

## Dispelling the Myths

**Myth:** Wife assault is a new social problem.

**Fact:** Wife assault is not new. It has been condoned throughout history. For example, the widely used term “rule of thumb” comes from a 1767 English common law that permitted a husband to “chastise his wife with a whip or rattan no wider than his thumb.”<sup>1</sup>

In Canada, it wasn't until 1968, when the federal Divorce Act was passed, that physical and mental cruelty became grounds for divorce.

**Myth:** Wife assault occurs more often among certain groups of people.

**Fact:** Wife assault occurs in all ethnic, racial, economic, social and age groups. However, violence in more affluent groups is often hidden because these women use shelters, legal clinics and other social services less often.

**Myth:** Assaulted women could leave their abusive partners if they wanted to.

**Fact:** A woman may stay in an abusive relationship for many reasons. For example:

- she hopes the relationship will get better
- she doesn't want to break up a family
- her partner's abuse isolates her from friends and family
- she fears for her own and her children's safety
- she depends on her partner's income
- she has lost self-esteem because of her partner's abuse
- she has nowhere else to go
- her partner has threatened to harm her if she leaves.

**Myth:** Women often provoke assaults and deserve what they get.

**Fact:** No woman ever deserves to be beaten. Assaulted women report a wide range of incidents that trigger violence. For example: “I fried his eggs the wrong way,” “I didn't turn down the radio enough,” or “I went out with friends without asking his permission.” Abusive men often claim their partner provoked an assault to avoid responsibility for their own behaviour. In fact, the true source of violence is the batterer's desire for power and control over his partner.

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Ontario  
Women's  
Directorate



**Myth:** Men who assault their partners are mentally ill.

**Fact:** Wife assault is too widespread to be caused by mental illness. In a recent study, one in five Canadian men living with a woman admitted to using violence against his partner.<sup>2</sup>

Most men who assault their partners are not violent outside the home. They don't hit their bosses or colleagues. When abusive men hit their partners, they often aim the blows at parts of the body where bruises don't show. If abusive men were truly mentally ill, they could not limit their violence in this way.

**Myth:** Alcohol causes men to assault their partners.

**Fact:** Alcohol can make it easier for a man to be violent. **But the real cause of wife assault is the batterer's desire for power and control over his partner.** Batterers often use alcohol as an excuse to avoid taking responsibility for violent behaviour.

**Myth:** Men are abused by their partners as often as women are.

**Fact:** More than 93% of charges related to spousal assault in Ontario are laid against men.<sup>3</sup> Most charges laid against women are counter-charges laid by assaultive partners or stem from acts of self-defence.

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# The Criminal Justice System

## *Facts to Consider*

Wife assault is a crime. Harming or threatening to harm a wife or girlfriend is just as illegal as harming or threatening to harm a stranger.

- Wife assault can take many forms. Some of the criminal charges that may apply are:
  - assault • hostage taking • aggravated assault • abduction in contravention of a custody order • assault causing bodily harm • sexual assault • aggravated sexual assault • sexual assault causing bodily harm • uttering threats • sexual assault with a weapon • intimidation • forcible confinement • attempted murder and murder.
- Most assaulted women who have gone to court report a reduction or termination of violence after court.<sup>1</sup>
- When the police, rather than the victim, lay charges or arrest husbands, the probability of new incidents of violence is cut in half.<sup>2</sup>
- Assaulted women are twice as likely to follow through on charges laid by police than on charges they lay themselves.<sup>3</sup>
- In 1981, London (Ontario) police were directed to lay charges in all domestic assault cases where reasonable and probable grounds existed.
  - police laid charges in only 3% of cases, although 20% of victims were advised to get medical attention. Victims laid their own charges more than five times as often as police.
  - After the directive, police-laid charges increased 25 times.<sup>4</sup>
- In 1988, police in Ontario laid criminal charges in 51% of occurrences reported to police. This represented an 11% increase from 1986.<sup>5</sup>
- A Canada-wide survey found that more than one-half (55%) of wife assault incidents were not recorded.<sup>6</sup> When asked why they didn't report assaults to police, women said:
  - it's a personal matter: 59%
  - police couldn't do anything: 58%
  - fear of revenge by offender: 52%
  - to protect the offender: 35%
- 57% of all women murdered in Canada in 1989 died as a result of domestic violence.<sup>7</sup>

## *Issues to Consider*

- Assaulted women often feel unable to report their assaults to police and go through the criminal justice system. There are many reasons for this, including:
  - fear of retaliation or revenge by the offender, often as a result of threats
  - lack of information regarding legal rights and systems
  - fear that they won't be believed and/or will be blamed for the abuse



- slow, ineffective and/or insensitive response by police, the courts and probation and parole officers
  - for immigrant women, fear that they or their partners will be deported
  - many racial minority, immigrant, refugee and native women fear that if they call the police, their partners will be mistreated by the police and courts because of racism and discrimination.
- The criminal justice system only responds to physical and sexual assault. It is important to recognize that emotional and psychological abuse can be just as harmful.
  - Even when criminal charges have been laid, many abusive husbands continue to try to control, harass and intimidate their wives through the manipulation of child custody, access and support.
  - In addition to Criminal Court, assaulted women may also have to go to:
    - Family Court (to deal with restraining orders, separation, divorce, custody, visiting rights, maintenance, and property division)
    - immigration tribunals
    - Social Assistance Review Board hearings
    - Criminal Injuries Compensation Board hearings.

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## The Health Issues

### *Facts to Consider*

Wife assault has profound effects on women's health and well-being. It often results in physical injuries, psychological and emotional trauma, and even death.

- Assaults on women with disabilities can trigger severe physical reactions. A woman with epilepsy may have a seizure; a woman with cerebral palsy may develop even more unclear speech, staggering gait or spasms; a woman with diabetes may go into insulin shock.<sup>1</sup>
- The effects of domestic violence on a woman's mental health and well-being can be just as serious as physical injuries. Assaulted women report a higher level of anxiety, physical complaints and depression than women who are not assaulted.<sup>2</sup>
- A study by the Addiction Research Foundation found that women who are assaulted by their male partners are 74% more likely to rely on sedatives and 40% more likely to take sleeping pills than women who are not assaulted.<sup>3</sup>
- A Canada-wide survey shows that 61% of women physically or sexually assaulted by their male partners are injured in the attack.<sup>4</sup>
- Physical assaults and emotional abuse tend to become more frequent and severe over time. Injuries sustained by assaulted women include bruises, welts, burns, dislocated and broken bones, concussions and internal bleeding.
- 40% of wife assault incidents begin during the time of the woman's first pregnancy.<sup>5</sup>
- Assaulted women may be more likely to attempt suicide than women who are not assaulted. In a study of 225 female suicide attempts, 83% were made by assaulted women.<sup>6</sup>
- 57% of all women murdered in Canada in 1989 died as a result of domestic violence.<sup>7</sup>

### *Issues to Consider*

- Incidents of wife assault are often undiagnosed or misdiagnosed by health care professionals.
  - A study which reviewed hospital emergency room records finds that only one in 25 cases of wife assault was identified.<sup>8</sup>
  - Physicians often estimate that one or two per cent of their female patients are assaulted by their partners. Conservative estimates indicate that at least one in eight women in Canada is assaulted by her partner.<sup>9</sup>
  - In one Ontario hospital, the number of reported wife assault cases increased 1500% after a wife assault policy and procedure was put into place.<sup>10</sup>

- Drugs such as anti-depressants and tranquilizers are commonly prescribed to women to treat symptoms of abuse (e.g. depression or anxiety). Such drugs can further isolate and depress assaulted women.
- Health care services are often inaccessible to rural, native, northern, immigrant and refugee women because of barriers such as:
  - geographic isolation
  - lack of transportation
  - discrimination
  - lack of confidentiality in small communities
  - limited and/or unaffordable services
  - lack of information on existing services
  - language and cultural differences.

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## The Impact on Children

### *Facts to Consider*

Children who witness the assault of their mothers can also be seriously affected. They are at risk of being assaulted themselves, of developing adjustment problems during childhood and adolescence, and of continuing the cycle of violence.

- A recent Toronto study indicated children were present during 50% of wife assault incidents.<sup>1</sup> In 12% of these incidents, the children were also physically assaulted.<sup>2</sup>
- In a Canada-wide study of assaulted women, women reported that their partners had abused their children physically (26%), psychologically (48%), and sexually (7%).<sup>3</sup>
- Violent behavior is learned. Some studies indicate that between 40% and 60% of assaultive men witnessed wife assault during their childhood.<sup>4</sup>
- Children exposed to wife assault have similar adjustment problems as children who are themselves physically abused.<sup>5</sup>
- Serious behavior problems are 17 times higher for boys and 10 times higher for girls who have witnessed wife assault than for other children.<sup>6</sup>
- Children of assaulted women rate significantly below their peers in areas such as school performance, participation in organized sports and activities, and social involvement.<sup>7</sup>
- In one study, over 50% of young offenders charged with crimes against people were found to have been exposed to domestic violence as children.<sup>8</sup>
- 25% of children who had lived in a shelter for assaulted women felt it was all right for a man to strike a woman if the house was messy. After group counselling, none of the children supported a man hitting a woman.<sup>9</sup>
- Children of assaulted women show a number of common characteristics including<sup>10</sup>:
  - blaming themselves for the violence
  - physical complaints, such as stomach-aches and headaches
  - sleep disturbances (nightmares, insomnia)
  - eating problems (over- or under-eating)
  - rigid gender-role identification:
    - girls — withdrawn, passive, compliant and acting as “mother’s little helper”
    - boys — aggressive, bullying and self-destructive behavior
- Studies indicate that child adjustment problems relate more to witnessing domestic violence than to the separation, divorce or loss of parents.<sup>11</sup>



## Issues to Consider

- Not all children who grow up in violent homes repeat their parents' behavior. In one study, only 12% of the male children who grew up in violent homes became violent adults.<sup>12</sup>
- Counselling services for children of assaulted women can help break the cycle of violence. However, preventive, crisis, and follow-up services for children of assaulted women are often limited:
  - language and cultural barriers mean that existing services are often unsuitable for native and immigrant children
  - services are often inaccessible or non-existent for children on reserves, or in rural and northern areas
  - there are few centres at this time in Ontario which provide supervised access to children for separated or divorced parents.

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