



REGROUPEMENT DES MAISONS
POUR FEMMES VICTIMES
DE VIOLENCE CONJUGALE

Tool 2



Police Action: Detection and Intervention
in Cases Involving

Coercive control



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In addition to this toolbox, the Regroupement offers training on coercive control for social/legal professionals. [Contact us](#) for more details on the proposed modules and modalities.

The analogy of hostage-taking is often made when describing the impact of coercive control on victims who are captives in their own homes.

It is useful to invite legal professionals to consider the force with which the police and the courts would respond to someone who took a stranger hostage, and strictly regulated how the person dressed, walked, talked, and spent their time or money.¹

In the context of domestic violence, police officers can play a key role in identifying controlling patterns of behaviour, criminal or non-criminal. They can also document non-criminal violence, thereby holding perpetrators accountable for their actions and ensuring the physical and psychological safety of victims throughout the judicial process.



¹ Accessed from the no longer operational site <http://www.coercivecontrol.us/what-is-coercive-control/>.

A – Coercive control, the hidden face of conjugal violence

Coercive control can be difficult to recognize, for both victims and legal professionals, even though it is at the heart of conjugal violence. It may be overlooked or dismissed as a "relationship problem," "conflict" or a "separation dispute."

Why?

- Coercive control does not necessarily involve physical or verbal abuse.
- The imposition of micro rules, harassment and humiliation happens in the private sphere, far from view.
- Traditional gender roles and gender stereotypes mask some of its manifestations.
- Victims may not be aware that they are being controlled or may minimize the controlling behaviour for fear of retaliation.
- Manifestations of coercive control, when seen as occasional and isolated, may be considered less serious or socially acceptable.

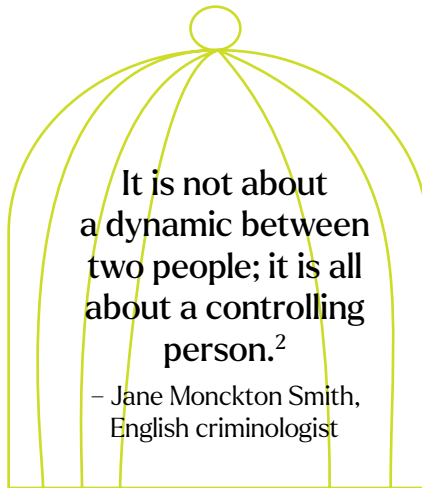


"I almost wished he would hit me because then I would know it was abuse, and there would be proof." – Victim

[our translation]

B – Things to keep in mind when working with a victim

1. Conjugal violence or conflict dispute: three distinguishing criteria



When conflicts arise in a non-abusive relationship, concessions and compromises are made, but each person remains free to make his or her own choices and does not feel compelled to submit to the other person's wishes. In an abusive relationship, decisions made by a dominating partner become rules that, when broken, lead to consequences for the victim.

² J. Monckton Smith, *In Control: Dangerous Relationships and How They End in Murder*, Bloomsbury, UK, 2021, p.19.

Ellen Pence, an American pioneer in promoting innovative strategies to combat conjugal violence, has proposed three helpful criteria for distinguishing conflict from a dynamic of conjugal violence.³



Is there a pattern of behaviour?

(a pattern of abusive behaviour designed to isolate, humiliate, exploit or dominate another person)

Does the victim change her habits and choices as a result of this pattern of behaviour?

(e.g. stops seeing family and friends, changes clothing or eating habits, changes behaviour in the presence of a partner, etc.)

Does she fear the consequences of this pattern of behaviours?

(e.g. fear of reprisals, fear for her physical integrity, her own life and that of her children or loved ones)

You will find further guidelines for differentiating between conjugal violence and conflict in the Regroupement's brochure **Et si c'était de la violence conjugale ?**. We encourage you to consult it for more details.

³ *Ibid*, p.12

2. Identifying the primary aggressor

When the police arrive at the home of a victim of conjugal violence, they are not always able to determine at first glance who is the abuser and who is the victim. It is important not to conflate the abuser's violent behaviours with the victim's reactive violent behaviours.

Omitting to check for manifestations of coercive control can lead to misidentification of the primary aggressor, especially in the context of a cross-complaint.⁴

According to the International Association of Chiefs of Police (IACP), the primary aggressor is the individual who poses the most serious and ongoing threat. He is not necessarily the initial attacker in a specific incident.⁵

Here are some cues and questions to support police in determining which party is the primary aggressor.



⁴ H. Nancarrow et al., Accurately identifying the "person most in need of protection" in domestic and family violence law. Australia's National Research Organisation for Women's Safety (ANROWS), Sydney, 2020 [<https://www.anrows.org.au/publication/accurately-identifying-the-person-most-in-need-of-protection-in-domestic-and-family-violence-law/>].

⁵ *Intimate Partner Violence Response Policy and Training Content Guidelines 6*, International Association of Chiefs of Police, USA, 2017, cited in Stop Violence Against Women [https://www.stopvaw.org/determining_the_predominant_aggressor].

Identifying the primary aggressor, some useful cues:⁶

- It is the determination to control the other at all costs that truly defines the primary aggressor.
- The primary aggressor may be the first to call the police.
- The primary aggressor may use cross-complaints as a coercive control strategy.
- Rather than simply taking a single incident approach, focus on the pattern of behaviours and their manifestations.
- The primary aggressor may not be the person who struck the first blow in a specific incident.
- When both parties are perpetrators, the violence committed by the victim will not usually be associated with a history of violence or efforts to terrorize, subdue, dominate or control the other person.
- A victim's injuries may not be immediately visible, for example those due to a sexual assault or strangulation. On the other hand, in defending themselves, some victims may scratch their attacker, leaving visible marks.



⁶ Drawn from *Warning Signs - Abuse and Relationships*, Michael Samsel, USA, 2018
[<https://www.abuseandrelationships.org/Content/Contact/author.html>]



Useful questions for identifying the primary aggressor:⁷

- Who makes the rules? For example, who decides choice of friends, clothing and appearance, type and frequency of sexual expression, food choices, shopping and social activities?
- Who, if anyone, manipulates others (children, relatives, acquaintances and friends) to turn against the other partner?
- Which party seeks to isolate the other socially?
- Which person assumes all rights and expects the other to fulfill them (e.g. having sex or cooking favorite dishes on demand, controlling the family's economic resources)?
- Who was hurt, frightened or intimidated by the violence and abuse?
- Which person fears the other?
- Which person's acts of violence or abuse caused persistent fear or psychological, physical or sexual distress or harm to the other?

⁷ Drawn from "Determining the Predominant Aggressor," *Stop Violence Against Women*, The Advocates for Human Rights, USA, 2018 [https://www.stopvaw.org/determining_the_predominant_aggressor/].

3. Understanding and supporting a victim who wishes to remain in the relationship

Victims often stay or decide to return to their abuser. This can be difficult for outsiders to understand. They may be quick to insist that an abusive relationship end immediately.

Why doesn't she leave him?

For a victim, decision-making is a much more complex process, and can be difficult or impossible, especially when children are involved. Beyond fear of her partner's reaction, many factors can lead a woman to choose not to leave a partner:

- Hope that she can change him, re-discover the love relationship as it was in the beginning
- Doubts about her own responsibility for the violence
- Insufficient financial resources, financial dependency that pre-existed the relationship or resulted from coercive control
- Threats to her physical integrity or that of her children or extended family
- Low self-esteem
- Fear of losing her children or not being able to protect them in case of separation
- Fear of being judged or disowned by family and community
- Physical and financial dependency for a woman with a disability or diminishing autonomy (elderly, ill, etc.)
- Immigration status linked to that of the partner, etc.

Considering the dangers and difficulties that victims of conjugal violence and their children face in the post-separation period, it is understandable that some women make the rational decision to stay with their partners despite the violence.



In this context, you can take the following approach:

- Ask yourself why her partner won't leave her alone, won't let her go, why he won't stop his violent actions.
- Get the victim to verbalize her fears and how she expects the abuser to react to her leaving.
- Ask the victim what can be done to keep her and her children safe.
- Systematically refer her to victim services.
- Tell her you'll be there when she's ready.



C – Focus on the abuser's behaviour

Unlike victims, men who coercively control their partners may appear to be more composed because they do not suffer the consequences of the controlling behaviour. They seem sympathetic, appear calm, have a coherent narrative, and may even be the first to call the police.

1. Tactics to divert the attention of legal professionals⁸

In their interactions with coercive controllers, justice professionals need to be aware that abusers draw on a variety of tactics to distract others from their harmful behaviours or minimize the victim's experience.



Here are some of the tactics abusers employ:

- **Diversion:** attempts to shift your attention to another issue
- **Alliance:** attempts to direct your attention to experiences, behaviours and beliefs that you and he have in common
- **Intrusive, threatening or intimidating behaviours to impose rules:** attempts to take control of the support process by overstepping the limits of the intervention framework
- **Downplaying, denial and distortion:** tries to minimize his actions and the impact on the victim(s); denies his actions or gives a biased interpretation of the facts
- **Depressive attitudes, threats (veiled or not) of suicide, destructive behaviours**

⁸ Excerpt from the tool Vigie-VC - Carrefour sécurité en violence conjugale (CSVC) [<https://csvg.ca/>].

2. Attitudes or beliefs indicating support for or tolerance of violence⁹

It is common for perpetrators of coercive control to exhibit attitudes or beliefs that indicate they support or condone violence:

- Behaviours that indicate patriarchal attitudes or support male domination of women
- Forceful downplaying or denial of the seriousness of the violence
- Normalization of violence
- Blaming the victim or approving the use of violence to control her
- Violence considered a right or privilege

3. Threats and intimidation of the victim and her loved ones during the legal process

- Threatening to inform social services or immigration authorities
- Communicating with the victim through a loved one
- Sending people to the victim's home to scare her
- Blackmail using children
- Coming to court with a large group of people (family, relatives, friends) to intimidate the victim
- Using non-verbal attitudes to intimidate the victim (insistent looks, smirks, etc.)
- Pressuring the victim to withdraw the complaint
- Finding every possible way to circumvent the conditions (peace bond, restraining order, etc.) in order to reach the victim

⁹ *Ibid.*

4. Using legal tactics to maintain control

During the judicial process, many abusers use legal tactics to maintain power and control over their partner or ex-partner.

Here are some examples of behaviours observed in the context of conjugal violence:

- Refusing to file court documents, filing late, or filing incomplete or inaccurate documents
- Filing a complaint against the victim (cross complaint)
- Reporting to youth protection
- Initiating delaying proceedings
- Initiating multiple appeals before various judicial bodies
- Making incessant and abusive demands in family law, small claims, defamation, repeated mailings of formal notices, etc.
- Refusing to comply with court orders
- Seeking a custody arrangement that requires face-to-face or ongoing communication with the other parent



D – Police intervention: collecting testimony and evidence

Police forces can play a central role in improving the justice process for victims, whether it is in recognizing the barriers that prevent them from leaving their abuser and escaping abuse, identifying the primary abuser, documenting coercive control, receiving complaints, or in providing referrals to resources. The know-how and skills presented here are inspired by various tools created in Canada (Quebec,¹⁰ British Columbia¹¹) and England.¹²

1. Interpersonal skills and winning attitudes

- Establish an atmosphere of trust to help the victim make disclosures.
- Adopt a supportive posture towards the victim, condemn the violence without making the victim feel judged, and make it clear that violence is not a loss of control.
- Never meet with the victim and perpetrator together.
- Treat every call as an opportunity to build trust with the victim and document the chronology of events.
- Do not disclose the address, location or telephone numbers of the victim and family if the suspect does not know them.
- Never share your perceptions in front of her partner.
- Be alert to diversionary tactics and possible uses of legal options by the perpetrator to maintain control (see Section C).

¹⁰ Chart produced by the West Island Women's Shelter "Coercive Control Screening Questionnaire and Evaluation Grid" [<https://wiws.ca/wp-content/uploads/2022/09/Outils-Complementaires-English-v4.pdf>]

¹¹ Intimate Partner Violence Risk Factor Summary (IPVRS) developed by the British Columbia police force.

¹² Controlling or Coercive Behaviour in an Intimate or Family Relationship, Crown Prosecution Service, UK (2017) [<https://www.cps.gov.uk/legal-guidance/controlling-or-coercive-behaviour-intimate-or-family-relationship>]

- Always consider the specific vulnerabilities of certain victims (immigrant women, Indigenous women, women with physical or intellectual disabilities, women in precarious financial situations, etc.) and refer them to local organizations that have developed expertise in these areas.
- Do not view the intervention as a failure if there is no complaint, but rather as an opportunity to build the relationship of trust that will encourage the victim to call on you in the future, if needed.
- Remain understanding even if she withdraws her complaint.
- Suggest that the victim be accompanied by a family member if she is not accompanied by a resource when filing a complaint.
- Do not assume a victim's needs. Every journey is different; the victim is in the best position to verbalize her needs.
- Be aware that conjugal violence can involve other family members, including children.¹³
- Discuss different options for the safety plan with the victim and determine how to stay in touch.
- If the victim does not wish to press charges, but criminal elements are involved, it is important to explain to the victim that the case will be referred to the prosecutor, but that his or her wishes and concerns will be taken into account.
- Maintain a relationship with the victim (even when there is no complaint) and keep her informed of the progress of the case.

¹³ Record the existence of all children (under 18 years of age) who may or may not be living in the home or have witnessed the abuse.

2. Investigation and evidence gathering

• Documentation of the event and its context

- ❑ Systematically check for past abuse (conjugal violence, extra-familial violence).
- ❑ Offer the victim the opportunity to give her statement at a time that is convenient for her.
- ❑ Rather than focusing exclusively on the event that prompted the call, ask questions about the surrounding context to deepen understanding of the marital dynamic:
 - Examine the relationship's history and dynamics, including any power imbalances, and consider their impact on the victim in all areas of her life.
 - Record everything associated with non-criminal conjugal violence, coercive control and increased risk of homicide.
 - Be as attentive to controlling or coercive behaviours as you are to incidents of physical abuse: ask questions about rules, decision-making in the relationship, norms, and the victim's fear in the relationship (see next section - Checklist: Documentation of Coercive Control).
 - Coercive control can be documented with impartial evidence such as witness statements, 911 audio, etc.
- ❑ Where appropriate, take action to protect children by referring them to social services if necessary.
- ❑ Be proactive in seeking statements from neighbours, extended family, colleagues, etc. The people around the victim are often a source of information.
- ❑ Review and consider the perpetrator's criminal background; for example, active or past 810s initiated by the police or requested directly by the victim.
- ❑ Consider violations by the abuser of conditions such as civil protection orders, other court orders, bail conditions, access rights, etc.



• **Checklist: Documenting Coercive Control**

The following questions are intended to support the victim interview process. Police officers or investigators may, based on their judgment, focus the interview on questions that seem most appropriate to each situation:

- Does your partner threaten to hurt you or people or things you care about (pets, possessions)?
- Does he insult, humiliate or denigrate you?
- Does he control your daily activities, such as how you dress or how you do household chores?
- Does he deny you access to money or control what you can spend it on?
- Does he make you report on where you've been, or monitor your phone, email and social media to check up on you?
- Does he follow or stalk you, or try to contact you when you don't want him to?
- Do you feel isolated or as if there is no one to turn to for support?
- Is he physically abusive, for instance, pushing, slapping, punching or kicking you?
- Does he try to strangle, choke or drown you?
- Does he use or threaten to use weapons such as household items, knives or guns to harm you?
- Has he threatened or attempted to commit suicide?

- Have you recently separated or are you considering separating?
Has this put you at risk or will it put you at risk?
- Did he ever threaten to kill you and do you believe that he was capable of doing so?
- Has he ever hurt the children?
- Did he harm or threaten to harm pets or farm animals?
- Does he use the child contact provisions to control you or continue to abuse you?
- Do you stop yourself from doing things for fear of retaliation?
Can you give me any examples of this?

- **Gathering evidence**

Types of evidence that can be used to document coercive control:¹⁴

- Victim's statement to police, or elements shared during the intervention
- Medical reports
- Statements from friends, family, colleagues
- Statements from neighbours, delivery people, victim service providers
- Bank statements showing financial control
- Threats to children or extended family
- Notes taken by the victim

¹⁴ Drawn from *Controlling or Coercive Behaviour in an Intimate or Family Relationship*, Crown Prosecution Service, UK (2017) <https://www.cps.gov.uk/legal-guidance/controlling-or-coercive-behaviour-intimate-or-family-relationship>.

- Evidence of victim isolation: decreased contact with family and friends, withdrawal from activities, constant presence of abuser at her appointments
- Geolocation data on the victim's cell phone, tablet, handbag or vehicle
- E-mails, phone records and text messages
- Evidence of violence on the Internet, digital technologies and social media
- 911 call records
- Video recordings
- Home lifestyle elements (e.g. items aligned just so), list of explicit and implicit rules, micro rules
- Documents related to the use of social services or community organizations
- Photos of physical injuries
- Property damage, broken objects, holes in walls, etc.



3. Connecting the victim to support services and referring the abuser to resources for abusive men

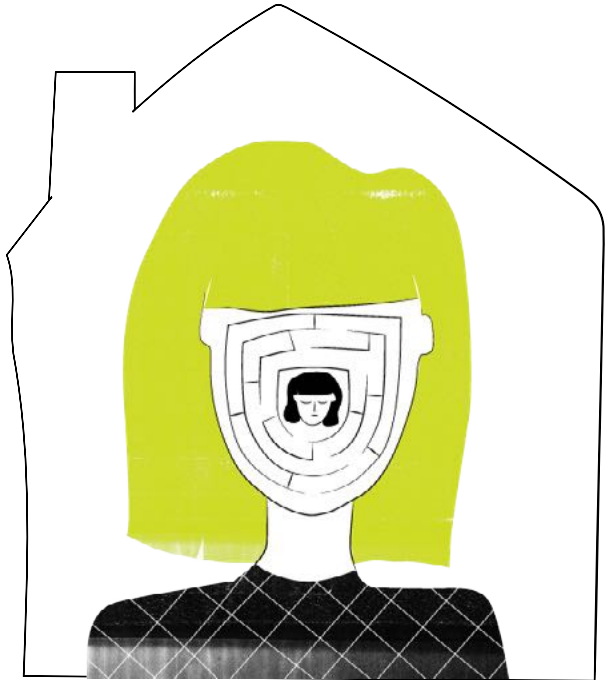
An alliance with resources specialized in conjugal violence can be very useful in supporting the work of police officers and in helping victims regain their power and possibly take legal action.

a | The victim

- Always refer her to victim services.
- Know the support resources available in your area: various specialized conjugal violence services can help the victim engage in the criminal and family justice process. They can help with preparing the court file, for example, evidence gathering.
- Explain that these resources are free and confidential, that her pace will be respected, and that she does not have to leave her partner.
- Explain the role of resources and support workers that are available to her: SOS violence conjugale, CAVAC, shelters, Rebâtir, women's centers, centres for the integration of immigrants and visible minorities, the Maison des femmes sourdes, etc.
- Explain the role of conjugal violence shelters, which are open 24/7
 - Shelter
 - Non-shelter services including counselling, accompaniment and support in the process of regaining control over one's life: finding housing, making safety plans, applying for social assistance, medical and administrative procedures, immigration applications, etc.
 - Mention that children can also receive support to cope with the situation.

b | The abuser

- The abuser may also need support to change his behaviour.
- Consider referring him to the Réseau d'aide aux hommes À cœur d'homme.¹⁵ This network includes organizations throughout Québec that are mandated to intervene with men who are violent in a conjugal context.



¹⁵ À cœur d'homme – Réseau d'aide aux hommes pour une société sans violence [<https://www.acoeurdhomme.com/besoin-daide>].



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