

Racial Minority Women and Criminal Justice Responses to Domestic Violence

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Abstract Racialized minority women's experiences with Canadian specialized criminal justice responses to domestic violence have seldom been documented. Informed by an intersectionality framework, this qualitative study presents the struggles of 14 racial minority women from three Canadian cities and their experiences with the police and criminal court's response to their partner's acts of domestic violence. The results focus on how well specialized criminal justice responses address the needs of these women and protect them from further violence. Factors that facilitate or deter these women from approaching the criminal justice system for help are highlighted. The implications of these women's narratives for criminal justice responses to domestic violence are discussed.

Keywords Racial minority women · Domestic violence · Criminal justice response

Introduction

The criminal justice system intervenes in a substantial proportion of cases of domestic violence across Canada and the

United States (Sinha 2013; Tsai 2000). In reaction to the extent and serious nature of domestic violence against women, specialized criminal justice responses have become relatively common (Crocker 2005; Tutty and Koshan 2013). While some research has documented how women perceive these special domestic violence initiatives, the impact on racial minority women has yet to be fully investigated. Specifically, racial minority women from developing countries were found to have the highest prevalence of violence as compared to Canadian women (Tutty et al. 2008a, 2010); however, racialized minority women were disproportionately fewer in the overall caseload of the specialized domestic violence court than Caucasian women (Tutty et al. 2008c). Informed by an intersectionality framework, this paper aimed to understand the experiences and perspectives of fourteen abused racialized women from three Canadian cities with regard to specialized criminal justice responses such as: 1) under what circumstances did these women consider calling the police; and 2) did the criminal justice responses address their needs. Domestic violence, in this paper, refers to male violence against women in intimate relationships.

Domestic Violence from a Racial Minority Women's Perspective

The primary responsibility of the criminal justice system is to hold offenders accountable for their unlawful behaviors. Yet, in the special case of domestic assaults, the justice process also involves numerous victims as witnesses, the majority of whom are women who are intimately connected to the accused (Johnson and Dawson 2011). To maintain the safety of these victims and their children, and to ensure that they connect with the justice system when necessary, specialized domestic violence processes have recently been developed by the criminal justice system to educate justice personnel, such

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as police officers, prosecutors, and judges, to better understand the unique dynamics of domestic violence (Tam et al. 2013; Tutty and Koshan 2013).

According to the traditional feminist perspective, socially constructed and culturally approved gender inequality is the primary explanatory construct of domestic violence against women (Mooney 2000; Johnson and Dawson 2011). However, scholars addressing domestic violence in racialized groups emphasize an intersectional framework that provides a multi-level analysis of the nature of women's oppression in racial minority communities (Cho et al. 2013; Sokoloff and Dupont 2005). Through an intersectionality framework, traditional factors of oppression and marginalization, such as race, class, gender, and sexuality, are not regarded as independent but are viewed as intersecting with each other to shape the experience of domestic violence. Within this framework, no one factor explains domestic violence and gender inequality is modified by its interaction with other systems of power and oppression (Cho et al. 2013). As Bograd (1999) writes, domestic violence is not a monolithic phenomenon and "intersectionalities color the meaning and nature of domestic violence, how it is experienced by self and responded to by others, how personal and social consequences are represented, and how and whether escape and safety can be obtained" (p. 276).

Consistent with intersectionality, a combination of factors affects the willingness of abused racial minority women to report domestic violence incidents to the police (Ahmad et al. 2009; Gillis et al. 2006; Jordan 2004; Kasturirangan et al. 2004; Wachholz and Miedema 2000). Thus, intersectionality is useful for examining domestic violence in racialized communities as it focuses on the interlocking systems of oppression that further complicate the abuse of women.

Factors Related to Not Involving the Criminal Justice System in Domestic Violence

Cultural Beliefs The views of racialized women about partner abuse may differ because of their experiences of violence and oppression and the high value placed on the family and the community by their culture (Baobaid 2002; Raj and Silverman 2002). Women from many cultures strongly believe in the sanctity of marriage, no matter what occurs behind closed doors (Latta and Goodman 2005; Tam 2004). Racial minority women victims are often pressured by families and communities to keep the violence secret because reporting the assaults to the police would shame them (Lee and Au 2007; Wachholz and Miedema 2000). Moreover, some racial immigrant women do not trust law enforcement officials because of negative experiences in their countries of origin, where the police are repressive and corrupt (Ahmad et al. 2009; Gillis et al. 2006).

Keeping the family together is a cultural value for many racial minority women (Mehrotra 1999; Vidales 2010). While Western society places significant value on the individual (Kasturirangan et al. 2004; Phinney et al. 2000), in other cultures, values are related to what is best for the family and for the community (Bui 2003; Thurston et al. 2014). Many women from non-Western cultures often believe that they should be subservient to the wishes of their husbands (Erez 2000; Menjivar and Salcido 2002). Some fear losing status in their community if they contact outside agencies (Baobaid 2002), which may explain why violence is more likely to be tolerated than it is in Western society.

Women from cultures that strongly believe in the sanctity of marriage are less likely to seek help (Gurge 2010; Haj-Yahia 2000). Many racial minority women rely on traditional methods of solving marital problems, such as turning to their family, community, or church for support, as opposed to contacting the police (Bui 2004; Latta and Goodman 2005). As a consequence for contacting the police, in some cultures women are ostracized by their communities (Ammar et al. 2014; Kanagaratnam et al. 2012).

Fear In many cases, racialized minority women choose not to involve the police for fear of damaging the ethnic community's image and possible reprisal from family and friends (Hyman et al. 2006; Ting and Panchanadeswaran 2009). Most women strongly identify with their ethnic communities and place the best interest of the family and the community before their own (Fong 2010; Phinney et al. 2000). Some immigrant women depend on extended family members in Canada and, as a result, prefer not to jeopardize these family and community connections (Erez 2000; Lee and Au 2007). Others fear that their marriages would end if they reported assaults to the police (Gurge 2010; Kasturirangan et al. 2004).

Women also worry about how their children will be impacted if they were to contact the police due to domestic violence (Baobaid 2002; Wachholz and Miedema 2000). These women are reluctant to deprive their children of a father and believe that a divorce would jeopardize their children's future (Ahmad et al. 2009; Bui 2004).

Immigration status can also be a barrier for racial minority women to report abuse to the authorities. Newly arrived immigrants may fear that their husbands will be deported if they report domestic violence, which could lead to problems with their own immigration status (Alaggia et al. 2009; Hyman et al. 2006). In some cases, sponsorship is used as a weapon, with the abusive partner distorting the truth about the process and threatening the woman with deportation if she reports the abuse (Reina et al. 2014; West Coast LEAF 2012). While deportation does not often occur in such cases, if a woman believes that deportation is possible, she may choose not to report the abuse (Vidales 2010).

Additionally, racial minority women generally prefer that their partners not be charged or prosecuted. Women often only call emergency services when the violence is severe, and even then, they simply want the violence to stop and the abuser to be removed (Ahmad et al. 2009; Tam 2004). With mandatory prosecution policies, women lose control over what happens to their spouses once the criminal justice system response has been initiated. Non-status and sponsored immigrant women also fear that the prosecution of their partners could lead to surveillance by the immigration authorities (Bui 2004; Wachholz and Miedema 2000).

Integration Obstacles Racial immigrant women are often hesitant to contact the police due to their social and economic dependence on their husbands. In general, immigrant women are economically dependent on their husbands and fear losing this financial support if they contact the police (Erez and Belknap 1998; Latta and Goodman 2005). Women who are sponsored by their husbands have even fewer options, as they are not typically eligible for subsidized housing or welfare if their marriage were to end (Justice Institute of British Columbia 2008; West Coast LEAF 2012).

Many immigrant women do not report abuse to police due to language barriers, as a large proportion of racialized women who immigrate to North America do not speak English (Ammar et al. 2014; Wiist and McFarlane 1998). Abusers may inform their wives that they do not need to learn English or prevent them from learning the language (Erez 2000). Thus, language barriers prevent these women from finding employment (Flynn and Crawford 1998; Wolf et al. 2003), adding to the economic dependence that further hinders their ability to access and secure the resources necessary to leave abusive partners (Vidales 2010). Furthermore, language and cultural differences make it difficult for many racial immigrant women to connect with individuals outside of their families and communities. These women may be particularly vulnerable to isolation (Alaggia et al. 2009; Reina et al. 2014), as some have no support except for their husbands (Shirwadkar 2004; Sokoloff and Dupont 2005; Yick 2000).

Social isolation and language barriers prevent racial immigrant women from attaining the information they need about the Canadian criminal justice system. These women are seldom aware of the laws related to domestic violence and rarely know how to access the criminal justice system, even though such information is supposed to be provided to them upon their immigration to Canada (Bui 2004; Tam 2004). Navigating the legal system is confusing enough for people with English as their first language; however, for racial immigrant women this becomes an even greater challenge, as there is seldom information and resources available in their own language

(Baobaid 2002; West Coast LEAF 2012). Furthermore, husbands also often lack an awareness of the laws, or are unaware that Canadian police can intervene in domestic abuse (Fong 2010; Wachholz and Miedema 2000).

Systemic Barriers Many racialized minority women are aware of racial discrimination in Western society, fearing that the police will discriminate against their partners and treat them more harshly than a Caucasian victim of domestic violence (Gillis et al. 2006). Racial minority women who have witnessed racial discrimination in their daily lives, fear that they, too, would be treated unfavourably by the police should they contact them (Ahmad et al. 2009; Sokoloff and Dupont 2005). This may partly explain why some non-immigrant racialized women reluctantly use the justice system.

Without proficiency in English, immigrant women cannot communicate effectively to emergency responders in the event of an assault (Pratt 1995; Tam 2004). Translation services are rarely available when the police attend an incident (Bui 2004). An inability to communicate clearly with police due to language barriers may put immigrant women at a greater risk of physical harm (Justice Institute of British Columbia 2008). Once in court, racial immigrant women often experience language barriers and fear being re-victimized. Authors such as Wachholz and Miedema (2000) suggest that the courts neither support nor protect victims. Interpreters may be known to one of the parties involved, which is not appropriate (Gillis et al. 2006). Immigrant women often rely on interpreters to navigate the criminal justice system; however, Reina and colleagues (2014) have raised concerns over the lack of cultural sensitivity training for interpreters. Lemon (2006) advocates that trained civil law interpreters be placed in courts to ensure that the voices of victims are properly heard.

The literature reviewed has revealed that the factors that hinder the utilization of the criminal justice system and community services among racial minority women involve cultural beliefs, fear, integration obstacles, and systemic barriers. With persistent efforts from women advocates, academics, and researchers a series of criminal justice and community responses have been developed since the 1980s. Among others, Canadian criminal justice systems have made progressive changes, including mandatory charging and prosecution policies, specialized domestic violence courts, legislation to provide civil law remedies to victims of domestic violence, and amendments to the Criminal Code (Brown 2000; Crocker 2005; Sinha 2013; Tutty and Koshan 2013). In addition to specialized courts, various types of domestic violence legislation have been put into place that provide a wider range of options for victims of violence, such as allowing the victims to apply for restraining orders through a simplified legal procedure (Busby et al. 2008; Federal-Provincial-Territorial Ministers Responsible for Justice 2003), improving the process required for imposing a peace bond, or mandating

counseling for first or minor offences (Busby et al. 2008; Ministry of Attorney General of British Columbia 2003). Moreover, specialized police units in which officers are trained to handle domestic violence incidents were also established in various parts of Canada. Police training that emphasizes multidisciplinary teamwork was put into place to understand the dynamics, legislation, and policies that surround domestic violence (Federal-Provincial-Territorial Ministers Responsible for Justice 2003; Ursel and Hagyard 2008) and to enforce restraining orders (Regehr and Kanani 2006).

All these changes were aimed to ensure that women felt safer, received needed information and/or services, were being supported in the prosecution process, and were likely to use the criminal justice system if violence occurred again. Did these changes adequately respond to the needs of racial minority women falling victim to domestic violence? Were racial minority women satisfied with the police intervention? Did racial minority women feel supported in the prosecution process? Were they satisfied with the court's decision? Most importantly, would they call the police again if violence reoccurred? This article discusses a seldom-examined area in the literature; the experiences of racial minority women who have gone through the Canadian criminal systems after the above changes have been enacted, and examines how well the Canadian criminal justice system has responded to domestic violence experienced by racial minority women by conducting in-depth qualitative interviews with women from this population.

Methodology

Interviews with 175 women were conducted as part of a larger study of specialized domestic violence courts. Among these 175 participants, only 14 of them identified themselves as racial minority women (non-Aboriginal). These women were involved in the criminal justice systems in Winnipeg, Calgary, and Regina. Despite the small sample size, the experiences of these racial minority women demonstrate if the Canadian criminal justice system responds adequately to the needs of racial minority women, and it helps understand what factors would encourage or deter racial minority women to use the criminal justice system. A comparison of the findings will be made between this sub-set of women ($n=14$) and the large cohort ($n=161$). Considered that Aboriginal women have unique experiences toward colonialization and historical discrimination, the data from Aboriginal women were not included in the analysis, but findings in other analysis will also be used for comparison.

Winnipeg is home to the first specialized domestic violence court in Canada, which encompasses a specialized team of police, victim services, crown prosecutors, and judges. Established in 2001, Calgary's specialized domestic violence

court began as a first-appearance court. Both specialized court models are designed to assess a victim's safety, present their wishes to the court team, and provide them with information about the process and outcome of the court proceeding. Evaluations of the Calgary and Winnipeg specialized domestic violence courts have been positive (Tutty and Koshan 2013; Ursel and Hagyard 2008); however, there is limited information on how well these justice responses address the needs of racialized minority women and protect them from further violence. At the time, Regina had no specialized domestic violence court; however, Family Service Regina, a community counselling agency, provided support to victims after police involvement and offered mandated treatment programs for abusive partners.

Ethical clearance was provided by university review boards in the cities involved. The interviewees were contacted through a variety of specialized community services and justice initiatives, such as Calgary's domestic court caseworkers, violence against women shelters, the Elizabeth Fry Society, and the Regina Family Services Domestic Violence program. The women were interviewed at a place of convenience and were conducted either in English or their mother language. The interviews lasted from 1 to 2 h; all were audio-recorded and transcribed.

The qualitative research process employed thematic data analysis, searching for themes that emerged as important to the description of the phenomenon (Gibbs 2007). Some basic questions that reflected the intensive reading and coding included: What is occurring when the women are considering approaching or not approaching outside help? How do structure and context support, maintain, impede, or change these help-seeking actions and their impressions of the criminal justice system? The primary objective for the data collection was to represent the experiences and viewpoints of the abused women with respect to criminal justice responses and to understand if the women's needs were better served with the provision of specialized domestic violence criminal justice responses in three Canadian cities.

Results

Demographics

As can be seen in Table 1, of the fourteen racialized women, seven were Asian, three identified as mixed racial backgrounds, two were of African or Caribbean descent, and two were Hispanic. Ten women were from Calgary, two from Winnipeg, and two from Regina (as Regina had no specialized domestic violence justice response, their comments were limited to other issues). The women ranged in age from 27 to 50 years. Except for one, all of the women had children. Eight women spoke fluent English, five were somewhat fluent, and

Table 1 Demographic characteristics of the women

Pseudonym	City of residence	Age	Racial background	Years in Canada	Education	Language proficiency	No. of children
Melissa	Calgary	46	Asian	2	Univ. degree	Somewhat fluent	1
Sarah	Calgary	45	Asian	12	Univ. degree	Fluent	2
Betty	Calgary	41	Asian	3	Gr. 9 or less	Somewhat fluent	2
Kathy	Calgary	40	Asian	12	Some high school	Somewhat fluent	3
Julie	Calgary	39	Asian	1	Univ. degree	Not Fluent	1
Ella	Calgary	29	Asian	23	Some Post-sec (tech)	Somewhat fluent	2
Martha	Calgary	31	Mixed	Since birth	Post-sec (tech)	Fluent	3
Janet	Calgary	30	Mixed	Since birth	Univ. degree	Fluent	0
Susan	Calgary	43	Hispanic	14	Univ. degree	Somewhat fluent	2
Laura	Calgary	32	Hispanic	24	Comp Post-sec (tech)	Fluent	2
Dawn	Regina	40	Asian	Since birth	Some Post-sec (tech)	Fluent	3
Kayla	Regina	27	African/ Caribbean	Since birth	High school	Somewhat fluent	2
Becky	Winnipeg	31	African/Caribbean	18	High school	Fluent	1
Tina	Winnipeg	50	Mixed	Since birth	Comp Post-sec (tech)	Fluent	4

one was not fluent. When interviewed, eleven were no longer living with the abuser, three women remained with partners, two in common-law relationships and one married. Eight women had completed post-secondary (technical) or university education, four had completed high school or some post-secondary education, and two woman had less than high school education.

Major Qualitative Themes

This study identified a number of factors that the women saw as facilitating or impeding their use of the criminal justice system. When the domestic violence became so severe that the safety or well-being of the women or their children was at risk, these facilitating factors influenced the women's decision to seek external help. On the other hand, the women also identified deterrence factors that prevented or discouraged them from seeking help from the criminal justice system. These deterrence factors were classified into three categories: pre-contact considerations; in-system negative experiences; and ineffective post-conviction criminal justice intervention. Some of these facilitating and deterrence factors are similar to the experiences shared by the large cohort; whereas some are unique to racial minority women. The facilitating and deterrence factors are summarized in Table 2.

Facilitating Factors

Two facilitating factors from the women's narratives were: their own and/or their children's safety and positive experiences with the criminal justice system. Once the women decided to seek external help, they reported the domestic

violence to the police, sought professional intervention, looked for places of refuge, or left the relationship. Their experiences with the formal systems were critical in determining whether they would use the services in the future and if they would encourage other women in similar circumstances to use the services.

Safety Considerations Most of the women had tolerated the domestic violence for the sake of their children or because of emotional attachment to their abusive partners. However, once the violence escalated to the point that the women believed that their own or their children's safety was at risk, they sought help. For these women, the seriousness and continuity of the violence was a facilitating factor. When the women experienced life-threatening violence, such as the use of a weapon or direct threats to their personal safety, they were more likely to seek outside help to protect themselves and their children.

Sometimes when he got really angry he put his hands around my neck and tried to choke me, or threatened he was going to beat me to death. I called the police that time. (Sarah)

I met a guy who was a wicked man. He was just insane and he stabbed me in the thigh, he put a gun to my head. (Laura)

I want to leave him so that I can be in peace where I don't want somebody hitting me. One day, he'll kill me. (Kayla)

Another facilitating factor related to concerns for the well-being of their children. When the women became aware that the violence negatively impacted their children, they sought

Table 2 Summary of themes: experiences with criminal justice responses on domestic violence

Key factors	Core categories	Sub-categories	Shared experiences with the large cohort ($n = 161$)
Facilitating factors	Safety considerations	1) Seriousness of the violence. 2) Well-being of their children.	1) These sub-categories are consistent with the experiences in the large cohort
	Positive experiences with the criminal justice system	1) Informative support. 2) Practical support. 3) Emotional support.	1) These sub-categories are consistent with the experiences in the large cohort
Deterrence factors	Pre-contact considerations	1) Limited knowledge of criminal justice system. 2) Language barriers. 3) Isolation. 4) Economic/social dependence. 5) Fear. 6) Pressure from extended family or ethnic community.	1) These sub-categories are consistent with the literature and more prominent among racial minority women
	In-system negative experiences	1) Apathetic criminal justice personnel. 2) Re-victimization. 3) Discrimination. 4) Lacked cultural sensitivity. 5) Questionable standards of practice.	1) The sub-categories on 1, 2, and 5 are similar with the large cohort; whereas the sub-categories on 3 & 4 are more noticeable for racial minority women and Aboriginal women
	Post-conviction interventions	1) Ineffective criminal justice interventions.	1) This theme is consistent with the experiences in the large cohort

external help or left the relationship so that their children could grow up in a violent-free home.

What my kids saw wasn't good. He was teaching my kids to hate women. I'm like, 'Oh my god, if he abused me only, that's okay, but if he screwed up the kids, no! I'm gonna have to put a stop to it.' (Ella)

As a Chinese woman, I do not want to fight with him, but to tolerate. At the end, I moved out. As I moved out, he could not fight any more and that gives my child more a normal family life. That is the reason I sought external help. (Julie)

Positive Experiences with the Criminal Justice System

Positive experiences included finding the interventions helpful and being treated with understanding, support, and respect. With such experiences, these women would re-consider utilizing the services when necessary, as well as recommending the services to others in similar situations.

She (court domestic violence team worker) called me. She explained everything that is gonna happen, that could happen, she phoned after (the court hearing) to say: 'He said he's 'not guilty.' I said to her, 'I am very nervous.' She said, 'Be calm.' I don't remember what else she said but everything was really comfortable. (Susan)

She (women's advocate) was very supportive. She gave me information on resources. It is the information I need. They (community agency) were very supportive. (Becky)

The women also mentioned the importance of receiving information and practical support.

They (Victim Services) spoke in English but had a translator for me. I would say for 3 to 4 weeks they called me weekly at night. (Sarah)

The judge stayed. I was the last person on Friday night; she stayed, issued the protection order and typed it herself. She said, 'You're at risk; this can't wait till Monday for a clerk to type. You need it right now.' She didn't leave till seven-thirty. (Tina)

Deterrence Factors

The women's narratives identified three categories of deterrence: 1) pre-contact considerations; 2) in-system negative experiences; and 3) ineffectiveness of the post-conviction criminal justice interventions.

Pre-contact Considerations The pre-contact considerations had five sub-categories: 1) limited knowledge of the criminal justice system; 2) language barriers; 3) isolation; 4) economic and social dependence; 5) fear; and 6) pressure from extended family or ethnic community.

Some women had limited knowledge about the criminal justice system due to language barriers, their abusive partners gave them inaccurate information, or they were prevented from making any social contacts at all. These experiences resulted in some women's hesitation to seek help from the criminal justice system.

If I knew I could call the police when I was pregnant and he was hitting me, that time I could call the police. At that time, I don't know anything in Canada. I don't know the rule here. (Kayla)

It was very difficult; I had no idea where I could get help. As immigrants, our knowledge about the legal system and regulations in Canada is very limited. Before I came, I thought Canada allows a man to have more than one wife! (Betty)

Not speaking English resulted in numerous barriers that prevented women from feeling heard by representatives of the criminal justice system.

There were challenges; particularly language barriers. It was not about difficulties in getting service but everything! (Kathy)

Even looking for an apartment is a problem because I cannot speak English. I cried. I cried almost every day. (Julie)

Isolation by their partners also prevented the women from obtaining the necessary support from their families or their communities to get help from the criminal justice system.

I was thinking, 'I gotta get outta here. Where am I gonna go? I don't know anybody.' I was working all the time. I wasn't from this province. The only people I knew was his family and his friends. (Tina)
He wouldn't let me go back to school. He wouldn't let me go to work. He wouldn't let me do anything. Just stay at home being a mom. (Ella)

Some women, especially newcomers without fluent English or limited social support networks, were financially or socially dependent on their abusive partners, increasing their vulnerability to partner violence. These women were hesitant to report the abuse for fear of losing the only financial or emotional support available for themselves or their children.

My child was young and I wanted to keep the family together so that my child could still have a 'normal' family. (Melissa)

Now, I even not report to the police because he raped me and had this baby. If I reported him to the police; he could not go to work and would be unable to pay me

maintenance. Without his monthly payment, what could I do? My English isn't good enough for me to find a decent job. (Betty)

Even though some women contacted the police about the abuse, or considered doing so to prevent it from re-occurring, they were reluctant to stand as witnesses against their partners. This reluctance was a result of their fear that their partners would be prosecuted, and this would impact negatively on their children.

I was scared. Wow, he's really is in trouble now, with this charge. I didn't want him to go to jail. (Martha)
I have a child between us. If I did not have a child, that would only be two persons matter. I was worried about consequence on my child. (Julie)

Social support from one's informal support system (i.e., extended family) is very important for women in confronting domestic violence and overcoming subsequent physical and psychological health problems associated with the abuse. However, some informal support systems failed to provide constructive support and created additional pressure for these women to stay in the abusive relationships.

Because of social pressure, divorce is not easy. Even if the marriage is not good, you have to tolerate. (Julie)
My in-laws said, 'We don't do that (involve police) in our culture... We don't want this out; we don't air our dirty laundry'... Some people thought I was a bad people. I then changed my mind and was thinking to move back with him. (Betty)

In-system Negative Experiences The second deterrent factor from the women's interviews was their negative experiences with the criminal justice process; these experiences can be divided into five sub-categories: 1) apathetic justice personnel; 2) re-victimization; 3) discrimination; 4) lack of cultural sensitivity; and 5) questionable standards of practice.

The women perceived some justice personnel as pre-occupied or apathetic and too focused on the outcome of the case while overlooking the process and ignoring the emotional needs of victims.

He'd (Crown prosecutor) asked me something and then his phone rang and he would talk on the phone. Then he'd ask me a couple of questions, the phone would ring and, 'Excuse me,' or he'd leave the office and come back. It was like a waste of his time. Bigger, better cases that he had to worry about. (Janet)

They never really did their job as far as investigating. It almost seemed that they would come in, do their job,

leave and pass it on to the next stage. The Crown prosecutor, the defence and then the courts. Blow it off to that end. (Dawn)

Some women felt re-victimized, as they had to leave their homes and possessions to seek refuge in emergency shelters, while their abusive partners remained in the home. In court, during cross-examination, the women were sometimes subjected to degrading comments or questions intended to destroy their credibility. Some women were also intimidated by their abusive partners during the court process.

Oh, the justice system really helps abused women doesn't it? They take you out of your house, make you leave, and then tell you (that) you have to get a lawyer to fight for things that are already yours. If you can't afford a lawyer, he (the abuser) has triple the income. Guess who wins? Who is the justice system protecting? (Tina) It was harsh to have his lawyer drill me saying, 'Do you find this appropriate to wear?' Very degrading... I had to wait in the main lobby, and he'd (the abuser) walk through and I'd be sitting there. Finally I refused to sit there. I said (to the Crown prosecutor), 'Either put me in a private room or I'm walking out, you can arrest me. (Janet)

In addition, several women believed that they were being discriminated against because of their ethnicity or personal history.

There are problems with attitudes and cops. One cop was just a nut case. He made a racist comment, 'I've dealt with people like you on a reserve.' (Tina) They'd confuse you. They'd (defence lawyer) ask you a question in a certain way and then rephrase it to see if you'd change your answer. If you asked could you please repeat that, 'What's your problem? Are you on drugs?'" (Janet)

Some criminal justice personnel lacked cultural sensitivity and failed to provide adequate service or support to these women.

The lawyer had an insulting look on me (angry). I was being insulted. This lawyer does not understand my culture. Sometimes, I explained to the lawyer about my views, but he was unable to understand why I have such views or why I made such decision (to give up her child's custody to her husband). I felt I was being insulted. (Julie)

It was very hard because they (welfare officers) were unable to understand me! (Betty)

Several women were of the opinion that the police or Crown prosecutors were not doing their jobs adequately and failed to meet standards of practice for collecting evidence or ensuring that an interpreter was present.

I'd always heard about making deals, but I didn't realise it involved leaving out important information and lying. (Martha)

They told me, 'Everybody fights.' What's the point of calling the police if they come and tell me, 'Everybody fights?' (Ella)

Ineffective Post-Conviction Criminal Justice Interventions

The third factor that discouraged abused women from considering re-contacting the criminal justice system was the system's ineffective post-conviction intervention. Even though some women were granted restraining orders against their partners, or the men were mandated to attend treatment programs, these measures did not keep these women safe from domestic violence. The women perceived enforcing protective orders as limited and subject to police discretion.

With restraining orders, it's just pieces of paper. It means absolutely nothing to my ex-partner and to the police, because if I phone, 'I have a restraining order' and, 'What's he doing now?' 'He's at the door.' 'Well, call us when he's in.'... (Dawn)

The counselling is ineffective. He doesn't beat me anymore, knowing that beating people is against the law in Canada; he does things in other ways. He scolds you, scolds the children; or restricts you from going anywhere; restricts your spending; not allowing the children to play out or visit their classmates. Those are the ways he chooses to make your life miserable. (Sarah)

Discussion

As mentioned previously, and as informed by the intersectionality framework, no one factor can explain domestic violence. The women's narratives above capture the complexity of domestic violence and the myriad factors that facilitate or deter them from getting outside help.

Encouragingly, the women disclosed a number of positive experiences with respect to the assistance they received from members of the criminal justice system, such as receiving informative, practical, and emotional support. A common experience described by the majority of the women in this study was the caring, supportive, and understanding attitudes of some criminal justice personnel. These findings are consistent with other women in the large cohort and other studies; when

women felt supported and heard they were more willing to testify in the prosecution process and call the police when violence reoccurred (Russell 2002; Stephens and Sinden 2000). While promising, attitudes cannot be changed through policy revisions alone. Widespread and long-lasting attitude change requires proper and continuous public education and training.

The women also identified certain facilitating factors that influenced them to seek assistance from the criminal justice system. These factors support the findings in the large cohort and the literature that indicate safety considerations (Fong 2010; Ting and Panchanadeswaran 2009), the severity of the violence, and the well-being of their children prompt many women abused by their partners to get external help (Ahmad et al. 2009; Bui 2003; Gurge 2010). Abused women did eventually seek help; however, their actions were sometimes too late to prevent serious or near-death injuries. Due to this pressing safety concern, information about domestic violence should be made available and accessible to all racialized minority groups.

On the other hand, even though the women interviewed for this study lived in communities with specialized domestic violence justice courts, a number of them experienced difficulties, such as apathetic justice personnel, re-victimization in the court process, discrimination, cultural insensitivity, and a perceived lack of standards of practice by justice personnel. These issues have all been identified in the large cohort and other studies of non-specialized justice responses (Ammar et al. 2014; Gillis et al. 2006). Coupled with these issues, the failure of the police to enforce restraining orders and questions about the effectiveness of court mandated counselling programs for perpetrators further deterred the abused women from seeking help or re-contacting the criminal justice system.

Other factors that acted as deterrents to women seeking external help were identified as being related to individual challenges and ethnic community considerations. Congruent with other research in this area, this study found that women from racialized groups who were newcomers (Latta and Goodman 2005; Reina et al. 2014), who did not speak English (Baobaid 2002; Viales 2010), who were economically dependent (Flynn and Crawford 1998; Tam 2004), and who were isolated from social support systems by their abusive partners faced additional difficulties in accessing the necessary information required to confront the domestic abuse (Fong 2010; Justice Institute of British Columbia 2008). Apart from this, family considerations, the women's need to maintain relationships, and their desire to stay within the boundaries of their cultural norms were important factors that interfered or prevented these women from seeking formal assistance beyond their extended families or ethnic enclaves (Hyman et al. 2006; Kanagaratnam et al. 2012).

A core finding from this study is that, while specialized domestic violence courts had been developed in two of the

cities to provide enhanced and timely protection to victims of domestic violence, the women from racialized groups were generally not satisfied with the criminal justice intervention. However, due to the small sample size it is hard to conclude if the specialized domestic violence courts were able to fulfill their mandates or if there were inconsistencies among criminal justice personnel that resulted in the negative experiences. Readers are cautioned that the findings could not directly address the question of whether specialized domestic violence criminal justice system responses are more effective in addressing women's safety in general, or whether they meet the needs of racialized women in particular.

Nevertheless, the results of this study constitute a critical call to the Canadian criminal justice system for a proactive and enhanced outreach to victims of domestic violence, particularly for those with limited access to regular services. Mainstream community service agencies may need to review their policies and practices to assess whether they are adequately addressing the special needs of racial minority women who typically under-utilize mainstream services. In addition, it is essential for justice personnel to undergo cultural competency and sensitivity training so that they can better understand the complexity of issues experienced by women from racialized groups. Lastly, a long-term intervention to assist women from racialized groups to live free from violence entails assisting them in the development of language and employment skills so that they can live independently.

To conclude, the women respondents identified both facilitating and deterring factors that influenced their help-seeking behaviours with the criminal justice system in the cities of Calgary, Regina, and Winnipeg. While the results of small, in-depth qualitative studies cannot be generalized to larger populations, the women's powerful narratives provide considerable feedback that suggests that even though some improvements have been made, more progress is necessary. The results could serve as a reference point for future research that examines the capacity and development of the criminal justice system's ability to address the needs of women from racialized groups who encounter isolation, language barriers, lack knowledge of available resources, and who are financially dependent on their abusers. Even though the women in this study identified positive experiences with the criminal justice response, women advocates, policy makers, and researchers should continue to advocate for more multilevel changes.

Changes to the Canadian criminal justice system's response to domestic violence that should be enacted to help protect racial minority women include: holding offenders accountable, early intervention for low-risk offenders, a vigorous prosecution for serious or repeat offenders, and a commitment to rehabilitation and treatment (Tutty et al. 2008b). This cross-provincial study provides important, yet seldom explored, stories about women from racialized groups and their experiences with the criminal justice responses to intimate violence.

It is important to share these results with the personnel in the criminal justice system so that they can understand the help and support that women need when they are in the midst of violent relationships, during the prosecution process, and after the process is complete. It is also equally as important to develop a collaborative working relationship between the criminal justice and community service sectors, because only coordinated services could meet these women's legal, physical, psychological, socio-cultural, financial, and practical needs.

Future studies could examine the challenges among the police and crown counsel from legal and implementation perspectives and identify methods to overcome gaps between the law, policies, implementation, and victim needs. Moreover, the findings from this and other studies (Sevcik et al. 2010; Tutty et al. 2008b, 2010) have shown that the pro-charge and no-drop policies have deterred racial minority women from reporting domestic violence to the police because of their cultural considerations, fear, and integration challenges. Allowing the victims' voices to be heard would encourage more women to call the police and testify in the prosecution process. Furthermore, the principles of criminal justice reform are focused on holding offenders accountable, early intervention, and a commitment to rehabilitation and treatment for low risk offenders. Information learned from these women who have experienced specialized domestic violence courts can help to reform these principles of criminal justice reform. The findings of this study are also useful for the future development of criminal justice responses, specifically for responses geared toward abused racial minority women who are still underutilizing the criminal justice system but experiencing the highest prevalence of violence.

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