

Police cynical when battered wives withdraw charges

By DEBBIE SPROAT

After enduring mental and physical abuse for weeks, months or years, some battered women finally cry for help.

The police, legal advisers and counsellors who answer that call are generally sympathetic but the aid they can provide isn't always satisfactory.

Winnipeg police don't keep statistics to show how much of their time is spent on domestic work but figures from other Canadian cities show it is the most frequent call. In London, Ont., about one in 10 police calls concerns domestic problems. Thirty-five per cent of these are marital assaults.

Domestic calls are also more dangerous and more controversial than any other call police receive. An American study done a few years ago shows that 44 per cent of policemen killed while on duty were dealing with domestic incidents.

"They claim it's the most dangerous call you can go on," Const. John Campbell of the Winnipeg police department, said. "It's easy to see why. The rage, the hate between these two people is reaching a phenomenal peak."

Priorities

"They've lost all objectivity. They have only one desire. That's to hurt the other party in any way. They're oblivious to other interruptions. And they're just as apt to turn this hate and aggression towards the police."

Police act as mediators in a domestic dispute, Const. Campbell said. He said they talk to the couple to try and find out how serious the problem is and if the woman is in danger. If she is, they may help her pack and take her to the safety of a friend's or relative's home.

If there are no serious injuries, police usually tell the complainants they may lay charges of common assault in the county clerk's office. These cases are tried Friday mornings in Courtroom D of the Public Safety Building.

If the injuries are serious, police make a report to the Crown prosecutor's office, which decides whether charges of assault causing bodily harm will be laid. Other possible charges are

wounding, threatening and attempted murder.

The woman may also go to family court to file for a legal separation or to Court of Queen's Bench to apply for a divorce.

Any of these courts may issue an order of prohibition, making it illegal for the husband to visit premises occupied by the wife. Occasionally, this order applies to the family home and the husband must find a new place to live.

The controversy surrounding police handling of domestic disputes concerns the promptness of their reaction and whether the calls are given the same degree of attention other calls receive.

Staff at Osborne House say police have been co-operative both in referring women to Osborne House and in providing protection for women frightened by their husbands.

"If they have time they are quite willing to help," one staff member said. "They're becoming a lot more aware of the necessity of getting involved in domestic problems because of the high murder rate."

Agencies such as Legal Aid, Klinik, and the Health Action Centre, and battered wives themselves, have had very different experiences.

"When you call the police



NORA MILNE
a counsellor at
Winnipeg's family court.

out to our street, first of all it takes an hour for them to get there, if they come at all," a worker at the Health Action Centre said. "If it is some sort of family quarrel they're not going to get involved."

Edith, a middle-aged divorcee with six children, said she called the police several times when she had been abused and needed help. Sometimes they came immediately. Other times they came after a long delay.

"One time he (her husband) even broke into our basement," Edith said. "Four cars of detectives drove up. When they found it was my husband they were angry at me because I'd said someone was breaking into the basement. They asked me why I called."

On another occasion, she said, she was so frightened she ran out of the house.

"I ran in front of cars to force them to stop and give me assistance and none stopped. I ran to the police station. My husband convinced them there was nothing wrong, that I was just mixed up."

"One of the other things I remember — the police actually helped me get out of the house. While one detained him the other helped me pack the children's things into a suitcase. I think they drove me to my sister's place."

Staff Insp. Lawrence Carpick, of the Winnipeg police, said the reason response may be delayed or non-existent is that police have a "stacking of calls."

"You only have so many men and you have certain priorities," Insp. Carpick said. "At certain times of the evening on certain days of the week we are extremely busy."



BILL COBLE
a Children's Aid Society
social worker.

Provincial Judge Graeme Garson said part of the problem is that women and the police officers, lawyers and social workers they contact don't really know what a woman's rights in a domestic dispute are.

"Police and social workers say there's nothing we can do about this until you have been beaten up," Judge Garson said. "And I've heard lawyers say that until you are assaulted, Mrs. So-and-so, until you are beaten up,

we can't do anything."

"But there is a section in the code that if someone has a serious belief someone is going to do them serious harm or damage they can call them to court. Women don't have to wait until they are beaten up to get relief."

One reason both the police and the courts may hesitate to proceed in domestic disputes is that few cases ever make it to trial. In the three or four months between the hearing incident and the trial date many women, either withdraw the charges they've laid or beg the Crown to withdraw charges.

Family therapy

"It makes the police kind of cynical," provincial Judge R. L. Kopstein said. "If it happens once or twice they just don't come. It makes them cynical about marital violence in general."

Battered wives say they withdraw charges because their husbands are able to convince them they've reformed and the beatings won't happen again. One woman said that just before the trial her husband took her shopping for the first time since their marriage, and made love to her.

"In the 20 years I knew my husband I never had a more devoted or considerate

man," she said. "I actually believed that he had changed."

Crown prosecutor John Guy said most women are seeking only a short-term solution to their problem. "In most cases she just wants to drop him out of there," he said. "Ninety per cent of the time what they would look to us to do is to take him away and bring him back when he's sober."

When a Crown prosecutor is confronted with a letter, a phone call or a visit from a weeping wife who wants to drop charges against her husband, he's in a difficult position. Mr. Guy said that if the injury is a serious one, such as a fractured skull, broken jaw or tendons cut with a knife, the Crown must proceed.

"Sometimes we sit down with a woman and say this is going to happen again and you'll call the police again," Mr. Guy said. "You tell her we're just not going to have a permanent constable standing outside her door."

"But we really start getting involved in decisions we don't have any right to make... We don't want to get involved in the type of thing where we are splitting up the relationship simply by forcing the person to testify."

"The courts are an adversary system," Mr. Guy said. "Quite often what you need is a mediation system. Sometimes you get them both walking to the court door together, holding hands. One goes to the defence counsel, one goes to the Crown attorney. After the case is disposed of they walk out again, holding hands."

"If you want to prosecute and your chief witness doesn't want to testify, you're walking with one hand behind your back," Mr. Guy said. "If you drop the charges two days later, the woman might be found dead, beaten up by her husband. That's the type of thing that can happen."

Whether proceeding in court is an effective means of curbing marital violence is also a matter of debate.

Some counsellors urge their clients to go to court because they believe many men just aren't aware that wife-beating is socially and legally unacceptable. Experience tells them a man is often so impressed by court action that the beating stops.

Others feel legal action, at best, provides short-term relief rather than a long-term solution. At worst, it may enrage the husband to further beatings or burden the family with paying a fine. In between lie doubts about whether a fine, a jail sentence or a warning issued by the courts can help solve problems within the home.

"The criminal courts are really not the place for domestic problems," said George Parkin, clerk of the provincial judges court in the Public Safety Building. "You're dealing with people. You can't stay with them seven days a week. It's difficult for the criminal court to apply a penalty when you have two people side by side, living together."

Ron Meyers, executive director of legal aid, adds that "once the order has been made someone has to enforce it. Handing a piece of paper to a guy, that's irrational — if the guy knows nobody is going to come and stop him from beating his wife he's going to do it again."

Osborne House hopes to get out of \$\$ bind

The financial problems of Winnipeg's only retreat for battered women may soon end if the city accepts a new financing scheme proposed by the Manitoba government.

R. D. Johnstone, associate deputy minister of health and social development, said the province has offered to increase substantially the daily rate it pays for welfare clients who stay at Osborne House and hopes the city will do the same.

"I think there's every hope we will resolve some form of support," Mr. Johnstone said.

Osborne House has been on shaky financial ground since it was set up in 1974 as a place where battered women with children could get temporary shelter.

Under the plan, the province would pay \$15 a day for any adult or child who stays

at Osborne House and is a client of the provincial welfare department. The province now pays \$5.70 for adults and \$3.50 for children.

The new rate would drop, to \$3.50 a day after the fourth day because "it's not intended to be permanent accommodation for anybody," Mr. Johnstone said. He said the daily rate covers fairly heavy counselling services and the house couldn't be funded as a social service.

"I have some concern about whether they can solve a crisis that weighs within four days," Maureen Crane, executive director of the YWCA, which manages the project, said. She said, however, the directors are happy with the government's proposal and hope Osborne House will become "a financially stable operation" in 1977.

Mrs. Crane said the directors had originally asked the province for a grant to match the \$15,950 received from the city. She said the province had suggested another funding body might cover the \$10,000 deficit they had hoped to pay with a provincial grant.

Women's groups

In addition to its grant, the city pays a daily rate for city welfare clients who stay at Osborne House and provides the house rent-free. Mr. Johnstone said he thought the new plan would cost the city less than the total of these three items.

Mr. Johnstone also suggested that if Osborne House were funded in the manner suggested by the province, part of the cost would be borne by the federal government through cost-sharing arrangements.

The project also receives \$9,000 from the United Way through the YWCA and donations from several women's groups. Because of its affiliation with the United Way, it can't appeal directly to the

public or service organizations for funds.

To make the proposed funding completely viable, Mrs. Crane said the directors are looking for a new house.

She said a house that would support 18 or 20 people would be ideal. The present house, on Osborne just south of Pembina Highway, has room for only 10 people.

The ideal house would be an older one in a central location with at least two bathrooms, four or five bedrooms, a good-sized kitchen, a fenced-in area where the children could play in summer and a basement where they could play in winter.

Women who go to Osborne House are expected to prepare their own meals, make their beds and keep the house tidy. If they have children, they must care for them themselves or find someone who is willing to help.

Staff members are available on a 24-hour basis to admit women, discuss their problems and provide infor-

mation on the agencies they can contact and the help available to them.

Battered women who have been to Osborne House speak favorably of the project.

Janet, a young mother of three who stayed there for several days a few months ago, says it was "like the step between getting out and being gone."

"That first night in the hotel room by myself I was desperate for somebody to talk to, to assure me I was going the right way. When I went to Osborne House I found all the comfort and kindness there was in the world."

Older homes

"Some of the women had had similar experiences. Suddenly you realize there are women in the same situation you are. I think it's very comforting. I wouldn't have wanted to be separated from my children."

Police and some of the counselling agencies that deal with battered women

have come to rely on Osborne House as a place to which they can refer women who need food, shelter and a chance to assess their home situation and plan for the future.

"The big problem with women is that they don't know where the hell to go in the middle of the night," family court Judge Ray Craner said. "A genuinely battered woman has nowhere to go with four kids. She has to wait until he goes to work, then sneak off."

"That YWCA retreat is a tremendous place... Two women who came in front of me had been there. It gave them that little bit of help they needed."

Const. John Campbell, of the Winnipeg police department, adds that "Osborne House offers services that aren't duplicated."

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AIB rejects northern cost bonus for employees of Thompson hospital

THOMPSON, Man. (Staff) — Thompson General Hospital officials and the Retail Store Employees Union, Local 832, representing 130 support staff, were officially informed Monday that the anti-inflation board has turned down the northern cost-of-living bonus in their collective agreement.

They had heard unofficially of the AIB rollback late last week.

In a telegram from Ottawa Brian Foley, the AIB's public administration director, said the wage and benefit increases in the agreement were approved by the board.

However, the northern remote allowance would be subject to Section 61 of the anti-inflation legislation.

Earlier the 95 nurses at Thompson's hospital received similar information.

Both hospital and employee representatives question the inclusion of the northern allowance under Section 61 which deals with reimbursements to employees for transportation, clothing, living and other expenses they incur in performance of their duties.

A hospital spokesman said

the northern allowance is paid to offset the high cost of living in northern Manitoba and has nothing to do "with performance of duty."

The hospital has paid the northern allowances since the collective agreements were approved by the Manitoba health services commission. If the rollback isn't appealed it will mean employees with dependants will have to pay back \$1,500 and single people \$750 up to this date.

Hospital authorities are concerned there could be a large turnover in staff as a result of the AIB ruling.

Report prepared for Reed Paper cites advantages

TORONTO (CP)—An environmental assessment report, prepared for Reed Paper Ltd. on its proposed forest products development in northwestern Ontario, says the project would have substantial economic benefits for the people of the area with relatively minor impact on the environment.

The \$400,000 report, prepared by Acres Consulting Service Ltd., Toronto, was released to the government Monday and discussed at a company press conference at Toronto and Red Lake, Ont.

The report recommends that the pulp mill and sawmill development costing \$400 million be situated on the Wenasaga River about four miles northeast of the community of Ear Falls, 75 miles northeast of Kenora and 40 miles southeast of Red Lake. The report fulfills a commitment made by Reed in a memorandum of understanding signed with the government in October.

Premier William Davis announced Friday that Mr. Justice Patrick Hartt will serve as chairman of the environmental assessment hearing into the proposed development of the almost 19,000 square miles of land.

R. W. Billingsley, president and chief executive officer of Reed, said at the Toronto conference he is enthusiastic about the report which he called "a major step, but only the first," in the development.

'Major step'

He praised the appointment of Mr. Justice Hartt, saying it would assure a thorough public hearing under an impartial chairman. The hearing is scheduled to begin in the latter half of next year.

C. H. Atkinson, manager of the engineering and environmental division of Acres, said the study proved the project would be "environmentally feasible."

He said effluence discharged into the river would make the water "somewhat more brown than it is now"

but added he would "make tea from the water and eat the fish from the river" after the mill is built.

Mr. Billingsley said his company would make every effort to hire native people in any new project. There are three Indian reserves in the area—Pikangikum, Cat Lake and Osnaburgh—with a total population of 1,900. He said contracts for cutting would be given to native people.

He said Reed would have training programs for native people, and said he would be willing to meet with native groups to discuss help in other areas such as training for the management of stores in the area.

Native people

The report said the total population of Red Lake and Ear Falls, now about 6,000, would increase by 5,000 with the development. A new high school would have to be built in Ear Falls.

Mr. Atkinson said Indian groups were not consulted in preparing the report but said his firm had gathered information from the federal department of Indian affairs and from officials of the Ontario government involved in Indian affairs.

The report indicated the development would increase the tourist industry through the building of logging roads into now inaccessible areas.

Mr. Billingsley said the project is by no means a fait accompli and that Reed is not committed to proceeding with it.

Although the report pointed out that the proposed project is not only in the conceptual design and feasibility stages, preliminary plans call for preparation of the site in 1981-82 with operations ready to start in 1985.