

Reflections on Working with the Focus Group Participants

One of the overall objectives of the Custody and Access Project is to provide a forum offering woman abuse survivors the opportunity to come together to generate social support and development as a united group rather than acting as isolated individuals.

Many of the women who entered into the family court process had never had prior experience with the system. They fully expected it to be a positive experience. They expected access to fairness and justice. They expected the truth to be told. They expected their lawyers to believe them and to represent them well. They expected to have their day in court, to tell their story in front of a judge who would understand them and believe them. They expected their partners to be held accountable for their abusive behaviours and they expected the courts to create consequences if the abuser would not comply with the judge's instructions. Many hoped that the abuser would be forced to attend counseling in a specialized program for abusers so he could come to a better understanding of how his behaviour was harming his partner and their children, and recognize the benefits of change.

All of the women wanted the abuse to stop. Ultimately, they wanted healing to happen for themselves, for their partners and for their children. While separation was rarely their first choice of intervention, most women felt driven to it as the only way to take a stand against the abuse. They did not want to hurt their partners. In fact, this author is constantly amazed at the compassion, understanding and concern many of the women continue to express towards their former partners long after the separation has occurred. What they really want is to ensure a way for their children to have a safe, caring and authentic relationship with their fathers. They know this cannot happen until healing occurs for all members of the family. Since they were not able to bring the abuser to account, they looked to the courts for understanding and guidance.

What they faced in the family court process was devastating. By the time this author met the focus group participants, they were in shock. They could not believe they had no credibility. They could not believe they were not listened to, nor their experiences understood. Most were completely unprepared for the reality of engagement with the family law system. Most did not know how to choose a lawyer, nor to assess the lawyer's competence to represent them effectively. For those small few who were lucky enough to locate a lawyer experienced in abuse cases, they felt satisfied with their lawyer's efforts to challenge the abuser's denial and distortions presented in his affidavits.

Throughout the course of this project, the focus group participants have gained many insights into the strengths and weaknesses of our family law system as it currently operates. They recognize, with compassion, what judges are up against. They have come to understand that often judges are presented with an incomplete picture of their situation; that judges frequently have not had the time to review materials from previous hearings; that judges, in the women's experience, do not like to overrule previous decisions. Lastly, the focus group participants now have come to realize that many professionals (including judges and lawyers) have not had sufficient training on the dynamics of woman abuse and its impact on children.

The focus group participants have committed themselves to be part of the change process. Their involvement throughout the project took many different forms. Some women came to the focus groups, filled out the questionnaire and made their documents available. All were eager to help in any way they could. They were always interested in providing their experiences as an example to assist us in creating a more responsive system. Part of their healing from the original trauma of the abusive relationship and the revictimization they felt from the system is to try and make things "right". As a result they continue to play an integral role in every aspect of this project. After the focus group research was completed, those women who were able participated in the working groups; some women attended the Conference or special meetings; some women had phone contact with the author; some reviewed minutes; some gave feedback on material drafted by this author or by various members of the working groups. In addition, some women provided testimony at the Conference and/or at committee meetings to help members understand the strengths and limitations of the system.

Emotional abuse has been a large issue in the lives of the focus group participants. All of the focus group participants had a



long history of exposure to emotional abuse and, in most cases, endured the trauma in private, behind closed doors. It is an important part of their healing to have a public forum to discuss their experiences and share with others how it affected them; how they cope with it; what works and what doesn't work, and how to manage the impact. With the exception of a recent position paper on emotional abuse called "Wearing Her Down", there has been very little attention paid to identifying emotional abuse as a significant issue in the lives of women and their children.* That it can be a serious life-threatening experience to a woman and her children is little understood, yet women tell us constantly that the emotional abuse is the most hurtful and harmful form of abuse they suffer. In this project, the emotional abuse most often escalated post-separation and played out through the family court system relating to custody and access issues. A legal forum was used by their partners to continue harming them and their children.

An integral part of this project has been to provide an opportunity for women's voices to be heard and, more importantly, to be listened to. Feedback meetings were facilitated by this writer to gather their opinions on the usefulness of various tools, such as the Initial Screening Tool and the Comprehensive Risk Assessment Tool in Women Abuse Cases. Their suggestions have been incorporated, wherever possible. This "work in progress" reflects their voices and experiences.

For the future, the focus group participants have committed themselves to meet on a regular monthly basis to support one another and to become more informed about each other's experiences. This author has agreed to facilitate these meetings. While it has been said before, important things bear repeating. The energy, enthusiasm, passion, insight and straight forwardness the focus group participants bring to this project is heartwarming. This writer is honoured to be in the company of such incredibly strong women. Their presence offers a continued source of inspiration for all of us.

* Education Wife Assault has just recently produced one of the first and most definitive position papers on emotional abuse along with other key tools to help the reader identify this insidious form of abuse and recognize its destructive impact on women and children. It can be located on their website listed in this report's bibliography.

Note added July 31, 2009: the Education Wife Assault website is now:
<http://www.springtideresources.org/>