read and sign an informed consent form before being interviewed (See Appendices B, C, and D).

In total, I interviewed seven women who had contacted the police as a result of having been abused by an intimate partner. To maximize discovery and description (Reinharz, 1992), the interviews were in-depth and open-ended. While some interviews took a little longer than an hour, others lasted more than two hours. The telephone interview was approximately forty minutes. As Marjorie DeVault and Liza McCoy (2002) point out, institutional ethnographic interviews do not need to be standardized. Instead, each interview is based in part on what the researcher learns from previous interviews. "Each interview provides an opportunity for the researcher to learn about a particular piece of the extended relational chain, to check the developing picture of the coordinative process, and to become aware of additional questions that need attention" (DeVault et al., 2002, p.757).

To meet ethics requirements, however, I developed semi-standardized interview schedules for women as well as for police officers and 911 dispatchers in the design stage of my research (See Appendices E, F, and G). These schedules were revised once I began conducting the interviews and was learning about women's experiences with police. Despite the schedules, all participants were free to tell their stories using their own words and in whatever order they wished. In some cases, the interview schedules were not used at all. Most women came to the interviews with their stories already composed and anxious to share. Only periodically did I need to interject with a question, usually to gain clarification or to ask that they elaborate. Some women, however, had to be prodded to speak about their experiences with police. They wanted to tell me about their relationships with violent and abusive husbands and boyfriends, and for one participant, her father, uncles, and brothers.

Five of the seven interviews with women were audio-recorded with permission. I took notes both during and immediately following the two interviews that were not taped. I transcribed in full all interviews myself and omitted from the transcriptions any names, locations, or other information that may disclose a participant's identity. All participants were ensured privacy and confidentiality. Excerpts from the interviews are placed throughout the thesis, but the speakers are not named. The data obtained have been and continue to be securely stored with precautions appropriate to their sensitivity. Pseudonyms are used in the thesis where interview excerpts are placed.

At the time of the interviews the women's ages ranged between 29 and 50 years. All of the women are mothers with an average of slightly less than three children. All were heterosexual women who were abused by male partners. Two women were married to their abusive partners, another is separated from her husband, and a fourth is currently married to and living with a previously violent spouse. The remaining women in the sample (three) were in common law relationships with abusers. The lengths of the relationships varied between one year and 18 years. Some women's contacts with the police dated back to the 1980s (1985, 1988, and 1989) while others had had experiences with the police as recently as 1995, 1998, 2001, and 2002. All women and officers were recruited from the same small municipality.

Stage Two: Interviewing police officers and 911 dispatchers

Beginning with the everyday experiences of women, institutional ethnography enables the investigator to explicate "the relations across and among various sites of activity and... the coordination of these sites via ruling regimes and their texts" (DeVault, 1999, p.49). Before starting the second stage of my research, I examined abused women's accounts of their experiences with police for the ways in which they articulated police policies and attitudes which guide police action. Such an analysis revealed "a problematic to be specified as interview topics" for the next group of participants (Smith, 1987, p.184).

I began stage two by sending a notice to the community's Chief of Police to inform him about the study and to seek permission to interview his officers (See Appendix H). If authorization was granted, I suggested that an internal notice be

circulated among force members to notify officers who could then contact me by phone or email to schedule an interview date and time. The Chief approved my request stating that the research was very important to the police organization. He referred me to the Deputy Chief to make arrangements for office space at police headquarters to conduct the interviews with staff. I tried contacting the Deputy Chief, but spoke to his sergeant instead. He offered to set up the interview times and recruit the participants. I told him how many police officers I wanted to include in my sample (approximately 15) and he agreed to try to obtain officers from management, the patrol division, and the criminal investigations division. I asked to interview female officers if possible. The sergeant suggested that I speak to 911 dispatchers. From the staff on duty the week I was present to conduct the interviews, the sergeant hand-selected 13 police officers and two 911 dispatchers. These participants were hand-picked to ensure that I had officers of different ranks, divisions, and genders in my sample. Although they were not initially selected on a voluntary basis, the officers and dispatchers were informed at the beginning of each interview that participation would only continue if they agreed. I was very pleased to be so warmly welcomed within the organization and to have my research needs accommodated.

I had hoped to discover how the experiences of the women I interviewed reflected aspects of the social relations of police work. Therefore, I used their experiences as disclosed in the first stage of my research to inform the questions posed to police officers and dispatchers. This objective was made clear to the participating police officers and 911 dispatchers, but the interview schedules were

not provided to them. Doing so may have caused staff to consort with their co-workers and prepare their answers in advance. I asked officers about the training they had received in domestic violence, the policies and procedures which guide their action in these cases, and their individual attitudes and beliefs related to women and partner abuse. At the onset of the research, I had also hoped that these interviews would reveal: the nature and quality of the services offered, whether women are receiving the services they seek; and what accounts for the variance in police response.

In conducting the interviews with women, police officers, and 911 dispatchers, I wanted to be able to move from a specifically located and characterized experience to an exploration of the relations that organized it. As Smith (1987) explains, “the movement of research is from a woman’s account of her everyday experience to exploring *from that perspective* the generalizing and generalized relations in which each individual’s everyday world is embedded” (p.185, emphasis in original). Although institutional ethnography presents a challenge in which the researcher must remain true to the woman’s experience while at the same time moving the level of analysis beyond the individual to the ruling apparatus, it offers new ways of seeing that would otherwise be unavailable (Beaman-Hall, 1996).

In my sample of 13 police officers, eight participants were constables, four were in middle management positions, and one was of senior rank. Nine officers worked in the patrol division. The officers I interviewed were on average 40.75 years old and had on average 16 years’ service (between one year and 37 years’

experience). Two of the 13 participants were female officers. I obtained permission to audio-record 11 of the 13 interviews. Most interviews were approximately an hour in length. One was less than ten minutes as the officer was reluctant to answer my questions and three interviews took an hour and a half. These interviews were less open-ended than the interviews with abused women. Although not all questions were asked of each officer, the interview schedules were followed more closely with this group of participants and were revised when new areas were uncovered.

I also conducted two half-hour interviews with 911 dispatchers. Only one of these interviews was audio-recorded. The dispatchers were asked about the procedures they follow in handling domestic violence calls.

Data released in the thesis does not contain the names or ranks of interviewees. To maintain each participant's anonymity, pseudonyms are also omitted.

Data analysis

Unlike standard sociological analysis, data analysis in institutional ethnography does not normally involve coding, interpreting, or ordering the narrative accounts according to the relevances of the sociological or feminist discourses (Smith, 1987; DeVault et al., 2002). "In such a process," Smith (1987) argues, "the standpoint of the women themselves is suppressed" (p.182). Analysis of ethnographic data is also not usually performed with the intention of describing people's experiences, identifying themes, and theorizing data. Instead, IE researchers examine the accounts of women for indications of how their everyday lives have become altered or influenced by the ruling relations, without them

actually speaking of social organizations and social relations (Smith, 1987). What makes institutional ethnography distinctive as a methodology is its ability to *explicate* everyday experiences, people's accounts of those experiences, and the social relations that shape them (Campbell et al., 2002). According to Marie Campbell and Frances Gregor (2002), the institutional ethnographic analysis

uses what informants know and what they are observed doing for the analytic purpose of *identifying*, *tracing*, and *describing* the social relations that extend beyond the boundaries of any one informant's experiences (or even all informants' experiences). Translocal and discursively-organized relations permeate informants' understandings, talk, and activities (p.90, emphasis added).

Without coding, the organization and analysis of the large amount of data produced from 22 interviews would have been very difficult. Thus, I began coding my interview data by reading each interview transcript two or three times and asked myself, "What does the data tell me about how this setting or event happens as it does?" (Campbell et al., 2002, p.85). Even as I transcribed the interviews, I listened to the women describe their experiences of abuse, their decisions to call (and sometimes not to call) the police, as well as the response they received from officers. As important were the ways in which the women made sense of the violence they endured and the actions (and inactions) taken by police. I tried to detect any "fault lines" or "disjunctures" between the women's accounts of their experiences and the ideological ways in which officers interpret their lives (Campbell et al., 2002; DeVault et al., 2002).

Since experiences are as diverse and as various as people are, not all stories shared by participants led in the same direction. For instance, some women

described their experiences with police as positive while others recounted negative encounters with officers. IE researchers want to speak with people of disparate circumstances and situations and often make an effort to include perspectives that would otherwise be missing (DeVault et al., 2002). After all, “different stories enlarge [the] overall understanding of what is happening” (Campbell et al., 2002). Although my sample of participants included only women who were abused by heterosexual partners, this was not my intention. My advertisement stated that to participate, one must be a woman who: 1) has been abused by an *intimate partner* (boyfriend, husband, or lover) and 2) has contacted the police as a result. When I received an email from a lesbian woman who was beaten by her same-sex partner, I requested an interview even though she did not involve the police. I felt that her reasons for not calling the police were as insightful as women’s decisions to request police intervention. Unfortunately, she declined the interview.

In coding the interviews, I followed a guide provided by John and Lyn Lofland (1995). I asked of each discrete item in the interview transcript three questions: “of what *topic*, unit, or aspect is this an instance? What *question* about a topic does this item of data suggest? What sort of an *answer* to a question about a topic does this item of data suggest (i.e., what proposition is suggested?)” (Lofland & Lofland, 1995, p.186, emphasis in original). I then applied directly to the printed transcript a code – a word or short set of words – to the item. The codes served to label, separate, compile, and organize data that was relevant to a topic, question, or answer.

Once I assigned codes to the data, I physically placed the coded data in the same place as other data coded in the same way. I used my personal computer to perform this operation. For each code, I created a new Word document and a file folder to house it on my desktop.² Each document and folder was named after the code it contained. I copied and pasted the coded material from the electronic transcripts into their corresponding Word documents. All of the participants' responses to a particular question (such as, "What kind of help did you seek from the police and why?") can be found in one place (in the file folder containing the "Help sought from police" code). This procedure allowed me to "retrieve, recode, refile, and enumerate coded items and relate them to one another" with ease and speed (Lofland et al., 1995, p.187).

The two types of coding that I performed are described by Lofland et al. (1995) as housekeeping and analytic. The first type refers to the development, maintenance, and review of data pertaining to the more general aspects of the research setting, such as the particulars about participants, organizations, and events. Not all of the contents of my housekeeping files (Police Force statistics and Personal data codes) worked their way into the final analysis, but they helped me quickly find needed information. At times, the housekeeping codes stimulated analytic coding by "[bringing] to light crucial points or patterns that had not been clear in the analytically coded materials" (Lofland et al., 1995, p.190).

Analytic coding is central to developing analysis and is made up of two stages, initial coding and focused coding. In performing the initial coding, I allowed my commitments, interests, expertise, and personal history as well as the knowledge

² I created a log-on password so only I could access these codes and other confidential information.

and skills I have gained with the topics and questions to guide the search for what I defined and discovered in the data. I had to be careful not to categorize data in “ways that [were] artificial, or that distort[ed] and obscure[d] the relations at the crux of institutional ethnography” (Campbell et al., 2002, p.85). I developed numerous and varied codes in the initial coding stage since the focused coding stage involves a process of “winnowing out less productive and useful codes and focusing in on a selected number” (Lofland et al., 1995, p.192). The focused codes were applied to a growing collection of data and the categories within them were expanded upon. While some codes were collapsed and even dropped, others occupied a prominent place in the analysis (Lofland et al., 1995). (See Appendix I for Coding directory).

Chapter 2: Theoretical focus

This chapter will begin by presenting the provincial, national and international rates of male violence against women and by discussing the controversies surrounding the interpretation of survey results on the extent of spousal abuse. I will then discuss the premises, strengths and limitations of various theoretical approaches to woman abuse and the theories that most inform this research. The approach I used for understanding police action in domestic violence incidents will also be discussed.

Rates and controversies

The phrase, “there is no place like home,” brings to mind images of happy times with family and conjures up feelings of warmth, comfort, and security. For many, however, home is a place of fear, intimidation, and even violence. The Centre for Research on Violence Against Women and Children in London, Ontario (1995) estimates that the cost of violence against Canadian women in social services/education, health/medicine, criminal justice, and labour/employment is more than \$4.2 billion annually. The 1999 General Social Survey estimated that 8% of Canadian women fifteen years and over (or 690,000) and 7% of men fifteen years and over (or 549,000) who were married or living in a common-law relationship experienced some type of violence by a partner during the previous five years (Bunge et al., 2000). The five-year rate of wife assault had dropped significantly since 1993 when it was 12% (Trainor & Mihorean, 2001).

A total of 1,525 Canadian women and 513 Canadian men were killed by their intimate partners between 1977 and 1996 (Bunge & Levett, 1998). In the year 2000

alone, 51 women and 16 men were murdered by a current or former partner. The spousal homicide rate has decreased from 18% of all murders committed in Canada between 1974 and 1976 to 13% between 1998 and 2000 (Trainor, 2002). Nevertheless, women (and girls) are more likely than men (and boys) to be killed by a family member (Bunge et al., 2000).

The rates of reported abuse among women aged fifteen years and older in the Canadian provinces ranged between 4% (in Newfoundland) and 12% (in Prince Edward Island) in 1999. The New Brunswick rate of 9% was around the national average (Bunge et al., 2000), but had remained the same since 1993 (Trainor et al., 2001). In 2000, New Brunswick police forces (municipal and RCMP) responded to 919 incidents related to woman abuse, 9% more than in 1999 and 159 more occurrences than in 1994 (Interdepartmental Working Group in Family Violence Statistics, 2002; 1995). Eighty percent of these incidents involved common assault. In 71% of the cases, the abuser was either currently in an intimate relationship with the woman or her ex-spouse. The abuser and the woman were living together in 66% of all reported incidents.

The results from representative surveys conducted around the world “show that developed and developing countries alike harbour significant levels of violence against women in the domestic realm” (Fitzgerald, 1999, p.19). Comparisons between countries should be approached cautiously because the sample sizes, modes of interviewing, definitions of spousal assault, and the years in which they were conducted differ among international surveys. The following are prevalence rates of sexual and physical violence by spouses ever reported by women in various

countries: Canada – 29%³; United States – 25%⁴; Australia – 23%⁵; England and Wales – 23%⁶; Papua New Guinea – 67% of rural women, 56% of urban low income, 62% of urban elites; the city of Leon in Nicaragua – 52%; and Korea – 37% (Fitzgerald, 1999).

For many researchers in the field, the findings of the 1999 General Social Survey are startling. The results suggest, although superficially, that women and men are equally violent in their current intimate relationships. The findings of the GSS (taken at face-value) could be used “to minimize the reality of the overwhelming prevalence of male violence against women” and “to reduce the already scarce resources allocated to rape crisis centres, shelters, and services for battered women” (Jiwani, 2000, p.1).

According to Yasmin Jiwani (2000), many aspects of the GSS are problematic in capturing an accurate picture of violence against women. First of all, the survey fails to take sexual harassment and emotional abuse into consideration when reporting rates of violence. Nor does the survey trace the growing violence against women who are pregnant and women who are vulnerable as a result of their social class, disability, race, or sexual orientation. Third, the GSS only examines violence within a confined time period (12 months and 5 years) and in the context of a spousal or common-law relationship, rather than all women’s violent experiences.

And finally, the survey’s reliance on respondents’ self-reports is also troublesome. Women may be reluctant to disclose that they have been abused given

³ Violence Against Women Survey (1993)

⁴ National Violence Against Women Survey (1996)

⁵ Women’s Safety Survey (1996)

⁶ British Crime Survey (1996)

the shame and stigma attached to being victimized by an intimate partner. Since the survey uses telephone interviews, it excludes non-English and non-French speakers, homeless women and women in transition, women who are escaping abuse, women with hearing or speech disabilities, and Aboriginal women living on reserves without access to household telephones.

Perhaps the most significant drawback of the GSS is its ignorance of the context of the violent incident as well as the intentions of the abuser. Without this crucial information, it is unclear whether there is actual gender parity in violence. As Jiwani (2000) suggests, “women who have been abused are often forced to retaliate against the abuser in self-defence” (p.3). Further, when acts of violence are decontextualized, it is implied that one form of violence is like another and the intent of the action is equal to its outcome (Jiwani, 2000).

In addition to the General Social Survey, community survey studies in the United States and Canada (Tutty, 1998), U.S. homicide data (DeKeseredy, 1993), and surveys that employ the “Conflict Tactics Scale” (CTS) (Dobash, Dobash, Wilson, & Daly, 1992) generally indicate a sexual symmetry in partner violence. Despite the vocal proponents of the view that “husband abuse” is a significant social problem, these studies’ interpretation that women are as violent as men is seriously questioned by front-line workers, academics, and policy-makers.

Like the GSS, these surveys do not take into account the context of the abuse in intimate relationships nor the intentions and motives of the abusers and simply count the number of hits. For instance, the 1975 and 1985 U.S. national surveys asked either the husband or the wife (but not both) in 2,143 and 3,520 households

respectively how they resolved conflicts or disagreements with their spouse. The "Conflict Tactics Scale" (CTS), a list of eighteen "acts" ranging from "discussed an issue calmly" and "cried" to "threw something at him/her/you," "beat him/her/you up," and "choked him/her/you," was presented to each respondent who was asked how frequently s/he perpetrated each act against their spouse within the previous year and how many times s/he was the victim. The CTS was intended to measure three constructs: "Reasoning," "Verbal Aggression," and "Physical Aggression" or "Violence," which was divided into "Minor Violence" and "Severe Violence" depending on the presumed potential for injury. The self-reports of victimization and perpetration using the CTS, a checklist of acts devoid of motives, meanings and consequences, was used to estimate the rates of violence by both husbands and wives (Dobash et al., 1992).

Using the results of these surveys, some researchers (Gelles, 1982; Steinmetz, 1977/78; and Straus, 1977/78) have proposed a sexual-symmetry-of-violence thesis. This thesis proclaims that women are about as violent as men and that violence against husbands is about as prevalent as violence against wives (Dobash et al., 1992).

However, there is ample evidence illustrating that violence by women and men are different in motive and meaning (DeKeseredy, 1993). To begin with, there are different psychological and physical consequences (Jaskinski et al., 1997). And, as Tutty (1998) argues, women are often violent in response to a partner's violence and men are violent in response to non-violent women who, for instance, are attempting to escape. In contrast to men who use violence to dominate and control

their partners, women use violence to defend themselves from direct physical attack, to escape from attack, or to retaliate for prior physical or emotional abuse.

Defenders of the sexual-symmetry-of-violence thesis frequently point to the number of lethal outcomes in intimate partnerships to support their claim. In the United States, the homicide ratio of women to men is estimated at 1.3:1 while in Canada 3.3 women are killed for every one man (Dobash et al., 1992). In spite of the seemingly similar rates of homicide for husbands and wives, closer inspection reveals that they are not similar in scope (DeKeseredy, 1993). Dobash et al. write:

Men often kill wives after lengthy periods of prolonged physical violence accompanied by other forms of abuse and coercion; the roles in such cases are seldom if ever reversed. Men perpetrate familicidal massacres, killing spouse and children together; women do not. Men commonly hunt down and kill wives who have left them; women hardly ever behave similarly. Men kill wives as part of planned murder-suicides; analogous acts by women are almost unheard of. Men kill in response to revelations of wifely infidelity; women almost never respond similarly, though their mates are more often adulterous. The evidence is overwhelming that a large proportion of the spouse-killings perpetrated by wives, but almost none of those perpetrated by husbands, are acts of self-defense. Unlike men, women kill male partners after years of suffering physical violence, after they have exhausted all available sources of assistance, when they feel trapped, and because they fear for their own lives (1992, p.81).

Theoretical approaches to male violence against women

Many attempts have been made to theoretically explain the age-old problem of male violence against women. Early theorists attributed wife battering and sexual violence to the small group of deviant men who came to the attention of authorities.

The male transgressors of violence and even the female victims were regarded by the first researchers as mentally ill. While violent men were described as “psychotic, paranoid sociopathic, poorly socialized, or as having an extra Y chromosome” (Johnson, 1996, p.1), victimized women were believed to be masochistic, provocative, or sexually promiscuous. Researchers perceived a variety of mental disturbances and personality flaws in abused women to be the causes of their victimization or what made them susceptible to male violence. Although “victim-blaming” persists, recent research has revealed that psychological disorders are no more prevalent among abusive husbands and rapists than men in the general population. Moreover, it has been found that male violence against women is so widespread it cannot realistically be the actions of a few “sick” men (Walby, 1990; Johnson, 1996).

To add to our understanding of violence against women in intimate relationships, today’s researchers tend to draw from the general psychological, socio-psychological, and sociological theories of deviance and crime (Sev’er, 2002). Psychological explanations emphasize individual characteristics of victims and offenders and centre on social learning, sex roles, situational factors, and evolution (Johnson, 1996). Socio-psychological theories “seek the causes of violence within interpersonal interactions, modeling, and imitation processes, and other types of learning” (Sev’er, 2002, pp.43-44). Theories with a sociological perspective, including routine activities theory, resource theory, social control theory, general systems theory and feminist theories, highlight “the importance of the social context of the players in the violent interactions” (Johnson, 1996, p.2). According to

sociological explanations, violence is rooted in societal structures and in the functioning of societal institutions (Sev'er, 2002).

Individual-level and societal-level theories are not parallel in their abilities to describe and explain woman abuse, but contribute nevertheless to the debates surrounding the causal factors of violence (Johnson, 1996). Explanations that address violence outside of intimate partnerships, such as child abuse, are useless in making sense of the abuse of women by male spouses. As R. Emerson Dobash and Russell Dobash (1979) note, general theories that lump all forms of family violence together under one explanation obscure the crucial differences in the abuse that occurs between various family members. No one theory can explain intimate partner violence alone, since this type of abuse is a narrowly focused social problem (Sev'er, 2002). However, many experts insist that a central factor is the long-established power imbalance between men and women in society. "These experts link the mistreatment and abuse of women to the social and economic reality of women's lives – the web of discriminatory attitudes, values, behaviours, structures and institutions that undermine, isolate and marginalize women" (National Clearinghouse on Family Violence, 2002, p.4). The following paragraphs contain a discussion of the main premises as well as the primary limitations of popular individual- and societal-level theories used to gain an understanding of wife abuse.

Social learning theory

Social learning theorists maintain that violence is a behaviour we learn by observing how the influential people in our lives behave and solve problems. Violence is used to solve problems when the repercussions of aggressive behaviour

are believed to be positive and when alternative means to work out the problem are unavailable. The rewards and punishments associated with certain behaviours are important elements in the social learning process. "Violence will increase in frequency if it produces the desired outcome (such as compliance or submission on the part of the victim, or feelings of control or power by the aggressor), and if it is not met directly with punishment" (Johnson, 1996, p.6). Thus, when authorities fail to respond appropriately to an abused woman's requests for help, her partner's legitimacy of using violence is reinforced.

The generational cycle of violence is evidence of social learning theory at work. According to the 1993 Violence Against Women Survey (VAWS), there is a strong link between seeing one's mother being abused by a male partner and becoming a victim or a perpetrator of spousal violence as an adult (Bunge et al., 1998). Men who witnessed violence against their mothers as children are likely to be violent toward their wives in the future. Conversely, women who have once been exposed to their fathers' violence toward their mothers are likely to be involved in abusive relationships themselves (Bunge et al., 1998; Bunge et al., 2000).

In spite of the wealth of support for the generational cycle of violence (Jaffe, 1990; Allan, 1991; Rodgers, 1994) and, indirectly, social learning theory, this cause-and-effect pattern does not hold true in all cases. Much like psychological theories that cannot account for why many men without identifiable pathological traits repeatedly hurt their wives (Sev'er, 2002), social learning theory fails to explain why numerous men who abuse their female partners had no intimate role models for violence and several men who had such a role model are not violent (Johnson, 1996).

Further, social learning theory is a gender-neutral approach yet, as the generational cycle of violence illustrates, learning is gender-specific. In the end, social learning theory dismisses any mediating factors – biological, socioeconomic, or otherwise – in the use of violence by intimate partners (Sev'er, 2002).

Sex-role theory

Sex-role theory expands upon social learning theory by including the dynamics of male-female relations in its explanation of why some men learn to be violent towards women. For sex-role theorists, men are aggressive and women are passive and submissive in their social relations because they receive cultural messages about appropriate male and female behaviour as children. Boys, on the one hand, are reared to be tough, powerful, and controlling and girls, on the other, are taught to “follow submissive ladylike behaviour, to strive to maintain relationships, and to serve others” (Johnson, 1996, p.7). When boys and girls become adults, gender stereotypes guide their actions in social situations. While greater power and prestige is awarded to male roles, boys are quickly rejected by peers for acting “unmanly” or identifying with anything feminine.

The qualities that define masculinity and male-female relations contribute to violence against women when taken to the extreme. Some researchers argue that “men who relate strongly to the masculine ideals of toughness and dominance may be more likely to accept it as their right to physically abuse their wives and to take what they want from women sexually” (Johnson, 1996, p.8). Others insist that men rape and batter women because they feel inadequate or are insecure about their own power, strength, control, authority, and identity.

Situational theories

Situational theories also offer popular explanations of why men abuse women. According to some researchers, violence is a reaction to situational factors such as stress, alcohol abuse, or drug dependencies. Constant changes and transitions that occur within the home create conflict and tension for family members. Although stress itself does not directly cause violence, individuals may respond forcefully to stress in order to regain control. But, as Holly Johnson (1996) points out, the use of violence in stressful situations only occurs when “the individual has learned to behave aggressively in response to stress; [when] such a response to stress is culturally recognized; [when] the man believes in male dominance, especially if he has achieved a position of power within the relationship; and [when] the situation is one that will likely produce rewards for aggression” (pp.10-11).

As with stress and violence, there is no causal relationship between alcohol and/or drugs and violence. Nevertheless, alcohol and drugs *can* reduce people’s inhibitions, alter their judgment, and prompt them to behave in a socially unacceptable manner (Johnson, 1996). In fact, alcohol abuse has been identified as a risk factor of spousal abuse. Not only is regular heavy drinking associated with elevated rates of violence, but men are often drinking when they assault their female partners (Bunge et al., 1998). Abuse of alcohol is often present in spousal homicide cases. In over one-third (39%) of intimate partner murders committed between 1979 and 1998, there were reports of alcohol and/or drug abuse (Bunge et al., 2000).

The link between alcohol consumption and intimate partner violence is challenged by sociological studies which show that “not all men who drink abuse their partners; abusive men do not abuse their partners each time they drink; abusive men do batter their partners when they are not drinking; some men who are non-drinkers also abuse their partners; [and] some alcoholics who stop drinking continue to abuse their partners” (Sev’er, 2002, p.66).

Most experts refute the cause-and-effect relationship between alcohol abuse and violence for two reasons. First of all, drinking may be used as an excuse for aggressive behaviour. Men who tend to be violent may drink so as to justify their actions and women may excuse and forgive their husbands for abusing them while drinking. Secondly, a third underlying factor may contribute to the suspected link. Alcohol abuse and violence may be caused by “cultural norms [which] support both domination over women and excessive drinking as acceptable masculine behaviours” (Johnson, 1996, p.12).

Although situational theories provide a possible explanation for the apparent link between alcohol/drug abuse, stress, and spousal violence, they are subject to much criticism. They do not explain the violence that occurs in the absence of stress, alcohol, and/or drug dependencies or, on the contrary, the *lack of* violence in highly stressful familial environments.

Class analysis

Class-based analyses of men’s violence are predicated on similar notions as situational theories. The basic premise of this approach is that “men at the bottom of

the class hierarchy are violent towards women as a result of the frustration generated by their circumstances” (Walby, 1990, p.132).

There are two main variants of class analysis, a general model and a subcultural model. The first sees capitalist society as the ultimate cause of violence. In situations of economic stress, such as high unemployment and a shortage of housing, attacks on women by men is most common. According to the subcultural model, on the other hand, men in the lower strata are violent towards women because they lack the means necessary to achieve the values of the main culture, from which they feel alienated, so they develop values that are more easily attained, such as machismo and physical superiority (Walby, 1990).

There is little consistence in national surveys about the role economic hardship plays in violence against women. Low family income (as well as unemployment and low occupational status) appear to be connected to wife assault in the 1993 Violence Against Women Survey (Bunge et al., 1998). However, income (and education) has little or no bearing on exposure to partner violence according to the 1999 General Social Survey, since women and men from all income and education levels reported experiencing such abuse (Bunge et al., 2000).

Researchers have difficulty accepting class-based analyses of men’s violence for a number of reasons. Data supporting this theory’s principal assumption that violent men are disproportionately drawn from the bottom of the social order are inconclusive. Crimes committed by members of the upper classes often go unnoticed while members of the lower classes and minority races are watched closely by authorities. Moreover, class analysis theorists do not question “why men

who are frustrated at their class, and possibly race, position avenge themselves on women [of the same social class and race],” and not their class and race enemies (Walby, 1990, p.133). Since women are the most socially disadvantaged, it would seem from this perspective that they would be more violent than men. Clearly, the argument that “social disadvantage breeds violent behaviour” needs reworking. Perhaps the theory’s greatest fallacy is its failure to account for the gendered nature of violence (Walby, 1990).

Resource theory

Resource theory is another societal-level explanation that purports to explain wife abuse. Founded on the assumption that “the strong and the powerful will dominate the weak and less powerful” (Johnson, 1996, p.17), resource theory claims that men have more resources than women and are, therefore, able to retain power over their wives. The resources that men typically have (and women usually lack) include income, social standing, knowledge, and expertise, and result from working outside the home. “Ironically, the more power and force men are able to display, the less likely they are to resort to actual violence in order to maintain control over their wives” (p.18). Instead, violence and the threat thereof are only used to establish dominance when the husband perceives a shortage of other resources.

While traditional norms that support unequal power relations within the family are important, they alone cannot account for men’s use of violence against their wives. For resource theorists, it is both men’s acceptance of cultural norms that support violence *and* insufficient resources that give higher status which makes men use violence to regain control. Men may also abuse their wives if their education,

income, or occupation prevents them from living up to cultural ideals about male status or if their actual status is threatened by better educated or successful wives.

Social control theory

Among the most accepted explanations used to understand human violence is social control theory. This approach is based on two equally important prepositions. First of all, social control theorists assume that “people will behave in a socially inappropriate manner unless there are adequate control mechanisms to prevent such behaviour” (Johnson, 1996, p.19). Secondly, they contend that “human behaviour is guided by the pursuit of reward and the avoidance of punishment” (ibid). It can be deduced from this theory that, not only do men abuse their wives because the benefits of doing so outweigh the costs, but also because there are very few social controls against violence.

According to Holly Johnson (1996), both the costs of using violence and social control over the family are reduced by “inequality among family members, the privacy of the family unit, and norms that support the image of the powerful man” (p.19). Husbands who are violent need not fear retaliation or reprisals from their wives since they are physically and economically more powerful than women. Wives, on the contrary, have a legitimate fear of counter-attacks, as well as social and economic repercussions, if they abuse their husbands. Furthermore, social control over the family is limited when criminal justice practitioners fail to intervene in family matters they regard as private. And finally, our culture continues to memorialize the aggressive and violent man.

Feminist theories: Marxist, radical, & socialist feminism

Feminist explanations draw on the principles of many of the theories discussed above. Unlike other theorists, though, feminists seek an understanding of woman abuse that takes into consideration “the historical and institutional backdrop in which sex role learning and male status acquisition take place” (Johnson, 1996, p.21). For them, the unequal and gendered distribution of power and resources, the division of differentially valued labour, and the patriarchal system of Western society which produces and preserves the inequalities that exist between males and females contribute to violence against women. While all feminist explanations view male violence as an expression of patriarchal domination, there are numerous feminist theories which vary in scope and focus.

Although traditional Marxism does not directly address violence, it offers a limited explanation of general domination and control. For traditional Marxist feminists, capitalism creates both class inequality and gender inequality. In the same way that the labour performed by the working class benefits the capitalist class, women’s unpaid work in the home and paid labour in the workplace serves capitalist class interests. Women are not oppressed by men, but by capitalism (Jaggar, 1983).

Today’s unequal gender relations, according to Marx and Engels, are the result of men’s historical attempt to control women’s sexuality and reproduction. To prevent passing on their accumulated wealth to illegitimate offspring, men needed to be certain of their paternity in agrarian societies. In the absence of biological knowledge and technological skills, this assurance could only be achieved by controlling women’s sexual behaviour. But in the transformation from having a

multiplicity of sexual partners to a monogamous relationship, “the man took command of the home also; the woman was degraded and reduced to servitude; she became the slave of his lust and a mere instrument for the production of children” (Engels, 1993, pp.120-121 cited in Sev’er, 2002, p.52). With industrialization and the accumulation of capital, women were mere vessels in the transmission of wealth and power from one generation to another. For Engels, women’s emancipation depended upon their full involvement in the labour force (Hartmann, 1981; Sev’er, 2002). He predicted that gender inequality would cease when women worked along side men outside the home because only then would the two genders have the same relationship to capital (Jaggar, 1983). However, “women’s increased participation in the labour market has not ameliorated their subjugation [nor has it] eliminated violence against them” (Sev’er, 2002, p.53).

In contrast to the traditional Marxist assertion, radical feminists insist that social change in the form of more women in the work environment will not lead to their liberation, but will subject them to increased levels of male violence in traditionally patriarchal societies. Altering a system in which men are the rulers and the group which has the power to maintain their privileged position can be very costly to women. During times of social change, such as economic slumps, globalization, or ethnic wars, men will tighten their control of women in order to regain their historical “rights” by inflicting violence on them. Male rights and privileges are actively and forcefully defended by the “state” which, according to radical feminists, is not a neutral power, but a representation of masculine authority

(Sev'er, 2002). The state and the criminal justice system perpetuate the condition of women by failing to intervene effectively to support and protect them (Walby, 1990).

The differences between the two theories do not end here. Unlike traditional Marxists, radical feminists see patriarchy as *the* root cause of all inequalities (Messerschmidt, 1993) and “patriarchal control of women as *the* most important subjugation” (Sev'er, 2002, p.53). Patriarchy, argue Dobash and Dobash (1979), has two necessary elements. First, it is comprised of structures which organize and assign power, privilege, and leadership to certain individuals and groups (men and capitalists) while relegating others (women and the working class) to subservient roles. Although men of different classes, races, or ethnic groups have different places in the hierarchy, they are “united in their shared relationship of dominance over women” (Hartmann, 1981, pp.14-15). In order to maintain this dominance, men depend on one another. Patriarchy also consists of an ideology that serves to maintain the status quo by making the unequal power relations between men and women, owners of production and workers seem natural, good, and inevitable by the majority of the population. Not only does this ideology rationalize the inequality between the genders and classes, but it creates an acceptance of subordination by those destined to the subordinate gender and class. Through sex-role socialization that begins in the family, individuals and groups learn their “proper places” within the hierarchal order. Social pressures to conform and interventions that deter and punish deviance prevent those who are subjugated from challenging or questioning the “rightful” nature of the hierarchy (Dobash et al., 1979).

According to radical feminists, women were the first oppressed group in history. Not only is women's oppression the most ubiquitous, existing in every society throughout the world, but it is also the most deeply embedded form of oppression (Messerschmidt, 1993). Women's subjugation is not linked to their relation to capital, as traditional Marxists believe. Rather, radical feminists argue that women are oppressed because they bear children (Sev'er, 2002). While traditional Marxists focus on the relations between labourers and production owners, radical feminists view marriage and family as "twin pillars" of patriarchal societies. Women's freedom is contingent upon the breakdown of traditional, heterosexual marriage and a revolutionary change in reproduction (Sev'er, 2002). Other radical feminists insist that separatism is the solution. The only way to escape patriarchal domination is for women to exclude men entirely by living as far away as possible from them, avoiding heterosexual liaisons and taking up lesbianism, and working in all-female workplaces (Jaggar, 1983).

While traditional Marxism is flawed because it fails to place due emphasis on patriarchy and to explain how women's domestic labour benefits men as well as capitalists, radical feminism is criticized for its exclusive focus on reproductive labour (Sever, 2002) and its ignorance of the significance of class and race relations (Walby, 1990). According to Sev'er (2002), both theories fall short of adequately explaining the interconnectedness of productive and reproductive activity.

Socialist feminism aims to "synthesize the best insights and [simultaneously escape] the problems associated with [the Marxist tradition and radical feminism]" (Jaggar, 1983, p.123). In a socialist feminist understanding of women's problems

with the social order, such as male violence perpetrated against them, “patriarchal and class components are considered to be inextricably intertwined” (Sev’er, 2002, p.55). Power and oppression derive from sex, race, and class (Eisenstein, 1979). The first socialist feminists (early 1970s) viewed patriarchy and capitalism as two equally important and discrete systems in which neither prevailed over the other. Each system was believed to have its own history and its own forms of oppression (Messerschmidt, 1993). While Heidi Hartmann (1981) views capitalism and patriarchy as a ‘partnership’, Zillah Eisenstein (1979) sees capitalism and patriarchy as mutually dependent; hence the term, “capitalist patriarchy.” Here is how Eisenstein (1979) explains their interdependence:

Patriarchy (as male supremacy) provides the sexual hierarchical ordering of society for political control and as a political system cannot be reduced to its economic structure; while capitalism as an economic class system driven by the pursuit of profit feeds off the patriarchal ordering (p.28).

Put another way, capitalism “creates the places for a hierarchy of workers” while patriarchy (gender hierarchy) determines who will occupy the empty places (Hartmann, 1981, p.18).

For socialist feminists, then, women’s oppression is rooted in their class position as well as their position within patriarchy, both structurally and ideologically. Since “women’s existence is defined by capitalism and patriarchy through their ruling ideologies and institutions, then an understanding of capitalism alone (or patriarchy in isolation) will not deal with the problem of women’s oppression” (Eisenstein, 1979, p.24).

As Sylvia Walby (1990) points out, there are different degrees and forms of patriarchy. In different times and places, the intensity of oppression (degree) and the overall type of patriarchy (form, or the specific relationship between patriarchal structures) vary. The degree of oppression, according to Walby (1990), is evident in the size of the wage gap between men and women, for instance. Different forms of patriarchy, on the other hand, depend upon the interaction of six key patriarchal structures: “patriarchal mode of production; patriarchal relations in paid work; patriarchal relations in the state; male violence; patriarchal relations in sexuality; and patriarchal relations in cultural institutions including religions, media, education” (Walby, 1990, p.177).

The two forms of patriarchy Walby (1990) distinguishes between are private patriarchy and public patriarchy, or as Hartmann (1981) prefers, family-based patriarchy and industrial-based patriarchy. Private patriarchy is based on household production. A patriarch (husband or father) directly and individually oppresses and benefits from women’s subordination in the relatively private sphere of the home. Even though the home remains a significant patriarchal site in public patriarchy, it is no longer the central domain responsible for the maintenance of patriarchy. Instead, institutions belonging to the public sphere are the main oppressors of women. In public patriarchy, women are given access to public arenas, but are subordinated within them. While private patriarchy involves an individual appropriation of women, public patriarchy is a collective form of appropriation. Further, the patriarchal strategy in private patriarchy is exclusionary (women are confined to the home and are barred access to paid employment) whereas public patriarchy involves

segregating and subordinating women (women are allowed in labour force, but only in low-wage positions that are separate from men) (Walby, 1990).

The gendered division of labour is an obvious manifestation of private and public patriarchy. It also provides a point of departure from which the socialist feminist analysis of women's powerlessness in capitalist society may begin. People's activity, purposes, goals, desires, and dreams are defined by this gendered division of labour not on the basis of biological sex, as Eisenstein (1979) suggests, but on gendered character types (Jaggar, 1983). In other words, socialist feminists assert these character types are socially constructed and specific social practices, rather than biology, determine the acquisition of a masculine or feminine type. They argue:

that our "inner" lives, as well as our bodies and behavior, are structured by gender; that the specific characteristics that are imposed are related systematically to the historically prevailing system of organizing social production; that the gender-structuring of our "inner" lives occurs when we are very young and is reinforced throughout our lives in a variety of different spheres; and that these relatively rigid masculine and feminine character structures are a very important element in maintaining male dominance (Jaggar, 1983, p.127).

The so-called public and private realms of human life represents an ideological division which serves the interests of capitalist patriarchy. As Jaggar (1983) notes, the private sphere has always included sexuality and procreation and has always been regarded as women's domain. Throughout history, "women have been defined primarily by their sexual and procreative labour" and have been viewed as 'sex objects' and as mothers (pp.127-128). For socialist and radical feminists

alike, the social practices of sexual activity, childbearing, and childrearing embody power relations. However, socialist feminism rejects biological determinism and hence, the radical feminist assertion that these practices are invariant. Moreover, the historically specific ways in which individuals organize their sexual, childbearing, and childrearing practices are viewed by socialist feminists as constructing, at least in part, human nature. Socialist feminists claim that class and ethnic differences affect and are affected by the organization of these activities. Such organization, nevertheless, is considered especially important in creating the masculine and feminine character types deemed appropriate in a particular society (Jaggar, 1983).

The confinement of women within the home and the relations of production within it pre-date capitalism, according to Walby (1990). Contrary to some feminists' assertion, the separation of the private and public domains, or home and work, "is not specific to capitalism" (Walby, 1990, p.182). However, "the rise of capitalism did lead to the development of a new form of patriarchy, but not to an alteration in its basic structures" (ibid). Women comprised the majority of workers in the first cotton textile mills of the industrial revolution. As a result of patriarchal pressures (and not capitalist), women were denied access to industries developed later in the century. "The development of capitalism," Walby (1990) argues, "opened up new sites of power, and these were colonized by men because they were strategically placed so to do" (p.184).

In a change from public to private patriarchy, women were sent back home (Walby, 1990). Here, their domestic labour includes the production of "use values," as opposed to "marketable commodities," which are meant to be consumed in the

home. Since women's products and services never reach the market, their labour in the home is not considered "real" work. Women's domestic labour also entails the reproduction of labour power. "Such acts of daily maintenance and socialization as preparing meals, cleaning house, doing laundry, and caring for children are forms of 'reproducing labor' and thus create value because that very labor eventually is incorporated into capital through the husband's and the children's labor power" (Messerschmidt, 1993, p.52). The family, then, which provides a productive labour force and supplies a market for mass consumption, reinforces women's oppressive condition (Eisensetain, 1979).

The interests of men and capitalists often conflict, especially when it comes to women's labour power (Hartmann, 1981; Walby, 1990). At the same time "the vast majority of men... want their women at home to personally service them... a smaller number of men, who are capitalists... want most women (not their own) to work in the wage labor market" (Hartmann, 1981, p.19). Since women's labour is cheaper than men's due to patriarchal structures, capitalists want to recruit and exploit females. Private patriarchs (husbands and fathers) resist the capitalists' demands because they want to exploit female labour in the home (Walby, 1990).

As previously mentioned, capitalism and patriarchy is a partnership, in which capitalism adjusts to the needs of patriarchy and patriarchy adjusts to the needs of capitalism (Hartmann, 1981). So, to settle the dispute women were permitted entry into paid employment, but they were segregated from men and given fewer wages (Walby, 1990). Men began to earn a "family wage" so their wives would not *have* to work. Instead, they could stay home and perform services that benefit men

directly. Since women receive lower pay than men in the workplace, they are encouraged to marry (Hartmann, 1981). Although the shift from private to public patriarchy has allowed women to reduce their dependence on husbands, “their dependence upon the welfare state both as employees of the state and as clients receiving state services” has increased (Walby, 1990, p.177).

Women continue to work outside the home, providing goods and services to the larger community. However, their labour is seldom the same as men’s. The paid labour force is segregated almost entirely by sex. “Women’s work,” as Jaggar (1983) points out, “is invariably less prestigious, lower paid, and defined as being less skilled than men’s, even when it involves such socially valuable and complex skills as dealing with children or sick people” (p.129). Participating in the “paid” labour force still does not free women from their domestic duties. In exchange for a small amount of financial independence, working women receive a double-day’s work (Delphy, 1984). Women’s work in the home and in the market continues to benefit men as well as capitalists (Delphy, 1984; Eisenstein, 1979; Hartman, 1981). Although women are subordinated within the public sphere, their oppression within the home has not ceased. They continue to be dominated in the domestic division of labour and in sexual practices and they continue to be the victims of male violence (Walby, 1990).

All feminists advocate social change and seek to eradicate male dominance. Socialist feminists, in particular, argue that the completion of this task depends on the elimination of the sexual division of labour, the social relations that constitute humans as males and females, and the public/private distinction. The abolition of

male dominance also relies on the transformation of the economic foundation of society. However, there are a number of obstacles to achieving social change. In the words of Alison Jaggar (1983), “women often seem to accept male values and perceptions, even when it is obvious, from a feminist perspective, that these values and perceptions distort reality and are directly opposed to women’s own interests” (p.149).

Every feminist theory provides its own account of why so many women yield to their subordinates and even collaborate with their oppressors. For radical feminists, women give in to male dominance because they feel trapped by the patriarchy, they have few objective options, they are physically victimized by men, and their survival is contingent upon their submission to men. Radical feminists are also convinced that patriarchal culture, patriarchal science, and the language of the patriarchy leave women deluded, tricked, and bewildered. According to socialist feminists, the radical feminist portrayal of women as helpless victims paints an oversimplified explanation as to why women sometimes allow themselves to become the victims of violent men when weapons that far outweigh differences in physical strength are available (Jaggar, 1983). Traditional Marxists claim that women fail to perceive their long-term interest in socialist revolution by reason of ideology and false consciousness. “They believe that the ruling class’s control of the production of knowledge, coupled with the very structure of daily life, combine to convince most women that true happiness lies in the acquisition and consumption of more and more commodities” (Jaggar, 1983, p.149). In theory, the concepts of false consciousness and ideological obfuscation are promising, however, they only

account for capitalist ideology and fail to acknowledge the ideology of male dominance (Jaggar, 1983).

To explain how men are able to maintain control over women (and why women submit to male domination) socialist feminists may turn to the work of Gramsci. Gramsci went beyond Marx and Engels by placing greater emphasis on the role of the state in “perpetuating classes and preventing the development of class consciousness” (Carnoy, 1984, p.66). He also inverted traditional Marxist theory by focusing on “the primacy of ideological superstructures over the economic structure” and by highlighting “the primacy of civil society (consensus) over political society (force)” (p.69). Although Gramsci agreed with Marx and Engels’s argument that “the ideas of the ruling class... are the ruling ideas, and... ‘the class which is the ruling *material* force in society is at the same time the ruling *intellectual* force” (ibid, emphasis in original), he questioned how the ruling class receives the consent of its subordinate classes. The Marxist explanation, which suggests that force and the logic of capitalist production enable the dominant class to remain dominant, is insufficient for Gramsci. Instead, he argues that the power of consciousness and ideology explain this consent.

Gramsci developed the concept of “hegemony” which refers to “the complex of institutions, ideologies, practices, and agents that comprise the dominant culture of values” (Carnoy, 1984, p.70). According to his theory, the class which has hegemony is not merely dominant, but is able to use its political, moral, and intellectual leadership to convince the members of the subordinate classes that its domination is in their best interests as well as its own. The hegemonic class projects

“its own particular way of seeing social reality so successfully that its view is accepted as commonsense and as part of the natural order by those who in fact are subordinated to it” (Jaggar, 1983, p.151). For Gramsci, the state itself played a part in reproducing the relations of production because it included the hegemony of the bourgeoisie class. However, it is civil society – schools, the family, the media, religious institutions, and the workplace – which has the most crucial role in maintaining the hegemony of the dominant class. The ideological apparatuses (to borrow from Althusser) in the civil society are “much less obvious and therefore much more effective [than the state’s hegemonic apparatuses] in mystifying the dominance of class rule” (Carnoy, 1984, p.73).

The family and other ideological state apparatuses continually reproduce people’s consciousness and activities by feeding them ideologies that are compatible with the maintenance of the system the way it is (Althusser, 2000). Since women are not identified as workers in the ruling ideology, they “consent” to not being paid for their domestic labour and to receiving fewer wages than men in the workforce (Eisenstein, 1979; Hartman, 1981). The ideology of motherhood prevents women from seeking public employment since they alone are responsible for the welfare of their children. The ideology of marriage has many women believing they marry their husbands out of love, which distorts the historical view of marriage as an economic contract. The ideologies of romantic love and family discourage women from leaving violent partners because, on the one hand, true love should not be expected to run smooth all of the time and, on the other, the family unit should be preserved at all costs (Jaggar, 1983).

Although socialist feminism provides a useful theoretical framework for understanding male dominance, it has one significant drawback, according to James Messerschmidt (1993): “the term ‘patriarchy’ restricts the theoretical exploration of historical variation in masculine dominance” (p.57). In other words, the concept of ‘patriarchy’ does not consider the possibility that ‘masculinity’ is constructed in various ways under different social conditions. Rather, ‘patriarchy’ endorses one type of masculinity – the “typical (patriarchal) male” (Messerschmidt, 1993, p.58). And, as Holly Johnson (1996) points out, “this approach cannot explain why it is that men who are exposed to the same cultural conditioning do not exhibit the same violent behaviour, except to say that all men are susceptible to prevailing messages about male-female power relations” (p.22).

In Messerschmidt’s (1993) view, a number of different masculinities are possible. Men construct masculinities in response to their class and race position and to their particular social situation, such as the peer group, school, family, workplace, and so on. It is not surprising, then, that some men speak and relate to others in one context differently than in another. Masculinities are also constructed relative to the resources available to an individual and the structural constraints of particular circumstances. While men as a group control women as a group, individual men do not have equal access to resources. These resources give some men greater power over women and other groups of men (Johnson, 1996; Messerschmidt, 1993). For example, education and economic success are resources middle-income men have at hand and use to construct their masculine status. Lower-income men who lack such resources must construct their masculinity in

other ways. Messerschmidt (1993) argues that “various forms of crime [including violence against women] can serve as suitable resources for doing masculinity within... specific social contexts” (p.119).

Just as a class hierarchy exists in our society, so too does a hierarchy of masculinities. Messerschmidt (1993) refers to the dominant form of masculinity as “hegemonic masculinity.” The “idealized form of masculinity in a given historical setting,” hegemonic masculinity “is culturally honored, glorified, and extolled, and this ‘exaltation stabilizes a structure of dominance and oppression in the gender order as a whole’” (Messerschmidt, 1993, p.82). Messerschmidt (1993) writes:

In contemporary Western industrialized societies, hegemonic masculinity is defined through work in the paid-labor market, the subordination of women, heterosexism, and the driven and uncontrollable sexuality of men. Refined still further, hegemonic masculinity emphasizes practices toward authority, control, competitive individualism, independence, aggressiveness, and the capacity for violence (p.82).

Since hegemonic masculinity is the cultural expression of women’s subordination and most men benefit from their own dominant position, most men take part in practices that attempt to sustain hegemonic masculinity. And, as the term implies, hegemonic masculinity may be maintained using force, or the threat of force, as in violence against women (and homosexuals) (Messerschmidt, 1993).

Messerschmidt (1993) contends that woman abuse in the home is a resource for masculine construction. When a woman fails to fulfill her “wifely duties” as defined by the gendered division of labour, or challenges her husband’s authority and asserts herself in some way, she may be physically punished by her partner who is merely “defending his rights.” According to the abusive husband, “his wife” is

not conforming to his standards of “essential femininity.” Moreover, he “interprets such behavior [not completing the housework, questioning his decisions and actions] as a threat to *his* ‘essential nature’ – control and domination of the household” (Messerschmidt, 1993, p.146, emphasis added). Because “the gendered division of labour and power within the household is so closely tied to the man’s sense of his own masculinity... the slightest threat to this order results in a violent response toward her” (Johnson, 1996, p.23). Thus, violence against female partners not only ensures that the wife will comply with her husband’s demands in the future, but it also is a way in which a man can repair a “damaged” patriarchal masculinity (Messerschmidt, 1993).

The police response to woman abuse: Masculinity and police subculture

The gendered division of labour within policing, and the entire criminal justice system for that matter, is obvious. Like other legal actors, police officers are predominately male. In 2003, women represented only 12% of New Brunswick’s police officers, 16% of Canada’s (New Brunswick Advisory Council on the Status of Women, 2004).⁷ Not only are women less likely than men to be police officers,⁸

⁷ The New Brunswick Advisory Council on the Status of Women (2004) provides a breakdown of women police officers on New Brunswick municipal and RCMP forces: Miramichi – 5% (2 of 38); Grand Falls and B.N.P.P. – 6% (each 1 of 16); Moncton RCMP – 7% (10 of 137); Woodstock – 9% (1 of 11); Edmundston – 9% (3 of 35); Saint John – 11% (18 of 158); Bathurst – 13% (4 of 30); Rothesay – 16% (5 of 31); Cambellton RCMP – 17% (3 of 18); Fredericton – 18% (17 of 93); and Oromocto RCMP – 54% (7 of 13).

⁸ In the fall of 2003, I attended an information session about the application procedure for the Atlantic Police Academy. The police recruiter from the Academy, an officer himself, asked each of the six or so males in the room what program (Police Science Cadet, Private Policing, Correctional Officer, Customs Inspectors, or Conservation Enforcement) he was interested in pursuing. Not one of the three women was asked this question.

very few women occupy management positions within police departments (Messerschmidt, 1993).

But masculinity is not only a demographic characteristic of police organizations; it is a cultural descriptor as well. Masculinity is about the appropriateness of men for police work (and the inappropriateness of everyone else); the kind of work police should do; how police work should be done; and men's higher purpose in the maintenance of public order (Crank, 1998). As state agents, police officers "do gender," or construct a specific cultural ideal of hegemonic masculinity in response to "the socially structured circumstances in which they perform their work" (Messerschmidt, 1993, p.174). According to Messerschmidt (1993), social action – including police action – reproduces and sometimes alters the social structures, such as the gendered division of labour, gendered relations of power, and sexuality that underlie the relations between men and women in society. The institutionalized practices of the police "define and sustain specific conceptions of masculinity that express and reproduce social divisions of labor and power" (Messerschmidt, 1993, p.174).⁹

Police officers' constructions of masculinity begin during training when "recruits are expected to confirm their masculine images to others and to themselves by exaggerating the characteristics associated with manhood" (Crank, 1998, p.180). Emphasis is placed on physical conditioning, fighting, and weaponry. Male bonding rituals are encouraged while masculine exploits are celebrated and prized. The

⁹ Messerschmidt (1993) also maintains that police agencies construct normative heterosexuality, which is regulated by officers in the larger society. Normative heterosexuality is reproduced through the sexual harassment of female officers by policemen and the repression of homosexuality within society.

denigration of all things considered “feminine,” as well as the demonstration of an officer’s willingness to risk his/her life for another, both intensifies the solidarity among recruits necessary of police work and conditions recruits to a masculine occupational culture (ibid).

Once on the job, specific constructions of manliness are generated within the police subculture and are then exemplified through heavy drinking, physical tests of courage, and the exclusion of females. Women who enter the police worksite threaten the solidarity among male officers and tarnish the association between masculinity and police work (Messerschmidt, 1993; Smith & Gray, 1983). “If women can do [police work], the value of the practice as a means for exhibiting masculinity is cast into question” (Messerschmidt, 1993, p.175). In most worksites, such as the shop-floor, men use sexual harassment to repair their construction of masculinity that is “damaged” by the presence of female workers. In police agencies that employ men and women, however, “specific forms of masculinity and femininity are accomplished through the actual practice of policing” (p.176). Male officers tend to dominate their partnerships with female officers by driving the police vehicle, dictating the activities of the shift, and conducting the interviews with victims and suspects while the policewoman records the responses and fills out the paperwork. When females are not partnered with male officers, they rarely are permitted to act alone; they are “frequently backed up on calls by males” (ibid).

For Messerschmidt (1993), the gender division of labour in police work described above embodies gender relations of power. Thus, within the police force gender relations of power are reproduced, and police officers help regulate gendered

relations of power in society. Nowhere is this more evident than in the “social control” of intimate partner violence against women (Messerschmidt, 1993).

Messerschmidt (1993) argues that incidents involving woman abuse in a domestic setting “have little value [to police officers] as a resource for constructing masculinity” (pp.177-178). Police officers, therefore, generally have a disdain for calls “domestic” in nature. Officers believe their job is to maintain public order and peace. Thus “family fights,” which take place in the “private” realm of the home, are not considered the concern of law enforcement. Their primary concern about the immediate presence of order is apparent when they fail to arrest abusers who answer the door and proclaim that everything is now under control, as in Ferraro’s (1989a) study. Even if an officer personally disapproves of male violence against women, s/he may not feel as though it is his/her duty to intervene. Until recently, wife abuse was not seen as a “real” crime; therefore, responding to incidents of violence was not considered “real” police work. Since going to calls involving “domestic violence” is not “real” police work, arresting an abuser is not a “good pinch” or a heroic arrest in the eyes of fellow officers (Ferraro, 1989b; Rigakos, 1995; Stanko, 1989).

Approximately 10% to 30% of an officer’s time is spent enforcing the law; the remainder of his/her time is devoted to service or order maintenance (Seagrave, 1997). However, research reveals that officers are generally antipathetic towards the service model of policing. “Categories of work which do not require resolution by coercion and which demand service skills of negotiation, conciliation and diplomacy, are dismissed [by officers] as ‘grief’ or ‘rubbish’” (McConnville & Shepherd, 1992,

p.157). This is in part because officers feel they lack the skills necessary to achieve a resolution through non-physical and non-assertive ways, but also because they are results-oriented. They want to fight crime so they can obtain convictions, which is what they use to measure their own success within the police force (McConnville et al., 1992). Crank (1998) suggests that service and order maintenance are also dismissed because they are inconsistent with the “masculine” nature of law enforcement activity. In short, officers’ apathy and/or hostility towards the “social work” aspect of policing (for example, dealing with victims and offenders of spousal abuse) versus “crime fighting” (catching an armed robber) “lies deep within the social fabric of what it means to be a police officer” (Rigakos, 1998, p.86). Rigakos (1998) writes:

The everyday world officers navigate, constructing their worth as ‘cops,’ depends heavily upon their reputation amongst their peers. The police occupational culture is the most important mitigator and supporter of police action... [Police] attitudes towards [responding to woman abuse] derive from police cultural constructions of, *inter alia*, masculinity, domesticity, marriage and real police work (p.86).

The choices an officer makes when responding to an incident of woman abuse are informed by his/her personal attitudes and orientations to the job. Decisions about how to “handle” the situation, however, cannot be fully understood without recognizing the influence of the organizational setting that defines officers’ mores and norms – the police occupational culture (Rigakos, 1995). Using Albert Cohen’s (1955) “subculture” perspective, Jerome Skolnick (1966) was one of the first sociologists to describe police subculture and to “sketch the policeman’s

‘working personality’¹⁰, or the combination of unique facets that make up an officer’s role. While not all officers have identical working personalities, they do comprise an occupational grouping with features that when combined distinguish policing from other professions. These elements are: 1) danger; 2) authority; and 3) efficiency, or the need to appear busy.

Police officers regularly enter unpredictable and potentially dangerous situations. The unpredictable nature of many of the people and events officers encounter incites them to become preoccupied with danger, even though occupations such as construction, transportation, mining, and logging are more hazardous than policing (Griffiths & Verdon Jones, 1994). It is often this element of danger that has attracted officers to the job in the first place. Skolnick’s (1966) findings reveal that police tasks which are the least dangerous (confining and routine jobs) are rated low on the hierarchy of officers’ preferences. Half of the 224 working Westville, California officers in his study reported they would most like the job of detective, “an assignment combining elements of apparent danger and initiative” (Skolnick, 1966, p.47). The next largest group (37%) desired patrol and traffic assignments.

Given the attractiveness to the dangerous aspect of police work, it is interesting to note the research finding that officers dislike responding to calls to help abused women because of the potential danger posed to them (Ferraro, 1989b; Hatty, 1989). Perhaps officers do not feel these calls are worth the possibility of injury since domestic violence is not a “real” crime (Rigakos, 1998).

As a result of the potential for danger, police officers are generally “suspicious” persons and this suspicion of others is actively encouraged in police

¹⁰ The title of chapter three in Skolnick’s (1966) book, Justice without trial.

training. Officers develop “a perceptual shorthand to identify certain kinds of people as symbolic assailants, that is, as persons who use gesture, language, and attire that [they] have come to recognize as a prelude to violence” (Skolnick, 1966, p.45).

Police officers represent a symbol of authority. They are the only public servants with the authority to enforce the law using legitimate force when necessary. The elements of danger and authority together isolate police officers from the civilian population.¹¹ Officers are “called upon to *direct* ordinary citizens, and therefore to restrain their freedom of action” (Skolnick, 1966, p.56, emphasis in original). Citizens typically resent that restraint and belittle officers’ authority by suggesting they have more important things to do, such as capturing robbers and thieves, which further emphasizes the dangerous portion of the police role. The efficiency element of police work is manifest in the constant pressure from the public and supervisors to produce results. Related to this is the fact that police are very visible within the community. Officers feel the need to look busy since they are under constant scrutiny.

The social isolation officers endure contributes to and intensifies their solidarity. They “see themselves as having to deal with the unpleasant social situations for which they receive no thanks from the public and no recognition from their superiors” (McConville et al., 1992, p.189). They come to depend on each other for support both on and off work. As they gain years of service and climb the rank structure, officers tend to only associate with other officers, usually those from

¹¹ Vincent (1990) claims that officers even become isolated from their own families, which accounts for the fairly high divorce and separation rates among police marriages (approximately 60% according to one police administrator he interviewed).

the same shift (Vincent, 1990; Skolnick, 1966). Officers have strong feelings of empathy and cooperation (Skolnick, 1966) and share a common bond of trust and understanding (McConnville et al., 1992). Their group cohesiveness is extremely important in their everyday functioning as officers. For instance, an officer needs to know that a colleague will have his/her back in a dangerous situation, or when s/he is criticized by the public. Strong internal solidarity ensures this.

According to Skolnick (1966), danger, authority, and efficiency constitute a framework for police action. "The police, as a result of combined features of their social situation, tend to develop ways of looking at the world distinctive to themselves, cognitive lenses through which to see situations and events" (Skolnick, 1966, p.42). Every decision, evaluation, and analysis of reality officers make is a product of their position within the police subculture where they develop "selective and biased perceptions, intensely held attitudes, and beliefs which affect behaviour both on and off the job" (Vincent, 1990, p.7).

Messerschmidt (1993) demonstrates how the social construction of gender dichotomizes police officers into "street cop" and "office cop" occupational cultures. "Street cop" masculinity emphasizes the "presentation and celebration of physical prowess" and is diametrically opposed to the specific masculine type constructed by management (Messerschmidt, 1993, p.178). "Street cops" deny their subordinate position within the hierarchical power relations of the police force and "demonstrate their opposition to management by 'foot dragging, sabotage, and stealing department time'" (p.180). The relative social position of "street cops" discourages them from engaging in the "hegemonic masculine" practices characterized by dominance,

control, and independence that management enjoy. Therefore, “street cops” construct behaviour patterns that demonstrate one’s ‘essential nature’ as a man to help re-establish the very hegemonic masculine ideals being discouraged (Messerschmidt, 1993, p.180).

Smith and Gray (1983) argue that “the dominant values of the Force are still in many ways those of an all-male institution such as a rugby club or boys’ school” (Smith et al., 1983, p.372 cited in Rigakos, 1998, p.87 and Edwards, 1989, p.26). While police subcultures vary between police forces and even within any one police agency (Fielding, 1988; McConnville et al., 1992), a dominant set of beliefs regarding male violence is present in all organizations. New recruits quickly adopt the accepted ideas and practices of older, more experienced officers. Young officers have little opportunity to challenge the views of the majority, thus “conformity... becomes the vehicle ensuring continuity of attitude and behaviour over long periods of time” (Hatty, 1989, p.78).

However, individual officers are not alone responsible for the preservation of patriarchal attitudes. Rather, patriarchy is perpetuated by “the [police] organization itself, through its informal rules [i.e., subculture] and its rather more formalized structure of internal procedures and regulations” (Edwards, 1989, p.26). In sum, negative stereotypes of women as liars, manipulators, unreliable witnesses, and assumptions about the causes of violence in the home, are reproduced by the masculine occupational culture of the police department (Rigakos, 1998) which constitutes the powerful ideological climate that shapes the police response to woman abuse (Hatty, 1989). In the end, it is “the state [which] limits, through

policemen's gendered practices, the extent to which men may be violent in the home, and thus, regulates gendered power through the construction of [officers'] masculinity" (Messerschmidt, 1993, p.179, emphasis in original).

Summary

Although the national rates of woman abuse and spousal homicide have declined in recent years, male lethal and non-lethal violence against women is prevalent (Bunge et al., 1998; Bunge et al., 2000; Trainor et al., 2001; Trainor, 2002). According to the 1999 General Social Survey, 8% of Canadian women fifteen years and older (and 9% of New Brunswick women) reported experiencing some type of violence by a married or common-law partner during the previous five years (Bunge et al., 2000). Thirteen percent of all murders committed between 1998 and 2000 in Canada were spousal homicides (Trainor, 2002).

These rates of woman abuse are likely an under-estimate, however, since the survey relied on women's self-reports of violence within a confined time period of 12 months and five years. The survey also excluded women who speak neither English nor French, those who are hearing or speech-impaired, those without access to a telephone, and those who are homeless or in transition. Furthermore, the 1999 GSS did not ask respondents about their experiences of emotional abuse (Jiwani, 2000).

The results of the survey, therefore, are problematic for many researchers in the field of violence against women. But the greatest debate centers on the survey's results which suggest that the rate of "husband abuse" is about the same as the rate of wife abuse. Canadian and American community survey studies (Tutty, 1998),

U.S. homicide data (DeKeseredy, 1993), and surveys that employ the “Conflict Tactics Scale” (CTS) (Dobash et al., 1992) also allude to a sexual symmetry in intimate partner violence. However, what these surveys (including the GSS) have in common is a failure to take into account the context of reported violent incidents and the intentions and motives of abusers. Not only are the physical and psychological consequences of violence different for men and women, but so are the reasons for acting out aggressively. Women use violence to defend themselves; men use violence to control and dominate their partners (DeKeseredy, 1993; Jaskinski et al., 1997; Tutty, 1998).

Nevertheless, the earliest theoretical approach to male violence against women did not focus on male domination and women’s subordination, but on the individual character flaws of victims and perpetrators. Our understanding of the abuse of women by male spouses has evolved considerably since then and now includes “an appreciation of the relevance of societal and structural factors, and the processes through which men and women learn and display gender-differentiated behaviour” (Johnson, 1996, p.25).

Social learning theory explains how we learn to use violence from the influential people in our lives while sex-role theory goes beyond this gender-neutral approach to account for why some men learn to be violent. According to sex-role theorists, men are socialized to be tough, powerful, and controlling while women are taught to be passive and submissive. Situational theorists view violence as a reaction to stress, conflict, alcohol and drug abuse. Class-based analyses suggest that lower strata men are violent out of frustration with their class position. For

resource theorists, violence is used by men to establish dominance when they lack the resources – income, social status, knowledge, and so on – typically enjoyed by men and denied to women. Social control theory claims that the rewards men reap for using violence against their partners, such as a positive self-image of toughness and compliant wives, outweigh the costs. “Historically, men have been able to use violence against their wives without fear of retaliation or punishment” (ibid, p.5).

Even though these theories offer useful insights into the multiple factors at play, they alone cannot explain all acts of male violence against women. Instead, what is needed is an integrated approach that also traces “the historical significance of the socio-economic and legal structures and practices that have fostered male privilege and women’s dependence on male partners” (ibid, p.21). Feminist theories do both; they draw on the principles of many of the theories previously discussed and they provide the history of the unequal and gendered power relations that exist today.

However, not all feminist theories explain woman abuse equally well. Traditional Marxists and Marxist feminists offer a limited explanation of domination and control. They view capitalism as the source of class and gender inequality and thus, women’s oppression. Radical feminists see patriarchy, not capitalism, as the root cause of all inequalities. In contrast to Marxist feminists who claim women’s subjugation is linked to their relation to capital, radical feminists insist that women are oppressed as a result of patriarchal structures that assign power, privilege, and leadership to men and relegate women to subservient roles. Socialist feminism, the theory which most informs institutional ethnography, synthesizes the best insights of

traditional Marxism and radical feminism and escapes the problems associated with each. Oppression and power, argue socialist feminists, derive from sex, race, and class. In other words, women are subordinated within both a capitalist and patriarchal system and this subordination ultimately stems from a gendered division of labour.

Although socialist feminism provides the most comprehensive approach to understanding women's oppression, it has two important limitations. First, it does not offer an explanation of why so many women give in to male dominance. For this, socialist feminists need to turn to the neo-Marxist, Antonio Gramsci, and his concept of "hegemony." According to Gramsci, the dominant class is able to maintain its dominant position because it has the consent of the subordinate class. The dominant class is, at the same time, the hegemonic class, which uses its political, moral, and intellectual leadership to convince the subordinate class that its domination is good, natural, and in the best interests of all. Civil society – religious institutions, health and educational systems, the family – maintains the hegemony of the dominant class. In these arenas, members of the subordinate class are continually fed ideologies that are compatible with the maintenance of the system the way it is. Socialist feminists can expand Gramsci's theory of hegemony to account for how the dominant gender (men) maintains dominance over the subordinate gender (women). The ideologies which men use to keep women oppressed include the ideologies of motherhood, marriage, and romantic love. In the same way that the state and civil society perpetuate the classes and prevent the

development of class consciousness using various ideologies, they collude to keep women from developing a gender consciousness.

The other pitfall of the socialist feminist theory (and other feminist theories) is its endorsement of one type of masculinity – the “typical” male. Even though all men are exposed to the same cultural messages about appropriate male and female behaviour and cultural norms which support domination over women, not all men are violent against women. Therefore, it is not reasonable to define masculinity (or femininity) in such a one-dimensional way. James Messerschmidt (1993) argues that many different “masculinities” are possible. In his view, “masculinity” is not a fixed entity, but is constructed and reconstructed in everyday interactions with others, depending on one’s class and race position and on the particular social situation, structural constraints, and the availability of resources.

In specific social contexts, says Messerschmidt, violence against women (and homosexuals) is a resource for masculine construction. For instance, when resources that are usually used to construct masculinity are absent, such as education and economic success, men may rely on woman abuse to do masculinity. Further, when wives defy the gendered division of labour or challenge their husbands’ authority, they may be met with violence for not conforming to men’s standards of “essential femininity” or for threatening men’s “essential nature,” which is to control and dominate the household. In this instance, violence ensures women will comply with their husbands’ demands and is a way to repair a “damaged” patriarchal masculinity.

It is socialist feminism, and the contributions of Gramsci's theory of hegemony and Messerschmidt's (1993) conceptualization of "masculinities," that most inform this study. While socialist feminism provides the historical and structural backdrop for understanding women's oppression, Gramsci tells us how men are able to maintain their dominant position using ideologies, and Messerschmidt (1993) theorizes male violence against women as a resource for constructing one's masculinity. Messerschmidt's (1993) ideas are also very useful in understanding police action and officers' responses in woman abuse calls.

According to Messerschmidt (1993), police officers also "do gender," or construct masculinity within the context of the police occupational subculture. The dominant values and beliefs of the police force are closely associated with traditional ideas of police work and what it means to be a man (Crank, 1998). The specific constructions of manliness that are generated are exemplified through drinking, demonstrating bravery and physical prowess, and excluding females. Not only does the value of police work as a means to exhibit masculinity diminish when women enter the police worksite, but it also declines when officers respond to woman abuse calls. Responding to "domestics" often requires social skills of negotiation, conciliation and diplomacy, which are inconsistent with the masculine nature of law enforcement and crime fighting.

Police behaviour, including how officers respond to intimate partner violence, can only be understood "when viewed through the lens of culture" (Crank, 1998, p.4). Police cultures are "dense in values and beliefs, rituals, habits, full of historical prescriptions and common sense" (ibid, pp.4-5). The police organizational setting,

which defines officers' mores and norms (Rigakos, 1995), and the distinguishing characteristics of police work (danger, authority, and efficiency) (Skolnick, 1966) constitute a framework for police action. Police practices define and sustain conceptions of masculinity both within the police subculture and in larger society. On the job, male officers take charge of their partnerships with female officers by driving the police vehicle, dictating the activities of the shift, and conducting the interviews with victims and suspects while the policewoman records the responses and fills out the paperwork. Through these gendered practices, gendered relations of power are reproduced within the police force.

But, as Messerschmidt (1993) argues, officers help regulate the gendered relations of power in society. The "social control" of intimate partner violence against women is one prime example. Police action reproduces and sometimes alters the existing social structures that underlie the relations between men and women. So, the police organization itself, through its subculture (an important mitigator and supporter of police action) and its formal procedures and regulations, is in part responsible for the perpetuation of patriarchal society (Edwards, 1989; Messerschmidt, 1993).

Chapter 3: Literature review

Throughout recorded history, the beating of wives by husbands has not only been tolerated, but encouraged in the social, political, legal, and religious arenas. In 2500 B.C., men were permitted to carve their wives' names on a brick and then hit them with it (Brown, 2001). During the Roman era, wives who drank wine, went outdoors with their faces uncovered, or attended public games without permission were legally beaten by their husbands (O'Faolain & Martines, 1973). A wife who committed adultery was punished by death (Siegel & McCormick, 2003). In 1240 Spain, a man who killed his wife and her adulterer was not to pay a fine nor be sentenced to death (O'Faolain et al., 1973). A woman who was adulterous with a married man could expect to be severely flogged in public and then exiled for three years in Italy and Perugia, 1342 (ibid).

In the 1400s, it was legal for Frenchmen to inflict harm on their wives who wronged them by being adulterous, contradicting or abusing one's husband, or refusing to obey a husband's reasonable commands, so long as they did not kill or maim their wives (Dobash et al., 1979). During the same century, Italian husbands were compelled to "scold, bully, and terrify" their wives if they saw them commit an offence. If that didn't work, a husband was encouraged to "take up a stick and beat her soundly, for it is better to punish the body and correct the soul than to damage the soul and spare the body" (O'Faolain et al., 1973, p.177). A wife was only to be beaten "when she commits a serious wrong: for example, if she blasphemes against God or a saint, if she mutters the devil's name, if she likes being at the window and lends a ready ear to dishonest young men, or if she has taken to bad habits or bad

company” (ibid). A husband was then commanded to “readily beat her, not in rage but out of charity and concern for her soul, so that the beating will redound to [the husband’s] merit and her good” (ibid). The ancient “rule of thumb” gave husbands the right to chastise their wives with a stick no thicker than their thumbs (Dobash et al., 1979).

In sixteenth century Europe, a woman who killed her husband was guilty of treason and her punishment was to be drawn and burned alive. Conversely, when a husband killed his wife, he was guilty of the lesser offence of murder and his less degrading punishment included being drawn and hanged (Dobash et al., 1979). The differential treatment afforded to wives and husbands was a reflection of their respective positions in society. A wife was placed in the same category as a servant and had a secondary status (and often no legal status at all). This “depicted her true position relative to her husband (master) and made their relative social worth quite clear... Matrimony deprived a woman of her legal rights, set different standards for her behaviour, and gave her husband the legal right to inflict corporeal punishment upon her” (Dobash et al., 1979, p.60).

In 1765, the law still permitted husbands to use force against their wives if they did not obey or respect their wishes or if they were sexually unfaithful. Husbands’ right to beat a wife was also used to ensure that women fulfilled their wifely duties to consummate the marriage and cohabit with their husbands (ibid). By the mid-1800s, severe wife beating began to be condemned, although limited chastisement was still permitted. The only punishment to which offenders were subjected was public ridicule (Siegel et al., 2003). Because husbands’ domination of

wives was so deeply entrenched in our history, and reflects a societal view of women as inferior to men, the law was not prepared to criminalize all forms of spousal abuse overnight. Although wife-beating was officially prohibited by law at the close of the nineteenth century, services were not developed to address the plight of abused women until the 1960s when the women's movement made 'domestic violence' a public issue (Mills, 2003).

The efforts of women's groups and grassroots movements in the late 1970s and early 1980s were productive in beginning to alter the system's traditional view of partner violence. The criminal justice system began to finally take the abuse of women by men seriously when, as recently as 1982, "the House of Commons unanimously adopted a motion that 'Parliament encourage all Canadian police forces to establish a practice of having the police regularly lay charges in instances of wife beating, as they are inclined to do with any other case of common assault'" (Department of Justice Canada, 2003, p.9). This motion, however, was "initially greeted with laughter and jeers" (ibid).

One year later, the development of written guidelines that directed woman abuse to be treated as a criminal offence and offenders to be charged and prosecuted irrespective of the victims' cooperation was recommended by the Federal Provincial Task Force on Justice for Victims of Crime. Directives were issued to police and Crown prosecutors in regards to partner abuse cases by the Attorneys General and Solicitors General of all jurisdictions by 1986. "Police policies generally required them to lay charges where there were reasonable and probable grounds to believe that an assault had taken place [and] Crown policies generally required the

prosecution of spousal assault cases where there was sufficient evidence to support the prosecution, regardless of the victims' wishes" (p.10).

In the early 1990s, the policies were revised by all jurisdictions to address additional specific issues. Today all provinces and territories in Canada have their own charging and prosecution policies on partner violence. These policies have three specific purposes, in addition to reducing re-offending. Charging policies are intended to remove the responsibility of deciding to lay charges from the victim, increase the reporting of partner violence, and increase the number of charges laid in cases involving partner abuse. Prosecution policies, on the other hand, are meant to promote more rigorous prosecution of partner abuse cases, reduce case attrition by reducing the number of withdrawals and stays of charges, and promote the cooperation of victims in prosecution. In spite of the variance of policies across provinces and territories, each policy shares three objectives: to criminalize partner abuse; to promote the safety and security of victims; and to maintain confidence in the administration of justice (Department of Justice Canada, 2003).

There are three provincial initiatives in New Brunswick which relate to intimate partner violence.¹² The Provincial Crown Attorney's Manual prioritizes the prosecution of spousal assault cases as well as cases involving child sexual abuse and sexual assault. The New Brunswick Family Violence Statistical Information System, instituted by the Attorney General's office, aims to "enhance current programs for the immediate safety of victims; develop standards, protocols and

¹² A fourth initiative, the New Brunswick Adult Victims of Abuse Protocols (1998), targets adults with disabilities and seniors who are physically, psychologically/emotionally, sexually or financially abused or neglected by a relative or a person in a position of trust or influence. The Protocols outline the legislative provisions as well as intervention guidelines, for responding to the abuse of elderly or disabled adults.

training for professions; establish a public awareness/education program; and to develop statistical information on family violence incidents involving the criminal justice system” (Law Reform Commission of Nova Scotia, 1995, p.62).

New Brunswick has also developed extensive inter-departmental “Woman Abuse Protocols” which “guide the intervention of social workers, mental health workers, public health workers, emergency department personnel, the justice system, income assistance workers and school personnel in cases of alleged or suspected woman abuse” (p.62). These Protocols are intended to remove discretion and ensure consistency in the provision of legal services in domestic violence cases by requiring police and the Crown to lay charges in cases of spousal abuse. They give police officers direction in responding to woman abuse. The Woman Abuse Protocols will be discussed further in chapter five.

Even though the federal and provincial governments appear to have come a long way in recognizing the seriousness of woman abuse and in developing appropriate legislation, the criminal justice system continues to be criticized for not responding effectively to the problem of violence against women. Many argue that the system fails abused women and further endangers their lives (Law Reform Commission of Nova Scotia, 1995). It seems that the legal system’s inability to meet the needs of abused women may begin with its lack of knowledge and understanding of the complexities and implications of woman abuse. As a result, legal conceptualizations of abuse are troublesome. According to Linda Neilson (2001; 2000), legal assessments of abuse are ignorant of social context and only focus on action and intention. “Failure to assess context (history of the dynamics of

the relationship, including the patterns and severity of prior abusive behaviors and the psychological and physical consequences to the recipient) will commonly produce false interpretations and assessments” (Neilson, 2000, p.7). The myth of a sexual symmetry of violence, as discussed in chapter two, is a prime example of this.

Jane Ursel (2002) suggests that the criminal justice system is ‘ill-equipped’ to respond to domestic violence because of the ‘disconnect’ between the characteristics of the traditional justice approach and the realities of domestic violence. For instance, the criminal justice system sees woman abuse as discrete incidents and bases its investments in these cases on their legal seriousness and the probability of conviction. Yet, woman abuse is seldom a one-time occurrence, usually escalates in severity over time, leaves little evidence, and is witnessed by few people.

Interview data collected for the Metro Woman Abuse Protocol Project (Metropolitan Toronto, 1994) illustrate the case in point. Police officers indicated that they were unlikely to lay a charge in domestic violence situations without clear, observable evidence of visible physical injury to the victim (Hannah-Moffat, 1995). In another study (Alberta Law Reform Institute – A.L.R.I., 1995), woman abuse victims reported being frustrated with police who would not take their allegations of abuse seriously when physical evidence was absent. The officers in the Metro Woman Abuse Protocol Project also reported that, when the victim refuses to cooperate, it is difficult to proceed with a charge. The officers “assumed that a reluctant victim would not show up for court, or that she would deny the assault and/or lie on the stand to protect her partner” (Hannah-Moffat, 1995, p.40). The

criminal justice system's mandate to protect women from violence is thwarted by its inadequate awareness and recognition of the non-physical aspects of control and abuse, as well as the debilitating effects of emotional abuse (A.L.R.I., 1995).

The legal system also assumes that the abused woman shares the Crown's interest in obtaining a conviction and punishing the offender. Woman abuse victims, however, seek legal intervention for a variety of reasons (Ursel, 2002). Often times abused women want a short-term solution to end the violence, such as the removal of the abusive partner from the home. By calling the police to intervene, women do not necessarily want "to deal with the longer term consequences of a criminal charge, the criminal process and potential incarceration of their partner" (Hannah-Moffat, 1995, p.40). Women who are "uncooperative" or choose not to "use" the rest of the criminal justice system must not be seen as forfeiting their entitlement to the benefits of the legal system (Ursel, 2002).

The conviction of a violent partner, David Ford (1991) argues, is not necessary for an abused woman to benefit from having him charged with an offence. Laying charges and then having them withdrawn is a useful strategy for women who are trying to manage the conflict in their relationships. To prevent further abuse, some women may threaten their partners with arrest or prosecution. Abusers who believe the women will carry out the threats may reason that it is less costly to cease the violence than to risk being found guilty and punished.

As Ford (1991) points out, this strategy would only work if the abuser feared prosecution and if prosecution was not too costly for the abused woman. A woman who is financially and/or emotionally dependent on her abuser stands to lose

everything. If her partner is extremely violent he may retaliate with further harm to her or her children when she threatens to, or actually does, initiate criminal prosecution. The effectiveness of prosecution as a power resource also depends on the woman's ability to control the decision-making in the arrest and prosecution stages. In jurisdictions (such as New Brunswick) where the onus is on the police to lay a charge instead of the victim and prosecutors are directed to proceed regardless of the victim's wishes, a woman can not fully control the prosecution course and thus has no bargaining power with her abuser.

Although manipulating the prosecution process to meet the needs of abused women is only feasible for a select few, Ford makes an important point. Women are powerless in their abusive relationships and criminal justice responses that are oriented towards "successful convictions" further disempower them. Police and prosecutors need to change their goals so that the safety of victims and their needs to exercise some power prevail over the "needs" of the system.

According to Ursel (2002), many women do not prefer the police as a source of help. Nevertheless, women have little choice but to call the police when they have no income, cannot afford to hire a lawyer or personal bodyguard, and have no access to alternatives. Only when they are placed in imminent danger do most women contact police. After all,

no service other than the police has all of the essential components for providing protection in high-risk situations. It provides twenty-four-hour, seven-days-a-week service; a rapid response system; response units trained in high-risk interventions; a response that ensures separation of victim and accused, with restraining orders if the accused is released; and a response without prejudice (Ursel, 2002, p.53).

Moreover, the criminal justice system's one-dimensional measure of success, which focuses exclusively on outcome, does not "fit" domestic violence cases. Ursel (2002) claims that legal actors are encouraged to view their role as a single intervention, but rarely is the abused woman's survival and recovery the result of a single event. The prevention of future violence, for example, is often used to measure the effectiveness of mandatory arrest policies. But to measure the success of police policies using deterrence and/or conviction means neglecting both the complexity of family violence and the diversity of victims' motivations for calling police. Instead, the success of pro-arrest policies should be based on immediate safety, which satisfies "the police officers' mandate to 'keep the peace' and the victims' motivations at the time of the actual or anticipated assault: to prevent the particular attack or to prevent its escalation" (p.50). If police intervention effectively prevents the occurrence or escalation of violence, it should be considered successful and appropriate, regardless of whether a conviction is obtained.

Mandatory arrest and pro-charge policies

Mandatory arrest and pro-charge policies, which require police officers to apprehend the abuser and/or lay a charge in circumstances where they have reasonable and probable grounds to believe that an offence has taken place, are contentious issues. With such policies in place, woman abuse that occurs in a domestic context is expected to be treated as seriously as an assault that takes place outside of a relationship (Hannah-Moffat, 1995). Mandatory arrest and pro-charge policies also intend to remove the attitudes of police officers from action. Since police officers have diverse attitudes about domestic violence in general and abused

women in particular, which certainly influence their response and action, it seems that these policies are indeed beneficial (Ursel, 2002). They present, however, two problems. For the police officer, these policies limit his/her discretion. For the abused woman, they sometimes conflict with her wishes.

Approximately two-thirds of the police officers (eleven out of seventeen) interviewed for the Metro Woman Abuse Protocol Project disagreed with the pro-charge policy in place in 1994 in the Parkdale and Etobicoke districts of Metropolitan Toronto. They claimed that the policy is often inflexible and constraining. They described it as “an infringement on their discretionary powers” (Hannah-Moffat, 1995, p.43). Several officers were concerned about women victims manipulating and misusing the criminal justice system and needed their discretionary power to check on the irrationality of the victim. Non-legal interventions, such as stress management, drug/alcohol programs, marital and individual counseling, were believed to be more promising and appropriate options than pro-charge policies.

Similar attitudes regarding mandatory arrest laws are found among police officers. Only 4% of Wisconsin officers agreed that arrest is the best solution to intimate partner violence, compared to 63% of victims and 38% of victims’ advocates (Saunders et al., 1986). Few police officers in Ferraro’s (1989b) sample believed law enforcement could put an end to wife abuse. Davis (1984) claims that officers’ cynicism about their effectiveness in domestic violence incidents gives them a rationale for ignoring those calls until a physical assault is imminent or has

already occurred. Only then is police involvement in a “domestic dispute” justified or appropriate.

Only a handful of officers in the Protocol Project supported the pro-charge policy. They favored the policy because it ensured both accountability and consistency of response. By compelling or strongly encouraging officers to lay a charge in domestic violence situations, a clear message was felt to be sent to the offender and the victim that this kind of behaviour is unacceptable and will not be tolerated. The officers also suggested that the policy is advantageous since it removes the responsibility to lay a charge from the victim who may be placed in a compromised situation with her children and partner if she lays the charge herself (Hannah-Moffat, 1995).

Despite the lack of support mandatory arrest and pro-charge policies receive from police, some research demonstrates that officers adhere to such guidelines (Jaffe et al., 1986). In 1981, a pro-charge policy was implemented in London, Ontario. The number of charges laid by police dramatically increased from 2.9% in 1979 to 67% in 1983 and to 89% in 1990 (Department of Justice Canada, 2003). The number of victim-laid charges dropped from 92 to 22 during this period. Victims’ satisfaction with police response also grew with the policy’s implementation. Forty-seven percent of woman abuse victims were dissatisfied in 1979 with the police intervention. However, in 1983 only 5.5% were unhappy. Regardless of whether their abusers were convicted of an offence, the vast majority of victims indicated that the violence ceased or was less severe following police involvement and the court process. Of the officers surveyed, 16% believed the

abuse would increase after police intervention. Even though 32% of officers thought that the policy would discourage women from contacting the police, the number of calls remained consistent between the pre-policy and post-policy periods. More than half of the officers surveyed felt that the courts did not stand behind the policy yet the cases heard in criminal court before and after the policy rose from 1 in 16 cases to 3 out of 4. Interestingly, the officers' attitudes were not correlated with their years of service or their experience in attending domestic violence calls (Jaffe et al., 1986).

The establishment and dramatic expansion of mandatory arrest policies in the United States has most definitely been influenced by Sherman and Berk's (1984) Minneapolis Domestic Violence Police Experiment. In this research, Sherman and Berk (1984) instructed police officers responding to incidents of misdemeanor domestic assault to either arrest, order the batterer from the premises for eight hours, or give some form of advice or mediation. Cases of repeat violence in the sample were tracked for six months through official data (police complaints) and victim interviews. Sherman et al. (1984) found that arrest was more effective in reducing subsequent violence than traditional police practices such as separation. Only 13% of abusers who were arrested re-offended in the six months after the police intervened whereas 26% of those separated committed a repeat assault. (Mediation was statistically indistinguishable from the variables arrest and separation.) The researchers concluded that, regardless of how the courts treat such cases, arrest and initial incarceration have a specific deterrent effect for domestic assault. "An obvious rival hypothesis to the deterrent effect of arrest," Sherman et al. (1984)

point out, “is that arrest incapacitates” (p.268). If one is in jail, then one cannot re-offend. However, 43% of those arrested in the sample were released within one day and 86% within one week. As a result of the findings, the researchers “favor a *presumption* of arrest; an arrest should be made unless there are good, clear reasons why an arrest would be counterproductive” (p.270, emphasis in original). Arrest, nevertheless, should not be *required* in all misdemeanor domestic assault cases, according to Sherman et al. (1984), since “there is a good chance that arrest works far better for some kinds of offenders than others and in some kinds of situations better than others” (ibid).

Six replication studies of the Minneapolis experiment (conducted in Metro-Dade County, Miami, Florida; Colorado Springs, Colorado; Milwaukee, Wisconsin; Charlotte, North Carolina; Omaha, Nebraska; and Atlanta, Georgia and funded by the National Institute of Justice) found this to be the case. Using larger sample sizes and alternative non-arrest treatments, the studies discovered that arrest reduced recidivism rates for employed abusers and abusers whose victims were white and Hispanic, and increased rates for unemployed abusers and abusers whose victims were black. As Sherman, Schmidt, and Rogan (1992) write, this pattern “supports a hypothesis that the effects of criminal punishment depend upon the suspect’s ‘stakes in conformity,’ or how much he has to lose from the social consequences of arrest” (p.17). The replication studies also indicated that arrest may prevent continued violence in the short-run, but increase it in the long term. Moreover, when counseling or protective orders were used in combination with arrest, no improvements in recidivism rates were produced. As a result of these findings, it

was suggested that mandatory arrest laws be repealed and replaced with structured police discretion; warrantless arrests be allowed; and the issuance of arrest warrants for absent offenders be encouraged (Schmidt & Sherman, 1998; Schmidt & Sherman, 1993).

The Minneapolis Domestic Violence Police Experiment (and its replication studies) has attracted numerous criticisms concerning its methodology and policy value. One of its fundamental design flaws is its ignorance of the fact that domestic violence tends to escalate in frequency and severity if left unchecked. Police officers were instructed how to “handle” the situation before responding. Not only did the study fail to screen abusers for prior police contact, but it did not consider victims’ responses to arrests or the effect of violence on others, including children. In some of the replication studies, officers were instructed to discourage the victim from calling the police in the future. Since the research was limited to misdemeanor assaults, did not address the effect of non-arrest, and disregarded non-deterrence benefits of arrest (victim’s immediate safety, access to services, and message that domestic violence is a crime) its policy implications were minimal (Zorza, 1998).

Binder and Meeker (1992) also criticized the Minneapolis experiment on the basis that it lacked internal and external validity. They suggested that Sherman and Berk’s research was “actively promoted” (p.134) to influence public policy. They further argued that the adverse effects of arrest on offenders, victims, and the public were ignored in the early study. Binder and Meeker (1992) were concerned that officers would abuse their powers of arrest and punish alleged offenders by incarcerating them before trial. They stated:

The principal purpose in arresting a given suspect is to reduce the probability of recidivism among all people treated in that fashion. The basis is specific deterrence and the means is punishment by the police. There is no consideration of due process, and while there may be hope for prosecution, there is no hint of that as a goal of the arrest process. In fact, the justification for the policy is the deterrence that is presumably created by the punishment, through arrest and incarceration, of suspects by the police, not the courts. Nor is there justification for incarceration based on accepted principles. As policy is directed at misdemeanor assaults, it would be difficult to argue a presumption of incarceration on the issue of dangerousness or a concern about fleeing the jurisdiction (p.137).

The debate continues regarding the effectiveness of arrest in deterring repeat intimate violence. Stark (1998) suggests that mandatory arrest laws be evaluated on “their overall effect on the victim’s subordination rather than by the incidence of violence alone” (Stark, 1998). Wife abuse typically involves various coercive tactics used to control a partner. Therefore, if arrest alters the power dynamic in an abusive relationship it may reduce repeat violence. Dutton, Hart, Kennedy, and Williams (1992) report that women are perceived by their abusers as having more relative power in the marriage, and themselves significantly less, after police intervention. Arrest may also reduce recidivism by increasing social disclosure. Men, and even more so women, are likely to tell others about the violence after arrest occurs. In addition to garnering support for the abused woman, increased visibility due to arrest renders abusers more vulnerable to legal intervention as well as to informal (i.e., social disapproval) and formal (i.e., treatment) sanctions.

Even if mandatory arrest policies are ineffective in deterring recidivism, they have several other important functions. They provide: “a standard against which to

judge variation in police response; immediate protection from current violence [and an opportunity for victims] to consider their options; [as well as] access to services that would not be available outside the criminal justice system” (Stark, 1998, p.57). Moreover, mandatory arrest laws “[reduce] the overall incidence of domestic violence both directly (because arrest might deter recidivism), and by sending a clear message that battering is unacceptable; [acknowledge] a special social interest in redressing the legacy of discriminatory treatment of women by law enforcement; [and serve] a ‘redistributive’ function by acknowledging that police service is a resource previously not available to women on an egalitarian basis” (ibid).

Like mandatory arrest laws, pro-charge policies have also been the subject of great debate. When strictly adhered to, they have been criticized for requiring police to lay dual charges in some situations. This is a particular problem in the United States where, as a direct result of the mandatory charging and arrest policies, police have been forced to arrest both parties, irrespective of whether one party’s violent actions were in self-defense (Department of Justice Canada, 2003; Miller, 2001). Research conducted in Connecticut in 1988 using police, prosecutors, and court files following the implementation of mandatory arrest legislation reveals that 33% of all arrests for intimate partner violence were dual arrests (Martin, 1997). Available Canadian research reveals that dual arrests or double charging are much less likely to occur in Canada than in the United States (Department of Justice Canada, 2003; Ursel, 2001). For instance, Winnipeg arrest data collected before and after the implementation of a zero tolerance policy indicate that dual arrests were made in 6% of domestic arrests in 1992/93 and in 8% of arrests in 1996/97 (Ursel,

2001). In Alberta, duals arrests occurred in four percent of cases in 1999, in six percent of cases in 2000, and in five percent of cases in 2001 (Department of Justice Canada, 2003).

The American research cited earlier (Martin, 1997) discovered that the police are more likely to arrest both parties in a domestic dispute if they are young, white, employed, common-law spouses who have engaged in physical violence. The fact that dual arrestees are most often young is not surprising. Young men and women are most likely to engage in physical violence as well as to retaliate in self-defense. Martin (1997) suggests that more white women than non-white women are arrested because police officers may identify with white male perpetrators and “attempt to neutralize the effect of the arrest by arresting both parties” (p.153). Officers who adhere to traditional gender-role stereotypes may “attempt to punish such women for fighting back [or] for acting contrary to expected female norms” (ibid).

According to Martin’s (1997) findings, fewer dual arrest cases, than cases in which only one party was arrested, resulted in conviction. All co-defendants in the dual arrest group wanted the charges against their partners withdrawn because of their own vulnerability to prosecution. The court usually complied since “there are often no other witnesses to the crime other than the person who is also a defendant in the incident, [which creates] a weak case for prosecution” (p.151).

This study also finds that the practice of dual arrest is associated with certain police departments (and certain courts). The disparity in charging practices could be the result of intradepartmental policies which encourage or do not discourage dual arrest or officers’ refusal to exercise any discretion. Policies which limit officers’

discretion and require them to make an arrest in situations of intimate partner violence may incite police to apprehend any person who, with probable cause, committed an offence. What results is an over-enforcement of the mandatory arrest policy. Officers justify arresting both parties in a dispute by claiming it is not their role to determine guilt, but to “identify all defendants and allow the court to [establish culpability], including a self-defense protection against prosecution when appropriate” (p.154).

A dual arrest does not only blame the abused woman for the violence. It may discourage her from calling the police for help in the future, prevent her from defending herself against her abuser, cause her to believe there are no resources available to assist, and reinforce her already isolated social position (Martin, 1997).

Some oppose pro-charge policies for dismissing the victim’s say in whether or not charges are laid against her abuser. As we have already seen, a number of women call the police to immediately intervene in and put an end to their partner’s violence. They may not be prepared to proceed with a charge and initiate a criminal prosecution. When there is evidence of visible physical injury to the victim, however, a pro-charge policy may be seen as undermining the abused woman’s ability to make decisions. Pro-charge policies have, nevertheless, strong support from abused women and victims’ service providers (Department of Justice Canada, 2003).

After reviewing Canadian and American research, analysis, and evaluation of police charging policies, the Ad Hoc Federal-Provincial-Territorial Working Group has found that such policies have been both successful and unsuccessful in meeting

their goals. On the one hand, the number of partner abuse incidents reported to police and the number of charges laid have multiplied as a result of pro-charging policies. On the other hand, pro-charging policies have had a negative effect on members of over-criminalized communities. Aboriginal, lower-income, visible minority, and immigrant women often fear that police are discriminatory. Therefore, they are unlikely to call the police for assistance when they are being abused by an intimate partner (Department of Justice Canada, 2003).

Police attitudes and arrest decisions

According to the Law Reform Commission of Nova Scotia (1995), the two main concerns about police response for abuse victims and police officers alike are police attitudes and officers' willingness to lay charges for acts of domestic violence. Meetings with police officers and other consultations revealed for the Commission that there is no consistency in police attitudes toward women who have been assaulted or the appropriate level of police intervention in domestic violence matters. Some police officers are sensitive about domestic violence and support abused women. Some officers provide information on available support services within the community to the woman when answering a domestic violence call. Some help the woman by later returning with her to get her personal belongings from the house or by driving her and her children to a shelter.

Notwithstanding these positive responses, there are many instances where the responses "seem to reflect either a lack of awareness about the dynamics of abusive relationships or, even worse, a condescending attitude towards women who are assaulted" (Law Reform Commission of Nova Scotia, 1995, p.27). Like other men,

male police officers are exposed to a variety of cultural messages about women and violence. And, as Sadusky (2001) demonstrates, when these patriarchal notions are internalized by officers, the victims of violence are affected:

A male officer who arrives at the scene of a domestic violence crime may himself be controlling or violent toward his partner. Or, he may be operating under a cloud of resentment because he believes the new sergeant got the job he competed for “just because she’s a woman.” He may be one of those officers who believe that women do not belong anywhere in *his* profession. All of these attitudes can influence his response to the call.

In a study of intimate violence in law enforcement families conducted by Neidig, Russell, and Seng (1992), 40% of 425 police officers self-identified as perpetrators of physical violence against their spouses in the preceding year. This rate was considerably greater than both the civilian rate and the U.S. military rate of intimate partner violence reported in similar studies. These are the people women turn to for help when they are being harassed, intimidated, and beaten by their partners. In another study, 46% of 121 police officers surveyed reported that they had extensive personal contact with wife abuse (Davis, 1984). “Personal contact” is simply defined, however, as experience “in their personal lives with individuals and couples who had [suffered] domestic violence” (p.247). Officers’ personal experiences with intimate partner violence, whether first or second-hand, influence their response to reported cases of woman abuse.

Instead of seeing violence as a tactic of the abuser to gain control over the victim, many police officers believe alcohol consumption causes abuse. Liane Davis (1984) reports in her literature review that a number of officers are convinced that

stress and family problems prompt abusive partners to drink, which, in turn, leads to violence. Almost all of the officers interviewed by George Rigakos (1995) felt that “domestics” are related to alcohol and/or drug use. Research conducted in Australia found that police officers rationalize the violent behaviour of men who are drinking when they assault their partners because they maintain that alcohol transforms men’s characters (Hatty, 1989). The myth that alcohol causes male violence against women, Suzanne Hatty (1989) argues, “greatly reduce[s] the responsibility of the male partner [because it] becomes the substance, rather than the individual, which is in control” (p.81). Officers in her research sample also viewed violence as a reasonable and justifiable reaction to stress caused by employment difficulties and financial burdens (Hatty, 1989).

Police officers also have certain beliefs about why abused women remain in violent relationships. According to the officers in Kathleen Ferraro’s (1989b) study, women “choose” to live with abusive partners. They perceive that women voluntarily select a violent partner and decide to stay with him because they lack economic independence and/or viable alternatives. The problems that women encounter in trying to leave their abusers are regarded by officers as “outside their area of expertise and control” (p.167). In another study, police officers interpreted women’s decisions to stay in abusive relationships as a reflection of their “traditional devotion to the ideal of wife and mother, ... lack of intelligence, ... lack of psychological strength, masochism, and psychopathology” (Hatty, 1989, p.83). Since women are perceived as “choosing” to remain with violent men, the idea that women can leave if they want to is prevalent among officers (Ferraro, 1989a; 1989b).

The legal system's response to victims who are, for whatever reason, committed to remaining in an abusive relationship is especially poor. The only help that the law has to offer "appears to be contingent upon the victim separating from the abuser" (A.L.R.I., 1995, p.47).

Another misconception held by officers is that women can avoid abuse if they simply comply with their violent partner's demands (Hart, 1993). Women are often blamed for the abuse they endure because they know their partners have the potential to be violent yet challenge their authority anyway by not following orders.

When police officers are called to an incident involving woman abuse, their reaction is framed by their personal thoughts about and experiences with women, men, marriage, relationships, families, power, control, and violence. The race, gender, class, family of origin, friendships, and cultural identity of an officer shapes his/her attitudes, which in turn influence how s/he will respond to a particular call (Sadusky, 2001). Not all officers share the same views of women or spousal abuse (Davis, 1984), nor do they agree on the type of action they should take to resolve domestic disputes (Waland et al., 1985). They also differ in their orientation to police work (Stanko, 1989). Thus, the quality of the response an abused woman receives varies depending on the officer(s) who take(s) her call.

According to Susan Edwards (1989), police officers buy into class, race, and gender stereotypes of likely suspects and credible victims. These stereotypes affect officers' perceptions of the seriousness of the situation, the culpability, motivations, and intent of the offenders, and the innocence of the victim. Certain characteristics are attributed by officers to victims, which divide them based on their "worthiness"

of police protection. While some women are deemed “real” and “legitimate” victims, others are seen as “false” or “illegitimate” and somehow deserving of the abuse they endure (Edwards, 1989; Rigakos, 1995; Stanko, 1989). Hatty (1989) recognizes a similar distinction made by officers in Sydney, Australia between “victims deserving of police protection,” or those who have attempted or intended to leave violent partners, and “hopeless families,” or those who were dependent on government assistance. In Phoenix, Arizona, Ferraro (1989a; 1989b) observed that police viewed family fights among normal citizens (employed, English-speaking, white, heterosexual, middleclass individuals who did not drink alcohol or use drugs in excess and had modestly clean homes) as “legitimate” police concerns in contrast to family fights among “deviants” (unemployed, nonwhites, non-English speaking people who lived in subsidized housing) which officers could not do anything about. The police officers in this study were much less likely to arrest abusers who fit their conception of “deviants” than those perpetrators who were viewed as “normal” citizens. In officers’ opinion, arresting “deviant” abusers would be a waste of time because they would remain “deviant” regardless of what happened to them and their “deviant” partners lacked credibility and would refuse to testify in court. Ferraro (1989a) explains officers’ reasoning:

According to this view, a normal citizen who violates a law responds to police intervention with shame and anxiety. A “normal” wife beater is perceived as situationally deviant, his behavior the product of particular strain or a response to a threatened divorce. Such a man, officers believe, may be deterred by arrest because both violence and arrest are extraordinary and undesirable events for such people. On the other hand, arrest and violence are viewed as routine events for deviant men... Officers believed arrests were a waste

of time and meaningless for these people because violence is a way of life for them (p.67).

Contrary to Ferraro's (1989a; 1989b) findings, other researchers argue that police officers are reluctant to arrest abusers who are white, middleclass, heterosexual men. They suggest that officers, of whom the vast majority are white, middleclass, heterosexual, and male, identify more readily with male perpetrators of violence than with female victims (Berk et al., 1980-81; Hatty, 1989). These officers are more likely to accept the abuser's version of the events over the victim's account of what has occurred. Police are often skeptical of women's complaints of abuse by intimate partners because officers see abused women as untrustworthy connivers who are prone to lying (Rigakos, 1995). Abused women are believed to call the police out of revenge against their male partners or in an attempt to manipulate them or the criminal justice system (Hatty, 1989; Saunders et al., 1986; Rigakos, 1995). Therefore, the intimate partner violence that women experience is often trivialized by responding officers. This is especially the case if they believe "a certain amount of violence within [a relationship] is 'normal'" as many officers do (Hatty, 1989, p.84). Saunders and Size (1986), for instance, report that the officers they interviewed approved of a man's use of violence against his partner if she was adulterous. Because the abuse is seen as "acceptable" in some instances, it is not "criminal" and not the concern of the police (Hatty, 1989).

Research has continually shown that police officers possess traditional views of women's roles (Stanko, 1989; Hatty, 1989; Rigakos, 1995). These perceptions, as well as officers' sexist attitudes, are associated with victim-blaming and inaction (i.e., failure to arrest) (Saunders et al., 1986). According to Hatty (1989), officers

believe that women who depart from their expected roles as mothers and housekeepers contribute to the violence against them. Additionally, “behaviours that violate the norms of feminine sexuality, such as infidelity, going out alone at night, or drinking alcohol in male company are seen [by officers] to warrant particularly harsh measures on the part of the husband or lover” (Hatty, 1989, p.79). Rigakos (1995) discovered similar sentiments about traditional gender roles in his study. The officers he interviewed made comments about the “sanctity of the home” and marriage, and indicated that a family should be preserved at any cost.

Clearly, a victim’s behaviour is given as much attention and scrutiny by police as her abuser’s actions in their decision-making regarding arrest (Waaland et al., 1985). Both the victim and the offender “are assumed to have contributed to the onset of the violence” (Stanko, 1989, p.52). However, officers do not seek to understand the abused woman’s behaviour from *her* perspective. Instead, they blame her for “provoking” the violence by “nagging,” “taunting,” and “mentally tormenting” the abusive partner (Hatty, 1989). Verbally aggressive victims receive more blame and derogation from college students compared to women who do not verbally “provoke” their assailants (Kristiansen & Giulietti, 1990). Victims who are not directly blamed for “setting off” the violent man are said to be responsible just the same for the abuse in officers’ opinions because they remain with their abusers. Abused women who participate in arguments or “fight back” in self-defense are also likely to be held more accountable than their violent partners for the abuse they suffer (Waaland et al., 1985). And, finally, officers consider an abused woman’s psychological illness a catalyst to her partner’s violence. According to many

officers, a woman's psychological instability or psychopathology is not the result of the abuse she endures, but is biologically based (Hatty, 1989).

In the interviews conducted by Rigakos, the comments made by both male and female officers disclosed stereotypical attitudes toward women who have been assaulted. Many abuse victims interviewed by the A.L.R.I. (1995) reported being viewed as hysterical and untrustworthy by police officers responding to complaints of domestic abuse. Native women were particularly subjected to sexist and racist comments by police officers. Police officers who hold on to such misconceptions do more harm than good and are likely to discourage abuse victims from seeking assistance from the law in the future. Stereotypical attitudes and misguided beliefs about intimate partner violence result in a lack of concern for women's safety. If officers do not appreciate the extent of the danger an abused woman is in, she is not likely to receive the protection she needs and her safety may be placed in even greater jeopardy for involving the police. A major complaint from the women in the A.L.R.I. (1995) study was that police officers seemed to be unaware of the serious safety risk women and children are subjected to in domestic violence situations.

The Law Reform Commission of Nova Scotia (1995) finds that some officers are not as willing to respond to calls from women who have requested police assistance in the past and then remained in or returned to the abusive relationship. During the Commission's consultations with police, one officer noted, "I guess if she keeps going back, she must like it." Belittling comments such as, "Oh, you're at it again, are you?" are sometimes made by officers when they do respond. Others

make demeaning statements like, "Whose fault was it?" when responding to women who have called the police for the first time.

A great deal of research has focused on the legal and extra-legal factors of domestic violence incidents considered by police in making, or not making, an arrest. Some studies find that the nature of the relationship between the victim and the abuser impacts police response (Stanko, 1989). Men who assault their wives, as opposed to their separated or unmarried partners, are less likely to be arrested (Hatty, 1989) as well as prosecuted and incarcerated (Ferraro, 1989b). Dobash et al. (1979) presume that officers' reluctance and refusal to arrest abusive husbands proceeds from their view of the marriage license as a hitting license. Although Buzawa and Austin (1993) found no difference in the likelihood of arrest for married and unmarried abusers, the pair report that arrests were made more than twice as often when the offender lived with the victim.

Police officers are also said to take the physical injury of the victim into account in their arrest decisions. Unlike the victim-offender relationship, injury is a legal concern which is associated in some studies with a greater likelihood of arrest (Berk et al., 1980-81). In cases of woman abuse observed by Ferraro (1989b), officers made arrests where knives, guns, and severe violence were present, although the police generally believed their involvement in domestic violence incidents "should be limited to situations where public peace and order are disturbed" (p.167). Most officers in Waaland et al.'s (1985) study based "their intervention decisions on... how extensively a woman [had] been injured by her husband" (p.364). These officers attributed less blame to severely injured women and more responsibility to

violent partners for the abuse. While injury to the victim was an important indicator of police arrest in the study conducted by Berk et al. (1980-81), the researchers learned that officers “were more likely to note those injuries they could see [than] those that were merely claimed by [abused women]” in their examination of police reports (p.334). Contrary to these findings, Hatty (1989) reports that physical injury to the woman was not significantly related to the arrest of her abusive partner in her Australian research.

The two strongest determinants of arrest are the offender’s demeanour and the victim’s desire to have the offender arrested, according to Berk et al., (1980-81). The demeanour of the abuser toward the police has also been found to have significant effects on his arrest in Worden and Pollitz’s (1984) research which replicates the Berk and Loseke (1980-81) study. Not surprisingly, an abuser who threatened an intervening officer with violence risked being apprehended by police more than an abuser who did not (Hatty, 1989; Ferraro, 1989b). Arrest was more imminent when an abuser was drunk (Rigakos, 1998) and/or belligerent in an officer’s presence (Ferraro, 1989b). Abusers who fled the scene of the crime or “sat placidly on the sofa” when officers arrived were less likely to be arrested in Ferraro’s (1989b) study because “police did not have the immediate experience of danger that the women felt” (p.172). Officers in Rigakos’ (1998) study were also reluctant to arrest offenders who had left the scene before the police arrived. Arrest is unlikely even when an abused woman leaves in search of safety while her abuser remains in the home (Ferraro, 1989a).

A victim's willingness to sign a complaint and prosecute her abuser are claimed to affect the arrest policies of officers (Waaland et al., 1985). According to Berk et al. (1980-81), "the probability of arrest increase[ed] 30 percent in the change from refusal of the female victim to sign a warrant to no mention of the warrant by police; it increase[ed] another 30 percent from 'no mention' to 'signs' or 'promises to sign'" (p.338-339). Buzawa et al. (1993) indicate that Detroit police officers arrested abusers 44% of the time when victims desired prosecution. Arrests were made in only 21% of the cases where "the victim's preference was to do nothing or merely to talk or be advised of her rights" (p.616). In contrast, women's requests for arrest were only a slightly important factor in officers' decisions to make an arrest in the Metro Woman Abuse Protocol Project (Hannah-Moffatt, 1995) and in Rigakos' (1998) study. Arrest on any grounds, nevertheless, is highly unlikely if an abused woman prefers no arrest, or refuses to sign a complaint or provide a statement to police.

Ferraro (1989b) discovered that an abused woman's demeanour was also a relevant criteria in officers' decision-making. Women who were intoxicated or disorderly did not see their abusers arrested (Ferraro, 1989b; Rigakos, 1998). Nor did women whose conduct was perceived as inappropriate, quarrelsome, or demanding instead of rational and deferential (Buzawa et al., 1993).

Stewart and Maddren (1997) offer an explanation of why officers fail to arrest an abuser when the victim has been drinking at the time of her assault.¹³ The researchers presented one of eight vignettes to 97 male and female Queensland

¹³ For examinations of civilians' perceptions of spousal abuse, alcohol, and attributions of blame see Corenblum (1983), Kristiansen and Giulietti (1990), Hillier and Foddy (1990), Howard (1984), Aramburu and Leigh (1991).

police officers. The alcohol consumption of the victim and the offender as well as the victim gender was varied in the vignettes. They discovered that male and female officers alike attributed more blame for the abuse to drunk victims than sober victims and were less likely to charge abusers with assault when the police blamed the victim. Stewart et al. (1997) speculate that officers consider intoxicated victims “responsible for their victimization by either provoking the violence or not evading the violence” (p.931). The pair also report that “a sober victim with a sober assailant was blamed more than a sober victim with a drunk assailant” and “a drunk assailant with a sober victim was blamed more than a sober assailant with a drunk victim” (p.928). Equal levels of blame were attributed to the victim and the offender when the offender was sober and the victim was drunk. Stewart et al. (1997) conclude that police officers hold stereotypes of gender roles that influence their decision-making in responding to intimate violence.

According to Berk et al. (1980-81), the probability of arrest significantly increases if the offender is intoxicated. When the abuser is drunk, fewer alternatives to solve the situation are available to officers. If they do not arrest the intoxicated man, the situation will continue to be volatile after the police leave. But drunkenness also leads to “a more convenient arrest charge (e.g., resisting or assaulting an officer) as an alternative to a charge of spouse abuse” (Berk et al., 1980-81, p.339). The Australian officers in Hatty’s (1989) study avoided using the domestic violence legislation by resorting to laws that applied to the public domain, such as public drunkenness. Rather than charging violent men with assaulting their partners, officers apprehended them as intoxicated persons and detained them

overnight. Bill O'Grady (1991) discovered a similar pattern in St. John's Newfoundland. The police officers there often charged abusers with "drunk and disorderly conduct," which is not classified as a violent crime although "evidence suggests many of these incidents [were] indeed violent" (O'Grady, 1991, p.86). However, unlike Hatty's finding, officers in St. John's did not detain intoxicated offenders. Instead, they commonly drove abusers a few blocks from their home and made them walk back. The police assumed that this strategy would give abusers enough time to sober up. Then, of course, the problem would be solved.

Besides the disputants' demeanours and their use of alcohol, the presence of witnesses is also a factor taken into police decision-making regarding arrest. The probability of arrest increased significantly in Buzawa et al.'s (1993) research when bystanders were present at the scene of the crime. An arrest was made in almost half of the cases involving witnesses. Conversely, only one quarter of the assault cases without witnesses ended in arrest. The presence of children also produced similar results, although to a lesser extent than adult witnesses. Buzawa et al. (1993) reason that officers are more inclined to arrest when adult witnesses are present because they are independent of the victim and the offender and they can corroborate the victim's story. Children, on the other hand, are not truly independent witnesses and their testimony may be less reliable. Rigakos (1998) reports that the presence of children had only a "slight to marginal" effect in arrest decision-making for the officers he interviewed.

The presence of children in cases of woman abuse is more strongly linked to a propensity for arrest in the study conducted by Waaland et al. (1985). Most of the

British officers interviewed by Jalna Hanmer (1989) were extremely concerned about children who were either directly involved in the violence or at home when the incident occurred. However, it is not known if they were more apt to arrest the abuser when children witnessed, or were directly affected by, the violence. Some officers revealed that they remove both the abused woman and the children and take them to a safe place if the officers believe they are in danger.

Whether or not an arrest is made may depend on who calls the police in the first instance. Berk et al. (1980-81) found that the likelihood of arrest decreased by approximately 21% if the victim alerted the police as opposed to a neighbour, friend, or a social service agent. The researchers inferred that, if the woman initiated the police encounter, the dispute was not severe, or it was confined to the victim and the offender. If the victim requests help, "the disturbance has clearly not reached the point where she is physically incapable of calling for police intervention" or the point where an outsider (i.e., a neighbour) is alerted (Berk et al., 1980-81, p.340). Since the victim's injuries are presumed not to be serious, the police do not arrest the abuser. In a replication of this study, however, Worden and Pollitz (1984) discovered that women who notify the police themselves were twice as likely to be injured as those women who did not contact the police, but received officer assistance due to a third party's initiative. It is possible that police responses are more severe to calls from others because the disturbances they report have "escalated beyond the immediate household" of the victim and the offender and arrest in these instances "avoids further complaints from 'outsiders'" (Berk et al., 1980-81, p.340).

If the responding officer perceives that the abused woman is not completely honest in her account of the events that have occurred or is unlikely to appear in court, s/he may not arrest the violent partner (Rigakos, 1998; 1995; Edwards, 1989; Ferraro, 1989b). Edwards (1989) discovered, however, that an officer's prediction that a complainant in a street fight will later refuse to cooperate with police does not deter him/her from making an arrest. Many police officers in Rigakos' (1998; 1995) and Ferraro's (1989b) samples viewed abused women as "unreliable witnesses" or "inconsistent complainants." "Battered women are said to call the police for help, verbalize a desire for arrest, and later to recant" (Ferraro, 1989b, p.168). Officers expect abused women to fail to show up in court to testify or lie on the stand about the incident, if they have not already recanted their stories to detectives. Since taking statements from victims, conducting investigations, and preparing the necessary paperwork for trial all take time, officers feel betrayed when a woman is no longer willing to cooperate with the police and prosecution to have the case go to court. From the officer's perspective, "unreliable witnesses" and "inconsistent complainants" are "a waste of time" (ibid). One "uncooperative" woman may result in "personal resentment being built up against [all] battered women" and "may set the stage for that officer shying away or 'thinking twice' about effecting an arrest [in the future]" (Rigakos, 1995, p.239). Officers in both studies (Rigakos, 1998 and 1995; Ferraro, 1989b) provided personal or second-hand accounts of having been scorned by an "unwilling" victim. Reluctant witnesses are perceived to be a serious problem, yet only one in ten Delta, B.C. women "testifying in 'spousal assault' cases in 1993 was listed as 'uncooperative'" (Rigakos, 1995, p.240). Contrary to police

perceptions, abused women are more likely to cooperate with the police than other assault victims (Saunders et al., 1986).

So why do police maintain the perception that abused women make unreliable witnesses? According to Rigakos (1998), the difference between officers' perceptions and the reality of abuse witnesses "has much to do with selective recall within a subcultural milieu that quickly reinforces and reproduces both positive and negative 'war stories'" (p.89). In the following excerpt Rigakos (1995) explains what he means by a reproduction of war stories:

This occurred to me one day while observing a group of officers coming off shift. They shared with the incoming shift a story about an incident that occurred the previous night involving a high-speed chase, multiple arrests, and the unholstering of side-arms. Officers involved relished retelling the story, acting out, and possibly embellishing their own roles. Their audience, including the researcher, was captivated by the tale. For that moment, all the officers in the room managed to break free of the actual mundanity of their jobs and share in a legitimating anecdote of "real police work." Those who were involved were thoroughly pleased in sharing the incident with their peers while those not involved wished they were there (p.240).

The rare event in which an abused woman recants her story or fails to testify is magnified, or perceived to occur much more frequently, as a result of the "selective memory" phenomenon and the retelling of a negative experience by officer(s). A "symbolic complainant" who refuses to appear or give evidence in court is thereby constructed by the police occupational culture and affects how officers respond to future incidents of woman abuse.

Sometimes an officer's reluctance to make an arrest has nothing at all to do with the legality of the situation or the personal and behavioural characteristics of the parties involved. When demands on police time are great, "decisions to initiate the lengthy process of arrest may be less likely" (Berk et al., 1980-81, p.334). Time is viewed by officers as a resource not to be wasted on "trivial" crimes. During the time it takes to book an offender, the officer is off the street and unable to respond to other "more important" calls. Arrest is also less probable when officers are approaching the end of their shifts (Ferraro, 1989a).

In sum, there are numerous legal and extra-legal factors that are significant cues in determining the legal outcomes prescribed by officers. Nevertheless, there are some factors that, surprisingly, do not weigh in on police decisions to arrest. Previous police interventions, or arrest for spousal violence, are not significantly related to offender arrest (Hatty, 1989). Nor is a history of assault in a particular relationship or repeated problems at an address (Waland et al., 1985; Buzawa et al., 1993). "Officers may not be aware of previous calls or, alternately, do not care that such offenses have occurred in the past" (Buzawa et al., 1993, p.618). It is important that police be informed of prior assaults and consider this information in future decisions to arrest. After all, violence is hardly ever a one-time occurrence in a relationship (Bunge & Locke, 2000), abuse increases in severity and frequency over time (MacLeod, 1995), and repeated victimization is "one of the strongest and most consistent risk factors associated with femicide" (Bain & Watt, 2003).

Even though there is a clear directive from the government to lay a charge in domestic violence incidents, the Law Reform Commission of Nova Scotia (1995)

discovered that whether a charge is laid in a particular situation may depend on which officer answers the call. According to shelter workers and assaulted women, some police officers will only lay charges immediately following severely violent incidents. But, abused women are often too distressed to give a statement right away and may need a few days to receive support from family, friends, and shelter workers before taking the next step. Moreover, when police officers lay charges, they rarely arrest and keep abusers in jail overnight, despite having the authority to do so. Evidence, such as photographs, clothing, witnesses, statements, and medical reports to support a charge are not always collected by police officers who rely solely on the abused woman's testimony (Law Reform Commission of Nova Scotia, 1995).

Instead of laying a charge, some officers recommend obtaining a peace bond against a violent partner. However, peace bonds are only supposed to be used when there is merely a fear of personal injury or damage to one's property, and not a physical assault (Law Reform Commission of Nova Scotia, 1995). Technically referred to as a "recognizance," peace bonds are court orders, or agreements abusive partners make with the court "to keep the peace and be of good behaviour." Peace bonds may contain specific conditions and restrict abusers from visiting and phoning their partners at home or work, writing their partners letters or sending messages, driving by their partners' homes, or contacting their partner's children, parents, or other family members. They may also order abusers to attend anger or alcohol counseling or to forfeit any firearms and ammunition. To break any of the conditions of a peace bond is a criminal offence punishable by up to six months in

prison. In New Brunswick, peace bonds are free and last up to one year (Public Legal Education and Information Service of New Brunswick, 2001).

Much like arrest and pro-charge policies, peace bonds are controversial. By requiring an abused woman to first go to the police to request a peace bond and then to court to “swear an information,” the orders assume that “the woman can leave the house, has access to the telephone, has money to pay a lawyer for help and... will feel confident that a piece of paper... which may take time to be issued, will protect her from violence” (Law Reform Commission of Nova Scotia, 1995, p.41). Yet, peace bonds are used frequently because they are one of only a few options available to abused women other than going through a criminal process, becoming a refugee, or resorting to self-defense.

Interestingly, not one assaulted woman offered a positive comment about peace bonds in consultations with the Law Reform Commission of Nova Scotia (1995). Both abused women and shelter workers felt that these orders give little protection. Many women interviewed by the A.L.R.I. (1995) were dissatisfied with the cost, length of time, and complexity of the procedure associated with obtaining protection orders; the vagueness of the orders, including their little awareness of victims’ real needs; and the insufficient enforcement of the orders.

While some police officers believed peace bonds were appropriate in circumstances where there had only been threats of violence instead of actual physical violence, other officers described the orders as “not worth the paper they are written on.” The system of record keeping and communicating information on peace bonds is criticized for being managed poorly. Not only are police officers

sometimes unaware of the existence of peace bonds, but they seldom understand the seriousness of breaching a peace bond. Thus, few violent men have been arrested, and even fewer have been prosecuted, for violating peace bond conditions. “Even if a charge of breach is laid, it takes so long to get to court that it provides no real protection” (Law Reform Commission of Nova Scotia, 1995, p.42). Peace bonds are also considered problematic because in some jurisdictions (not New Brunswick), the onus is placed on the abused woman to swear the information to obtain them; the police cannot do it for her. Moreover, the procedure for obtaining a peace bond is bureaucratic, confusing, and can take months to complete.

George S. Rigakos’ study on police enforcement of protection orders (criminal peace bonds as well as civil restraining orders) in Delta, British Columbia, reveals that police officers are most likely to arrest abusers in breach of a protection order when there are signs of forced entry, violent histories, and signs of struggle. Surprisingly, as Rigakos (1998) notes, “officers appear more attuned to property damage than evidence suggesting that an assault may have occurred” (p.85). Furthermore, officers are hesitant in making an arrest when a protection order is obtained by one party and the offender claims he was unaware such an order existed (Rigakos, 1998).

Summary

We have a long history of tolerating, and even encouraging, the beating of wives by husbands (Brown, 2001; Dobash et al., 1979; O’Faolain et al., 1973; Siegel et al., 2003). With the help of women’s groups and grassroots movements in the 1960s and 1970s, we finally began to recognize violence against women as a social

problem. In the 1980s, federal and provincial governments and agencies began to issue directives and develop guidelines for police and prosecutors to treat woman abuse as a crime. Today, each province and territory has its own charging and prosecution policies with respect to domestic violence (Department of Justice Canada, 2003). New Brunswick has four initiatives, including the inter-departmental Woman Abuse Protocols. These protocols require police to lay charges when they have reasonable and probable grounds to believe an offence has been committed and direct prosecutors to prosecute offenders irrespective of victims' wishes and cooperation (Law Reform Commission of Nova Scotia, 1995).

Mandatory charging policies are intended to remove the responsibility of deciding to lay charges from the victim, increase the reporting of partner violence, and increase the number of charges laid in cases involving partner abuse (Department of Justice Canada, 2003). These policies also aim to remove the attitudes of police officers from action (Ursel, 2002). Pro-charge policies have been both successful and unsuccessful in meeting their goals. On the one hand, the number of partner abuse incidents reported to police have either increased (Department of Justice Canada, 2003) or remained consistent (Jaffe et al., 1986) and the number of charges laid has multiplied as a result of pro-charging policies (Department of Justice Canada, 2003; Jaffe et al., 1986). Many victims have indicated that the violence stopped or was less serious after the police got involved and the parties went to court, regardless of whether or not the abusers were convicted (Jaffe et al., 1986; Sherman et al., 1984), although replication studies have

found that arrest may only reduce recidivism for some types of offenders and victims (Schmidt et al., 1998; Schmidt et al., 1993; Sherman et al., 1984).

On the other hand, pro-charging policies have had a negative effect on members of over-criminalized communities. For fear that police will be discriminatory, abused Aboriginal, lower-income, visible minority, and immigrant women are unlikely to call them for assistance (Department of Justice Canada, 2003).

Besides preventing repeat violence, arrest has many other important functions. Arrest may alter the power dynamic in abusive relationships; garner support for the abused woman; provide immediate protection to her and give her the opportunity to consider her options; provide access to services within the criminal justice system; and convey the message that abuse is unacceptable (Dutton et al., 1992; Stark, 1998).

Pro-charge policies may be seen as undermining the abused woman's ability to make decisions. However, studies show that abuse victims agree with mandatory charge policies (Department of Justice Canada, 2003; Saunders et al., 1986) and are satisfied when police adhere to them (Jaffe et al., 1986). Research also reveals, though, that few officers agree with these policies (Hannah-Moffat, 1998; Saunders et al., 1986), but follow the guidelines anyway (Jaffe et al., 1986; Department of Justice Canada). Some police officers adhere to pro-charge policies so strictly that they charge both the abuser and the victim who acts in self-defense (Martin, 1997).

Despite the initiatives implemented by government, such as mandatory charging and prosecution policies, the criminal justice system has received widespread criticism from researchers, victims' advocates, service providers, and

abused women for not responding effectively to woman abuse. Among the complaints is the accusation that police fail to charge abusers when physical evidence is absent or when the victim refuses to cooperate (Hannah-Moffat, 1995). Such inaction is said to reflect the criminal justice actors' lack of knowledge, awareness, understanding, and recognition of the complexities, implications, and detrimental effects of women's physical and emotional abuse by intimate partners (A.L.R.I., 1995; Law Reform Commission of Nova Scotia, 1995). The criminal justice system is also criticized for putting its needs – to obtain convictions – ahead of victims' needs to exercise some power in their relationships (Ford, 1991), and for viewing its role as a single intervention when women's survival and recovery is rarely the result of a single event (Ursel, 2002). Finally, critics demand that the criminal justice system stop measuring its effectiveness in responding to intimate partner abuse using the prevention of future violence and convictions; instead, success should be based on the immediate safety of victims as well as the overall effect on their subordination within the home (Ursel, 2002).

The variance in police responses to woman abuse has also been a concern of researchers in the field. Studies reveal that there is no consistency in police attitudes toward the appropriate level of police intervention in domestic violence situations (Law Reform Commission of Nova Scotia, 1995; Waaland et al., 1986). This is not surprising considering the finding that officers even have different orientations to or sentiments about police work in general (Stanko, 1989). Moreover, police officers do not share the same attitudes toward abused women (Davis, 1984; Law Reform Commission of Nova Scotia, 1995). Officers' views of women and their

“appropriate” gender roles, in addition to their beliefs about the causes of violence in the home and why women stay with abusive partners, influence their decisions about how to “handle” domestic disputes (Davis, 1984; Ferraro, 1989b; Hart, 1993; Hatty, 1989; Law Reform Commission of Nova Scotia, 1995; Martin, 1997; Rigakos, 1998; Sadusky, 2001; Saunders et al., 1986; Stanko, 1989; Stewart et al., 1997; Waaland et al., 1995).

Numerous legal and extra-legal factors also affect how police officers will respond to calls involving woman abuse. The relationship between the victim and the offender, the victim’s physical injury, the demeanour and behaviour of the two parties, including whether or not they are intoxicated, the ascribed characteristics (e.g., race) of the parties, the victim’s willingness to cooperate with police, the presence of witnesses, and the person who made the call to police in the first place are factors that filter into arrest decisions (Berk et al., 1980-81; Buzawa et al., 1993; Ferraro, 1989b; Hatty, 1989; Stanko, 1989; Waaland et al., 1985; Worden et al., 1984). Whether or not an arrest is made may also depend on the availability of police time (Berk et al., 1980-81; Ferraro, 1989a). Factors that appear to have little or no influence on police decision-making include previous police intervention or arrest for spousal violence (Hatty, 1989), history of abuse in a particular relationship or repeated problems at a particular residence (Buzawa et al., 1993; Waaland et al., 1985).

In a review of the literature, this chapter demonstrates that the police response to a woman abuse call is shaped by the individual attitudes of responding officer(s), in addition to provincial policies and procedures and the particularities of

the domestic violence case. Overall, research shows that the police response is not consistent, in spite of attempts to make charging domestic abusers mandatory. The quality of the response an abused woman receives from police appears to greatly depend on the officer who takes her call.

Chapter 4: Findings I

In this chapter I will begin to present my findings from the interviews with abused women. Using my participants' experiences and relevant literature, I will demonstrate the difficulty abused women encounter in calling the police for help.

Contacting the police: An enormous undertaking

Victims of partner violence rarely contact the police for assistance. The 1999 General Social Survey revealed that police were aware of violent incidents in current relationships in only 26% of cases where the victims were female and in 6% of cases with male victims (Department of Justice Canada, 2003). Other research indicates that on average women endure between eighteen and thirty-five incidents of abuse and/or violence before they ever call the police (Jaffe et al., 1986; Harrison, 2002; Sev'er, 2002; Ministry of Public Safety and Solicitor General, 2000). When asked how much abuse women experience before they seek police intervention, one officer responded:

That depends. It depends on the people's characters. It depends on people's personal lives, their tolerance level. We get calls from people when there's just a shouting match and it's never happened before. We actually go and intercede right at that level to whereas we might get a call the next time, "This has been going on for five years and I never did anything about it! I've been hit regularly every Saturday night for the last five years and I've had enough!" So everybody has a difference.

Incidents of violence experienced by women (44%) and men (25%) following separation were more likely to be brought to the attention of police, according to the 1999 General Social Survey (Department of Justice Canada, 2003). One of the

participants in this study, Barbara, only contacted the police after she separated from her abusive partner, despite having been abused during most of her relationship.

The fact of the matter is “reporting abuse is an enormous undertaking” (Harrison, 2002, p.3). The attitudes and perceptions of family privacy are partly to blame. Family and family-like relationships have been considered the ‘private-sphere’ of society since the Industrial Revolution. Thus, “at the social and political levels, there is a selective dismissal of or even ignorance about what goes on behind closed doors, and at the personal level, an enthusiastic effort to keep one’s problems to oneself” (Sev’er, 2002, p.34). The historical trajectory of the criminal justice system’s response to intimate partner violence has been marked by a persistence to treat domestic abuse a “private” rather than a “public” matter and, therefore, outside the purview of the criminal law (Neilson, 2000). The medical community also ignored the problem and only focused on the physical injuries caused by wife abuse up until the late 1980s (Bain, 1991).

At the personal level, when a woman discloses to police the abuse she endures, she may feel as though she is publicly “betraying” her private, intimate relationship with her husband or boyfriend.¹⁴ The likely consequences of reporting the abuse, such as the arrest of the partner and/or the relationship ending, occur in public for all to see (Harrison, 2002). Even when a woman confides in a trusted friend or family member first, “she publicly confronts for the first time the fact that her relationship is not going well [when she hears herself speak]” (p.3).

¹⁴ Minority victims may also refuse to report abusers of their own race to police for fear of “betraying” their race (Martin et al., 1995).

There are a number of ideologies that contribute to women's silence about abuse. First of all, the patriarchal ideology assumes a division of labour in western families between husbands and wives. While men are expected to perform the instrumental tasks of mowing the lawn, shoveling the snow and so on, women are expected to carry out the expressive duties, such as nurturing and caring and making the relationship run smoothly. Therefore, if abuse is present in a relationship, it appears as though the woman has failed. In telling a friend, family member, or service provider about the violence, the woman risks being condemned. Secondly, the ideology of romantic love suggests that "a loving relationship requires hard work" and "true love never runs smoothly." According to this ideology, men are strong and unable to express their "real" feelings. Hence, "the woman who is patient and 'stands by her man' no matter what he does will see her partner's toughness melt and will be rewarded with everlasting love" (Harrison, 2002, p.3). Since abusers are often caring and loving partners and fathers between violent episodes and women are under constant pressure to hold their families together regardless of the costs (Bain, 1991), it takes a long time for most abuse victims to report the violence.

Given the social and personal privacy accorded to families, it is not surprising that among the most underreported crimes are incest, child abuse, elder abuse, and abuse of women (Sev'er, 2002). Nor is it startling, although unfortunate, that 22% of Canadian women did not share their experiences of intimate partner violence with *anyone* before disclosing it to a Violence Against Women Survey interviewer (Rodgers, 1994). Fifty-four percent of women and 75% of men

surveyed for the 1999 General Social Survey did not report incidents of intimate partner violence to police because it was a “personal matter” (Hotton, 2001).

Besides maintaining the privacy of the family, there are many other issues that affect women’s decisions to not report the abuse to police. Often the feelings of shame alone are enough to prevent a woman from calling the police:

I guess I just wanted to deal with it myself most times because I was embarrassed. I was ashamed. I knew it would be on the scanner and my [relative] has a scanner, so she knows. The next day people ask me, “What happened at your place?” and “Why didn’t you come here?” Like [I said], “I didn’t want to bother you guys.” – Christine

An abused woman may not contact the police for help if she lacks knowledge of or trust in how the criminal justice system works (Sev’er, 2004). She may fear that once she tells, “a whole series of events will be put in motion resulting in the woman losing control over the situation [and perhaps resulting] in further consequences she is not yet ready to manage” (Haddon, Merritt-Gray, & Wuest, 2004, p.260). The woman may not be emotionally ready to leave the abusive partner, but expected to do so by others after she reports the abuse. She may still be in love with her partner and hope that he will stop being violent. She may be economically dependent on her abusive partner and have no one or place to turn to (Department of Justice Canada, 2003). She may want to stay with her partner for the sake of her children. On one occasion when Beth left her partner, her daughter “didn’t handle it well at all.” This is how Beth explained her daughter’s reaction to her leaving:

She was really, really upset at me and that’s when I thought, “Oh! What did I do here? I made a big mistake! I did something wrong!” So it just took her reaction to get me right back to square one and forget

all the treatment and I went back to the house to try to talk to him, to tell him I made a mistake, I'm coming back.

A lack of support from family and friends and a woman's emotional and physical isolation are other reasons abuse victims refrain from calling the police and leaving their violent partners (Department of Justice Canada, 2003). To maintain their control over intimate partners, abusers often deny women access to outsiders.

Cindy's partner forbade her from communicating with her friends and family:

For two years we lived in a little house that we built with no power, no electricity... For almost two years I wasn't allowed around my family, no friends, nothing, way back in the boonies... He started doing his old, you know, "You're not going to see your family, you're not going to see your friends." And I started saying, "You did this before. I'm not doing this again. I'm going to see my aunt..." and he was dead set, "No, you're not!" and he followed me outside [and it led to violence].

Some abusers undermine their wives' independence, overrule their parenting decisions and authority, and erode their confidences in their own abilities (Adams, 1989; Bancroft, 2002; Maxwell, 2001). To keep her from leaving, Andrea's partner undermined her ability to be a good mom. She says, "He had me believing that I couldn't raise the kids by myself." Some women, then, lack the self-confidence to believe they can ask the police for help, leave their abusive relationships, and make it on their own.

Abused women may also fear their partners' retaliation or their escalation of violence towards themselves, their children (Department of Justice Canada, 2003), or their pets (Ascione, Weber, and Wood, 1997; Faver and Strand, 2003; Flynn,

2000) if they contact the police or leave. Christine had this to say in regard to this issue:

And I just couldn't leave him. It was like a feeling of being stuck. I didn't know where to go. He didn't financially support us in no way, [but] I just knew no matter where I went, he would be there. He would follow me. He just... I just knew I couldn't leave him because he would just harass me.

While one abused woman may not report the violence to police because she fears an intensification of abuse and her partner's retaliation, another may stay quiet because she is convinced that the "real" problem is not the abuse. If only her partner would stop drinking, their financial burdens and job stress were relieved, her partner's parents would mind their own business, her children and his children would get along, then the abuse would go away (Harrison, 2002).

Many women believe they can change their violent partners' behaviours. After all, abusers are not violent all the time and can be very affectionate and loving husbands and boyfriends between beatings. Lenore Walker's (1979) cycle of violence theory addresses this characteristic of abusive relationships and adds to our understanding of why women stay. As a psychologist with a private psychotherapy and a faculty member at Colorado's Women's College, Walker listened to more than 300 abuse stories and interviewed 120 battered women in the 1970s. She recognized a definite battering cycle in most women's experiences, which involves three distinct phases: the tension-building phase; the explosion or acute violent incident; and the calm, loving respite. The time and intensity of the phases, which can be influenced by situational events, vary for the same couple and between different couples.

In the first phase, the abuser verbally harasses the woman and inflicts minor harm on her. She attempts to calm him by refusing to allow herself to get angry and by becoming nurturing, compliant, and passive. Knowing her partner is capable of being more violent she minimizes the abuse and blames herself and/or a particular situation for the partner's outburst. An abused woman believes she has some control over her partner's actions and this helps her to cope with the minor abusive episodes and deny the gravity of the inevitable second phase of the cycle, the acute violent incident. To prevent further abuse, she manipulates as many external factors as possible. For instance, she may put the children to bed earlier, avoid contact with provocative family members, or keep from her abuser any bad news that comes her way. The little control the abused woman has quickly diminishes as the tension between the couple builds. The minor battering becomes more frequent and the possessiveness, psychological abuse, and verbal attacks escalate. The woman is no longer able to withstand or defend herself against the mental torture. Her partner looks for her expressions of anger so he can respond with greater violence, even though an abused woman's behaviour does not always trigger the move into the cycle's second phase. Sometimes an external event or the internal state of the man induces a phase-two incident. However, women who have been in a violent relationship for a long period of time may provoke their abusers to get the unavoidable acute battering incident over with instead of living in constant fear of the explosion. The women know from experience that a calm phase will follow the severe violence and that setting off their partners allows them to control when, where, and why the incident occurs. Moreover, initiating the foreseeable violence

puts an end to women's anticipation causing them serious psychological stress, including anxiety and depression, as well as physical ailments, such as headaches, high blood pressure, allergic skin reactions, and heart palpitations (Walker, 1979).

The second phase of the cycle is described as "the uncontrollable discharge of the tensions that have built up during phase one" (Walker, 1979, p.59). Major destructiveness, lack of control, and lack of predictability characterize phase two and distinguish it from the minor violence in stage one. Neither the abuser nor the woman can control his rage. He starts out not intending to inflict harm, but to teach the woman a lesson. Yet by the time he feels she has learned her lesson she is severely beaten. Abusers are rarely able to describe what happens to them in acute battering incidents and concentrate on justifying what they have done. An abused woman cannot stop her partner's violence. "If she answers his verbal harangue, he becomes angrier with what she does. If she remains quiet, her withdrawal enrages him" (p.61). The physical pain is not as severe as the woman's feeling of being psychologically trapped and unable to flee. She can hardly believe what is happening to her, but is able to recall in great detail later the abuser's every move. Some of Walker's (1979) participants claimed "it was as though they could stand back and watch their disembodied selves being thrown against a wall or down a flight of stairs" (p.62).

The kind of violence that will occur is impossible to predict, but it usually has an element of overkill to it. When the violence will end is also unknown. Perhaps when the abuser becomes exhausted or emotionally depleted his brutality will cease. This phase normally lasts between two and twenty-four hours, but has

persisted for a week or more according to some women interviewed by Walker (1979). Shock, denial, and disbelief generally follow the acute attack. The abused woman and her partner rationalize the seriousness of the violence and minimize her injuries. Unless she is badly hurt, a woman rarely seeks help immediately after an acute incident. Instead, she remains isolated for the first day or two and sometimes a week. She believes no one can protect her from the violence. Of the three phases, however, this is the time she is most likely to call the police. Officers, who are trained to counsel the parties, calm them down, and then leave them alone, attest to the difficulty of interrupting a phase-two violent incident. Since police are unable to diffuse such anger, most women are victimized further after they leave. Knowing that the violence will increase when the officers depart, some women hope to avert continued beatings by attacking police to demonstrate their loyalty to abusers (Walker, 1979).

It is at the beginning of phase three that women are most likely to leave an abusive partner. When the abuser realizes he has gone too far, he tries to make it up to the victim. In this phase, he “behaves in a charming and loving manner... [and] begs her forgiveness and promises her that he will never do it again... [He] truly believes he will never again hurt the woman he loves; he believes he can control himself from now on” (Walker, 1979, p.65). Previously violent men will send their victims flowers, buy them gifts, and take care of their physical needs. They demonstrate their remorse to abused women and family members by giving up their alcohol addictions and their extra-marital affairs. An abuser often commandeers others to plead his case to her partner. His mother, sisters, aunts, and friends work

on her guilt and persuade her to stay with him. Although they do not blame her for the violence, they hold her responsible for any punishment the abuser receives. The abused woman no longer feels lonely, angry, frightened, and hurt as she had at the end of stage two and is now happy, confident, and loving. Her motivation for making changes in her life dissipates as she is convinced by her abuser and others that the violent partner needs her. Battered women desperately want to believe that their partners' behaviour in the second phase can change and that their behaviour in the phase-three signifies what they are "really" like. Any service providers who have been contacted "become exasperated at this point, since the women will usually drop charges, back down on separation or divorce, and generally try to patch things up until the next acute incident" (p.68). Even if the abused woman has been through the cycle several times already and knows phase-three behaviour is only temporary, she is unlikely to leave because she feels embarrassed and is angry with herself for having traded her psychological and physical safety for a brief dream state.

It is unclear how long the third phase in the cycle of violence lasts. Nevertheless, many women in Walker's (1979) research reported that the calm, loving behaviour quickly gave way to minor abusive attacks. The tension builds and then the women are severely battered once again. The cycle continues. Abused women who are able to prolong the loving phase before an intense period of phase-one behaviour sets in often lose control of their suppressed anger and seriously harm their partners. Four women in Walker's (1979) sample killed their husbands in phase one after experiencing several short intense cycles of violence. They did not

intend to kill their abusers, but wanted to end the violence. They reportedly could not cope with any further assaults.

Barbara's experience illustrates Walker's cycle theory of violence. She describes how rapidly her partner moved through the cycle:

It was very confusing because either you were the queen to him or he was [violent]. Like he'd be so sweet, you know? Like this was the guy that would make you a meal and if he was making tea biscuits, he would cut them in hearts. You know what I'm saying? And then maybe later that night you'd get a beating 'cause of something he imagined. Maybe you didn't respond well enough to what he did for ya.

Some women do not report the violence because they believe that the police cannot or will not do anything to help them (Harrison, 2002). One woman's story instantly comes to mind. Although she didn't participate in this study as an interviewee, she sent an email to me outlining the reasons why she did not contact the police, or reveal her abuse to anyone for a long time, as well as the many difficulties abused women face in making the decision to leave their partners. Here is her email message:

You see, I did not feel the police would help me in my situation; or take me seriously at all, for that matter.

I spent several years in an abusive relationship. On more than one occasion, I feared for my life. I kept my secret from everyone I knew. I carried the shame and the guilt that inevitably goes with it. I lied to my co-workers about bruises and marks. I lied to my doctor, too.

I reached a point in my life where I felt I no longer had the option of leaving – I thought I was completely dependant on my abuser. The truth is it really is harder to leave than to stay, for so many reasons. The foremost is a fear of one's own life, and the fear that

we simply cannot do it on our own because we as victims are stripped of our self-worth and esteem to the point that individual thought and the feeling of independence are seemingly gone.

I was finally able to find the courage to leave when I broke my silence. In a fit of utter frustration, I blurted out my horrible secret to a friend. Before I knew it, I had found the strength to get out. I went through all that I thought I would in leaving, but since my secret was out, I could no longer carry the shame of staying. The secret to escape is breaking the silence! But I must warn you that the shame is so overwhelming that most won't.

Here's the twist! I was in a lesbian relationship. My lover, a woman like myself, abused me in the same manner her father had abused her. How could I possibly go to the police and explain that this woman, someone I could clearly defend myself against, was my abuser? How could I explain that when she came at me with a fire poker, I cowered like a fool, instead of fighting back?

I still protect my secret in shame from the majority of the world I live in. I imagine most women do, regardless of the circumstances.

There is no such thing as a "likely victim." I am a strong-willed, healthy person who can easily defend myself in any surrounding; except when it involves something so deplorable and soul-wrenching as receiving abuse from someone you love.

An abused woman is also not likely to contact police if she fears officers will respond to *her* behaviour instead of her abuser's actions. Women who are intoxicated or violent (regardless of whether it is in self-defense) may risk being apprehended by police.

The legitimate fear, and real possibility, that child protection authorities will intervene and remove any children may also prevent abused women from reporting

the abuse to police (Department of Justice, 2003). When police responded to a “heated argument” between Ashley and her partner, officers notified Social Services (as they were required to do) that a child was present. Ashley insists that she will not call the police for help ever again because she does not want to risk losing her children. Taking children away from non-abusive mothers further victimizes abused women and compounds the children’s feelings of anger, grief, anxiety, and hopelessness. In addition to believing they are responsible for the abuse, children who witness their father’s violence against their mother and are then removed from their mom’s custody experience an increased sense of abandonment (Nixon, 2002).

An abused woman may not call police because she is intimidated by the court procedures and having to testify against her abusive partner. In addition, she may fear that calling the police may land her partner in jail and cost him (and perhaps even her family if she’s economically dependent) his job (Sev’er, 2004).

Women who live in particular social contexts may be especially reluctant to report an intimate partner’s abuse. Women in lesbian relationships, for instance, may delay contacting the police for fear that they will be “outed” to others or that they will be ridiculed by homophobic police officers and other service providers (Ristock, 2002). Immigrant women who are in the country illegally or on account of being married to their abusive spouse may risk being deported to their home country if they disclose the abuse to police. They may also fear their partner’s deportation (Martin & Mosher, 1995). If they do not speak English or French, they will be unable to communicate effectively with police. They may not know the legal rights of Canadian women. They may fear being ostracized by the rest of their community

or fear giving their community a “bad name.” Like immigrant and lesbian women, Aboriginal, lower-income, and visible minority women may fear the repercussions of police officers’ discriminatory treatment of their partner, their children or themselves (Department of Justice Canada, 2003; Flynn et al., 1998; Ruttenberg, 1994). Military wives may be hesitant about contacting the military police because of their reluctance to charge one of their own and their commitment to maintaining military unit cohesion (Harrison, 2002). Finally, rural women are unlikely to call the police for assistance due to their economic environment, access to services and resources, geographical isolation, social isolation, and patriarchal and traditional gender role belief systems (Hornosty & Doherty, 2003). Since the women interviewed for the present research live in (or just outside) a small city with many rural characteristics, the factors that hinder their calls to police will be discussed in more detail below.

Slightly more than half (51%) of all New Brunswickers inhabit rural areas with populations less than 1,000. Many characteristics that define life in these communities are obstacles to residents in general and significant barriers to woman abuse victims in particular. To begin with, there is a lack of employment for women in rural areas, especially full-time jobs. Forty-three percent of rural women are lowly paid seasonal workers who are employed for 26 or fewer weeks of the year. Therefore, these women are very likely to be dependent financially on their husbands. If a woman working a short duration seasonal job misses work to go to a shelter, she risks being fired. Moreover, farm women who usually do not receive pay lose everything they have worked hard for if they leave. The children of women

who leave and do not return may be disinherited when the farm passes on. Some women stay to avoid jeopardizing the farm's economic viability (Hornosty et al., 2003).

Rural women also have limited access to social services and resources such as health care, counseling, education, childcare, affordable housing, transition houses, justice and police services. Since rural areas lack public transportation, traveling to an area where these services are available is not always possible. Because these communities are geographically isolated, women who call the police for help may have to wait a long time for an officer to arrive. Additionally, protection orders are practically impossible for police to enforce. Hornosty and Doherty (2003) report that in one geographical area of their study, the most severe injuries were experienced by women who lived the greatest distance from town. Following through with a charge laid against an abuser is difficult for rural women since courts, which are located a distance away, are frequently adjourned and rescheduled and require a number of appearances from witnesses. Furthermore, the geographical remoteness of rural communities makes it easier to hide abuse and husbands are very likely to possess, and willing to use, a gun (Hornosty et al., 2003).

Social isolation is a harsh reality for women who are in abusive relationships. "Everyone knows everyone's business" in rural areas since family, marriage, and friendships create a strong familiarity among inhabitants. The lack of privacy counteracts with the strong rural ethic of self-sufficiency and social conformity. The belief that residents should not "air their dirty laundry in public" discourages women from reporting violence. An abused woman is unlikely to call police for fear that her

secret will be disclosed to neighbours when private information is broadcast over scanners (Haddon et al., 2004; Hornosty et al., 2003). Recall Christine's humiliation when her relatives heard her requests for police assistance on the scanner and then repeatedly questioned her as to why she didn't call them for help (p.118). Even when the abuse is known, there is a tendency for people to be reluctant to believe someone whom they have known for years is capable of being a woman abuser and do not want to get involved in other people's problems. Rural women who are abused fear that the few service providers that exist in their community will not maintain confidentiality. Perhaps the local police officer is a friend or relative of the abuser. Particularly if the abuser is well-liked and is surrounded by people who are loyal to him, the woman has a legitimate fear that she will not be believed or taken seriously. Moreover, reporting the abuse can result in retaliation from the abuser as well as his close friends and family members. Yet another consequence of social isolation on a woman is that if she gets out, she leaves behind her support network of friends and family who remain in the community (Haddon et al., 2004).

In their study of intimate partner violence in rural New Brunswick, Haddon, Merritt-Gray, and Wuest (2004) discovered that police and judges often responded to the situation on the basis of the abuser's reputation in the community, rather than on the reported events. Unfortunately, this may also occur in urban areas. Ashley, a participant in the present study, claimed that elitism is prominent among police officers whose response, she argues, is discriminatory based on the home environment and income of the parties involved in the dispute.

The attitudes present in a particular area also prevent women from seeking help from police. Even though patriarchal and traditional gender role belief systems are present in urban centres, they are much less likely to coexist with modern, less sexist beliefs in rural communities. The expectations that women should be subservient to men and that women are responsible for maintaining harmony in the family are reinforced by the gendered division of labour and religious beliefs. These traditions and attitudes are difficult to drop because rural communities tend to be intolerant of diversity and unwilling to change. Finally, residents in these areas only think of extreme physical violence as abuse and rarely include verbal attacks and financial control in abuse definitions. This lack of understanding of abuse, coupled with patriarchal beliefs, may result in blaming the victims and minimizing the abuse experienced by women and the responses that are required. Thus, there is a great danger in rural communities of violence becoming normalized in families (Hornosty et al., 2003; Haddon, et al., 2004).

The few women who contact the police only do so after experiencing many incidents of violence and/or abuse or a severe physical attack (Sev'er, 2002). They may also have run out of options and police intervention is the only remaining alternative (Ursel, 2002). Anne was scared for her life and Christine had nowhere to go when they made the decision to call the police. Although many abused women are reluctant to seek assistance from the police, officers most often represent the entry point into the legal system, which is one of a few social institutions with the authority to respond to violence against women (Neilson, 2000).

The most frequently cited reasons for reporting violence to police in the 1999 General Social Survey were to stop the violence or receive protection from the abuser (93% for women and 79% for men); because the victims felt it was their duty (55% and 58%); and so the abuser would be arrested and punished (48% and 34%) (Bunge et al., 2000). Only two of the seven women in the present research wanted charges laid against their abuser. Most of the women simply wanted the police to remove the abuser from the home until he sobered up or cooled off. When asked what kind of help she sought from police the few times she called, Christine replied:

I just wanted them to remove him... I just would say, "Well, get him out. I *know* he's going to break something, I know he's going to do *something*."

Barbara wanted the police to remove her partner from the home because a protection order was in place that prohibited him from being there. Beth wanted the police to help her and her partner "work things out."

As the literature and interviews reveal, however, women do not always receive the response they expect or feel they deserve from police:

And then finally, he [police officer] told me, "[Christine], there's nothing we can do. You're common-law. We can't kick him out of his own house." I said, "What is wrong with this?! It's my house." I said, "It's *my* house." – Christine

One of the seven participants called the police one time only. While three women contacted the police as few as three or four times, others called so often they "couldn't even tell [me] how many times [they sought help from officers]" (Barbara). I asked Andrea how many times she called the police. She replied:

Numerous, numerous times. Too many to count. Usually on a weekly basis, in the course of, oh probably in the course of close to a year.

Barbara commented:

There was one point where for a period... They [police] came to my place, I think it was five times in twenty-four hours... And at that time I just had, you know, the dial phone and I could dial that [police number] in the dark! I knew where all the numbers were and there was no 911 back then either (ha ha ha).

Even when an abused woman has called the police in the past, she cannot predict how a particular officer will “handle” the domestic situation the next time s/he arrives. During the interviews, many women commented that the response they received depended on the officer(s) who arrived at their home. Andrea says:

I don't think it's all the cops. It's you get your certain ones and some of them try to do something and then other ones don't.

Barbara adds:

There might have been three officers that [were helpful] and they were rarely on [duty] when I called.

Not only did women's encounters with police differ, but the police responses *between* participants varied. Not all women had negative experiences with officers; a few were satisfied with the response they received. While some women's requests of officers went unanswered, others reported that some officers went above and beyond the call of duty. For instance, Anne claimed that an officer stayed with her and her children the night she was physically victimized by her partner as well as the three nights following the incident (the remainder of the officer's shifts). The second officer who responded to her call for help, however, was disrespectful and

condescending. Beth also revealed that an officer she dealt with went out of his way to accommodate her wishes. Instead of laying a charge against her violent husband, the officer agreed to mediate at a later time. Even though Beth wanted mediation, it was clearly inappropriate and had the potential to further endanger her safety. Unfortunately, the data obtained do not indicate what accounts for this difference in police response between individual abused women. However, I speculate that a low volume of work/calls gave these officers the opportunity to spend more time with the victims than usual and accommodate their needs and wishes. To limit the scope of the research and writing, I did not analyze these few positive experiences from an IE perspective, nor did I take them to the police for their analysis and comment.

When given particular scenarios and asked how they would respond, officers frequently answered that it depended on specific situational factors. In many instances, the officers could not offer a direct response to questions regarding how they would resolve a particular incident because there are so many factors to consider, including the severity of the abuse, history of violence, use of alcohol and weapons, presence of children, and so on. Of the nine interviews with front-line officers, the word “depend” in the context of how the police respond to calls involving woman abuse was used 54 times. This suggests that the police response is largely determined on a case by case basis.

Summary

Very few women victimized by intimate partners seek police intervention. The fact is there is a myriad of reasons why abused women keep the violence and abuse to themselves. The attitudes and perceptions of family privacy, in addition to

patriarchal and traditional gender role belief systems, prevent abused women from breaking their silence. The dynamics of the abusive relationship, which has women living in constant fear, social and emotional isolation and shame, makes it very difficult for a woman to reach out. Being abused not only threatens a woman's physical and mental health, but it undermines her "ability to work, her relationships with children, family members and friends, her self-efficacy, and her fundamental sense of self-worth" (National Clearinghouse on Family Violence, 2002). The particular social contexts in which abused women live as well as their knowledge of and trust in the criminal justice system also influence their ability and willingness to contact police. Only after an abused woman has exhausted all of her options, has experienced many incidents of violence and abuse or a severe physical attack is she likely to call police for help (Sev'er, 2002; Ursel, 2002).

An abused woman, however, does not know how an officer will respond to her request for assistance, even if she has called police before. The ways in which police resolve incidents of woman abuse varies from one situation to the next, depending on the woman who makes the call, the officer who responds, and the particular circumstances of the case. Not all women have negative experiences with the police; some are satisfied with officers' responses. The following chapter begins the process of explicating the social relations around domestic violence policing calls in which abused women's experiences are embedded. It presents and discusses an issue identified as problematic by the abused women interviewed. The next chapter also introduces police officers' accounts of their work which can shed light (with my help) on abused women's difficulties.

Chapter 5: Findings II

Both the literature (Harrison, 2002; Sev'er, 2002; Ursel, 2002) and my current research reveal that reporting an intimate partner's violence to police is a huge endeavour. As difficult as it is to stay in an abusive relationship, it is often more difficult – and more courageous – to seek outside help, especially from the criminal justice system. But when police officers do not meet abused women's expectations or put their requests into action, all hope is seemingly lost. The women in this study identified a number of issues in regards to police responses that they find problematic. The problematic that stands out most, however, is the police failure to remove, arrest, or charge an abuser. This chapter will discuss this inaction and attempt to link it to the larger institutional factors governing police action using both women's understanding of their experiences with police and officers' accounts of their work. I will also compare my findings with the literature review findings and attempt to account for any differences between them.

Police failure to remove, arrest, or charge abuser

Most of the women who participated in this study (five out of seven) called the police because they wanted their violent partners removed from the home or arrested. However, when the police arrived, the officers suggested to four participants that the women and their children leave and the abusers stay. This reaction angered victims who felt they were being blamed and punished for their partners' abuse and, according to Barbara, "reinforced [the abusers'] thought that [they] could do whatever [they] wanted." This is how Andrea explains it:

Like they [police] always made me feel like it was my fault, I suppose mainly be taking me out [of the house] instead of taking him out. And that was usually their solution, was to take me out and the kids out. There was (*sic*) many nights that they took me and the kids out of the home and left him in the home.

Ashley was told by police that they could not remove her partner because his name was also on the lease. So she and her children, having no place else to go, reluctantly stayed at the women's emergency shelter. Another participant, Anne, cried to the police, "It's my house, you make him leave!" when the officer suggested she and her daughter go to the shelter for the night. This officer replied, "What kind of mother are you if you don't get yourself and your daughter out of here?!" Christine's dissatisfaction with the police also directly stemmed from officers' inability to adhere to her requests to ask the perpetrator to leave.

Without reasonable and probable grounds to believe a criminal offence has been or will be committed, police cannot force people out of their homes. However, they might ask one party to leave the premises for a "cooling off" period. When making the decision to ask the abuser or the victim and her children to leave, officers claimed that breach of safety and alcohol/drug abuse are the factors they take into consideration. From the interviews with women and officers, it appears as though police most often suggest that the woman and her children stay elsewhere:

Officer: The first thing we do once we're informed that there's a situation taking place, we go to the location, we evaluate the situation and we see that there's an abuse situation. What we do is we get that person out of that situation, or the children, to a safe environment whether it be the transition house or friends or somewhere we know that they're going to be safe.

Interviewer: So it is the abused woman who is removed?

Officer: Yes. Well, sometimes. It depends on what the circumstances are. Sometimes the aggressor is arrested and held in custody until he goes to court. And when a person is in custody, the woman's safe because the abuser is incarcerated. A lot of times if the abuser, we can't locate him and he leaves prior to our arrival, we make sure that the victim is safe, taken to Transition House.

When both the woman and her partner are adamant on staying, the officer's hands are tied and the Woman Abuse Protocols (1995)¹⁵ do not address what should be done under such circumstances:

A lot of times, it's the abusive partner [who is taken out of the home where an arrest isn't made]. Now, if the woman's also... I also try to show her like, "There's the transition house where we can take you or make arrangements," but a lot of times they don't want to leave. And if we run into the situation where the wife doesn't want to leave and the husband says, "I'm not going," then you hit the wall so-to-speak... Well, if I don't have the grounds to arrest somebody, then any action whether I talk the guy into leaving or the woman, it's going to have to be their decision. So if it comes to a situation like that where I don't have grounds to arrest them and neither one of them [will] leave, my hands are tied... There's nothing I can do.

As the quotes above reveal, police officers must often rely on community members and services as a temporary solution to domestic disputes which lack sufficient grounds to arrest an abuser. Officers often suggest to the victims that they go stay with family members, friends, or at the women's shelter. In doing so,

¹⁵ These are the procedures which guide officers' response to woman abuse upon arriving at a call. The Working Group on Violence against Women, in collaboration with various community and government stakeholders, updated the 1995 Woman Abuse Protocols and released the revised guidelines in March 2004 (Communications New Brunswick, 2004). Since the officers in this study were working under the 1995 edition at the time of the interviews (November 2003), I will refer to the former Protocols only.

though, officers are presuming that the women have support networks with these people and/or are not too ashamed to seek refuge in a strange place. Sometimes the only people who know about the abuse are the officers who just responded. Moreover, this request of victims implicitly gives abusers permission to do as they please with the homes. Barbara explains:

And there was no women's shelter here at that time. The nearest one was in Fredericton. And this one officer said, "Do you want us to take you to Fredericton?" And I said, "No." I said no because then he gets to come in... I can't get an apartment because of him! He gets to come in and take over the premises?! I need a place for my children. Going there for the night if they're not going to do anything anyway is stupid.

The Woman Abuse Protocols (1995) dictate that if an officer has reasonable and probable grounds to believe that an indictable offence has been, or is about to be, committed, s/he must arrest the offender and remove her/him from the home. (A list of *Criminal Code* indictable and summary conviction offences for which an abuser may be charged can be found in Appendix J). Section 495 of the *Criminal Code* permits a police officer to arrest a person without a warrant if s/he finds that person committing an indictable offence or has reasonable grounds to believe an indictable offence was or is about to be committed. However, "where the offence is one which is punishable as an indictable or a summary conviction, the police officer is told not to arrest if he or she believes on reasonable grounds it is in the public interest" (Law Reform Commission of Nova Scotia, 1995, p.44). The public interest is defined as the prevention of the continuation or repetition of the offence or the commission of

another offence. In these instances, the officer may determine that an arrest is necessary (ibid).

Section 31 of the *Criminal Code* gives officers the power to arrest a person who has committed, or is about to commit, a breach of the peace.¹⁶ The officer can detain that person in police custody until s/he believes the breach of the peace has ended, up to a maximum of 24 hours. Since domestic violence is not a single incident crime and a further offence (either in the form of a threat or physical harm) is probable, the authority to arrest and detain an abusive partner overnight must be taken advantage of by responding officers. Unless officers have specified concerns, however, arrest provisions generally suggest that police use their discretion in favour of not arresting (Law Reform Commission of Nova Scotia, 1995). This is evident in one officer's statement:

Typically, I would say... If we enter the house and it hasn't been a severe, a real severe domestic, no physical altercation has taken place, like I say we're not going to just jump on the bandwagon and arrest somebody. If it can be worked out, that the person... somebody can go and cool off for 24 hours or for a few hours and come back, then that's fine with us, but when making arrests, usually the aggressor... If there has been an assault of some type... like any criminal offence or offence so-to-speak, usually we try to arrest the person, get the statements, all that kind of stuff so, usually it's based on the situation. But if it can be resolved without arrest, then definitely that's our first option for us.

The *Criminal Code* provisions regarding arrest have numerous conditions and limitations and are not easily understood. Police discretion not to arrest (and the release of the arrested person when no reasons exist as to why he should not be

¹⁶ A person, however, cannot be charged with breaching the peace.

released with or without conditions until trial) reflects society's interest in liberty and the right not to be imprisoned before proven guilty. The police, and the criminal justice system, are required to respect the arrested person's right to liberty. In most cases of domestic violence, nevertheless, an officer can properly exercise his/her discretion in arresting and lawfully detaining a person in custody for a 24 hour period (Law Reform Commission of Nova Scotia, 1995).

When asked what factors they consider in making the decision whether or not to arrest an abusive partner, the responses offered by police varied. While some suggested that discretion is minimal and the decision to arrest rests on the availability of evidence, others revealed that if they believe there will be a continuation or repetition of the offence after they leave and/or if the assault committed was serious, an arrest will be made:

Officer: For domestic violence, we have no discretion at all. It's an arrest of the accuser or the suspect at the time. We go to the house and there's a sign of abuse or physical abuse, discretion is zero. Zero tolerance for domestic violence.

Interviewer: What kinds of signs do there have to be?

Officer: Well, we go into the house, you can tell by the reaction of the... The victim might be crying, bruises on her face, on her arms, furniture could be, you know, thrown around. Basically, from her own comments, what she says when we walk into the residence, saying that she was hit by the abuser. So, we take our actions from there.

Another officer adds:

Well if we go to a call and it is one that's in progress and it's obvious that he's the aggressor, if we feel that the offence is going to continue after we leave sometimes we'll go to a house, we'll get a 911 call, it

was a verbal argument and you speak to them for awhile, a bit of crisis intervention, you know, effective communication and things get worked out, but if we feel... and I guess it's a discretionary thing, that upon leaving this thing is going to continue then we will arrest the husband at that time or if the abuse was to a point where it was serious... Serious I guess could range from anything from him grabbing her by the throat or actually striking her or wounding her, obvious injuries, then we'll arrest, absolutely.

Although police officers included signs of physical abuse in the list of factors taken into consideration when making an arrest, one officer indicated that they can arrest and/or lay a charge in situations with little or no evidence of an assault besides the victim's word that she has been abused:

Oh yes, if the victim wants to lay a charge and give a statement to what was going on, whether it be mental abuse or physical abuse [I would lay a charge]. We don't need any physical evidence if she says it happened... She has to have a KGB statement¹⁷ where they are partners and she will testify to that in court, "This is what happened."

Yet, a quote from a different officer demonstrates a reluctance to apprehend an abuser without visible evidence of an assault as the arrest may violate the accused party's right or the *Criminal Code of Canada*:

If we go to a residence and we feel again that even though there's no visible signs, if we feel that there's going to be a problem after we leave, then if we have sufficient grounds, we will arrest. If we don't have sufficient grounds we'll try to encourage the guy to go elsewhere or the girl to go elsewhere, like to a transition house... Because I mean the thing is too, a lot of times you may want to arrest the guy, but we also are governed by the *Criminal Code of Canada*, which we have certain restrictions on when we can

¹⁷ A KGB statement is a warned, videotaped statement provided by the victim and used as evidence in court. A KGB statement form is found in Appendix K.

arrest and when we can't arrest so we have to be cognizant of that as well.

The officers quoted below revealed that police have the authority to intervene if there is only a verbal altercation between a woman and her partner:

If the person feels threatened in any way, then an officer can intercede and there could be peace bonds or restraining orders or undertakings.¹⁸

If she wants him removed because he's causing a disturbance, because he's intimidating her, it's still a form of abuse and we can take him.

Women who had early and women who had more recent encounters with the police, however, indicated that verbal abuse alone was not enough to incite police to act. Barbara, who called the police in 1985, reports that the responding officers did not remove her partner when he was only being verbally abusive towards her:

After I phoned... I don't know if it was three or four times... I just thought, "No, unless he's knocking me unconscious, there's no point in me calling because they're [police] not going to do anything and it can't get to the court unless they report it." And they had the right to just take him, but they never did... Like, yeah, you have to be beat to death before [the police would intervene] and even then charges don't stick.

Christine also recalls the failure of police to act when physical violence was absent, sixteen years later:

I think they [police] tried. They could only do what they could do. They needed a good reason to... Unless he hit me or something, they would [not] take him. But, if he didn't hit me, he was just being verbal, then the police wouldn't touch him... And I would always end up going to a motel because they [police]

¹⁸ Defined in s.503(2.1) of the *Criminal Code*, an undertaking is a conditional release of an arrested person from police custody. A person who breaches the conditions of an undertaking can be charged with a criminal offence.

would tell me, “[Christine], we can’t take him out of his house.”

Interviewer: Why wouldn’t they take him?

They said he wasn’t doing anything. They’d say, “Oh, he’s drinking. Just let him go to sleep or something.” I’m like, “No! He’s starting with me, he’s starting a fight.” I just knew it was coming and I wanted him to leave before it gets (*sic*) worse.

Not only was Christine’s partner verbally abusive, he was also physically destructive to her property. To no avail, she pleaded with police to remove him on numerous occasions. Yet a police officer informed me that property damage, or breach of peace, is sufficient grounds to make an arrest or separate the parties:

Interviewer: If you go into a residence and the woman doesn’t have anything wrong with her, there’s no blood, there are no cuts, nothing is torn, but there’s property damage. The kitchen table is split into two and things like that. And she says that something has happened. Are you likely to make an arrest?

Officer: Yes.

Interviewer: Just on the basis of property damage?

Officer: Well, property damage and possible breach of peace. You know that if you don’t intercede things could escalate after you leave. Now, it depends on the factors, like sometimes you just, you don’t necessarily have to arrest, but the person [abuser] could say, “I’m leaving and I won’t be back,” you can tell that person, “You have another place to go?” “Yes, I do.” If they have another place to go and you warn them, “Look it, you come back then you’ll be arrested.” It’s not necessary that you have to arrest them, but most cases they will be separated.

Some women wanted police to charge their abusers with a criminal offence.

The Woman Abuse Protocols (1995) direct the police to treat woman abuse like any

other criminal matter and to lay a charge whenever the evidence warrants it. Yet some abusers were not charged by officers at their victims' requests, in spite of clear violations of the law and sufficient evidence to support a charge.

Since the onus of initiating the criminal process is placed on the police and the Crown in New Brunswick, the decision to lay charges is made irrespective of the victim's wishes or cooperation. An officer explains:

It's not up to the abused person to decide whether charges should be laid or not. If the evidence presents itself, police are compelled to proceed with an investigation and put a case before the prosecutor for charge review. That's changed quite a bit and a lot of the older-thinking police officers will ask the abused person, "Do you want to charge him with assault? Do you want him charged?" That question should *never* be asked because it is not up to them, they don't have the power to make that decision and it's a way out for some of the police officers to be a little bit lazy. "Well, they're not supportive of charges so why should I go to the effort of doing the investigation, preparing the court file, whatever?" The only thing about that is, the reason why that question should never be asked is there shouldn't be any onus put on the victim for that decision and it should be up to the police officer. If the evidence is there to make a decision, there should be charges laid or investigated and hopefully laid. And that way it takes the onus off the victim and it also prevents the accused from blaming the victim for the charges as the police officer is the one that (*sic*) has that decision.

An early study of front-line officers' perceptions of a mandatory charge policy (Metro Toronto Woman Abuse Protocol Project) found that the vast majority of officers disagree with it, claiming that it is inflexible, constraining, and "an infringement on their discretionary powers" (Hannah-Moffat, 1995, p.43). However, most of the officers I interviewed are fully supportive of the guidelines. This

discrepancy might also be attributable to officers' training and career experience with domestic violence cases¹⁹ and their positive working relationship with the women's emergency shelter and Health and Community Services. Further, management's endorsement of the mandatory charge policy might encourage front-line officers' acceptance of (and adherence to) the guidelines. The two officers quoted below favor the policy because it removes the burden of laying the charge from the victim, who may be placed in a compromising position with family members, friends, children, and even the abusive partner if she initiates the criminal process herself:

I agree with that 100%. And the reason is, sometimes even though one person in a relationship is the victim of an offence whereas the [other] person is charged with that offence, they want to stay together. I don't particularly understand why, but they do. I think that they should blame us or say, "No, it's not my fault. The police charged you, it's not me. I told them what happened, yes 'cause it did happen, you can't deny that, but they're charging you."

I think it's great, personally, because what it does, it takes some of the pressure off her... I say, "Well if anybody says anything, say it's my fault." So this way here, her family, her friends, his family, his friends say, "Oh well you did it to him! You you you you you..." puts it back onto her again, this way she says, "No, it's not my fault! I'm not doing it! The cops – he's the one that's doing it! He's the prick that [did it]!" I'm the bad guy and I have no problem with that. That doesn't bother me at all. I think it's great 'cause it takes that one step closer to her getting out of the scenario. Then it's another step and you know eventually someday, hopefully, she'll get out of that scenario. But the police lay the charge, the police

¹⁹ Hannah-Moffat (1995) found that support for the pro-charge policy was divided by officers' years of experience. The few officers (six of seventeen) who agreed with the guidelines had a minimum of seven years' experience on the police force. The officers I interviewed had on average 16 years' service (between one year and 37 years' experience).

push the issue and it's not her fault. Now she can say, "It's not me! It's them!" It takes a great deal of stress off her. "That cop, it's his fault!"

Since many of the officers in the Metro Toronto Woman Abuse Protocol Project objected to the mandatory charging policy, it is not surprising that they were unlikely to proceed with a charge when a victim was uncooperative (Hannah-Moffat, 1995). Even though abused women's reluctance to provide a statement to police was identified by many officers in this study as a problem they often encounter, one officer noted that they will lay a charge where evidence warrants a charge be laid, irrespective of the victim's cooperation:

Some of the problems [that we encounter] would be where the woman still has feelings for her abuser and, you know, doesn't want him charged after she was physically assaulted. [If] we have enough information on it, we'll proceed with the charges. It's zero tolerance for abuse.

A quote from a different officer, however, suggests that police cannot proceed with charges without the victim's testimony. This is in spite of the presence of physical evidence and a mandatory charging policy which *requires* officers to lay a charge:

It's definitely frustrating on my behalf [when an abused woman refuses to cooperate]. Like, you go to a call and they're obviously fighting, something obviously has taken place and you can see it on her face, you can see it in the room around you, but you know, it's just something that you can't... You can offer her as much support and guidance as possible, but you can't tell her what to do, she has to make her own decision and you can tell her the facts and tell her other options, but it is definitely frustrating for police, I can say that, to respond to a call of that nature with the same people and nothing happens. If she doesn't want to do anything, then there's nothing that we can do.

The interviews with women and police officers reveal that the policies, procedures and *Criminal Code* provisions that are intended to guide officers' action in abuse cases are not always followed. Upon closer examination of women's experiences with police and officers' accounts of their work, it is evident that individual attitudes enter into police decision-making and affect the police course of action. These views and perceptions might account for officers' failure to adhere to written guidelines, or to remove, arrest, or charge an abuser when such action is either appropriate or required. The following sections will discuss three themes of officers' attitudes that influence their responses in domestic violence cases.

Traditional interpretations of gender roles and gender stereotyping

According to the literature on police responses in domestic violence incidents, officers adhere to traditional views of women's roles and these perceptions are associated with a failure to arrest abusive partners (Saunders et al., 1986; Stanko, 1989; Stewart et al., 1997; Hatty, 1989; Rigakos, 1995). Women who depart from their expected gender roles may not see their abusers arrested (Hatty, 1989) or, as my interviews with officers reveal, they too might be arrested.²⁰ When women drink alcohol in excess, for instance, they are perceived to be violating a norm of essential femininity and thus, risk being apprehended by police alongside their abusers. One officer commented:

²⁰ None of the women I interviewed was arrested alongside her partner, but I asked officers about the frequency of dual arrests in domestic violence situations. All agreed that both victims and abusers are rarely taken into police custody. This finding is in contrast to the American literature review finding that dual arrests account for as many as one-third of all arrests in spousal abuse cases (Martin, 1997).

[Dual arrests] would usually [occur] when both parties are intoxicated because she's going to be as much of a problem as him.

Moreover, women who are verbally and/or physically aggressive toward their abusers or authority figures (police officers)²¹ are viewed as departing from their gender role expectations as agreeable, passive and submissive facilitators. In these circumstances, a dual arrest is probable:

Sometimes both parties are involved in drinking and the male becomes the abuser then the female realizes, you know, he's going to be taken away and she's in a drunken state and starts to retaliate against us. It has happened that the female has been locked up as well for the night, but it's not as common as them just... running away and crying, not wanting to talk to us.

Another officer says:

[If] they both get abusive towards the police even though they're the ones that (*sic*) were fighting with each other, yeah they'll both get arrested and brought to jail.

Some victims fear being apprehended by police for defending themselves against their abuser. A woman who has retaliated in self-defense may or may not be arrested, depending on the officer who responds. An arrest is unlikely, an officer argues, "if [police] can determine that she was defending herself." When asked if women who are violent in retaliation or in self-defense likely to be arrested along with their abuser, however, one officer responded:

A lot of times they are. A lot of times, like I said, both people are arrested. Under the *Criminal Code*, section 31 gives you the powers to arrest anybody that has committed a breach of the peace.

²¹ Women often attack police in the hope that demonstrating their loyalty to their abuser will avert continued beatings (Walker, 1979).

In addition to traditional views of gender roles, these quotes also demonstrate a lack of knowledge of the gender/power dynamics in abusive relationships, particularly as they relate to self-defense. Unlike men, women do not typically use violence to exert power or control over their partners. Instead, they use violence in response to the abuse inflicted on them and their relative powerlessness in the relationship (Miller, 2001). It is crucial, therefore, that officers differentiate between the motivations and consequences of domestic violence incidents. Arresting an abused woman who retaliates against her abuser's immediate violence might discourage her from defending herself against him in the future (Martin, 1997).

According to the literature reviewed, police officers respond to and "handle" domestic disputes based on their stereotypes of victims (Edwards, 1989; Ferraro, 1989a; 1989b; Hatty, 1989; Rigakos, 1995; Stanko, 1989). These stereotypes help shape officers' attitudes about the likely innocence of the victim (Edwards, 1989). Officers identify certain kinds of people as "symbolic complainants" (Rigakos, 1998) or "typical victims." Although the officers in this study did not specifically refer to "typical victims" in their interviews, most of them discussed the lack of cooperation they receive from abused women. Therefore, the profile of the "symbolic complainant" is one who wants "nothing done" when police arrive and is reluctant to provide a statement to officers. Victims who fit the "symbolic complainant" profile are in danger of being viewed as more deserving of the intimate partner violence they experience and less worthy of police protection (Edwards, 1989; Hatty, 1989; Rigakos, 1995; Stanko, 1989).

The police responses to women who have made repeated calls to the police for help clearly demonstrate this point. Research reveals that when a victim stays with her abusive partner, for whatever reason, she is often blamed for any future violence her partner inflicts upon her. Some assume she must be a masochist because if she didn't like the abuse, she would leave immediately (Law Reform Commission of Nova Scotia, 1995). Yet, there are numerous emotional and practical reasons why an abused woman stays with her partner who is violent (Harrison, 2002), some of which have been discussed earlier. As Andrea describes below, with each additional call she made to police, the less sympathetic and compassionate were officers and the less serious was the response:

Well, I found the biggest problem, looking back at it, was I called too many times and never went through with it, but that's part of the process. I mean, you're scared, they [abusers] threaten ya, and you think, "Okay, yeah it'll work." They make all these promises and everything else and you figure it's going to work. But by the time you called twenty times, the cops I find pretty much said, "Oh well. She's just taking another beating again this weekend. They'll be back together next week" type-thing.

Barbara also called the police on more than one occasion to report her partner's abuse. However, since officers repeatedly failed to arrest her perpetrator, Barbara stopped calling:

I did call the police a couple of times, but they never did anything. He never ended up in jail not even for a day, let alone a weekend or a week. So after a while I just didn't even bother calling them. I said, "Well, what for? They're just going to wait until he actually does something, you know, until it's too late"... I didn't keep calling because what was the point?

In my interviews, I asked officers if they treat first time callers differently than victims who have called the police numerous times. Here is how one officer responded:

You get frustrated, but you still have to follow the same as you always do. You have to. Even as frustrating as it is, you have to. You keep documenting it, recording it, and contact Social Services.

Although officers insist that they respond in the same manner to repeat calls as they do to incidents that first come to their attention, it is undeniable that they approach the two situations with different attitudes, as an officer reveals below:

I'd like to say no, but yeah [we treat first time callers differently than somebody who has called a few times]. When you go to the same place over and over again, you try to sit down, you try to talk and try to rationalize, like, you've been here before, you know it's going to keep happening. It's like basically you tell them, "You know the speech. You know this is going [to continue] and we're going to do whatever we can to help you straighten it out." I mean, I've gone places before where we sat down and said, "Listen, this is the tenth time we've been here in two months! Something's got to give because your kids can't take it and you can't take it!" Sometimes sitting down and saying, "Listen, enough is enough, you can't take it anymore than we can" [works].

Interviewer: Do your attitudes change?

Yeah, like I know you're not supposed to, but I see it in other people when you go in and it's probably the same thing with myself (*sic*). You're frustrated 'cause you know that she's not going to do anything and you want to support her and you can't do anything to help and you want to do something, but she's not going to do anything. She doesn't want to leave him.

Women who remain in violent relationships are believed by some officers to suffer from low self-esteem. This stereotype, in addition to the one that women who stay are “masochists”, might motivate officers to normalize the violence that occurs in ongoing abusive relationships and thus, account for an inadequate police response:

There's (*sic*) some that (*sic*) just have a low self-esteem. Maybe they're financially better off than their spouse, but they have low self-esteem and that too could be attributed to the relationship they're in or maybe other factors prior to the relationship, maybe their home environment, you know? They grew up with low self-esteem and that's why they stay around because they don't think anybody else will ever care for them as much as this guy does, this guy that (*sic*) beats the shit out of them every Friday night, you know?

Yet another stereotype that some officers share is that victims provoke their partner's violence or abuse (Hatty, 1989; Stanko, 1989) or are “too stupid” not to see it coming. In 1989, Cindy was victimized by a co-worker so she went to the police. The officer made Cindy feel as though the offence was her fault. She says:

The cop was treating me like I was an idiot, that I asked for it! [He said,] “You can't be so stupid that you didn't know?!” I felt, “Why would I want to go back and charge somebody if [the police are] going to treat me like that?”

Even if a victim is not blamed by officers for her abuser's attacks, she may not escape their denigrating comments about her intelligence, character, or situation. More than a decade later, Ashley recalls an officer telling her that she and her partner need “mental help” and Anne was told she was “just another brick in the wall.” Both women took great offence to these remarks which they described as

belittling. With respect to officers' attitudes and the comments they make, one officer reported:

It's just the attitude that is taken while at the call. I mean, if you got a comment to say, keep it to yourself. I mean, you don't know who's listening, you don't know where the victim is, you don't know what state of mind she's in or he's in. Body tone, like I think that needs to be... Like a lot of people don't realize when they go in.

Interviewer: Do they make these comments in the presence of the victim or the abuser?

They might. They'll make it to maybe a couple of officers or just talking to themselves, but they don't realize that there are ears listening.

Conservative views of marriage, family, and intimate partner violence

An officer's individual attitudes about marriage, family, and partner violence have also been found to influence the police response to domestic violence (Davis, 1984; Ferraro, 1989b; Hart, 1993; Hatty, 1989; Law Reform Commission of Nova Scotia, 1995; Martin, 1997; Rigakos, 1995; Rigakos, 1998; Sadusky, 2001; Saunders et al., 1986; Stanko, 1989; Stewart et al., 1997; Waaland et al., 1985). In some studies, abusive husbands were found to be less likely than abusive boyfriends and ex-partners to be arrested (Hatty, 1989), prosecuted and incarcerated (Ferraro, 1989b). Researchers inferred that officers' reluctance to arrest abusive husbands is both tied to a belief that a certain amount of violence within a relationship is "normal" (Hatty, 1989) and "acceptable" in some instances (Saunders et al., 1986) and to a view of the marriage license as a hitting license (Dobash et al., 1979). Thus, the police, and the criminal justice system in general, have long been criticized for

not treating domestic violence as a crime. Barbara, whose experience with police dates back to the 1980s, comments:

I think [the police] thought [spousal abuse] wasn't actually a crime. I think they figured whatever went on between a husband and a wife was private and that if I ended up dead then they could charge him. That's just what I... Not all of the police officers, but it was the majority... If [the fight] was out in the middle of the street then that was disturbing the peace so [they could arrest him then].

Today, police officers certainly view violence between intimate partners as a crime. All who were asked agreed that a violent attack by a husband or boyfriend is equally as serious as a violent attack by a stranger. As one officer explains, "It's still violence between two people and it's unacceptable."

Even though officers regard spousal abuse as a crime, they noted that they do not respond to violence in intimate relationships in the same way as they respond to violence between strangers. Here's why:

It's not the same, in my opinion. I think that violence between strangers may or may not have a reason, it generally has some reason, stupid maybe in retrospect. Violence between intimate partners has much longer-lived effects of someone who was your partner or your friend, however you prefer to characterize it, and the hurt, it makes you have more self-doubt. I think it makes the victim have more self-doubt or be more self-critical and accept part of the blame on their self when it's actually not their fault... I think they're both serious, but I think they're both different.

Another officer also recognizes the different response given to intimate violence and stranger violence:

I guess [stranger violence] may get a bit of a different priority.

Interviewer: What do you mean?

Well, not that the victim has been offended any less in either situation, but if it's say a rape by a stranger then it may get more priority because we know that there's somebody lurking out there that's (*sic*) doing this whereas the victim in an intra-familiar sexual assault or something, we may have gotten that person into a transition house or away from the offender. We know that person is not at risk anymore, there's nobody else at risk because this guy... We know who the victim is, we know who the offender is, we know where they both are, but in a case where it's a stranger then obviously we would be concerned that there's somebody lurking out there and who's his next victim going to be? So it would get a little more attention that way, but I don't think the victims are treated any differently, you know, in terms of how they're viewed as being a victim and I think they would be treated with the same respect and the same compassion and understanding.

One of my other police participants disagrees that the woman abused by an intimate partner is not at risk anymore. Rather, the contrary is true and that is why the two situations are not given the same priority:

I'd say they're treated with the same seriousness, but the investigation is a little bit different, like if they're strangers, it's not as automatic that arrest has to be made, it's not as... Things don't have to happen as quickly, I mean the likelihood of the continuation of the offence isn't there because they're not living together.

The issue of stranger violence versus intimate partner violence, as related to police response, is an important one. Police officers need to treat violence against women in intimate relationships as seriously as violence between strangers, which was the intention of mandatory charging policies (implemented in the late 1980s and early 1990s). Although the motives and intentions, meaning and consequences are

very different for partner violence and stranger violence, an assault in either instance is a criminal offence and the offender must be held accountable. The power and control dynamics present in an abusive, intimate relationship, however, requires officers to tailor their response. A history of violence in the relationship, the possible continuation and escalation of violence, the effects of the children's exposure to the abuse, and the victim's powerlessness require police to respond differently, but as seriously when the perpetrator is a partner as opposed to a stranger.

Much of the literature on policing reveals that officers possess conservative views on most topics, including women's roles as mothers and housekeepers, the "sanctity of the home," and the preservation of the family unit at all costs (Hatty, 1989; Rigakos, 1995; Skolnick, 1966; Stanko, 1989). Similar sentiments are found in my interviews with abused women who contacted the police during the 1980s. For instance, Barbara believes that officers' refused to lay a charge against her partner after he threatened to kill her because she was pregnant with his child. Even though her partner was violent, Barbara feels as though the police expected her to reunite with him for the sake of the family:

I think they [police] thought that... Like after this all started I found out I was pregnant and stuff and they thought that we had gotten back together and I said, "We're not going to end up back together." I said, "I'm not putting my children through this."

Barbara says that police also disagreed with her partner's detention following a disturbance because the dispute began when the partner wanted to see his kids:

He was the senior officer on [who picked partner up and put him in jail] and then when the shift changed, whatever time that night, the other officer [released him]. And he called me and told me he was out. He

said, "You know, he just wanted to see his kids!" I said, "Well, why did he come after twelve?" I said, "He was drunk and he didn't know what he was doing!" Like to me, the majority of the officers had more empathy for him than they did for my children or myself (sic). One officer was scared that I would be there alone with the baby and my oldest daughter and start hemorrhaging and whatever.

An officer's perceived appropriateness of mediation after a violent dispute between a husband and wife further illustrates police adherence to traditional views of marriage and spousal violence. In the late 1980s, Beth went to the police after her partner violently attacked her. Although officers took pictures of the marks and bruises on her body and recorded her statement, they agreed to arrange mediation between Beth and her husband. She recalls:

I didn't want to lay a charge, I still had feelings for him. What I wanted was for the two of us to have some sort of counseling and we work out both our problems and that he recognize that he had a severe emotional problem, that's what the psychologist told me. So all he arranged to do was come out to our home and sit down to talk to both of us and he was going to try to help us some sort of... somebody to talk to, whether it would be him or whatever and all he wanted to do was just talk to him.

The Woman Abuse Protocols (1995) clearly state that in all situations where a charge is warranted, police mediation for reconciliation of the parties involved is never appropriate. According to the officers interviewed, mediation is only used if the abuse has not escalated beyond a verbal argument, there is no evidence to

support an arrest or a charge, and neither party will provide a statement.²² One

officer says:

For police mediation or for doing a mediation, it's really on the low-term of the scale, maybe a verbal fight and then if you can sit down and talk to both parties and try to work something out, you know. But if it's a continuous thing on abuse in the family, the courts would be the one to direct.

Another adds:

[Mediation may be used if] it's a verbal altercation and it's not physical, it's at the bottom... There's different scales of [abuse] and we're at the bottom end of it where it's starting to escalate. They're frustrated, they don't know how to deal with it. You recommend counseling... You start at this level and once it escalates to the violence stage when he's assaulting [her], you can mediate all you want, it's not going to work.

Unquestionably, mediation of any sort was not appropriate in Beth's circumstances.

An officer's attempt to "talk things over" in exchange for a charge where there is sufficient evidence of abuse (photographs of marks and bruises) could further endanger a victim's well-being.

Officers' conservative attitudes about marriage might also have been compatible with their failure to enforce peace bonds against abusive husbands. Barbara called the police three or four times when her husband (from whom she was separated) breached the court order by coming to her home uninvited, "but nothing ever happened to him so [she] stopped calling them" when he continued to drop by. She thought,

²² One police participant indicated that he had been trained to teach the couple how to problem-solve as the way to respond to domestic calls. Had I asked him to elaborate, I would know if he was referring to verbal, physical, or all types of abuse.

Well, what the hell am I calling for? I'm making a fool of myself because they're not doing anything! He's not supposed to be on the property! The police came and ran him, but nothing happened. He wasn't supposed to be there, but the police didn't do their part. Like the court put it through, but the police didn't enforce it.

Barbara expected her ex-partner to at least spend a night in jail for breaching the peace bond. She also thought the breach would go on record.

With the court order in place, he should have just automatically been taken, in my opinion, not say you know, "If we have to come back here again..." And he didn't need a warning, he had already signed and gone to court and the judge told him, "You're not to go near the woman." Even if [the police] had have checked him in until he sobered up and talked to him and said, "Look it, you can't keep doing this," but no they didn't. He was never kept for any amount of time, like most of the time when they pick up people that (*sic*) are drunk, if they're really drunk, they're there for eight hours or whatever, until they sleep it off and if they wake up and they're docile then they'll let them go. But no, they never even kept him.

At the time when Barbara obtained the peace bond against her abusive ex-partner, victims were required to go to court to make the request themselves. (Today, police officers lay the peace bond in court on behalf of the victim). This requirement was very difficult for victims who were frightened of their partners, as well as the criminal justice system, but were even more ashamed to publicly admit to the violence and accuse their loved ones of being abusive. This fear and shame that victims experience is nothing compared to the anguish and hopelessness that a woman feels when a police officer fails to enforce the peace bond against her violent partner she so desperately requested only after finding the necessary courage to seek help. Barbara puts this betrayal into words:

What is the point in putting somebody to go through and have to stand in court and say, "Yes, this did happen to me"? You're standing there in front of the public saying this and, I mean, you feel stupid, you feel degraded by what you went through, that everybody knows and then when you call, yeah they [police] come, but then it's just like, you know, "Are you going to leave or are we going to have to drag you away?" They should have been dragging him away! It's not an option once that's on paper and signed by a judge. It shouldn't be an option. So if you can't depend on them, [who can you depend on?] And I think that's what happens when women do end up dead or the woman ends up shooting the guy then she ends up in prison because she's not getting the protection you think the system is going to give you.

The effectiveness of a peace bond is largely dependent on its enforcement by police (Law Reform Commission of Nova Scotia, 1995; Ptacek, 1999). If officers fail to arrest and charge abusers who breach peace bonds by contacting victims, the court order has little effect in deterring would-be repeat offenders and, consequently, fails to protect women from harm. Contrary to Barbara's experiences, two officers in this study revealed that any breach of a peace bond that comes to the attention of police results in the immediate arrest of the offender who is then charged with breach of the recognizance. It is a policy of the judges in the area that an abuser convicted of breaching a peace bond automatically goes to jail, "whether it's one day, two days, thirty days, whatever the situation [is] for a sentencing factor." Not only is he given a criminal record, but he may be fined up to \$2000, be sentenced to a jail term of up to 6 months, or both (PLEIS-NB, 1997).

Perceptions of police work and police training

Police officers' perceptions of what is "real" police work also affect their responses to domestic violence calls. In other words, how an officer perceives her/his police role influences how s/he will respond to a woman abuse situation. Much of the literature reveals that police officers are opposed to the service model of policing and place great emphasis on the crime fighting aspect of police work (Ferraro, 1989; Hannah-Moffat, 1995; McConnville et al., 1992; Rigakos, 1995; Stanko, 1989). However, the majority of the officers in this study spoke amicably about the "social work" nature of their jobs, which for many includes responding to domestic situations.

The [responding] officer has to be very patient, he has to be very understanding, diplomatic. In some ways, he's almost got to be like a salesman to walk them [victim and abuser] through the steps and the procedures to be followed to deal with this situation. A lot of times, especially if there's no arrest made, the officer has to be a mediator to try to resolve things so that they don't happen again. A police officer is a lot like a social worker and like a counselor, psychologist, problem-solver. They have to have some training, but on top of the training they have to be good listeners, good speakers. They have to know the law, they have to know what their powers of arrest are, they have to know what resources are available, they have to have some compassion, some firmness.

Another officer claims that he finds domestic violence calls "fun" because they give him the opportunity to practice his negotiation skills and to adapt his personality to effectively resolve the situation. He says:

For me, personally, I find [domestic violence calls] very, very interesting. A police officer's personality, you have to be able to adapt your personality. You have to be able to do it. When I go to domestic

violence calls, calls for violence, I always pick kids up, I always talk to the kids, give them a teddy bear. I always go with that avenue of it. But then I can be the worst ignorant prick they call me in the department when it comes to dealing with the aggressor. So you have to be able to adapt your personality and I find it challenging, fun, because you have to be able to practice your skills, to actually be able to turn [360 degrees], you know, a complete turn-around from talking with the baby... and maybe dragging him [abuser] out of the house, getting punched on and beat on. I find it fun because you have to be able to practice your skills on how to be able to deal with all scenarios. And in domestic cases, it's wide-range.

Training, community liaisons, and the particular thinking of the police organization itself are some factors that might account for the difference between my participants' attitudes towards the "work" of responding to woman abuse and the attitudes found in the literature. Officers' lack of training on woman abuse resulted in their resistance to performing the duties of a counselor in one Canadian study reviewed (Hannah-Moffat, 1995). Moreover, one of the officers I interviewed noted that the beginning of the 1990s saw a shift in domestic violence police training. The training provided at the Atlantic Police Academy began to focus on resolving problems through non-physical and non-assertive ways. An officer's communication skills became more important than brute strength.

When I went through the Academy, I think [it was] probably the beginning of the training with respect to domestic situations and crisis intervention, and they focused more on communicating with the people and helping them resolve their problems as opposed to going in there and choking the husband out and, you know, handcuff him and throw him in jail. Oh, we still do that! (ha ha) I mean, if circumstances dictate that's how we respond, that's how we respond, but there's more follow-up now than there used to be. So, a lot of training that we've had with respect to

domestic situations is problem solving and trying to empower the people that are involved in the situations to make their own decisions and be able to problem-solve effectively.

A positive relationship and open communication between the police, the women's emergency shelter, and Health and Community Services was also found to exist. The emergency shelter has even hosted in-house seminars on violence against women for police officers. The good liaison between police and community services equips officers with the knowledge, skills, and resources needed to respond effectively. Research into negative police responses to domestic violence calls has found a poor working relationship between the police and transition houses (Law Reform Commission of Nova Scotia, 1995).

Finally, officers' attitudes towards the "social work" aspect of policing, including responding to "domestics", also derive from police cultural constructions of "real" police work (Rigakos, 1998). In other words, how a particular police organization views the police role informs how individual officers perceive police work. When the occupational culture of the police force is receptive to the service-delivery model of policing, the front-line officers might view responding to domestic calls in a more favourable light (than the officers in the literature reviewed) and as a crucial part of their job.

How officers measure the success of police intervention in domestic disputes is particularly telling of how they perceive their role in responding to woman abuse. While the criminal justice system (prosecutors, in particular) has been justly criticized in the literature for its preoccupation with the legal seriousness of domestic violence cases and the probability of conviction (Ford, 1991; Ursel, 2002), the

officers I spoke with were not concerned so much with obtaining a conviction as providing immediate safety to abuse victims. According to Ursel (2002), women's immediate safety should be used for measuring the effectiveness of police responses, given both the complexity of intimate partner violence and the diversity of victim's motivations for calling police.

While training, a good rapport with external agencies, and the ideological climate of the particular police force might also account for the discrepancy between my finding that officers are preoccupied with victims' safety and the literature finding that officers are first and foremost concerned with obtaining successful convictions, the characteristics of the jurisdiction under study provide a more likely explanation. In smaller communities (like the one in which this research was carried out), there is a great familiarity between police officers and members of the public. An officer who provides poor service will not be easily forgotten and given that small communities tend to be close-knit, "everyone" will soon find out. There are also fewer officers in small cities in comparison to larger jurisdictions and thus, a greater possibility for police to encounter the same individual(s) in the future. So, an officer's reputation amongst the general community, in addition to the police force, is at stake if s/he demonstrates a lack of concern for victims' safety and/or does an inadequate job.

It would seem that a low volume of work in smaller communities might account for officers' interpretation of their role as service providers and their preoccupation with providing safety to abused women. A light workload might mean that officers do not need to prioritize calls for service as much as busy police

forces. Not only would officers have more time to go the extra step to ensure women's safety needs are met, but they might include a broader range of services in their perceptions of their police role. However, a low volume of work is apparently not the case in the area under study. In fact, a middle management police participant informed me that officers respond to more calls for service per capita in this community than the average Canadian police force.

Although officers claimed to be most concerned about ensuring abused women's safety, some parts of their interviews seem to suggest that they also want abusers convicted. For instance, many officers expressed great appreciation for KGB video-taped statements, which are used as evidence in court against the accused regardless of the victim's desire to proceed to trial. The Officer in Charge, as a commissioner of oaths, administers a warning to the abuse victim that requires her to swear to tell the truth. The officer explains to the victim that if she lies she can be charged with sections 131, 137, 139, and 140 of the *Criminal Code* (perjury, fabricating evidence, obstructing justice, and public mischief respectively) and she is advised of the penalties associated with these offences. One officer had this to say about the situation with abuse victims before and after the introduction of KGB statements:

And since the introduction of the KGB statement, I'm sure you're probably aware of that process, the ball is out of the woman's court because a lot of times... I remember... we go to domestic calls and we go through the process of conducting interviews in our investigation, have the file ready for court, even so much as to have it in the prosecutor's hands and the charge is laid in court and then the woman will phone back here, "We've reconciled and I don't want this to go through." That used to happen quite often. But

now with the introduction of the KGB statement, once the victim gives us that statement, whether she recants or changes her mind and does not want to testify, it's too late because once we have that piece of videotape, that's our evidence, we're in control after that as far as what happens, you know, with the court proceedings.

All of the officers who were asked about their feelings toward KGB statements indicated that the statements are greatly advantageous. In some officers' opinions, KGB statements work to the benefit of police:

It's just so hard if you don't get the [victim's] cooperation because if there is no physical violence, it's so hard to prove what actually happened, whether he went in a fit of rage and just demolished the place or if he said anything to her or what actually happened. If you can get any type of statement from her, "Tell us what happened, give us a KGB statement," it would be a lot better, probably cut down on a lot of repeat calls.

Another officer refers to the difficulty police encounter in charging abusers when victims are uncooperative:

You know, and it [the embarrassment that victims bear] makes our job difficult because we have a very hard time getting them to even come forward. And even when they do come forward, it's difficult to keep them from recanting their statement, which is why we've adopted a policy taking what's called a KGB statement where they swear that everything they're telling me is the truth and if they try to change the story later, we can... they can be examined in court on their initial statement.

The officer quoted below prefers KGB statements because, when used as evidence in court, they ensure that the offender will be held accountable for his actions, even if the disputants have reconciled:

KGB statements, I think they're great. A lot of times what happens is two, three, four, whatever months between the time of the offence and the time the

matter goes to court, and a lot of times there has been some form of reconciliation between the victim and the accused and the victim becomes more reluctant to want to proceed, she just wants to forget about things or he just wants to just forget about things. The fact that the offence already happened, the person should be punished for it and even if they don't want to say anything, that statement can be used in court to present the evidence.

One officer provided a different view of KGB statements and noted that they work to the benefit of the abuse victim:

And that [KGB statement] works to her advantage as well because I think a lot of times when the women were phoning us back they were doing so under pressure. Now, that's taken away from them so if their husband's saying, "Come on, phone them. Phone them and tell them that everything's okay and things will be alright," they can just say, "I phoned them, it's out of my hands. They're going through with it, there's nothing I can do."

The apparent desire to obtain convictions expressed in the above quotations must not be interpreted as a lack of concern for women's well-being. From my interviews with officers, it is apparent that they both want to provide protection to abused women *and* see abusers held accountable for their actions. Front-line officers are under the constant scrutiny of management, other criminal justice agents, community service providers, and members of the general public who want and *expect* police to obtain results. In helping get criminals "off the street", whether they are armed robbers or domestic perpetrators, officers are fulfilling their promise to serve the community.

Officers' knowledge of the gender/power dynamics in abusive relationships (or lack thereof) might also be compatible with their failure to arrest when an arrest

is appropriate (Saunders et al., 1986). Thus, it is important to understand what officers are taught about intimate partner abuse and how to respond. Most of the officers I interviewed indicated that the knowledge they have on abuse was acquired during their initial police training at the Atlantic Police Academy as well as during their experience as police officers over time. Although one officer recalled having had hands-on training at the Academy, in which cadets responded to actual domestic violence calls with experienced supervisors, the recruits did not receive any sensitivity training or information about the dynamics of abusive relationships:

I never received an actual course on how to respond. Basically, like the basic information that they [Academy] give us is that domestic violence is very serious no matter how small or low large. We're taught basically that in any domestic situation you have to respond accordingly, regardless of it it's a verbal altercation or a physical altercation. We're taught the basics to respond accordingly. They don't get into any details [of] the relationship... They don't go into great detail.

An officer who graduated from the Academy only one year later claimed to have received a great deal more training in domestic violence:

It [was] weeks of in-class training. Someone would come in and do guest-speaking, and it would just... may be a whole afternoon [for] maybe four weeks of the entire thirty-two week training course.

The guest-speaker this officer refers to is Rona Brown (BA, BSW, MSW, RSW), a Family Violence Consultant who works in the Family Violence Prevention section of Prince Edward Island's Health and Social Services department. In 1998, Ms. Brown wrote, "Factors associated with police responses to domestic violence" for Memorial University. In 2001, she prepared and presented to the Police Science

Cadet Program at the Academy a very useful and extensive handbook on domestic violence and police responses. Included in the handbook is information about national statistics; myths about domestic violence; Walker's (1979) cycle of violence theory; common characteristics of abusers; common reasons why women stay in abusive relationships; child abuse and child witnesses of violence; guidelines for interviewing child witnesses, victims, and suspects; and investigative procedures.

Since graduating, many of the officers I spoke with returned to the Academy or the Canadian Police College in Ottawa for additional courses. Two of the 13 officers have taken courses that specifically address domestic violence:

Since then [initial training at the Academy] I've been on several courses that have touched on domestic violence and a few seminars, probably in the area of twenty hours, specifically to that [domestic violence].

The last course I took was crisis intervention/family violence at the Academy. It was a two-week training course, crisis intervention/family violence. Before they were two courses and they had to put them together in one.

Other officers have taken courses, such as conflict resolution and crisis intervention, problem-oriented policing, and solution-oriented policing, which do not focus on domestic violence exclusively, but are certainly relevant to it. Some of the more senior officers have attended workshops on domestic violence held by the province of New Brunswick.

From these interviews, it appears as though the domestic violence training provided at the Atlantic Policy Academy changes over time and varies in scope from one class to the next. It is also evident that some officers have received more and/or different training than others throughout their policing careers. If officers do not

receive the same basic or supplementary training in domestic violence, it is no wonder that police responses to woman abuse vary depending on the officer who arrives at a call.

Conclusion

The findings presented in this chapter clearly indicate that abused women's dissatisfaction with police is closely related to officers' failure to follow their preferences.²³ While some participants wanted police to arrest or remove the abuser from the home, others wanted a more aggressive police response, including the laying of charges for assault, intimidation, uttering threats, and breach of a peace bond.²⁴ Since these issues which were identified as problematic by the women participants became interview topics for police officers, the officers' accounts of their work assist in understanding abused women's difficulties. It is this explication of how the larger institutional structures of society impact everyday life experiences that is the very nature of IE research.

It is evident in the interviews with abused women and police officers, as well as the literature reviewed (Berk et al., 1980-81; Buzawa et al., 1993; Davis, 1984; Ferraro, 1989b; Hannah-Moffat, 1995; Hart, 1993; Hatty, 1989; Jaffe et al., 1986; Law Reform Commission of Nova Scotia, 1995; Martin, 1997; Rigakos, 1998; Rigakos, 1995; Sadusky, 2001; Saunders et al., 1986; Stanko, 1989; Stewart et al., 1997; Waaland et al., 1985; Worden et al., 1984), that police responses to woman abuse (including officers' willingness to arrest, lay a charge, or enforce a peace bond)

²³ As I have stated on page 133, not all women were dissatisfied with the police response they received.

²⁴ One participant claimed that the police response was too aggressive, referring to the four cruisers that responded to a verbal argument.

are shaped by a number of factors, both legal and extra-legal. During their interviews, officers indicated that their response is largely influenced by the legality of the domestic dispute. The commission of an offence, the seriousness of the abuse and injury to the victim, the presence of weapons, and the previous history of the people involved all factor into their arrest decision-making. Equally important are the policies and procedures which guide police action in domestic violence calls. These procedures are outlined in New Brunswick's Woman Abuse Protocols (1995) and require officers to lay charges where charges are warranted (i.e., mandatory charging). The arrest provisions in the *Criminal Code of Canada* also dictate when an officer can and cannot apprehend an abusive partner. The departmental policies of the force, such as the Communications Policy and Procedures for 911, are yet other sources which frame police responses. Individually and collectively, these policies are intended to ensure a consistency in police responses, as well as the safety of victims. As one of my police participants put it, "the policies and procedures are there for the police to do an adequate job."

While on the topic of policy and procedures, it is important to note any absences in guidelines. The Woman Abuse Protocols (1995) do not address who should be removed or asked to leave – the victim (and her children) or the abuser – when there are no grounds to make an arrest. My interviews reveal that officers often suggest to abused women that they and their children leave the family home to stay with family members, friends, or at the women's shelter, while the abuser remains. Officers (and policy makers) need to be aware that abused women do not

always have outside support. Moreover, from the abused woman's perspective, this request implicitly blames and punishes her for her partner's violence.

As my interviews with women who dealt with the police recently and women who called the police in many years passed reveal, the mere existence of legislation (and changes in training and resources) does not necessarily mean today's women will receive an improved police response. In spite of policy and procedures, the interviews with abused women indicate that the guidelines are not always followed. Moreover, although some women's encounters with officers are separated by more than ten years, they have had very similar experiences with police. The reality is whether or not a particular officer chooses to operate in accordance with policies and procedures and remove, arrest, or charge an abusive partner might depend on his/her individual attitudes. Traditional interpretations of gender roles and gender stereotyping, conservative views of marriage, family, and intimate partner violence, in addition to perceptions of police work, influence the police course of action in domestic disputes. For instance, the arrest of an intoxicated and/or aggressive victim is tied to officers' attitudes about women and their "appropriate" gender roles. When a woman is perceived to be behaving in a manner that contradicts her role expectations, she might be treated more harshly by police (and her abuser less severely) than a woman who adheres to the norms of femininity.

Some police officers have stereotypical views of victims. Abused women who have made repeated requests for police assistance, but remained with their violent partners feel as though they were treated as less deserving of a serious and compassionate police response. Some victims were also subject to hurtful and

disparaging comments about their intelligence, characters, and situations. Stereotypical views about the victims of intimate partner violence result in a lack of concern for women's safety. However, as the officer reveals below, women's calls to police, which are often made out of desperation, *must* be taken seriously:

[Women] call for help. They probably have nowhere else to go. [They call] as a last resort in a lot of cases. They probably [have] disclosed it to a lot of their friends for we know in homicides and murders, we know that the victim has spoke[n] with people, but those people didn't [intervene]. It's probably a real, real extreme cry for help and police officers need to really take that tremendously serious and really listen to what has happened here because I don't believe at any stage, maybe one out of a million that somebody would call and it wouldn't be serious enough. There's something there and we want police officers to understand the country empowers you, gives you a tremendous amount of power and authority to do things, what we need you to do now is listen. And [women] call because they know the police can do something about it! You know, they don't call a taxi driver, they don't call an airline pilot or a doctor because they know these guys got the power to do this and they want them to do something *at that time* and that's when it's hot!

Police officers' conservative views of marriage also appear to have been related to police response (Berk et al., 1980-81; Ferraro, 1989b; Hatty, 1989). Barbara, whose experience with police dates back to the 1980s, suggested that since she was married to her abuser, the police did not take the violence seriously. While police officers indicated that they respond to intimate and stranger violence differently, they claimed to treat all instances with the same seriousness and all victims with the same respect, compassion, and understanding. Police responses of the past reveal that officers felt abused women with children should "stick it out" for

the sake of the family. Changes in legislation, resources, training, and societal views of spousal abuse may have mitigated the influence of traditional attitudes about marriage and family since participants who called the police in more recent years did not share Barbara's or Beth's early experiences.

Finally, police perceptions of their role are also important indicators of how officers will respond. According to Ursel (2002), officers' mandate to "keep the peace" is appropriate considering that abused women often call the police to prevent a particular attack or to prevent its escalation. As Messerschmidt (1993) points out, however, officers who believe it is their job to maintain *public* order and peace might not be concerned with "family fights," which occur in the privacy of people's homes.

In sharp contrast to much of the literature which suggests that officers are generally antipathetic towards the "social work" aspect of their jobs (Ferraro, 1989; Hannah-Moffat, 1995; McConnville et al., 1992; Rigakos, 1995; Stanko, 1989), the officers I interviewed enjoy the service delivery model of policing (which is often associated with responding to domestic violence calls) and pride themselves on their service skills of negotiation, conciliation and diplomacy. According to some officers, they are both "law enforcers/crime fighters" and "social workers/counselors" when it comes to domestic violence. From the police interviews, it is apparent that they have a desire to both protect abused women and help convict abusive partners. Although better training, excellent working relationships between police and community organizations, and the mentality of the police occupational culture are possible factors which might account for differences in officers'

perceptions of police work, future research in this area would be greatly advantageous. More research into police responses in smaller communities is also needed. The great familiarity between police and citizens might influence how officers envision their police role and increase their dedication to serving the community.

Officers' domestic violence training and knowledge of abuse play a large role in their response to abused women. Most officers obtained their only domestic violence training during their initial police training (at the Academy, for instance). The depth and the scope of the domestic violence training provided at the Academy appear to change from year to year. Some officers claimed to have only been taught the "basics" of how to respond while others were given sensitivity training as well as information on the dynamics of abusive relationships. When officers described the instances in which they would arrest both the victim and the abuser, their quotes seemed to illustrate a lack of knowledge and understanding of gender, power and abuse.

Besides the police failure to adhere to a victim's preferences (which might be related to the various factors discussed above), the women I interviewed indicated that the variance in police responses is also problematic. Recall two women's statements from chapter four (p.133):

I don't think it's all the cops. It's you get your certain ones and some of them try to do something and then other ones don't. – Andrea

There might have been three officers that [were helpful] and they were rarely on [duty] when I called.
– Barbara

The interviews with police officers confirmed that an inconsistency in police responses is quite possible. When I asked officers about the factors they take into account in arrest decision-making, I received a variety of answers. While one participant indicated officers can arrest/charge with little/no evidence of an assault besides the victim's testimony, another officer was reluctant to arrest without visible evidence of an assault. Most officers claimed that a victim's cooperation is not considered when laying a charge where sufficient evidence is present, whereas one participant suggested that victim cooperation is needed. Furthermore, officers' quotes regarding intimate partner versus stranger violence reveal that different officers assign different response priorities in these instances. Officers also had different opinions about who KGB statements benefit (the abuse victim or the police), although each participant supported the use of these warned statements. Lastly, officers' quotes reveal that the particular officer who responds to a call might determine whether or not both parties are arrested.

The interviews with police participants revealed that there are large differences in their initial and supplemental domestic violence training. Two officers who graduated from the Atlantic Police Academy within a year from one another were exposed to different teaching methods (classroom learning versus "hands-on" training). While one received information on the dynamics of abusive relationships, the other officer did not. Some officers have taken additional courses since graduating from the training college, but these courses are rarely specific to domestic violence. Only senior officers recalled taking a class on domestic violence.

Given the large differences in the domestic violence training obtained by officers, the variance in police responses to woman abuse is not surprising.

As one of my participants put it, “it’s not just the training [that officers receive], it’s the attitude” of individual officers that affects the police course of action. But not all officers share the same views on marriage and the family, spousal abuse, including perpetrators of violence and its victims, and how best intimate partner violence is “handled.” Since officers’ individual attitudes can be vastly different, the police response an abused woman receives largely depends on the officer who takes her call.

Chapter 6: Discussion and Final Conclusions

Very few women abused by husbands, boyfriends, or former partners report their victimization to police. In the five years prior to the 1999 General Social Survey, an astounding 690,000 Canadian women experienced some form of violence by a married or common-law partner (Bunge et al., 2000). In 2002, 28,953 women reported being violently victimized by a current or ex-spouse to police (Brzozowski, 2004). An abused woman who makes a call to police does not always know how the officer will respond to her request for help. My research finding that the particular police response largely depends on the officer who arrives at the call is consistent with the literature reviewed (Law Reform Commission of Nova Scotia, 1995; Stanko, 1989). The present research also supports the findings in the literature that police responses are influenced by a number of legal and extra-legal factors, such as the particularities of the domestic violence case and the parties involved; the policies, procedures and laws governing police action; officers' domestic violence police training and their knowledge of abuse; and officers' individual attitudes, views, and perceptions (Berk et al., 1980-81; Buzawa et al., 1993; Davis, 1984; Ferraro, 1989b; Hannah-Moffat, 1995; Hart, 1993; Hatty, 1989; Jaffe et al., 1986; Law Reform Commission of Nova Scotia, 1995; Martin, 1997; Rigakos, 1998; Rigakos, 1995; Sadusky, 2001; Saunders et al., 1986; Stanko, 1989; Stewart et al., 1997; Waaland et al., 1985; Worden et al., 1984).

This thesis has attempted to account for the variance in police responses to woman abuse using one New Brunswick municipality as the sample. Using Dorothy Smith's institutional ethnography (IE) as my method of inquiry, I first sought to

understand from women's perspectives their experiences with police after being abused by intimate partners. In the first stage of the research, I conducted seven in-depth and open-ended interviews with women who recounted their decisions to call (and sometimes not to call) police for assistance, the help they sought from responding officers and the help they received, what they could remember about particular police responses, and how they felt about themselves, their situations, and the police.

In listening to the women's stories and analyzing their interview transcripts, I tried to establish possible linkages between particular police responses and the larger institutional factors governing police action. The women were also active in trying to understand their experiences within the larger complex of rules, regulations, procedures, and laws which shape police responses to domestic violence incidents. The ways in which the women made sense of the actions (and inactions) taken by police were as important as their descriptions of police responses. While some women felt that the police handled the domestic situation according to (or in complete contradiction of) a departmental policy either known or unknown to them, others indicated that the personal attitudes of the responding officers largely influenced their police decision-making. Two participants referred to the training (or lack thereof) officers receive as a contributing factor in how they resolve situations involving intimate partner violence. According to IE researchers, "how different participants understand the setting... will not... necessarily coincide" (Campbell et al., 2002, p.65). Each participant has her own organized standpoint

because she is positioned differently, and participates differently, in the social relations of the setting (ibid).

Only after analyzing the women's interview transcripts did I learn what interview questions I needed to ask of police officers and 911 dispatchers. Using semi-standardized interview schedules, I interviewed two 911 dispatchers and 13 police officers of various ranks, ages, and years' experience. (Two of the 13 officers were female). In addition to the "problems" with police responses identified by abused women in the first stage, such as the removal of the victim and her children from the home instead of the abuser, I asked officers about the training they received with respect to domestic violence, the departmental and provincial policies which guide their actions in such cases, as well as the influence of individual attitudes in police decision-making. This "collection of data at sites beyond local experiences, outside the boundaries of what informants at the local level know" is absolutely crucial to IE research (Campbell et al., 2002, p.81). The analysis of both entry-level data (first-stage interviews with abused women) and second-level data (stage-two interviews with police and 911 dispatchers) is what distinguishes institutional ethnography from other ethnographic studies (ibid).

Using this methodology, I was able to address my central research questions while maintaining the women's standpoints throughout the course of the study. The method's allowance for differences in experiences and perspectives and a variety of interviewees added depth to the analysis and provided a larger picture of what is actually going on. The findings, however, should not be taken to represent the

experiences of all abused women who have sought help from the police. Like most institutional ethnographies, this study did not aim to achieve generalizability.

In contrast to positivistic studies, this research does not purport to be value-free. An integral part in doing feminist research is locating oneself within one's work (Gelsthorpe, 1990). "All researchers are always located somewhere" (Campbell et al., 2002, p.54). My own experiences, thoughts, values, and interests have played an enormous role in this research, beginning with the design stage (who and what to study), data collection, analysis of interviews, and even thesis writing.

Without a doubt, the extensive literature review I conducted on woman abuse and police responses prior to carrying out the interviews also entered into my thinking and led me to ask particular questions. For instance, although not one of the women interviewed was arrested by police alongside her abuser, I asked officers about the frequency of dual arrests and the circumstances in which they might apprehend both disputants, since dual arrest was a topic covered in my review of the literature. For Campbell et al. (2002), "the danger in reading the literature and in beginning to use the concepts of these studies to think about one's own topic is the possibility of importing dominant perspectives into one's own thinking about the research setting" (p.52). Therefore, I made an effort not to treat research accounts as authoritative, but to present *my participants' experiences* and explicate how *those experiences* have been shaped by the extra-local.

Another important limitation of this study is the lack of a good time frame/context match between some of the abused women's experiences with police and officers' comments and current practices. Although the majority of the women

interviewed called the police in recent years, three women had experiences with officers that date back to the 1980s. Several changes in legislation, training, and resources have occurred since that time, including the implementation of mandatory charge and prosecution policies, the Woman Abuse Protocols (1995), and the establishment of a women's emergency shelter. In spite of these changes, women recounted similar stories of officers' refusal to remove or arrest abusive partners and lay criminal charges across the decades. The fact is, officers' individual attitudes also influence their decision-making in domestic violence calls and the addition of policies and procedures does not necessarily change their views. Moreover, in all likelihood, the officers who responded to calls during the 1980s could have been the same officers encountered by women in recent years, since the average number of years' service of police participants was sixteen. Although the inclusion of more women who had recent experiences with police would have been ideal, the differences in when the participants contacted officers enabled an interesting comparison of past and present police responses.

Not all women interviewed were dissatisfied with the response they received. The few positive experiences women had with police were not analyzed, however, constituting another drawback of this research. I did not ask officers for their comments and analysis of these select experiences, which were offset by, in one case, a negative encounter with a different officer and, in the other situation, an officer's adherence to the woman's wishes, which unintentionally placed her at increased risk. Such analysis fell outside the parameters set for this research.

The theory which most informs institutional ethnography is socialist feminism, an integrated theoretical approach of traditional Marxism and radical feminism that situates women's oppression in both a capitalist and patriarchal system. According to socialist feminists, men and capitalists exploit women's labour and use it to their benefit. From this view, violence against women ensures the continuation of women's exploitation and men's dominant social position. Woman abuse is also a source for masculine construction, according to James Messerschmidt (1993). Men who lack the resources typically used to construct masculinity (education and economic success, for instance) may rely on violence against women (and homosexuals) to do masculinity.

In much the same way, police work is a source for officers to construct their masculinity. But not all police tasks are considered valuable for masculine construction. "Domestic" calls in particular have little value, Messerschmidt (1993) argues, because officers perceive their job to be the maintenance of *public* order and peace. Further, the dominant values and beliefs of the police force are closely associated with traditional ideas of police work as law enforcement and the use of coercion – physical violence, threats, lies, cajolery, and arrest – to control an assigned territory (Crank, 1998). And further still, wife abuse has only recently been viewed as a "crime" by the criminal justice system and its actors. This view combined with officers' perceptions of what constitutes "real" police work meant that the arrest of an abusive husband or boyfriend was not a "good pinch" or a heroic arrest in the eyes of fellow officers (Ferraro, 1989b; Rigakos, 1995; Stanko, 1989).

How one officer is viewed by another officer is absolutely critical. Officers' reputations amongst their peers determine in large part how they construct their worth as 'cops' (Rigakos, 1998). Police behaviour then, is best understood "when viewed through the lens of culture" (Crank, 1998, p.4). As Rigakos (1998) argues, "the police occupational culture is the most important mitigator and supporter of police action" (p.86). The police organizational setting, which defines officers' mores and norms (Rigakos, 1995), and the distinguishing characteristics of police work (danger, authority, and efficiency) (Skolnick, 1966) constitute a framework for police action.

This thesis argues that the police response to woman abuse is shaped by a variety of factors, some of which include officers' attitudes about women, marriage, and the family, the perpetrators and victims of domestic violence, and the role of the police. While individual officers may possess certain attitudes, attitudes are also reproduced by the masculine occupational culture of the police department (Rigakos, 1998). A dominant set of beliefs regarding male violence against women pervades all police subcultures and largely determines the way in which an officer "handles" a domestic situation.

Messerschmidt (1993) argues that police officers help regulate the gendered relations of power in society. Nowhere is this more evident than in the "social control" of intimate partner violence against women (Messerschmidt, 1993). When police fail to take action in woman abuse instances (where action should be taken), they are not only condoning the abuser's behaviour, but reinforcing women's subordinate social position. In this way, police action reproduces the existing social

structure in society – patriarchy – that underlies the relations between men and women (Messerschmidt, 1993).

References

- Adams, D. (1989). Identifying the assaultive husband in court: You be the judge. Boston Bar Journal, 33 (4), 23-25.
- Alberta Law Reform Institute – A.L.R.I. (1995). Domestic abuse: Toward an effective legal response. Edmonton, Alberta.
- Allan, B. (1991). Wife abuse – The impact on children. Ottawa: The National Clearinghouse on Family Violence, Health Canada.
- Althusser, L. (2000). Ideology and ideological state apparatuses. In R. Garner (Ed.), Social theory: Continuity and confrontation (pp.349-360). Peterborough: Broadview Press.
- Aramburu, B. F. & Leigh, B. C. (1991). For better or worse: Attributions about drinking aggression toward female and male victims. Violence and Victims, 6, 31-41.
- Ascione, F. R., Weber, C. V., & Wood, D. S. (1997). Animal welfare and domestic violence [12 pages]. [Online final report submitted to the Geraldine R. Dodge Foundation]. Available: http://www.wachss.com/guest_dispatches/ascione_2.html
- Bain, J. (1991). Reports on wife assault. Toronto: Ontario Medical Association.
- Bain, P., & Watt, K. (2003). BC Femicide Report – 2002. BC Institute Against Family Violence. Available: <http://www.bcifv.org/resources/newsletter/2003/fall/femicide.shtml>
- Bancroft, L. (2002). The batterer as parent. Synergy, 6 (1), 6-8.
- Bartky, S. L. (1990). Femininity and domination: Studies in the phenomenology of oppression. New York: Routledge.
- Beaman-Hall, L. (1996). Legal ethnography: Exploring the gendered nature of legal method. Critical Criminology, 7 (1), 53-74.
- Bennett, L., Goodman, L., & Dutton M. A. (1999). Systemic obstacles to the criminal prosecution of a battering partner: A victim perspective. Journal of Interpersonal Violence, 14(7), 761-772.
- Berk, S. F., & Loseke, D. R. (1980-81). “Handling” family violence: Situational determinants of police arrest in domestic disturbances. Law & Society Review, 15 (2), 317-346.

- Binder, A., & Meeker, J. (1992). Arrest as a method to control spouse abuse. In E. S. Buzawa, & C. G. Buzawa (Eds.), Domestic violence: The changing criminal justice response (pp.129-140). London: Auburn House.
- Brown, R. (2001). Police response to domestic violence. A handbook presented to the Atlantic Police Academy, Police Science Cadet Program, Fall 2001.
- Brown, R. (1998). Factors associated with police responses to domestic violence. Master of Social Work Research Project. Memorial University, Newfoundland.
- Brzozowski, J. (2004). Family violence in Canada: A statistical profile – 2004. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada. Catalogue no. 85-224-XIE.
- Bunge, V. P., & Levett, A. (1998). Family violence in Canada: A statistical profile – 1998. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada. Catalogue no. 85-224-XPE.
- Bunge, V. P., & Locke, D. (2000). Family violence in Canada: A statistical profile – 2000. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada. Catalogue no. 85-224-XIE.
- Buzawa, E. S., & Austin, T. (1993). Determining police response to domestic violence victims: The role of victim preference. American Behavioral Scientist, 36 (5), 610-623.
- Campbell, M. (1998). Institutional ethnography and experience as data. Qualitative Sociology, 21 (1), 55-73.
- Campbell, M., & Gregor, F. (2002). Mapping social relations: A primer in doing institutional ethnography. Aurora, Ont.: Garamond Press.
- Carnoy, M. (1984). The state and political theory. Princeton: Princeton University Press.
- Centre for Research on Violence Against Women and Children. (1995). Selected estimates of the costs of violence against women. London, Ont.: Centre for Research on Violence Against Women and Children.
- Cohen, A. (1955). Delinquent boys: The culture of the gang. New York: The Free Press.
- Communications New Brunswick. (2004, March 23). Release of Woman Abuse Protocols (04/03/23). Status of Women. Available: <http://www.gnb.ca/cnb/news/sw/2004e0343sw.htm>

- Corenblum, B. (1983). Reactions to alcohol-related marital violence: Effects of one's own abuse experience and alcohol problems on causal attributions. Journal of Studies on Alcohol, 44 (4), 665-674.
- Crank, J. P. (1998). Understanding police culture. Cincinnati, Ohio: Anderson Publishing.
- Cross, P. (2002). Provincial government announces spending initiatives. Ontario Women's Justice Network. Available: <http://www.owjn.org/issues/w-abuse/spending.htm>
- Davis, L. V. (1984). Beliefs of service providers about abused women and abusing men. Social Work, (May-June), 243-250.
- DeKeseredy, W. S. (1993). Four variations of family violence: A review of sociological research. Ottawa: National Clearinghouse on Family Violence.
- Delphy, C. (1984). Close to home: A materialist analysis of women's oppression. London: Hutchinson.
- Department of Justice Canada. (2003). Spousal abuse policies and legislation: Final report of the Ad Hoc Federal-Provincial-Territorial Working Group Reviewing Spousal Abuse Policies and Legislation. Available: <http://canada.justice.gc.ca/en/ps/fm/reports/spousal.html>
- DeVault, M. L. (1999). Institutional ethnography: A strategy for feminist inquiry. In Liberating method: Feminism and social research (pp.46-54). Philadelphia: Temple University Press.
- DeVault, M. L., & McCoy, L. (2002). Institutional ethnography: Using interviews to investigate ruling relations. In J. Gubrium and J. Holstein (Eds.), Handbook of interview research: Context and method (pp.751-776). Thousand Oakes, California: Sage.
- Dobash, R. E., & Dobash, R. (1979). Violence against wives: A case against patriarchy. New York: The Free Press.
- Dobash, R. P., Dobash, R. E., Wilson, M., & Daly, M. (1992). The myth of sexual symmetry in marital violence. Social Relations, 39 (1), 71-91.
- Dutton, D. G., Hart, S. D., Kennedy, L. W., & Williams, K. R. (1992). Arrest and the reduction of repeat wife assault. In E. S. Buzawa, & C. G. Buzawa (Eds.), Domestic violence: The changing criminal justice response (pp.111-127). London: Auburn House.

- Edwards, S. S. M. (1989). Policing 'domestic' violence: Women, the law, and the state. London: Sage.
- Eisenstein, Z. (1979). Developing a theory of capitalist patriarchy and socialist feminism. In Z. Eisenstein (Ed.), Capitalist patriarchy and the case for socialist feminism (pp.5-40). New York: Monthly Review Press.
- Engels, F. (1993). The origin of the family, private property, and the state (original publication, 1942). New York: International Publishers.
- Ewick, P., & Silbey, S. S. (1998). The common place of law: Stories from everyday life. Chicago: The University of Chicago Press.
- Faver, C. A., & Strand, E. B. (2003). To leave or to stay? Battered women's concern for vulnerable pets. Journal of Interpersonal Violence, 18 (12), 1367-1377.
- Ferraro, K. J. (1989a). Policing woman battering. Social Problems, 36 (1), 61-74.
- Ferraro, K. J. (1989b). The legal response to woman battering in the United States. In J. Hanmer, J. Radford, & E. A. Stanko (Eds.), Women, policing, and male violence: International perspectives (pp.155-184). London: Routledge.
- Fielding, N. (1988). Joining forces: Police training, socialization and occupational competence. London: Routledge.
- Fitzgerald, R. (1999). Family violence in Canada: A statistical profile – 1999. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada. Catalogue no. 85-224-XIE.
- Flynn, C. P. (2000). Woman's best friend: Pet abuse and the role of companion animals in the lives of battered women. Violence Against Women, 6 (2), 162-177.
- Flynn, K., & Crawford, C. (1998). Committing 'race treason:' Battered women and mandatory arrest in Toronto's Caribbean community. In K. Bonycastle, & G. S. Rigakos (Eds.), Unsettling truths: Battered women, policy, politics, and contemporary research in Canada (pp.93-102). Vancouver: Collective Press.
- Ford, D. A. (1991). Prosecution as a victim power resource: A note on empowering women in violence conjugal relationships. Law & Society Review, 25 (2), 313-334.
- FREDA Centre for Research on Violence Against Women and Children. (2002). Violence against women: Statistical highlights. Available: <http://www.harbour.sfu.ca/freda/articles/statsw.htm>

- Gelles, R. (1982). Domestic criminal violence. In M. E. Wolfgang (Ed.), *Criminal violence* (pp.201-235). Beverly Hills: Sage.
- Gelsthorpe, L. (1990). Feminist methodologies in criminology: A new approach or old wine in new bottles? In L. Gelsthorpe and A. Morrison (Eds.), Feminist perspectives in criminology (pp.89-105). Milton Keynes, Philadelphia: Open University Press.
- Griffiths, C. T., & Verdon Jones, S. N. (1994). Canadian Criminal Justice. Toronto: Harcourt Brace.
- Haddon, A., Merritt-Gray, M., & Wuest, J. (2004). Private matters & public knowledge in rural communities: The paradox. In M. L. Stirling, C. A. Cameron, N. Nason-Clark, & B. Miedema (Eds.), Understanding abuse: Partnering for change (pp.249-266). Toronto: University of Toronto Press.
- Hanmer, J. (1989). Women and policing in Britain. In J. Hanmer, J. Radford, & E. A. Stanko (Eds.), Women, policing, and male violence: International perspectives (pp.90-124). London: Routledge.
- Hannah-Moffat, K. (1995). To charge or not to charge: Front line officers' perception of mandatory charge policies. In M. Valverde, L. MacLeod, & K. Johnson (Eds.), Wife assault and the Canadian criminal justice system: Issues and policies (pp.35-46). Toronto: University of Toronto Press.
- Harrison, D. (2002). The first casualty: Violence against women in Canadian military communities. Toronto: Lorimer.
- Harrison, D., & Laliberté, L. (1994). No life like it. Toronto: Lorimer.
- Hart, B. (1993). Battered women and the criminal justice system. American Behavioral Scientist, 36 (5), 624-638.
- Hartmann, H. (1981). The unhappy marriage of marxism and feminism: Towards a more progressive union. In L. Sargent (Ed.), Women and revolution (pp.1-41). Boston: South End Press.
- Hatty, S. E. (1989). Policing and male violence in Australia. In J. Hanmer, J. Radford, & E. A. Stanko (Eds.), Women, policing, and male violence: International perspectives (pp.70-89). London: Routledge.
- Hillier, L. & Foddy, M. (1993). The role of observer attitudes in judgments of blame in cases of wife assault. Sex Roles, 29, 629-644.

- Hornosty, J., & Doherty, D. (2003). Responding to wife abuse in farm and rural communities: Searching for solutions that work. In R. Blake, & A. Nurse (Eds.), The trajectories of rural life: New perspectives on rural Canada (pp.37-53). Regina: Saskatchewan Institute of Public Policy.
- Hotton, T. (2001). Spousal violence after marital separation. Juristat, 21 (7). Statistics Canada. Catalogue no. 85-002-WIE.
- Howard, J. A. (1984). The 'normal' victim: The effects of gender stereotypes on reactions to victims. Social Psychology Quarterly, 47, 270-281.
- Interdepartmental Working Group on Family Violence Statistics. (2002). New Brunswick family violence criminal justice statistical report: 1994 annual report.
- Interdepartmental Working Group on Family Violence Statistics. (1995). New Brunswick family violence criminal justice statistical report: 1994 annual report.
- Jaffe, P., Wolfe, D. A., Telford, A., & Austin, G. (1986). The impact of police charges in incidents of wife abuse. Journal of Family Violence, 1 (1), 37-49.
- Jaffe, P., Wolfe, D., & Wilson, S. (1990). Children of battered women. California: Sage.
- Jaggar, A. M. (1983). Feminist politics and human nature. New York: Rowman & Littlefield.
- Jasinski, J. L., Williams, L. M., Brewster, A., Finkelhor, D., Giles-Sims, J., Hamby, S. L., Kantor, G. K., Mahoney, P., Weaver, T. L., West, C. M., & Wolak, J. (1997). Partner violence: A 20 year review and synthesis, executive summary. In United States Air Force Domestic Violence Literature Review, Synthesis, and Implications for Practice. National Network for Family Resiliency (NNFR) and United States Air Force (USAF). Available: http://www.agnr.umd.edu/nnfr/research/pv/pv_execsumm.html
- Jiwani, Y. (2000). 1999 General social survey on spousal violence: An analysis. Vancouver: F.R.E.D.A., Simon Fraser University.
- Johnson, H. (1996). Dangerous domains: Violence against women in Canada. Toronto: Nelson Canada.
- Kristiansen, C. M., & Giuliotti, R. (1990). Perceptions of wife abuse: Effects of gender, attitudes toward women, and just-world beliefs among college students. Psychology of Women Quarterly, 14, 177-189.

- Law Reform Commission of Nova Scotia. (1995). From rhetoric to reality: Ending domestic violence in Nova Scotia.
- Lofland, J., & Lofland, L. (1995). Analyzing social settings: A guide to qualitative observation and analysis. 3rd ed. Belmont: Wadsworth.
- MacLeod, L. (1995). Expanding the dialogue: Report of a workshop to explore the criminal justice system response to violence against women. In M. Valverde, L. MacLeod, & K. Johnson (Eds.), Wife assault and the Canadian criminal justice system: Issues and policies (pp.13-32). Toronto: University of Toronto Press.
- Martin, D. L., & Mosher, J. E. (1995). Unkept promises: Experiences of immigrant women with the neo-criminalization of wife abuse. Canadian Journal of Women and the Law, 8, 3-44.
- Martin, M. E. (1997). Double your trouble: Dual arrest in family violence. Journal of Family Violence, 12 (2), 139-157).
- Manitoba Human Rights Commission. (2001). MHR Connections, 1 (2), 1-2.
Available:
<http://www.gov.mb.ca/hrc/english/publications/newsletter/bulletin1-2.pdf>
- Maxwell, M. S. (2001). Strategies that will improve supervised visitation services in domestic violence cases. Violence Against Women On-Line Resources. Minnesota Centre Against Violence and Abuse (MINCAVA). Available:
<http://www.vaw.umn.edu/>
- McConnville, M., & Shepherd, D. (1992). Watching police watching communities. London: Routledge.
- Messerschmidt, J. W. (1993). Masculinities and crime: Critique and reconceptualization of theory. Lanham, MD: Rowman and Littlefield.
- Miller, S. L. (2001). The paradox of women arrested for domestic violence. Violence Against Women, 7(12), 1339-1376.
- Mills, L. G. (2003). Insult to injury: Rethinking our response to intimate abuse. Princeton: Princeton University Press.
- Ministry of Community, Aboriginal and Women's Services. (2000). A minute of silence: Statistics on violence against women. Available:
http://www.mcaaws.gov.bc.ca/womens_services/a-minute-of-silence/weq_print.htm

- Ministry of Public Safety and Solicitor General. (2000). Violence Against Women in Relationships Policy. Available:
<http://www.pssg.gov.bc.ca/vawc/policy.htm>
- Morris, M. (2002). Fact sheet: Violence against women and girls. Canadian Research Institute for the Advancement of Women. Available:
http://www.criaw-icref.ca/factSheets/Violence_fact_sheet_e.htm
- Mulinari, D., & Sandell, K. (1999). Exploring the notion of experience in feminist thought. Acta Sociologica, *42*, 287-297.
- National Clearinghouse on Family Violence. (2002). Woman abuse. Ottawa: Health Canada. Cat. H72-22/4-2002E.
- Neidig, P. H., Russell, H. E., & Seng, A. F. (1992). Interspousal aggression in law enforcement families: A preliminary investigation. Police Studies: The International Review of Police Development, *15* (1), 30-39.
- Neilson, L. (2001). Spousal abuse, children and the legal system. Final Report for Canadian Bar Association, Law for the Futures Fund.
- Neilson, L. (2000). Partner abuse, children and statutory change: Cautionary comments on women's access to justice. Windsor Yearbook of Access to Justice, *18*, 5-152.
- New Brunswick Advisory Council on the Status of Women. (2004, May 11). NB Women's News.
- Nixon, K. (2002). Leave him or lose them? The child protection response to woman abuse. In L. Tutty, & C. Goard (Eds.), Reclaiming self: Issues and resources for women abused by intimate partners (pp.64-80). Halifax: Fernwood.
- Oakley, A. (1981). Interviewing women: A contradiction in terms. In H. Roberts (Ed.), Doing feminist research, (pp.30-59). London: Routledge.
- O'Faolain, J., & Martines, L. (1973). Not in God's image. London: Harper & Row.
- O'Grady, B. (1991). Crime, violence and victimization: A Newfoundland case. In R. A. Silverman, J. J. Teevan, & V. F. Sacco (Eds.), Crime in Canadian society (4th ed.) (pp.79-91). Toronto: Butterworths.
- Ptacek, J. (1999). Battered women in the courtroom: The power of judicial responses. Boston: Northeastern University Press.

- Public Legal Education Information Service New Brunswick. (2001). "Information for abused women: Peace bonds." Available: <http://www.legal-info-legale.nb.ca/pub-peace-bonds.asp>
- Reinharz, S. (1992). Feminist methods in social research. New York: Oxford University Press.
- Rigakos, G. S. (1998). The politics of protection: Battered women, protection orders, and police subculture. In K. Bonnycastle, & G. S. Rigakos (Eds.), Unsettling truths: Battered women, policy, politics, and contemporary research in Canada (pp.82-92). Vancouver: Collective Press.
- Rigakos, G. S. (1995). Constructing the symbolic complainant: Police subculture and the nonenforcement of protection orders for battered women. Violence and Victims, 10 (3), 227-247.
- Ristock, J. L. (2002). No more secrets: Violence in lesbian relationships. New York: Routledge.
- Rodgers, K. (1994). Wife assault: The findings of a national survey. Juristat, 14 (9). Ottawa: Canadian Centre for Justice Statistics, Statistics Canada.
- Ruttenberg, M. H. (1994). A feminist critique of mandatory arrest: An analysis of race and gender in domestic violence policy. Journal of Gender & the Law, 2, 171-199.
- R. v. B. (K.G.)* [1993] 1 S.C.R. 740.
- Sadusky, J. (2001). Working effectively with the police: A guide for battered women's advocates. Minneapolis, MN. MINCAVA – Minnesota Center Against Violence and Abuse.
<http://www.vaw.umn.edu/documents/bwjp/policev/policev.pdf>
- Saunders, D. G., & Size, P. B. (1986). Attitudes about woman abuse among police officers, victims, and victim advocates. Journal of Interpersonal Violence, 1 (1), 25-42.
- Schmidt, J. D., & Sherman, L. W. (1998). Does arrest deter domestic violence? In Legal Interventions in Family Violence: Research Findings and Policy Implications (pp.54-55). U.S. Department of Justice, National Justice Institute, and American Bar Association.
- Schmidt, J. D., & Sherman, L. W. (1993). Does arrest deter domestic violence? American Behavioral Scientist, 36 (5), 601-609.

- Schmidt, J. D., Sherman, L. W., & Rogan, D. P. (1992). Policing domestic violence: Experiments and dilemmas. Toronto: Maxwell Macmillan Canada.
- Seagrave, J. (1997). Introduction to policing in Canada. Scarborough: Prentice Hall.
- Sev'er, A. (2002). Fleeing the house of horrors: Women who have left abusive partners. Toronto: University of Toronto Press.
- Sherman, L. W., & Berk, R. A. (1984). The specific deterrent effects of arrest for domestic assault. American Sociological Review, 49, 261-272.
- Siegel, L. J., & McCormick, C. (2003). Criminology in Canada: Theories, patterns, and typologies. Scarborough: Nelson.
- Skolnick, J. (1966). Justice without trial. New York: Wiley.
- Smith, D. E. (1999). Telling the truth after postmodernism. In Writing the social: Critique, theory, and investigations (pp.96-130). Toronto: University of Toronto Press.
- Smith, D. E. (1987). The everyday world as problematic: A feminist sociology. Toronto: University of Toronto Press.
- Smith, D. J., & Gray, J. (1983). Police and people in London, Vol. IV, The police in action. London: Policy Studies Institute.
- Stanko, E. A. (1989). Missing the mark? Policing battering. In J. Hanmer, J. Radford, & E. A. Stanko (Eds.), Women, policing, and male violence: International perspectives (pp.46-69). London: Routledge.
- Stark, E. (1998). Mandatory arrest of batterers: A reply to its critics. In Legal Interventions in Family Violence: Research Findings and Policy Implications (pp.57-58). U.S. Department of Justice, National Justice Institute, and American Bar Association.
- Steinmetz, S. K. (1997/78). "The battered husband syndrome." Victimology, 2, 499-509.
- Stewart, A., & Maddren, K. (1997). Police officers' judgements of blame in family violence: The impact of gender and alcohol. Sex Roles, 37 (11/12), 921-933.
- Straus, M. (1977/78). "Wife beating: How common and why?" Victimology, 2, 443-458.

- Trainor, C. (Ed.). (2002). Family violence in Canada: A statistical profile – 2002. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada. Catalogue no. 85-224-XIE.
- Trainor, C., & Mihorean, K. (Eds.). (2001). Family violence in Canada: A statistical profile – 2001. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada. Catalogue no. 85-224-XIE.
- Tutty, L. (1998). Husband abuse: An overview of research and perspectives. Ottawa: National Clearinghouse on Family Violence, Health Canada.
- Ursel, J. (2002). 'His sentence is my freedom': Processing domestic violence cases in the Winnipeg Family Violence Court. In L. Tutty, & C. Goard (Eds.), Reclaiming self: Issues and resources for women abused by intimate partners (pp.43-63). Halifax: Fernwood.
- Ursel, J. (2001). Report on domestic violence policies and their impact on Aboriginal people. Submitted to the Aboriginal Justice Implementation Commission, 21 February 2001. Available: <http://www.ajic.mb.ca/domestic.pdf>
- Vincent, C. (1990). Police officer. Ottawa: Carleton University Press.
- Waaland, P., & Keeley, S. (1985). Police decision making in wife abuse: The impact of legal and extralegal factors. Law and Human Behavior, 9 (4), 355-366.
- Walby, S. (1990). Theorizing patriarchy. Oxford: Basil Blackwell.
- Walker, L. (1979). The battered woman. New York: Harper & Row.
- Worden, R. E., & Pollitz, A. A. (1984). Police arrests in domestic disturbances: A further look. Law and Society Review, 18 (1), 105-119.
- Zorza, J. (1998). Must we stop arresting batterers?: Analysis and policy implications of new police domestic violence studies. In Legal Interventions in Family Violence: Research Findings and Policy Implications (pp.55-56). U.S. Department of Justice, National Justice Institute, and American Bar Association.

Appendix E – Interview schedule for abused women

How did you learn about this project? (Newspaper ad? Newspaper article? Yellow ad? Word of mouth?)

How old were you on your last birthday?

Do you have any children? How many? Sex? Age?

What is your current marital status?

When did your previous relationship (marital or common-law) end?

How many separations have you had from your previous partner before finally culminating the relationship for good?

How many times were the police called during your previous relationship?

How long ago did you last request the assistance of the police?

How did you make the decision to call the police?

What factors did you consider in deciding whether or not to call the police? (feelings of shame; fear of the ruination of the family; fear that police intervention would make things worse; fear of children's aid involvement; fear of financial consequences should husband be incarcerated; concern for husband; usefulness/uselessness to contact police; language barriers; fear of police; rejection of personal/family/community loyalties; institutional surveillance)

Were there any times that you could have called the police but didn't? What were your reasons for not calling?

If you knew a mandatory charging policy, which means it is not your responsibility to lay a charge but the officer's duty, would you have called the police?

Before calling the police, did you ever seek assistance from any other institution, such as a counseling centre, battered women's shelter or hotline, social service agency, church, or hospital? If so, what institution did you approach?

Does your former partner have a criminal record?

Was alcohol or any other substance ever a factor in the abuse? In other words, was your partner more abusive when he was drinking alcohol or taking drugs?

What kind of help did you seek from the police and why?

Did the officer inform you of the right to file criminal charges?

Did you want charges laid against your partner?

Were charges laid? If so, by whom? (i.e. police or woman)

If charged – did you want to drop the charges at any time? If so, why?

If charged – did your partner have to go to court? What was the outcome?

What do you remember about your experience with the police? How did you feel?
Why did you feel this way?

Was the responding officer male or female? In your opinion, did the sex of the officer make any difference in the way the situation was handled?

Approximately how old was the responding officer? In your opinion, did the officer's age or experience/rank influence his/her response?

Is it in your experience that different officers responded differently? In other words, were some officers more helpful than others? If so, why do you think they handled the situation differently?

Was there ever any evidence that the abuse took place? Did the police take pictures?
A video statement?

Did the police interview you and your partner separately?

Did the officer say or do anything to put you at ease?

How would you describe the police officer's demeanour towards yourself? (Was s/he rude, discourteous, sarcastic, and/or hostile or was s/he patient, dignified, and/or polite? Was s/he empathetic, indifferent or condescending?)

Was the officer concerned for your safety?

Did the officer inform you about extralegal resources?

How would you describe the officer's demeanour towards the defendant? How did this make you feel?

Did the police respond to the situation on the basis of your partner's reputation in the community, rather than his alleged offence?

Do you feel the police responded on the basis of your income, race, culture, etc...?

What part(s) of your story were important to the police officer?

What do you feel were the important part(s) of your story?

What kind of help did you receive from the police?

Was your partner removed from your residence or arrested by the police following any domestic violence altercations? How did you feel about this?

Did the police ever return with you/your partner to get your/his belongings from the home?

How many times was your partner arrested?

Were you and your partner ever both arrested following an incident (dual arrest)?

Did the police respond to your wishes? How so? How did this make you feel?

Was your partner ever punished for his abuse outside of the criminal justice system? (lose his job; alienated from family and/or friends; etc...)

How did your friends/family react to the abuse? How did they react to you having called the police?

Did you ever obtain a protection order?

- If any, what additional demands (such as confiscation of defendant's weapons, arrangements for a police escort to return home and retain belongings, temporary child support, or temporary child custody) did the judge make?
- Did the judge attach any conditions to the protection order? If so, what were they?
- Was your protection order violated?
 - Did the police enforce the protection order by making an arrest following its violation?
 - If so, how long after obtaining it was it violated?
 - Under what circumstances was it violated?
 - How was the defendant punished for violating the protection order?
 - Do you feel that this penalty was adequate?

- What do you feel is an appropriate punishment for violators of protection orders?
- How did the protection order impact your life? (Did it make you feel more secure?)

How much safety do you feel a protection order can offer?

Overall, how would you judge your experience with the police?

If you were ever in the same situation again, would you call the police?

Appendix F – Interview schedule for police officers

How old were you on your last birthday?

How long have you been a police officer?

What is your official rank?

How much training (in hours) have you received on domestic violence cases and woman abuse, in particular?

How do you conceptualize or define abuse? (Does abuse refer to objective, observable behaviour and/or does it include behaviour that causes emotional or psychological harm?)

In your opinion, is woman abuse a crime?

What is your role in responding to woman abuse?

How often do you respond to calls for service where an incident of woman abuse is reported?

How do you prioritize such calls?

How many officers respond to such calls?

What procedures guide your actions at such calls?

What discretion do you have regarding arrest at incidents of woman abuse?

How do you make the decision whether to make an arrest or not?

How do you make the decision to simply remove a party as opposed to arrest?

What factors do you consider in making these decisions? (Presence of children or bystanders, use of weapons, resulting injury, cohabitation of victim and offender?)

Are you likely to arrest an offender who has left the scene?

Are you likely to arrest an offender if the victim has left the scene?

With how much importance do you consider the intention(s) of the abuser?

With how much importance do you consider the social context and/or results of the abuse?

If more than one incident of woman abuse was reported to the police between a particular couple, are you likely to take the prior history of the (abusive) relationship into consideration or do you treat the acts or behaviors as isolated incidents?

Is alcohol a factor in domestic abuse?

How common are suicide threats in abuse situations?

How do think arrest impacts the parties involved (woman, children, abuser)?

Do you think arrest provides protection to women and/or deters repeat violence? Or does it exacerbate the situation?

Under what circumstances would you lay a charge against the wishes of the victim?

Would you lay a charge at the request of the victim when there is little visible evidence of physical injury?

Is there anything an officer can do if there is only a verbal dispute?

How do you feel about mandatory arrest and/or pro-charge policies?

Are dual arrests common?

Is there a "no-drop" policy in place?

Are there any factors unrelated to the situation that may hinder an arrest? (Busy, end of shift, etc?)

How is violence between strangers treated compared to violence between domestic partners?

How is violence between a cohabitating couple treated compared to violence between a separated couple?

What kind of problems do you encounter on domestic calls?

Approximately how many abused women are 'uncooperative'?

How do you deal with abused women who are 'uncooperative'?

Why do you believe some abused women are 'uncooperative' with the police?

Is it beneficial to have a female officer on the scene at a domestic situation?

What can you tell me about women's violence towards male partners? (Retaliation, self-defense)

How often do you refer women to extra-legal resources, such as shelters or transition homes?

How often do you refer women to court for a recognizance order (peace bond)?

How many men with peace bonds against them have criminal records?

What do you perceive to be the strengths and weaknesses of peace bonds?

How often do you enforce peace bonds?

How do you feel about the effectiveness of peace bonds in providing safety and/or preventing harm to women?

How often are peace bonds violated?

How do you feel about women who violate 'no contact' court orders by inviting the offender to their home?

What do you feel is an appropriate punishment for violators of peace bonds?

What is recorded in police reports?

What kind of evidence is collected?

How important is the demeanour of police officers in dealing with abused women?

What kind of demeanour do you think police officers should convey to women seeking protection and to men who are accused of abuse?

What means should they take to convey this demeanour?

What kind of demeanour do you want to convey to women?

What means do you take to convey this demeanour?

How dangerous do you perceive domestic violence situations to be for police officers? Why?

What do you feel is the criminal justice system's role in protecting women from abusive partners?

What is your view of the court process in its handling of domestic assaults?

How do you measure the success of police intervention in incidents of domestic violence?

Would you consider intervening and the woman not wanting to do anything a failed intervention?

Based on your experience, what do you suggest for reform?

What kind of tools or resources do police require to handle domestic abuse altercations more effectively?

Appendix G – Interview schedule for 911 dispatchers

How long have you been a 911 dispatcher?

Have you received any training on domestic violence and woman abuse, in particular?

If so, how much (in hours)?

How often do you receive calls for service where an incident of woman abuse is alleged?

How do you decide whether or not to dispatch a police cruiser to such calls?

How do you prioritize such calls for service?

Are there any departmental policies regarding domestic violence that directly affect you?

(In other words, what procedures guide your actions?)

Do callers need to identify themselves? (If a neighbour calls to report a fight between the couple next door, does s/he need to identify her/himself?)

If so, who has access to this information?

How do you ensure the confidentiality of callers?

How many officers are dispatched?

In your experience, when is an abused woman most likely to call 911?

How do you perceive the police response to woman abuse?

What services do officers offer woman abuse victims?

Are women receiving the services they seek?

What happens when someone calls 911 then says, “I made a mistake, I meant to dial some other number”?

Appendix H – Recruitment notice to police

Chief of Police:

In our society, many women experience abuse in their intimate relationships. The legal system is one of a few social institutions with the authority to respond to woman abuse and the police are most often the first service provider to be contacted when a woman is victimized by her partner. Fortunately, Canadian statistics reveal that the majority of women who alarm law enforcement officers are satisfied with the actions taken by them. However, little is known about the police training, departmental policies, and individual attitudes that shape police responses to woman abuse. Thus, it is research that needs to be done and may have significant implications for all interested stakeholders.

My name is Stephanie Bruce and I am a graduate student at the University of New Brunswick. For my Master's thesis, I am interested in speaking with police officers about their role in helping abused women. Moreover, I want to gain insights into the strengths and weaknesses of the police response from the perspective of those who work in law enforcement daily.

I encourage you to circulate this notice among force members to inform them about this important project. By participating in this study, police officers will have the opportunity to share their expertise and perceptions, both positive and negative, of how police respond to woman abuse. They will also have the occasion to comment on what changes they feel need to be made and what will make their jobs in protecting women and children easier. Officers' contribution to the sociological knowledge on this topic is greatly appreciated.

Appendix I – Coding directory

of Officers²⁵

911 Dispatchers

- Abuser Flees
- Alcohol
- Callers' Identities
- Calls After the Fact
- Dispatching Cruisers
- Dispatching Female Officers
- Frequency
- Info Obtained from Callers
- Male Callers
- Police Force Comm Centre
- Police Response
- Prioritizing Calls
- Relaying Info to Police
- Retaliation for Calling 911
- Training

Abuse of Pets

Abuse Patterns

Abuser Flees Scene

Abuser Reputation

Abuser Tactics

- Children
- Control
- Embarrassment
- Fear
- Harassment/Stalking
- Isolation
- Male Sexual Jealousy
- Manipulation²⁶
- Manipulation of System²⁷

²⁵ How many police officers responded to woman's call for help; how many officers woman has dealt with

²⁶ Abuser's manipulation of woman

- Property Damage
- Psychological Abuse
- Threat of Suicide
- Threat of Violence
- Violence
- Withholding Money

Abuser's Childhood²⁸

Adult Diversion

Age of Officer(s)

Alcohol Abuse²⁹

Arrest

- Arrest
- Arrest Against Victim's Wishes
- Arrest Deterrence
- Arrest Impacts on Abuser
- Arrest Impacts on Children
- Arrest Impacts on Women

Attempts to Leave

Awareness

Black Gloves

Breach of the Peace

Calls from Others³⁰

Charges

- Charge Against Victim's Wishes
- Dropping Charges

²⁷ How the abuser manipulates the police, social services, etc to his own advantage or woman's disadvantage

²⁸ Did the abuser grow up in an abusive home?

²⁹ Abuser's alcohol abuse, victim's alcohol abuse, or both

³⁰ Calls made to police or 911 that come from friends, family or neighbours of the victim

- Feelings About Pro-Charging
- Laying Charges
- No Charges Laid
- Pressure to Drop Charges

Child Abuse

Children

CJS Role³¹

Confidentiality³²

Consequences of Abuse

- ... On Abuser
- ... On Children
- Alcohol Use³³
- Depression³⁴
- Lifelessness³⁵
- Promiscuity
- Woman's Abuse

Cooperation btw Police Agencies

Counseling

Court Experiences

Criminal Code

Criminal Harassment

Criminal Record

Decision NOT to Call

Decision to Call Police

³¹ The role of the criminal justice system in responding to woman abuse and whether it is perceived to be doing its job

³² within police organization

³³ Woman's use of alcohol

³⁴ Woman's depression, suicidal

³⁵ After having endured so much abuse, a woman may feel as though she is not living but, merely existing; numbness

Different Response by Sex of Officer(s)

Disclosure³⁶

Discretion³⁷

Drug Problem

Dual Arrest

Estranged vs. Cohabit³⁸

"False Alarm"³⁹

Follow-Ups⁴⁰

Frequency⁴¹

Generally Violent⁴²

Help Sought from Police

Homophobia

Homosexual Violence

How Much Abuse Before Calling Police

Husband Abuse

Independent Factors that Hinder Arrest⁴³

³⁶ of evidence in court

³⁷ Officer's discretion regarding arrest

³⁸ Police response to violence btw estranged couples versus cohabitating couples

³⁹ After a call is made for help, the victim notifies the police that they are no longer needed; when someone "accidentally" calls 911; or hang-up 911 call

⁴⁰ Police follow-up with victims whom they've come in contact

⁴¹ How often/rarely officers respond to domestic calls

⁴² Was the abuser violent in general (i.e. towards others outside the home)?

⁴³ Factors that are unrelated to altercation but hinder the likelihood that an officer will make an arrest (i.e., end of shift, officer fatigue, etc...)

Institutional Surveillance	Physical Evidence
Intention of Abuser	- No Physical Evidence
Intimate vs. Stranger Violence	- Photographs
Kidnapping	- Physical Evidence
KGB ⁴⁴	- Property Damage Only
Lazy	Planning ⁵²
Measuring Success ⁴⁵	Police ⁵³
Mediation by Police	Police Actions
Police Force Statistics	Police Attitudes
- Education	Police Called # ⁵⁴
- Force Composition	Police Concern of Woman's Safety
- Patrol Zones	Police Contact Social Services
Negotiating with Abuser ⁴⁶	Police Decision to Remove ⁵⁵
Officer's Role ⁴⁷	Police Definition of Abuse
Outsiders' Reactions ⁴⁸	Police Demeanour towards Abusers ⁵⁶
Pep Talks ⁴⁹	Police Demeanour towards Victims ⁵⁷
Perceived Danger ⁵⁰	Police Determine Aggressor
Personal Data ⁵¹	Police DV Stories ⁵⁸

⁴⁴ Video-taped statement used in court in the event that the victim recants

⁴⁵ How the success of police intervention is measured by officers

⁴⁶ Some form of negotiation between woman and her abuser or something a woman may give up in order to end the abuse

⁴⁷ What officers perceive their role to be in responding to woman abuse

⁴⁸ How outsiders react to the abused woman's circumstance; how society hinders or assists the abused woman

⁴⁹ Officer's conversation with victims

⁵⁰ how much danger officers perceive domestic calls to be

⁵¹ Information for analysis only – includes interview #, pseudonym given, phase #, sex, marital status, # of children, sex of children, age of children, year relationship ended/called police

⁵² Preparing oneself or one's children for the occasion that violence occurs; significant to counter argument that abused women are passive 'victims' rather than active 'survivors'

⁵³ General statements made by women concerning the police

⁵⁴ How many times the police were called

⁵⁵ How officers decide who to remove

⁵⁶ incl. how police treated abuser

⁵⁷ incl. how police treated victim

⁵⁸ Examples of domestic violence situations they responded to

Police Importance⁵⁹

Police Inactions

Police Intervention Good or Bad

Police Opinion of Court⁶⁰

Police Treatment of Abuser

Police Understanding of Abuse

Prior History⁶¹

Prioritization⁶²

Proactive vs. Reactive

Probation Office

Problems Police Encounter

Prosecution

Protection Orders

- Denial of POs
- Enforcement of POs
- No Enforcement of POs
- Perceived Security of POs
- Police Feelings about POs
- Police Suggest POs
- PO Conditions
- PO Procedure⁶³
- Reciprocal Peace Bonds
- Requests for POs
- Time Required
- Victims Violates PO
- Violation of POs

⁵⁹ The parts of a woman's story that are important to the police

⁶⁰ How the court handles domestic violence (i.e., sentences it imposes, etc...)

⁶¹ of violence btw a particular couple

⁶² How officers prioritize calls for service

⁶³ The procedure used to obtain protection order

- What is Needed to Get a PO

Reason for Abuse⁶⁴

Reasons for Decline⁶⁵

Reform

- Ending Domestic Violence
- Remedies Suggested by Police
- Remedies Suggested by Women

Remove Abuser

Remove Wife & Kids⁶⁶

Repeat Calls

Resource Referral

- For Men
- For Women

Returning⁶⁷

RPGs⁶⁸

Sentences

Separate⁶⁹

Sex of Officer(s)

Shelter Experiences

Sirens & Lights⁷⁰

⁶⁴ Reasons given by abuser or reasons given by abused woman reflecting on the circumstances

⁶⁵ in incidences of abuse, according to police

⁶⁶ Police remove wife & kids from the home instead of abusive partner

⁶⁷ Woman's accounts of returning to abuser; NOT reasons why

⁶⁸ Reasonable and probable grounds to believe an offence has been committed, is being committed, or will be committed

⁶⁹ Police separate victim and abuser; see also Remove Abuser, Remove Wife & Kids, Decision to Remove

⁷⁰ When sirens & lights are used on route to a domestic violence call

Social Services

Societal Expectations

Steps Taken by Police⁷¹

Supervisors

System Coordination/Support

System Problems⁷²

- Criminal Justice System
- John Howard Society
- Lawyers
- Mediators
- Mental Health
- Police and Social Services

Training

Typical Victim

Undertaking

Uncooperative Victims⁷³

Variance in Response⁷⁴

Verbal Abuse Only⁷⁵

Victim Blaming⁷⁶

Victim Credibility

Victim Leaves But Wants to Return

Victimology

Victim's Word⁷⁷

Victim-Witness Coordinator

Weapons

What's in Report⁷⁸

Why Leave⁷⁹

Why Stay/Return⁸⁰

Witness

Woman's Childhood⁸¹

Woman's Feelings⁸²

Zero Tolerance

⁷¹ upon arriving at a domestic violence call

⁷² Problems women encounter with various [legal] actors, including lack of coordination between service providers

⁷³ the problem of, incl. how police deal with them and how officers feel about them

⁷⁴ btw officers and btw past and present

⁷⁵ what police can do

⁷⁶ Victim blamed by her children or police for abuse; victim blamed by abuser for his arrest

⁷⁷ When there is no evidence except victim's word that abuse occurred

⁷⁸ What info officers record in reports

⁷⁹ The reasons given by woman for leaving relationship

⁸⁰ The reasons given by woman for staying or returning to the relationship

⁸¹ Did the woman grow up in an abusive home? Beginning the rel'ship with a abuser (sometimes just to leave home)

⁸² How the particular police response made her feel

Appendix J – Criminal Code offences

Assault (s.266) – Hybrid
Assault with a weapon or causing bodily harm (s.267) – Indictable
Aggravated assault (s.268) – Indictable
Unlawfully causing bodily harm (s.269) – Indictable
Pointing a firearm (s.86.1) – Hybrid
Causing bodily harm with intent (s.244) – Indictable
Sexual assault (s.271) – Hybrid
Aggravated sexual assault (s.273) – Indictable
Incest (s.155) – Indictable
Attempted murder (s.239) – Indictable
Murder (s.229) – Indictable
Murder reduced to manslaughter (s.232.1) – Indictable
Counseling or aiding suicide (s.241) – Indictable
Criminal negligence causing bodily harm (s.221) - Indictable
Failure to provide necessaries (s.215) – Hybrid
Intimidation (s.423) – Summary
Uttering threats (s.264.1) – Indictable/Hybrid
Threats of violence or injury to property [s.423.1(a)] – Summary
Criminal harassment (Stalking) (s.264) – Hybrid
Harassing or indecent telephone calls (s.372.2, s.372.3) – Summary
Trespassing at night (s.177) – Summary
Forcible confinement (s.279.2) – Indictable
Mischief (Willful damage) (s.430.1) – Hybrid
Theft (s.322) – Indictable (\$5,000 +) / Summary (- \$5,000)
Forgery (s.366) – Hybrid
Extortion (s.346) – Indictable
Fraud (s.386, s.387, s.388) – Indictable
Obstructing justice [s.139(s)] – Indictable
Breach of recognizance (s.811) – Summary
Failure to comply with a probation order (s.740) – Summary
Preventing and arresting breach of peace (s.30, s.32)
Arrest for violation of conditions of judicial interim release

Appendix K – KGB statement form

K.G.B. WARNING

Introduction

Before proceeding with a sworn videotaped statement by a witness the following matters must be brought to the attention of the witness in these exact words.

Warning To Be Administered

I must tell you that the statements you are about to make to me may become part of the evidence at _____ (Name of accused) trial arising out of his/her involvement in the _____ (Name of incident) even if you later decide to deny or change the version of events you are going to give me here today.

As well, I must tell you that if what you tell me is not true and you know that it is not true you may be charged with Fabricating Evidence, Perjury, Obstructing Justice, or Public Mischief.

Fabricating Evidence happens when a person, intending to mislead, makes up or fabricates anything intending it to be used as evidence in court at any time. Being convicted of this crime carries a penalty of up to fourteen years in jail.

Perjury takes place any time a person solemnly declares, or swears under oath to a person by law entitled to administer oaths, a false statement that the person intends to be misleading while knowing the statement is false, whether or not it is done in a court before a judge. A conviction for this offense can result in a penalty of up to fourteen years in jail.

Obstructing Justice happens when a person deliberately attempts to obstruct, pervert or defeat the course of justice. The term “course of justice” includes trying to obstruct, pervert or defeat a lawful police investigation, a trial, or any other kind of court action. Being convicted of this crime carries a penalty of up to ten years in jail.

Finally, Public Mischief happens when a person, intending to mislead the police causes the police to begin or continue an investigation in any of the following cases.

- (1) By making a false statement accusing someone else of committing an offence.
- (2) By deliberately doing anything to make some other person be suspected of having committed an offence, which they have not or to take suspicion away from himself/herself.
- (3) By reporting an offence has happened when it has not.

Being convicted of this crime carries a penalty of up to five years in jail.

Do you understand all of what I’ve just told you? _____

You should know that there is no legal requirement that you give me a statement. It is your choice and you are free to leave here at any time.

Now that you understand, will you give your statement to me? _____

OATH: (A Commissioner of Oaths administers the oath as follows either on a Bible or by Solemn Affirmation)

We are now going to give you an oath before beginning your statement.

I, _____ (Witness) _____ (Witness Signature)

of _____ (Address), Province of _____

Do you swear that the statement you are about to make is the truth, the whole truth, and nothing but the truth so help you God.

_____ (Commissioner of Oaths) _____ (Place) _____ (Date & Time)

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