



# THE VIOLENCE LINK IN PRACTICE

An empirical examination of the implications of the Violence Link for family justice professionals

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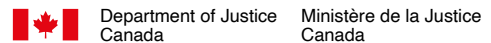
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Canada

As a remote organization, Humane Canada acknowledges the many Indigenous Nations and communities that have relationships with these lands since time immemorial where our work takes place. We express our gratitude to all Indigenous communities – First Nations, Metis and Inuit, for their past, present and future leadership and stewardship. We are inspired by and grateful for Indigenous ways of knowing that teach us the interdependency and interconnectedness of all life forms, and our relationship of mutual reliance and shared destiny with other people, animals and the earth. We encourage everyone to learn more about the Indigenous Peoples who are the original stewards of the lands you reside on. To learn more please visit <https://native-land.ca/>.

***This affirmation was in part inspired by the words of the Honourable Murray Sinclair in his speeches to the Senate of Canada regarding Indigenous ways of knowing and animal welfare.***

# Executive summary

According to recent estimates, 60% of Canadian homes have at least one cat or dog, and the number continues to increase (Canadian Animal Health Institute 2022). The vast majority of those who report having companion animals also report considering them part of their family (Ingraham 2019; HABRI & PetCo Love, 2022). As members of the family, these animals are vulnerable to violence therein. Recent empirical research indicates that not only are animals at a greater risk of abuse in homes where there is family violence, but the presence of companion animals can render the human victims of violence more vulnerable because many victims delay leaving their abuser out of concern for their animals or consider returning to the abusive relationship because their abuser has the animal companions (Fitzgerald et al. 2022). These connections are one instantiation of what has come to be referred to as the Violence Link.<sup>1</sup>

Despite a substantial body of research documenting the link between intimate partner violence and animal abuse, research attention has not been paid to how family law professionals, specifically family lawyers and mediators, encounter and deal with the Violence Link in their practices. Given that family law professionals are often among the first to encounter those aiming to dissolve an abusive relationship, their perspectives are key to understanding how to better serve the victims/survivors impacted by the Violence Link. This study therefore solicited the perspectives of family law professionals in Canada via a self-administered online survey (n=348) and follow-up, in-depth qualitative interviews (n=12).

This report details the most salient findings from the data and provides recommendations for improving the family justice system's attentiveness and responses to the Violence Link. The majority of the participants reported confronting the Violence Link in their practice but were uncertain how to best address it, and the needs of their clients by extension. Although a number of recommendations are discerned, we emphasize six that the data indicate should be prioritized. These include:

- Providing family law practitioners with training and resources regarding the Violence Link;
- Educating the judiciary on the Violence Link;
- Establishing guidelines for when to report animal abuse and how;
- Adding screening questions for the presence of companion animals to client intake forms and other family law forms that screen for intimate partner violence;
- Clarifying how ownership or guardianship of companion animals should be determined in cases where the Violence Link is present; and
- Amending protection order legislation to enable the explicit inclusion of companion animals.

<sup>1</sup> The term Violence Link has also been used to refer to connections between animal abuse and forms of interpersonal violence more generally, such as between animal abuse and generalized aggression. The focus of this report is specifically on the link between animal abuse and intimate partner violence.



## Background

A sizable and evolving body of empirical research has documented a connection between animal maltreatment and intimate partner violence (IPV). The earliest studies utilized samples of women-identified clients (hereafter referred to as women) in domestic violence shelters in a few communities in the United States. The proportion of women in these studies who reported that their partner also mistreated their companion animals documented in these studies ranged from 25% to 86% (Ascione, 1998; Carlisle-Frank, Frank, & Nielsen, 2004; Collins et al., 2018; Faver & Cavazos Jr, 2007; Faver & Strand, 2003; Flynn, 2000a, 2000b; Simmons & Lehmann, 2007; Strand & Faver, 2005). Recent research in **16 domestic violence shelters in Canada** documented a slightly higher proportion, with **89% of women sampled reporting that their abuser also mistreated their companion animal** (Barrett, Fitzgerald, Stevenson, & Cheung, 2017; Fitzgerald, Barrett, Stevenson, & Cheung, 2019).

Collectively, these studies provided evidence that reports of partner-perpetrated animal abuse are common among domestic violence shelter samples. However, it was unclear if the relationship between animal abuse and IPV could be generalized from women in shelters to abuse victims/survivors in the community not accessing shelter services. This is important because only a small fraction of those in abusive relationships access shelter services (Barrett & St. Pierre, 2011). To assess the degree of generalizability from domestic violence shelter samples to victims/survivors in the community, Fitzgerald, Barrett, Gray, and Cheung (2020) analyzed the 2014 Canadian General Social

Survey (GSS), which included a question about animal maltreatment for the first time. The researchers found that threatening and abusive behaviour towards companion animals was significantly more common among those who reported that their partner had perpetrated IPV (13%) than among respondents who did not report abuse (0.84%). After statistically controlling for socio-demographic correlates of IPV, the researchers found that those who report animal maltreatment by their partner have an 11% increased probability of also experiencing physical and/or sexual IPV and a 39% increased probability of experiencing emotional abuse. It is noteworthy that in their statistical models, **animal maltreatment was a much stronger predictor of IPV than the socio-demographic variables.**

These findings indicate that the co-occurrence between animal abuse and IPV is not only a phenomenon observable in domestic violence shelters—it extends into the community. Moreover, both research with shelter samples and a representative sample of the Canadian population via the GSS have documented that the maltreatment of companion animals is associated with more frequent and severe perpetration of IPV.

IPV victims'/survivors' bonds with companion animals often impact whether and when they choose to leave an abusive relationship, especially in instances where the IPV perpetrator has also been abusive toward the companion animals in the home. In their Canadian shelter sample, Barrett and colleagues (2017) found that **women whose companion animals had been severely physically abused by their abuser/partner had a significantly higher number of previous unsuccessful attempts at leaving the relationship** compared to women whose animal companions had not been severely harmed. This was the case even when statistically controlling for socio-demographic factors, relationship length, and the woman's own physical abuse victimization. Further, **56% of the sample indicated that they delayed leaving their abusive partner specifically out of concern for what would happen to their companion animals.**

These findings are consistent with studies in other countries. For instance, a shelter-based survey in New Zealand found that 33% of participants stayed with their abuser because they were afraid their companion animals would be harmed in their absence. At the core of these reported delays is the reality that many domestic violence shelters do not have programs to accommodate companion animals, and many victims/survivors — particularly given that many become isolated from others by their perpetrator — must decide between leaving their abuser and their animal companions behind or staying to protect their companion animals. Forty percent of their sample reported they remained with their abuser specifically due to challenges accessing domestic violence shelters that could accommodate companion animals. Importantly, the researchers found those who reported delaying leaving their abuser due to concerns for their companion animals remained in the abusive relationship a median of two years longer than they otherwise would have (Roguski, 2012).

It is not only domestic violence shelter clients who report their help-seeking is impacted by concern for companion animals. In a study of Canadian domestic violence shelter staff, approximately 75% of the sample reported that they were aware of women in the community who had refused residential domestic violence services specifically because they could not bring their companion animals with them (Stevenson, Fitzgerald, & Barrett, 2018). Currently, research by Dr. Amy Fitzgerald and colleagues at the Animal and Interpersonal Abuse Research Group is seeking to determine how prevalent this concern is in the general Canadian population.

Maltreatment of companion animals in homes where there is IPV not only impacts the IPV victims and animals involved but can also have a detrimental impact on children in the home. In one study, **IPV victims/survivors**

Many domestic violence shelters do not have programs to accommodate companion animals

**reported that approximately three-quarters of the incidents of animal maltreatment in their home took place in front of a child.** Approximately one-quarter of children sampled who had been in homes where there was IPV reported that they had observed someone threaten or harm a companion animal (Faver and Strand, 2003). McDonald and colleagues (2015) also found that over three-quarters of children who observed threatening behaviour towards or perpetration of harm against their companion animals intervened to protect their animal companions. Threatening and harmful behaviour against companion animals can negatively impact the emotional, and even physical, well-being of children.

Just as the approaches to IPV and child abuse used to be (and, some might argue, still are) siloed, Canada's justice system treats IPV and animal abuse separately. This is significant because, as the literature reviewed above indicates, the presence of companion animals in homes where there is violence can have significant impacts that transcend the animals themselves. Failure to address these intersecting forms of abuse can translate into inadequate responses to the needs of IPV victims/survivors. Moreover, a proactive approach would be beneficial because victims/survivors may be unlikely to volunteer information about the treatment of their companion animals, how concern for their companion animals has resulted in them remaining in the abusive relationship, and other considerations due to fear of being stigmatized or even pathologized. Legally, companion animals are considered property, and IPV victims/survivors may be quite reluctant to admit how attached they are to them and how their well-being is intertwined in important ways. This problem has likely been exacerbated by the COVID-19 pandemic, during which time an increasing number of companion animals were adopted, against the backdrop of escalating rates of IPV and social isolation.

Given the mounting evidence demonstrating a high co-occurrence of animal abuse and IPV, and the substantial impact of this co-occurrence, animal maltreatment is increasingly acknowledged as an important aspect of family violence. For instance, The *National Framework for Collaborative Police Action on Intimate Partner Violence* (2016) recognizes threats to and harm of companion animals as a form of IPV. Bill C-3 (*An Act to amend the Judges Act and the Criminal Code*) is accompanied by a Senate Observation to include training on the Violence Link for federally appointed judges. Also, the 2021 amended *Divorce Act* requires judges to take family violence into account in family court cases, and the definition of family violence provided specifically includes threats of harm or actual harm to companion animals.

Despite the importance of animal maltreatment in the context of IPV documented in the empirical literature, as well as growing acknowledgement of its relevance in legislation related to IPV, family justice professionals' knowledge of the relationship between animal abuse and IPV is unclear. Moreover, it is unknown how these professionals can and do assist victims/survivors with companion animals, and how they can be better assisted in this work. This is particularly important because they can be on the front line of response to victims/survivors of IPV.

Humane Canada secured funding through the Department of Justice's Justice Partnership and Innovation Program to study this gap in knowledge and to obtain information on how to assist family justice professionals, and IPV victims/survivors by extension. The next section details how the research was undertaken.



## Research Methods and Sample Characteristics

A sequential multimethod approach was used to conduct the research. The project received ethics clearance from the Research Ethics Board of the University of Windsor. Following ethics clearance, a database of family law practitioners (i.e., lawyers and mediators) across Canada was compiled through a combination of manual data extraction and web scraping using ParseHub. As there was no official national list of family lawyers or mediators, direct email contacts were collected from Fairway Divorce Solutions' Canadian Divorce Lawyer Directory, the Alberta Law Society's Lawyer Directory (specifying "matrimonial/family" and "mediation" as the practice areas) and the Barreau du Québec's directory of lawyers (specifying "famille/jeunesse/aînés" and "modes de résolution des conflits" as the fields of law). A list of family mediators in Ontario was also provided by the Ontario Association for Family Mediation. In total, the survey was sent to 3891 unique emails belonging to family lawyers and mediators across all Canadian provinces and territories.

## Survey questions assessed participants' knowledge of the link between IPV and animal abuse

In addition to the direct email list, the survey was distributed to relevant Canadian Bar Association (CBA) members by CBA representatives in British Columbia, Alberta, Saskatchewan, and Manitoba. The survey was further distributed to relevant family lawyers and mediators by the Law Societies of Newfoundland and Labrador, Saskatchewan and Prince Edward Island; the Provincial Association of Transition Houses and Services of Saskatchewan (PATHS); the Federation of Associations of French Speaking Common Law Jurists (la Fédération des associations de juristes d'expression française de common law; FAJEF); the Law Office of Mara Clarke; the National Association of Women and the Law (NAWL); the Canadian Bar Association's (CBA) national office and the Family Lawyers Association of Ontario.

Survey and interview questions were drafted in consultation with cultural advisors who generously provided feedback and were compensated for their time with an honorarium. These advisors included representatives of the Indigenous Bar Association, The Black Female Lawyers Network, PATHS, NAWL, CBA and FAJEF.

The online, self-administered survey (hosted on the Qualtrics platform and available in both English and French) included questions to assess participants' knowledge of the link between IPV and animal abuse, the degree to which they observe it in their practice, and the resources they have available to address these cases. In addition, the survey solicited participants' perspectives on potential strategies for addressing IPV cases where companion animals are involved and other recommendations for better serving clients they might have.

Individuals in the family law practitioner database were contacted via email and invited to participate in the survey, which was open for 19 days. Two follow-up emails were subsequently sent. There were 455 participants who initiated the survey. Eight of these individuals did not consent to participate and were therefore removed from the survey. Seventy-seven percent of those who consented and began the survey completed it, and therefore the sample size for completion is 348. Most of the participants were practicing lawyers. Of those who provided their job title, approximately 36% were sole practitioners in private practice, 27% were in private practice as a law firm partner, 16% identified as being an associate in a private practice, and 4% indicated they were functioning as a lawyer for the government. Seven percent of the sample identified as an accredited family mediator and two people (<1%) indicated they were family court support workers. Finally, 10% selected the 'other' category, and self-identified with other miscellaneous positions. The average length of time in practice among the respondents was 17 years (the median was 15 years).

Of the 327 participants who responded to the gender identity question, the majority (226 or 69%) identified as women. Of the rest, 25% identified as men. Two people identified as Trans, five as non-binary, one as two-spirit, two as other, and eleven preferred not to say. When asked about racial/ethnic origins, the most commonly selected categories were Canadian (52%) and of European origins (44%). Among the other most common categories were South Asian (7%), First Nations (2%), Métis (2%), and African (2%).

When asked which province or territory they practice in, the majority indicated Ontario (54%). The rest, in descending order, practice in Alberta (12%), Saskatchewan (12%), British Columbia (11%), Manitoba (4%), Quebec (3%), Nova Scotia (3%), Newfoundland and Labrador (3%), Prince Edward Island (2%), New Brunswick (1%), Yukon (<1%), and Nunavut (<1%). There were no participants from the Northwest Territories.



Finally, to get a sense of the clients served by the participants in their practices — particularly clients who may have diverse needs vis-à-vis the link between IPV and animal maltreatment — we provided participants with a list of communities and asked them to indicate all the communities their practice frequently serves. This allowed us to apply a gender-based plus analysis in understanding the needs of their clients. This type of analysis is key to understanding that individuals are not only impacted by violence in relation to their gender, but also other forms of positionality (e.g., socio-economic status, membership in a racialized group) that can impact not only their risk of being subjected to gender-based violence but also the extent to which they can access helpful resources and assistance from the legal system. Two hundred and eighty-seven participants responded to this question; of those, 58% indicated they frequently work with economically disadvantaged communities, 51% indicated immigrants and newcomers, 46% indicated rural communities, 45% LGBTQ+ persons or communities, 41% Black persons or communities, 40% Indigenous persons or communities, 34% disabled persons or communities, 16% official language minority communities, and 14% Northern or remote communities. Overall, the survey sample has fairly extensive experience working with a variety of communities.

At the end of the survey, participants were asked if they would be willing to have their contact information included in a National Violence Link Family Justice System Professionals Database, which will be used to direct family violence survivors with animals to a national spectrum of family law professionals that understand their needs, as well as for further outreach on resources and knowledge sharing. Forty-five percent of the participants responded in the affirmative and provided their contact information, which was retained only for this purpose. The survey participants were also advised that we would be conducting twelve interviews to gather more in-depth information regarding our research questions: how much do family justice professionals know about the relationship between animal abuse and IPV, how do they assist victims/survivors with companion animals, and how can they be better assisted with this work. Participants were asked at the end of the survey if they would be interested in participating in a follow-up interview, which came with an honorarium as an expression of our appreciation for their time. Fifty-six percent indicated that they would be interested.

Upon completion of the surveys, a preliminary analysis was conducted to construct qualitative interview questions to probe the areas for which we required further information. For instance, we asked interview participants if and how they have encountered the Violence Link in their practice, requested detailed feedback on the proposed recommendations we included in the survey (e.g., enhanced training for lawyers, mediators, the judiciary) to better serve the needs of clients who have companion animals impacted by the Violence Link. In the survey, as in the interview, we asked participants to provide additional recommendations that were not on our original list. One recommendation arose several times in the open-ended responses in the survey, so we included a specific question about it in our interview script. The recommendation is to change the property status of animals, or as one survey participant put it, “Animals are seen as chattels/real property. Unless that legal designation changes, there will be very little effect on the ground.”

We engaged in purposive sampling for the interview portion of the study, selecting participants in order to maximize diversity related to socio-demographic characteristics, geographic region of practice, diversity, the occupational roles of participants, coverage of the types of clients they serve, and varying levels of knowledge and experience with the Violence Link. These interviews were conducted online via Microsoft Teams. Participants were given the opportunity to choose to participate with their camera on or off. On average, the interviews took 57 minutes. They were transcribed and analyzed using qualitative thematic analysis (Braun and Clarke 2006; Guest, MacQueen, and Namey, 2012). We conducted three rounds of coding: initial read through and code development, detailed coding, and aggregating/ collapsing the codes into themes. Below we detail the most salient themes, drawing on data from both the survey and interviews.



## Key Findings

### Presence of IPV and animal abuse in family law cases

The survey participants indicated overwhelmingly that family violence is a matter of concern to them in the context of their job. Eighty-seven percent strongly agreed that family violence is of concern to them, and another 12% agreed. Three participants (<1%) were neutral in response (i.e., neither agreed or disagreed with this statement), and only one disagreed. No one strongly disagreed. The widespread exposure of family law professionals to family violence issues in their practices was echoed in the interviews.

We also asked the participants how important animal welfare is in the context of their job; 40% agreed and an additional 20% strongly agreed. Of the rest, 30% indicated that they were neutral in response to the question, 7% disagreed, and 3% strongly disagreed. Thus, the majority of the sample agreed that the well-being of animals is important in the context of their job, which was also reflected in the interviews.

Survey participants were also asked how often they hear of potential or alleged family violence and animal cruelty in their work. The graphs below indicate that both are relatively common, with family violence more frequently observed. Ninety-eight percent of respondents reported being aware of potential or suspected family violence in their cases and 89% reported being aware of potential or suspected animal abuse in their cases.

Figure 1: Frequency of cases of potential or alleged family violence among participants' clients

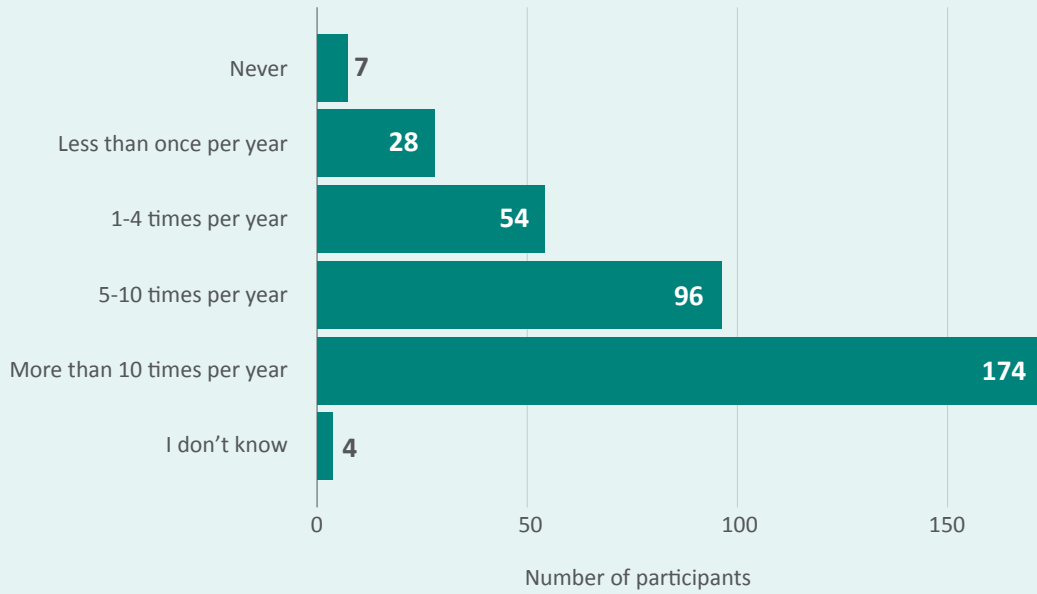
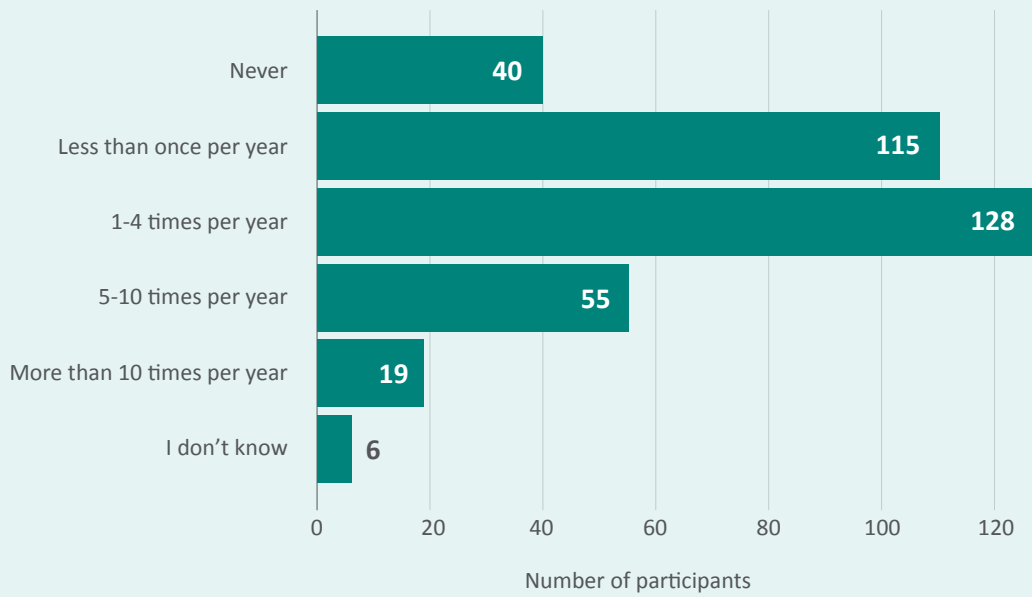


Figure 2: Frequency of cases of potential or alleged animal cruelty among participants' clients





## Knowledge of the Violence Link

In response to survey questions regarding their knowledge of the Violence Link, one-third of the respondents indicated they had never heard about it until our survey. Another 8% indicated that they had heard of it but did not really know what it is. Approximately one-half of the survey participants indicated having a good working knowledge of the Violence Link. On a scale of 0-10, with 0 indicating absolutely no knowledge of the Violence Link and 10 indicating expert level knowledge, self-reported knowledge ranged the across the entire continuum (from 0 to 10), the average self-reported level was 7.7, and the most common response was 5.

Among our interviewees, there was also a range of knowledge. Some had not heard of the link prior to our survey, others had been made aware of it by their clients, and less frequently, had received some training regarding it. One participant who is a family lawyer and mediator and serves mostly middle-class clients, remarked “it was super interesting to do the survey. I wasn’t aware of all of this and I think that it’s great that you’re doing this to inform people and to inform the actors in the system that this is a problem and this should be like a red flag that we think about when we see in our files and stuff like this. So thank you very much.” Some of the interviewees reported that they had been made aware of the Violence Link by their clients who purposefully flagged it for them as an important issue. For instance, one participant who practiced as a lawyer and family mediator recollected the following, informative experience:

I was doing mediation with a couple and at the end of the mediation the wife said to me, ‘you know, did you really talk about animals and everything?’ It was at the beginning of my practice. And she said, ‘you know, my sister, when she finished her divorce and everything – they had the judgment – when her ex-husband received it, he just killed his dog. He just did it like that.’ And when she said that to me, I was like oh yeah, that’s true. It can happen. You have to be aware of that. You have to talk about it. You have to make decisions about it. So, I was aware of that because of that person, but I’m not sure all the professionals are talking about it and I think it’s a really, really important matter for that kind of person.

Because people who live with violence and have animals really [bond] with that animal, they really have a link with them and relationship. It’s more than just furniture (property) for them, and violent people know where to hit. And they can do it. So we have to protect, the animals, but also [their] relationship to that person, to be sure that she will still have something after. It’s important for that person, I think.

One family lawyer who represents children reported that children communicate concerns for animals: “Sometimes the children will bring it up or that sort of thing, but we haven’t been doing that on a regular basis and yeah, I think we should be... I think we would see it if we were screening for it.”

Another practicing lawyer who works with mostly vulnerable clients through legal aid noted they had received limited training regarding the Violence Link: “Well, it’s kind of like a one liner of going through the different [kinds of] family violence that we can see and that’s one of them that-- it’s mentioned. I don’t know. I don’t remember [that] they spent a whole lot of time on that-- on the link, but to me it’s just so common sense. If someone’s gonna be violent with your pet, chances are they’re gonna hurt a human next...” A mediator who described working with mostly vulnerable clients spoke to the importance of receiving information regarding the role of companion animals in the lives of many Canadians as someone who was born outside of Canada. This participant noted,

I like the work that you guys are doing in the background just because for me personally, I feel like animals play a very important role. I’m from [a Caribbean nation] background, I didn’t come to Canada until [a few] years ago. But from my background, animals are not treated the same way as they are here. I remember I worked at the airport back there and people used to come and take animals from there, and I was like why are these people taking these dogs? But then when I come here and I realize the importance of mental health in Canada, with the weather and the seasons and everything, that I get to understand how important [a role] animals play in the lives of many people here.

There was a sense among the interviewees that the importance of companion animals has increased in recent years. One mediator explained, “I think animals are more important for people now. Sometimes I bring my dogs to the office and people like it. Sometimes when people are stressed or it’s difficult for them, they pet the dog and they play with her. So that’s a nice way to diminish the stress. So they understand that for their kids and for them to keep having pets with them, it’s helped them.”

Several interviewees noted that for some, companion animals have assumed the role of children. A lawyer described clients for whom “their children are their animals, even though there’s not any direct laws protecting the animals or giving custody of the animals. So, one party might be just malicious against the other and try to harm the pet just so that they can get back at the other party. We see that with the kids, when they hide the kids. And we also see that with the animal as well. They’ll withdraw pets or service animals from the other parties so that they can’t make an effort to hurt the other party. We see that a lot.”

One mediator, who described working almost exclusively with First Nations communities, made the point that the role of animals can vary in important ways depending upon cultural context. This individual explained that it is common for dogs to live outside in First Nations communities and that it is unfair to judge these communities by another standard of care, stating “I feel that people in our communities are judged adversely for having their animals outside.” This same participant felt that although the Violence Link had not been a problem per se in their community, that it was likely to be in the future: “the more urbanized we get or the more people from here leave their communities and go into the city and then come back, it’s going to change that. I think more animals are going to be brought indoors and make animal activists happy. But also I think they’re also gonna pick up on that further way of tormenting their partner by threatening this pet, right?”

The interviewees described many repercussions they had observed among their clients when their companion animals are threatened or harmed as a way to further abuse them. A lawyer articulated awareness of the link and the scope of the problem based on their professional experience as follows:

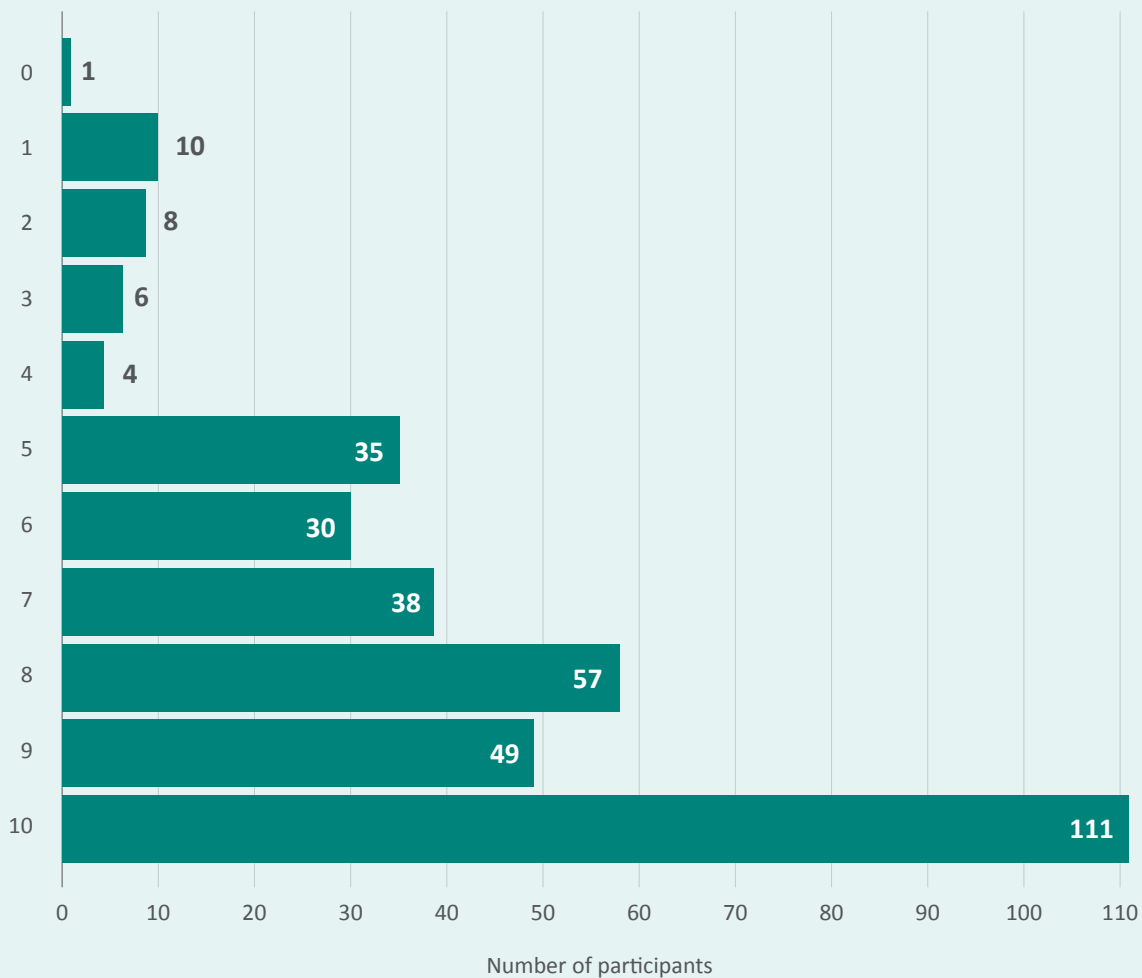
I will just say, from a professional capacity but more the capacity of knowing lots of survivors, I would say the pets are a major barrier [and] reason that people resist leaving or have more

difficulties leaving because they don't want to forfeit their pets. Another example of a family violence sort of link that, I don't know if you would have heard or encountered-- I know a survivor who went to work, and her partner sold her dog on Kijiji while she was at work.

So, I think examples like that can be really devastating because you know, the animal wasn't, per se, being physically harmed or abused in any way, but it was being used as something to control and be monetized and taken from her without consent or choice. And I have to say, for me, in the different encounters I've seen, that was probably one of the most traumatic. It took me several days to recover from that because it is different to a child in the way that they can kind of just go dispose of them or sell them.

In the survey, we provided participants with a definition of the Violence Link in the context of family violence and asked them to indicate how relevant the Violence Link is to family law work on a scale from 0 to 10, where 0 is not important at all and 10 is of the utmost importance. As indicated in Figure 3, the largest number of participants selected 10 and the distribution of the responses is toward the higher end of the response options, indicating that the respondents, on average, see the Violence Link as quite relevant to their work.

Figure 3: Relevance of Violence Link to family law work



Given that the *Divorce Act* now includes animal abuse as part of the definition of family violence, the relevance

of the Violence Link may increase in the future. While the majority of the respondents reported that they had not noticed a change in the number of cases including animal maltreatment, 31 reported they had observed an increase of one to four cases per year, six reported an increase of between five and ten cases per year, and three observed an increase of more than ten per year. Notably, only two respondents indicated that they have observed a decrease in recent years since the amendments to the *Divorce Act*.

## The Violence Link in practice

In addition to respondents' knowledge about the Violence Link, we also asked questions regarding if/how it is addressed in their practice and what resources are available to them. The most common responses when asked about available Violence Link resources in the workplace to address cases were: there are no resources available (48%), their workplace has a list of contacts that they can reach out to (38%; e.g., social service agencies, domestic violence shelters, humane societies), and the respondent has developed their own list of contacts (14%).

We then offered survey participants the opportunity to rank order the resources they thought would be valuable in their workplace to assist with Violence Link cases. The most highly ranked options were E-learning (i.e., technology-based learning available anytime, anywhere), access to consultation and support from Violence Link experts, written materials (e.g., leaflets, posters, manuals, information sheets), and support through collaborating with professionals in other sectors. When asked which specific link crimes the respondent would like to learn more about, the three most common responses were family violence, intimate partner violence, and child abuse.

When asked to select the three most significant barriers impacting their ability to address cases where linked human-animal abuse is present, participants' most common responses were: lack of guidance regarding what policies and procedures should be followed (e.g., from governing bodies or experts), lack of resources to collaborate with other sectors involved in the Violence Link (e.g., animal protection), and lack of understanding and support from colleagues or other justice system professionals.

The majority of the respondents indicated that they had become aware of or suspected animal maltreatment in at least one of their cases. Of these, the most common course of action (56% of cases) was to recommend that the client report the animal maltreatment. Twenty-three percent reported that they assisted a client in reporting the animal maltreatment. Some participants decided against reporting out of concern for their client's safety: 16% did not suggest reporting due to this concern and 7% specifically advised their client not to report for this reason. Interestingly, nearly one-in-five participants indicated that they preferred not to say what they had done in response to being made aware of animal abuse, which is likely indicative of a lack of clarity regarding what is the correct course of action in these types of cases. We followed up with a question asking those who had reported or suggested their client report animal maltreatment if they found information for doing so easy to access; the majority (53%) said no.

Our interviews provided important context for understanding how family law professionals encounter and address the Violence Link in their practice. Few interviewees reported that they proactively asked clients about companion animals and their well-being. One interviewee reported that he used to ask questions about companion animals with clients in order to make small talk in an attempt to calm them before court appearances, but stopped doing so because often their recounting of the current status of their companion animals was a point of stress. Another family lawyer reported having a difficult time getting their clients to open up about abuse perpetrated against them, so they switched to first asking about their pets and how they were treated, which provided a route to discussing family violence.

In many cases, the interviewees indicated that clients sometimes volunteer information concerning how their partner abused or threatened their companion animals as a way to harm or coerce them. According to one mediator, “Oh yeah, it happens often. Usually, it’s the psychological abuse, psychological violence and the economic (financial) violence that is really is more recurrent.” One lawyer who reported working with primarily vulnerable clients, including those using legal aid, noted that he has observed a lot of threatening behaviour against companion animals in his cases:

Oh yeah, well, there’s a lot of threats to the dog or taking the dog to the SPCA without letting the other parent know or the poor kids. I’ve seen a lot of that. Violence towards a dog itself? I think I’ve had like one or two. I don’t remember what I wrote on my survey, but I think I had like a couple where like Dad kicked a dog or like, shoved a dog violently but... No killing a pet, but a lot of threats to do it or just mom comes home from picking up the kids at school and the dog’s gone and Dad’s like, “Yeah, I brought him to the SPCA.” There’s been a few of those. And then Dad was very violent with mom, to the point that he got charged. Found guilty.

Another lawyer who reported serving a wide variety of clients recounted a story that illustrates how companion animals can be used to coerce others and how fear of retaliation can serve as a barrier to reporting:

It’s hard to kind of give a percentage of how many times I see the link, but I would say, for example, last year I saw it twice. First one that jumps out to me is the husband is financially abusive, emotionally abusive, and never physical with the wife, but the name calling, the put downs. Finally got too much for her and she left. Well, she decided to leave. She was at work and she texted him and said I can’t do this anymore. I’m going to come home in the evening, pack up some stuff, take the dog and I’ll be at my mom’s. So he said, “Well, you’re not welcome back and no, you can’t have the dog.” So she literally had just the clothes that she wore to work and she didn’t care about anything else. She’s like, my dog’s going to be really upset if she doesn’t see me. She’s not going to know where I am, she won’t be able to sleep.

He brought the dog to meet her at the Starbucks a week later and wouldn’t let her take the dog. It was, “You know what? You can spend a few minutes... a little time with the dog *if* you’ll do the things that I want.” So, the dog became a source of continual control and abuse. And he told her how he’s-- you know this is an indoor dog—now the dog’s left outside. They lived on a farm. So the dog’s been relegated to the barn and the dog cries all night... And I said to her, “Report his behaviour and his treatment of the dog.” [She said,] “No, no. Because then I don’t want him to hurt the dog, you know, because if he knows and they go and they can’t just remove her then I know he’s going to hurt her.”

And so, even though I was itching to call, I was like she knows him better than me. I don’t know him. And I was like, “What do I do? What do I do? What do I do in this situation?”... And he finally agreed that she could have the dog, but only if she would sign off to say that she was not going to come after him for any of the property or anything else. And I told her to do it. Do it, do it, do it, take the dog. Let me deal with the legal stuff.

In the second link case the interviewee recounted that year, her client’s dog went missing and was never found.

What is clear from the interviews is that there is some confusion regarding whether or not the well-being of companion animals is germane to the case at hand. One lawyer articulated the problem as follows:



The other aspect that I find really frustrating is the law doesn't deal with animal abuse or doesn't deal with a spouse who is abusing animals. It could be evidence of this spouse's behaviour and how that behaviour could translate into behaviour towards your spouse or towards your children, but the connection there is not that easy to make... What I'm struggling to convey – and I hope I'm not going off a tangent here – is that lawyers, we look at the case and look for signs. We'll look for issues that fit into certain pigeonholes. Pigeonholes are saying, "OK, this fact is relevant to this legal issue. Therefore, it goes into this pigeonhole." One fact can go into other pigeonholes as well.

But when it comes to the Violence Link, when it comes to violence towards pets, I'm not sure what pigeonhole it goes into. I can tell you, and I can certainly share with you cases where and how judges treated the ownership of pets, but it doesn't address what if someone's abusing the pet. It doesn't address how someone's abuse of a pet can affect the person's ability to parent. I think this is an area where we have to bring research and we have to bring experts who are criminologists or sociologists who have research in this area.

This is a common theme in the survey and interview data: family law professionals are encountering problems with the Violence Link among their clients but feel ill-equipped to meaningfully address it.

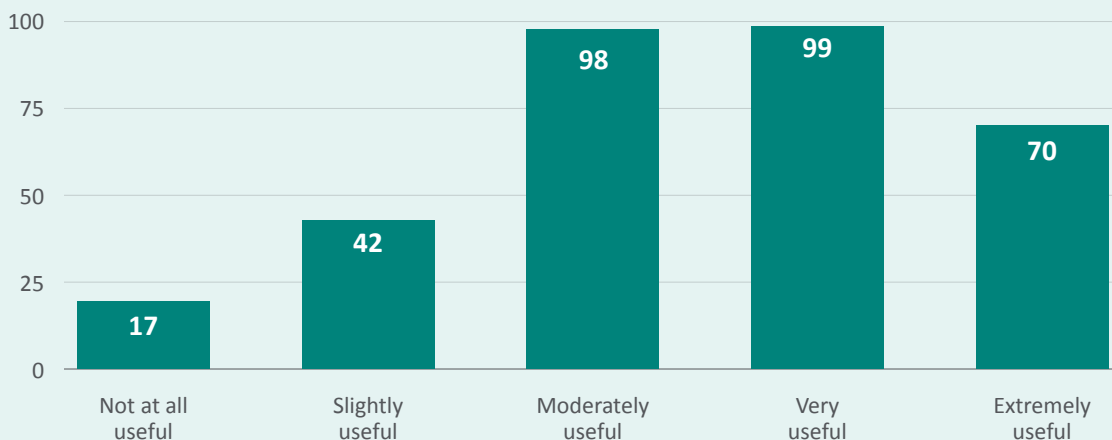
## Potential strategies for addressing linked violence in family law practice

We presented survey participants and interviewees with a number of potential strategies for addressing the Violence Link in family law practice and solicited their feedback. Each of these strategies is discussed in turn below.

### Clarifying how ownership/guardianship of companion animals should be determined upon relationship dissolution

As illustrated in Figure 4, most of the survey respondents indicated clarification regarding how ownership/guardianship of companion animals should be determined upon relationship dissolution would be very or moderately useful.

Figure 4: Perceived usefulness of clarifying how ownership or guardianship of companion animals should be determined when marriages/common-law relationships dissolve



The majority of the interviewees indicated that they think the family justice system should take more into account in determining who is entitled to a companion animal than who legally purchased/owns the animal, and that, increasingly, clients are expecting that their lawyers will fight for their animals. One lawyer noted, “Animals [are] a big part of a lot of people’s lives in Canada. So whenever families are dividing, if there’s an animal involved too, of course we’re going to-- they’re going to expect it and then we’re going to try to figure out how best we can help them to make this divide without causing harm to either party or the children or the animals.” A family lawyer who reported working with mostly affluent clients suggested that the emotional connection with the animal should be taken into account. She recounted the story of a woman whose partner kept the dog upon separation:

It was such a loss and the fact that she also has crippling anxiety. It was extremely hard, so I think the courts need to consider that as well. Like who has the emotional need. Who gets the most support from that animal? Because I know in Saskatchewan the judges have said, you know, a pet is not family. Like, why are we fighting for custody of a dog? Like, it’s a dog.

Other people go, “Yeah, a pet is a part of the family”, so there needs to be more consistency across the board and the courts need to consider what role really that dog plays for – or cat – for each person or rabbit, whatever.

Another lawyer/mediator argued that having guidelines in place would help to alleviate problems and limit the degree to which animals could be used to control their clients:

Which party should have the dog? And often it’s used as a bargaining chip, so there will be one person that loves the dog more, let’s say, but they will still use the dog. [For example,] if you give me something more then I will give you the dog. So I’ve had files where we had to get the parties to testify in court about the dog and I had files where we had to send bailiffs to seize the family dog because the judgment said, OK, let’s say my client got the dog in the divorce and then we had to send in a bailiff to seize the dog and it was a whole commotion. So it’s easier, yes, to have guidelines, but at the same time, I really don’t know how you could have those guidelines.

Something that we try to do is get the animal to follow the kids. So let’s say the kids are in a shared custody agreement, then the dog will just go with the kids to both houses. So when there is a big issue, this is what I try to do and to incorporate the dog — usually it’s the dog. We won’t have a big debate on fish or something... Usually what I will see often is, “Well, I bought the dog. Here is the Interac transfer to prove that I’m the one who paid for the dog, so I should have the dog” and the judge will often settle it like this, but it happened that sometimes they see past just the animal being property and they will check the impact it has on the kids to render their judgment.

As indicated by this interviewee, however, what shape such guidelines should take is not self-evident. Another interviewee echoed not knowing what the best answer is, but that something needs to be done: “I don’t know that I have really one great answer... Because everybody’s case is going to be different. I think that every fact has to be looked at on its own and an arrangement-- I think the courts seem to be open to having an arrangement put in place that works best.”

One interviewee who practices in Quebec questioned whether the province’s recent legislative changes recognizing the sentience of animals may come into play in making decisions regarding who is entitled to the animal: “In Quebec, we recently changed the *Civil Code* and the position of animals is not as poor as [it was]. They were furniture (property) and they are not now. So I think that’s the good thing too, but we don’t really keep that in mind when we work.” Another interviewee suggested that the best interests of the animal should be taken

into consideration: “Just like children. Whatever decisions that are being made should be in the best interest of everyone involved and in some cases I could say people consider their pets to actually be their children even though legally it’s not termed that way.”

A mediator who works almost exclusively with First Nations communities reported that issues related to pet guardianship have not yet been an issue in her practice, but that she anticipates that it will as the younger generation comes up. One of the lawyer participants also noted more generally that this will increasingly become a problem in Canada:

Well, I think we’re increasingly finding out that pets are becoming more and more important. There’s a lot of families that may not have children, but they have cats, right?... And so I think we’re going to have to turn our mind to it more often than we have in the past...

And pets form a big part of people’s lives, right? So it’s something to keep in mind when lawyers are drafting up such agreements. Whether it’s pre-marriage agreements or whatever or pre-cohabitating agreements, that kind of stuff, or in the end, they’re going to have to decide. But I think it’s something we have to turn our minds to.

Two of the lawyers interviewed articulated a different perspective and argued that one of the benefits of the status quo is the certainty regarding ownership/guardianship with animals as property and were concerned that lessening this certainty would give couples one more thing to fight over: “Pets are property in family law and as much as you love that cat as much as you love that dog, we’re not gonna spend too much time on it, and we’re not gonna spend too much of your money on it because this doesn’t really solve your divorce... So it often gets pushed to the side. Other lawyers are just like ‘I don’t wanna hear it. If you wanna talk about this, go find another lawyer.’”

The other lawyer raised the concern that the potential uncertainty of pet ownership/guardianship could be leveraged by abusers, explaining,

I think that clarifying how it works would be helpful and is something that clients do ask me whether or not they have disclosed or encountered family violence. How pets work in Nova Scotia [is that] pets are viewed as property so the ownership would be the same as a couch. I think a challenge or an issue would be the approach [used to give] that information to survivors because the way in which perpetrators work is if they know something is dear or important to you, then that is what they’re gonna seek to control.

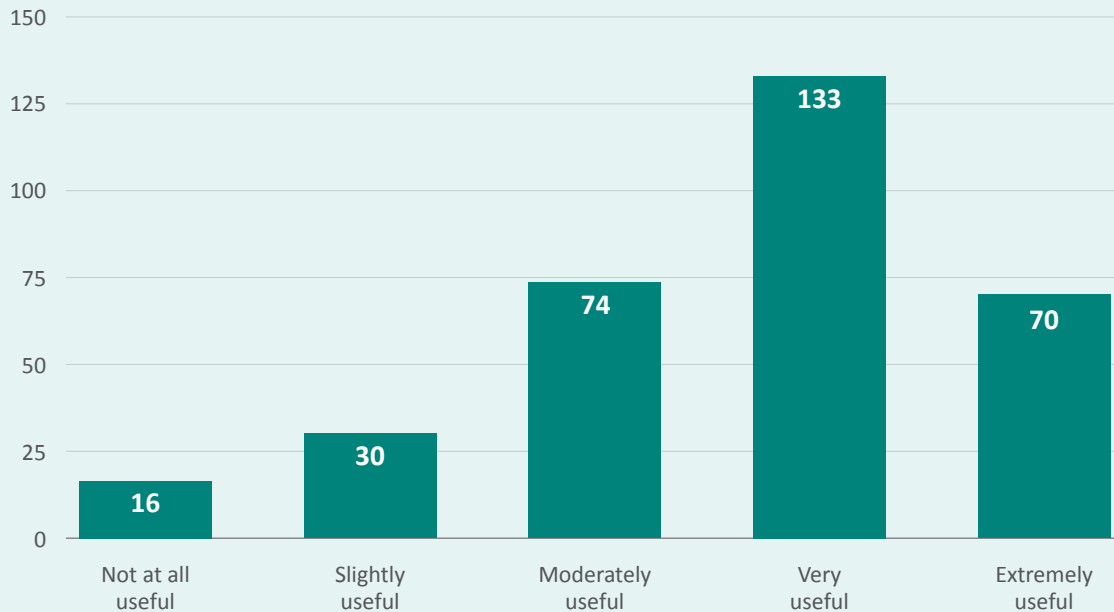
So sometimes, empowering survivors with that information may make them panic or express a desire to keep their pets or things like that, which actually could increase the likelihood that the perpetrator would use the pet as a means of control. So I think some sort of safety planning or how they can offload the pet somewhere safely before making those moves might be important as opposed to them considering that kind of post separation.

As detailed by the interviewees, clarification or expansion of what factors can be taken into account in determining ownership of a companion animal would be helpful. However, it would require significant consideration to put it into practice.

## Cross-reporting of abuse among animal and human service agencies

The largest number of survey respondents indicated that they think having cross-reporting between human and animal service agencies would be very useful (see Figure 5). A relatively small number of participants indicated that they thought cross-reporting would be only slightly or not at all useful.

Figure 5: Perceived usefulness of cross-reporting among animal and human service agencies



The interviewees were mostly positive in their views on cross-reporting, and several suggested that it be mandated instead of voluntary cross-reporting to ensure implementation. A family lawyer who reported serving a variety of clients articulated what they saw as the importance of cross-reporting in this way:

There is a big gap, big gaping gap between agencies because of the lack of collaboration between agencies. There's no automatic common sensical connection between all these different agencies at play that are dealing with the same issue. And so one hand doesn't know what the other hand is doing, and therefore when we talk about things falling through the cracks, well, those cracks are going to remain there unless we consciously plug those holes, as it were... Regular family pet goes to the vet and the vet notices cigarette burn marks on the pet and right now doesn't say anything to anyone. If he reports it, say to the police or to a central agency... let's assume it's a central agency, who then feeds it out from there.

And we have a strategy in place for a child protection worker to go and see the children at school and talk to the children. Not because-- and not raising any alarms yet, just to have a quiet conversation with the child at school, maybe even with the teachers to say keep an eye out. And if the teacher says, "Oh, that's true, yes, I have noticed that little Johnny has been a bit withdrawn and little Johnny has been coming to school with long sleeves even though it's 28 degrees out." You know, there are lots of these things that you wouldn't see as a red flag if you didn't have the other piece. Right? So I think it's really important... that we'll catch a lot of, and be able to target and prevent and curtail sooner rather than later if we had this information sharing.

The interviewees suggested that mandated cross-reporters include humane societies/animal shelters, veterinarians, children's aid/child protection societies, victim services, and police. One interviewee suggested engaging in consultations with stakeholder organizations in order to determine which organizations/agencies should be involved: "I think there is going to be a lot of stakeholders that are going to have to decide and have a conversation as to who should be involved in this, who's the first point of contact — that's it — because you need buy in from all the stakeholders."

A lawyer practicing in Nova Scotia noted that cross-reporting more generally has become a discussion point there, and that engaging with animal services might be the next logical step:

Well, I believe cross-reporting is really important and valuable. So in Nova Scotia, we've only just started even discussing cross-reporting between criminal and family courts. That has been seen as progress, which it feels a little wild that that wasn't already being disclosed, but just making sure that family courts actually know that there are criminal proceedings, I think that's a big step for it.

So I think having cross-reporting with animal agencies and organizations that would be dealing with the animal piece would be important.

Another participant suggested that it would make sense to do so now that animal maltreatment is recognized as a form of family violence in the *Divorce Act* (and in some provinces, such as Nova Scotia).

A mediator who reported working mainly with vulnerable clients noted that cross-reporting might be particularly helpful in cases where someone has a service or emotional support animal because that individual could be made even more vulnerable if something happens with that animal. They explained, "Reporting to the police that the pet is at risk could mean saving the life of this person who would walk out in the street and turn into a car if they don't have the service animals... It's life and death for some people. Especially for their mental health. So I think mandate it. It might not be for every single circumstance of a pet, but I specifically like to refer to the service animals just because I know people depend on them for mental health and just to exist."

In addition to these positive responses, four interviewees articulated important caveats. A family lawyer/mediator voiced concern about the additional resources that would be needed to deal with additional cases that would be unearthed through the method, noting specifically that the youth protection sector is currently underfunded. The other interviewee, who works primarily with First Nations communities, thought that mandated cross-reporting could lead to social control net-widening, and instead suggested enabling and facilitating cross-reporting in some circumstances, but not making it mandatory. The mediator explained,

Again, in theory, all of that would be good. Unless you take into consideration all the possible harms you can... I believe I've seen people use their-- what's the word-- privilege, as a weapon? So those are the dangerous people. But how would you know? How would you know if that's what they were doing? If you don't know the community, you don't know the-- Yeah, that's kind of the risk in everything, I suppose.

This potential issue was raised with another interviewee who also serves Indigenous clients. That interviewee had a different perspective on this potential of bias and overreach:

Yeah, well, it is a concern. But, let me give you some context. There is a higher percentage of Black and Indigenous BIPOC people who are stopped and charged with traffic offences, for example. Do we then do away with the traffic rules, highway traffic rules? We don't. It's still important to have those rules in place because they save lives. And yeah, everything can be abused. Absolutely. Mandating reporting

can be misused and can be yet another tool or opportunity for systemic racism to play out. So what's new? I don't think that the answer is to then stop doing the right thing. The answer is going to be to implement it in a way that allows a broad spectrum of reporting. And there are ways to do that.

There are checks and balances you can put in in place at intake and at review, and... Well, another way to look at it is if there actually is a link to the abuse. Then guess what? Those communities that are being overreported are going to have less abuse, are going to rescue more of the children and the women and the victims. If there's more reporting, there's more safety. And there's also going to be more awareness.

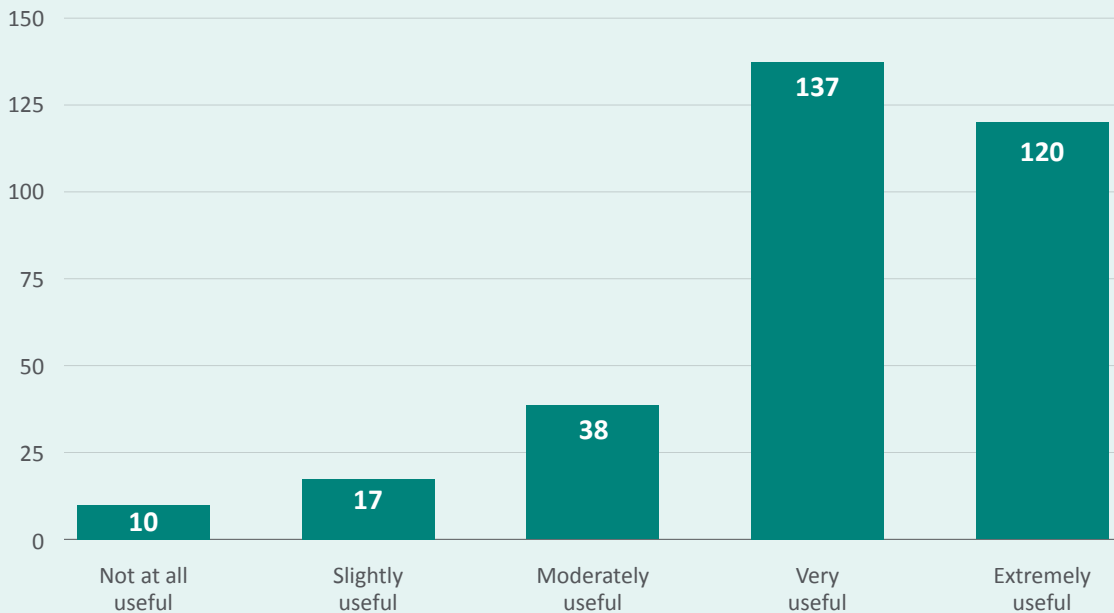
In other words, cross-reporting could be valuable but should be implemented with awareness of racialized inequities. For example, Indigenous leaders could be actively engaged in policy development for cross-reporting involving their communities.

One interviewee raised the importance of clarifying how mandatory reporting would affect lawyer-client confidentiality. This participant pointed out that clients provide their lawyers with information that they do not necessarily provide to others, and therefore even if a lawyer anonymously reports animal abuse, the client may be able to figure out that they are the one that reported it, and as it currently stands, that could be a breach of confidentiality.

### The provision of additional services for clients experiencing linked IPV-animal abuse

The vast majority of survey participants indicated that they think providing additional services for clients who are experiencing the co-occurrence of animal abuse and IPV would be very or extremely useful (see Figure 6). Only 3% (10 participants) considered it to be not useful at all.

Figure 6: Perceived usefulness of providing additional services for clients experiencing linked IPV and animal abuse



The interviewees were forceful in their views that additional services, specifically pet safekeeping programs while IPV victims/survivors are in domestic violence shelters, would be beneficial. (According to a recent estimate, only 25% of domestic violence shelters in Canada and the US have pet safekeeping programs in place; Barrett et al., forthcoming). A family lawyer who serves children succinctly described the benefits of such programs as follows:

“So I think that to allow whatever can be done to accommodate pets at such shelters is definitely needed, because as you know, a lot of people won’t leave a situation if they can’t find a safe place for their animals and that is often used as a threat over people so that they’ll comply.” Another lawyer who reported working mainly with vulnerable populations stated “A lot of people have to say goodbye to their pets just because they can’t take them along with them. I’ve seen a lot of that. A lot of clients heartbroken that they can’t have their dogs with them.”

There was a sense among the interviewees that, for a lot of their clients who experience IPV, their companion animals become very important to them, and severing that bond could have significant consequences: “I do recognize that a lot of people treat pets like their own children, treat pets as like closer than their own siblings and treat pets as almost like a mental-- to put it more bluntly, their pets are what’s preventing them from jumping off a bridge. It gives them meaning in life... if the shelters can accommodate pets as something we also hold dear, I think that will help people’s mental health a lot.” Another participant articulated the potential long-term impact of having to leave a pet behind when fleeing for safety as follows: “There are people who would not leave if they can’t take their pets and will feel completely hopeless and stuck. And it’s a tough, tough situation to be in. If I save myself and leave my pet, then what kind of human being does that make me then? If this environment is not good for me then why would I leave my child or my pet there? So it really would help absolutely.”

In addition to describing why they think additional services would be beneficial, two of the interviewees emphasized that the services need to be distributed geographically because IPV victims/survivors often cannot travel outside of their region to access services. Also, ideally, IPV victims/survivors would be able to still visit with their animal companion because, as one of the family lawyers explained, “If they felt that they might be able to go access and visit their pets and still have a relationship with their pets-- I feel like that might be important to their ability to actually hand the pets over, even if it’s for a period of time because it is really difficult. The attachment level that people have to pets and survivors who are experiencing violence, it’s often the only light in their life. So to ask them to forfeit that I think would be difficult.” A mediator framed it as an issue of inequality for those who reside in regions that do not have such programs available, stating “I think it has to be a global standardization. It’s just an extension and I think that the same strategies should be used across the board so that you ensure transparency and equality across. So just apply [it] everywhere.”

Moreover, a family lawyer suggested that providing these services for the animal companions of victims/survivors with protection orders is particularly important. She explained,

For emergency Protection Orders, they should be able to take their pets with them, and shelters need to consider that as well. Because I don’t think shelters take pets. So again, it’s like you’re abandoning a part of your family or that emotional support and the courts need to be more aware of that, and there needs to be space where the pets can be safe as well. Because they might be exposed to violence in the breakup of a relationship where somebody will kill an animal just for vengeance, right? Just to inflict that emotional harm on your spouse.

Some people will do that. And I’ve seen it. So there needs to be protection for that as well.

Several of the interviewees voiced concern that domestic violence shelters are currently under-resourced and therefore are likely unable to develop such programs and devote resources to them. A mediator who works with First Nations communities painted a vivid, and troubling, picture:

We don’t have anywhere to put anything, right? Like even the housing shortage, for example, we don’t even have enough room for every human being. I’m visualizing my community here. The Women’s Shelter, it doesn’t have very many beds. Like I said, I can’t imagine they’d be able to

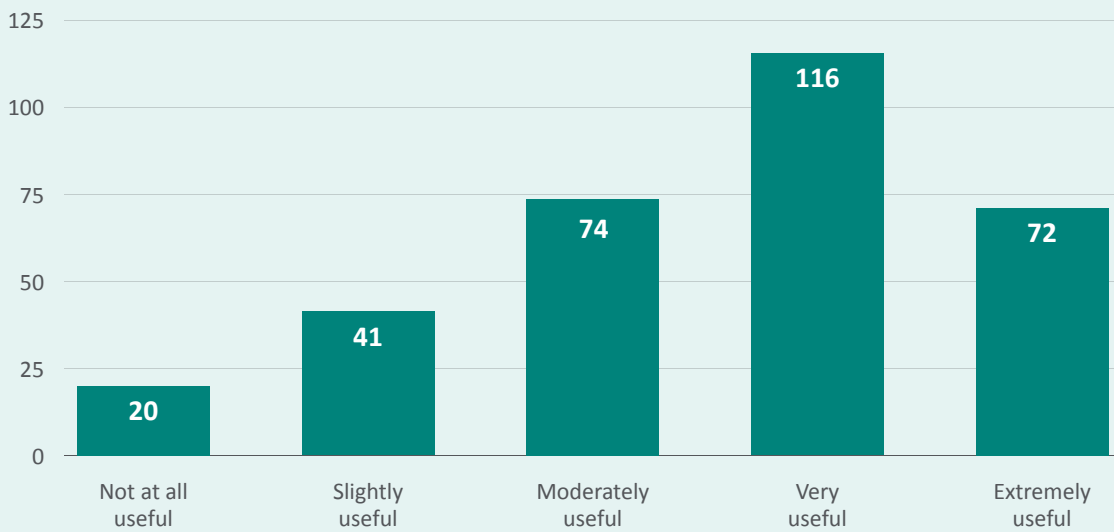
take on animals. I don't even know where we would put them if we were to do that here, and I think we're much better off infrastructure-wise than a lot of the communities around us.

Three other participants also flagged housing more generally as a pressing problem that is negatively impacting their clients, as well as companion animals involved.

### Perceived usefulness of enabling the inclusion of companion animals in protection orders

Survey participants were asked to indicate how useful they thought enabling the inclusion of companion animals in protection orders would be. The majority (58%) indicated they thought doing so would be very or extremely useful. Only 6% thought indicated they thought it would not be useful at all.

Figure 7: Perceived usefulness of enabling the inclusion of companion animals in protection orders



The interviewees also indicated being able to explicitly include companion animals in protection orders would be a potentially valuable tool, and in order to do so, there would need to be legislative changes. As one of the family lawyers stated,

I think legislation needs to change in order to include animals. Like if you're dealing with a justice of the peace who is issuing an emergency protection order (EPO) or victims' assistance order, that sort of thing, that justice of the peace is going to have to have some sort of legislative backing to be able to put something in those EPOs, for example as to where are the pets going to be and who's going to have custody of them while all the other stuff has to be worked out. It's a huge barrier when victims of intimate partner violence are looking to leave if they don't: what's going to happen to the pet?

Another lawyer suggested that it may be possible to include pets as personal belongings in emergency intervention or protection orders: "Oh yeah, I mean in the EIO application [Emergency Intervention Order], there's a section where you can ask for personal belongings. Maybe making clients aware they can ask for their pets." This lawyer also noted that animal abuse is already included in their provincial law as a factor that can be taken into consideration in issuing protection orders.

One interviewee specifically noted that being able to include companion animals in protection orders would also be beneficial to children. When asked if she thought enabling the inclusion of pets in protection orders would be useful, she responded,





I felt like screaming. Yes, yes, yes, yes, yes. Yes. Can't say it loud enough. Children are attached to their pets; we're talking child protection in particular. How are you going to take a child out of an abusive situation and leave their pet? That's a continual-- you're continuing the trauma or the stress for the child if you don't actually allow them to bring their pet with them.

So, I think that if there's a pet in the home and the child is used to having been around the pet, that pet should come with the child. And I think it has to be, I can't believe that it's actually not in there yet because the child protection agencies come across this a lot. They deal with this issue a lot and so how it made it into the Divorce Act but not the Child, Youth [and Family] Services Act, I don't know.

Other participants identified some potential drawbacks to this strategy. According to one family lawyer,

I think it would be important and actually helpful. Again, the only risk I think is that you're putting ideas into the perpetrators' hands in terms of making an argument that the pets should go with them and that perpetrator may be successful in court. So it may be better to sort of informally try to transition your pets if they are something that you love. But I mean you take that risk anytime you go to the justice system seeking protection or help. So I think it certainly would be valuable to have the option to at least request it if you wanted to.

Two other interviewees raised concerns that having companion animals included in a protection order is relatively toothless if someone cannot take that animal with them to a domestic violence shelter (also noted in the previous section). A mediator also pointed out that upon the dissolution of a relationship, some clients may not be able to afford to keep their companion animal, and this could be particularly harmful to those with service animals, so it may also be necessary to order some kind of financial support. Finally, another interviewee indicated that if an animal can only be included in a protection order if they have been abused by the IPV perpetrator, there would be limitations in as far as providing evidence of such maltreatment.

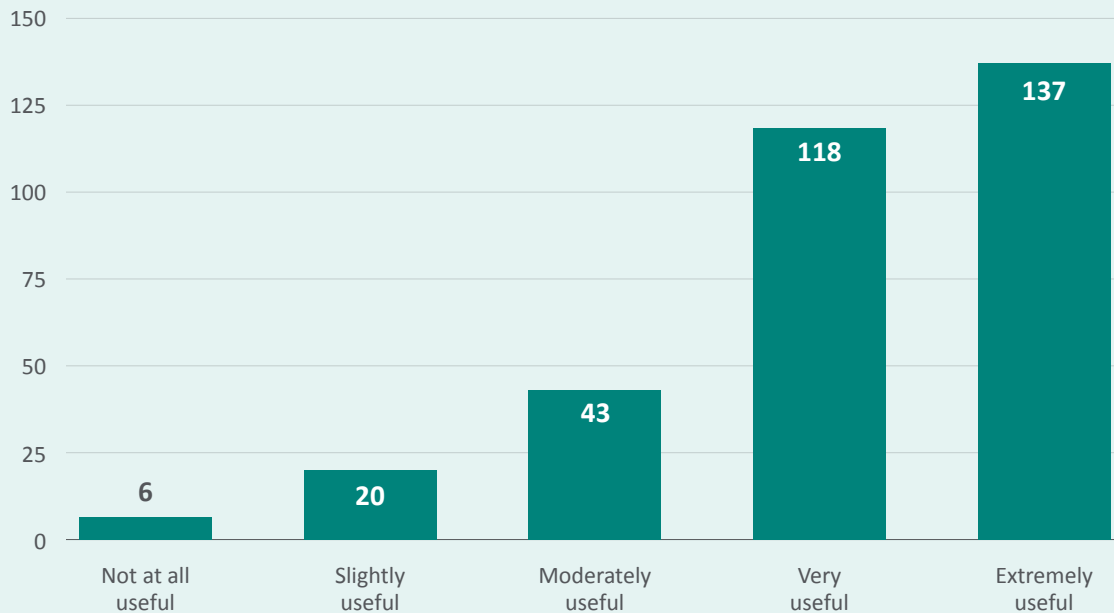
### **The usefulness of education initiatives**

Survey and interview participants were asked for their perspectives on the usefulness of educating specific stakeholder groups about the link between animal abuse and IPV and the impacts it can have on human victims. Below we break down their feedback in terms of specific stakeholder groups: the judiciary, lawyers, mediators, and the general public.

## The judiciary

An overwhelming 79% of survey respondents indicated that educating the judiciary on the Violence Link would be very or extremely useful. Only 2% (6 people) indicated they thought it would not be useful at all (see Figure 8).

Figure 8: Perceived usefulness of educating the judiciary on the Violence Link



The interviewees made several comments about this potential strategy. In addition to the value of legislative changes (e.g., in the case of protection orders) and programmatic changes (e.g., pet programs at domestic violence shelters), the interviewees explained that the judiciary would need to be educated in order to better understand the need for these changes and how to be attentive to the presence of the Violence Link. One lawyer suggested that the judiciary may be more open to education in the area than in the past, stating,

*It always seems like we're behind on educating our judiciary. But I will say Canada seems to be making big moves in terms of recognizing family violence and they have specifically put in their legislation that violence and threats to animals is family violence. So I think they would be open to receive the information now versus a decade ago or whatever. So I think now, because it has been legislated and it falls within the direct scope of what they're required to consider under the law, I think it would be valuable because they're gonna be looking for it themselves.*

One interviewee specifically noted that they have noticed a better understanding among the judiciary in recent months regarding family violence, which was attributed to training they have been receiving on the topic. Several noted that educating the judiciary would be, in their view, the most important educational initiative that should be undertaken. Interviewees described the Violence Link as an important lens the judiciary could use to gain a greater understanding of what is going on in a family that is before the court.

There was concern among several interviewees, however, that there are still judges on the bench that have relatively dated perceptions about family violence and the importance of animals to people. According to one lawyer, "There is not a lot of sympathy from some judges-- the old school ones. So I think there needs to be mandatory training for sensitivity for those issues because that's where the abusive partner gets to manipulate the system when they get in front of those judges. [Judges] need to be made aware of their biases."

Many of the interviewees thought there would be more positive outcomes for their clients if the judiciary were educated on the Violence Link. As one put it, “It would definitely be important to educate them. They also have discretionary power to make orders based on people’s individual needs or what’s in the best interest of the parties involved. So for example, if they know that there’s a pet involved and this pet is-- this is the role of the pet, maybe the pet is providing emotional support for their child, they’ll be more inclined to make an order to include that pet as a part of the separation agreement.”

As for the form that the education or training should take, the interviewees recommended providing information to the judiciary based on research, but also including real-life stories to sensitize the judiciary to the issue. According to one participant,

I think to touch them, they would need to have some real situation that happens to see [how], when you don’t take care of that part of the problem, that these kinds of situations happen. I think they will be more touched and they will be more aware if in their [training] they have some real situations explained to them to see [the impact of the] link and also to understand the relationship with pets and how it could be important for someone who’s leaving that kind of violence to [have that relationship with] an animal and to understand how important it is. Because sometimes they don’t really understand and they don’t really make the link between these two situations.

### **Lawyers and mediators**

As with the strategy of educating the judiciary, 79% of survey respondents also thought that educating lawyers would be either very or extremely useful. Only 2% (6 people) indicated that it would not be at all useful (see Figure 9). The results were quite similar when asked if educating mediators on the Violence Link would be useful (see Figure 10).

Figure 9: Perceived usefulness of educating lawyers on the Violence Link

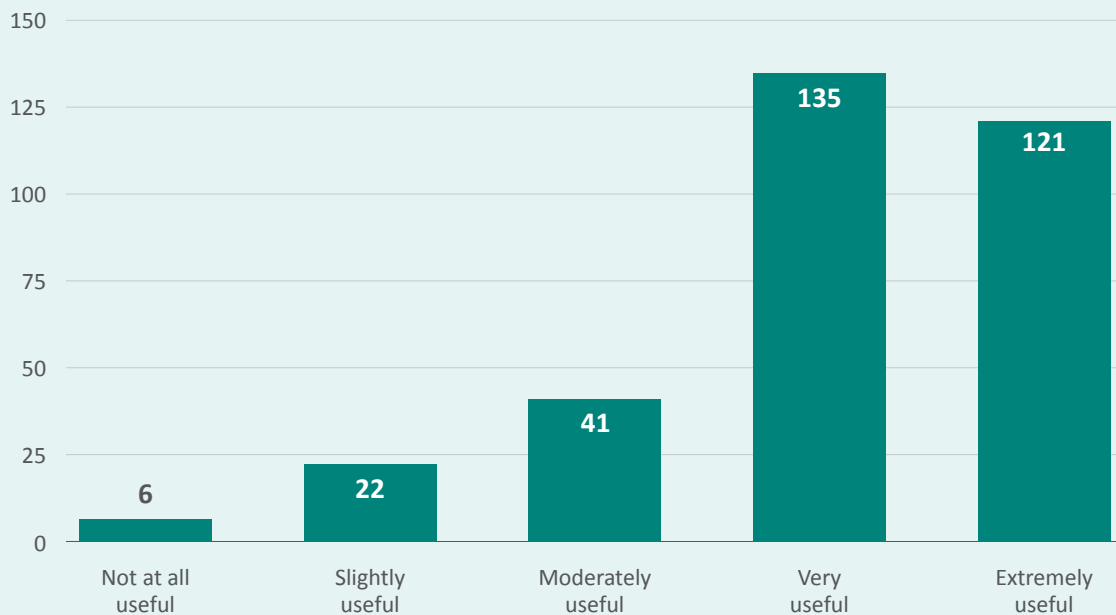
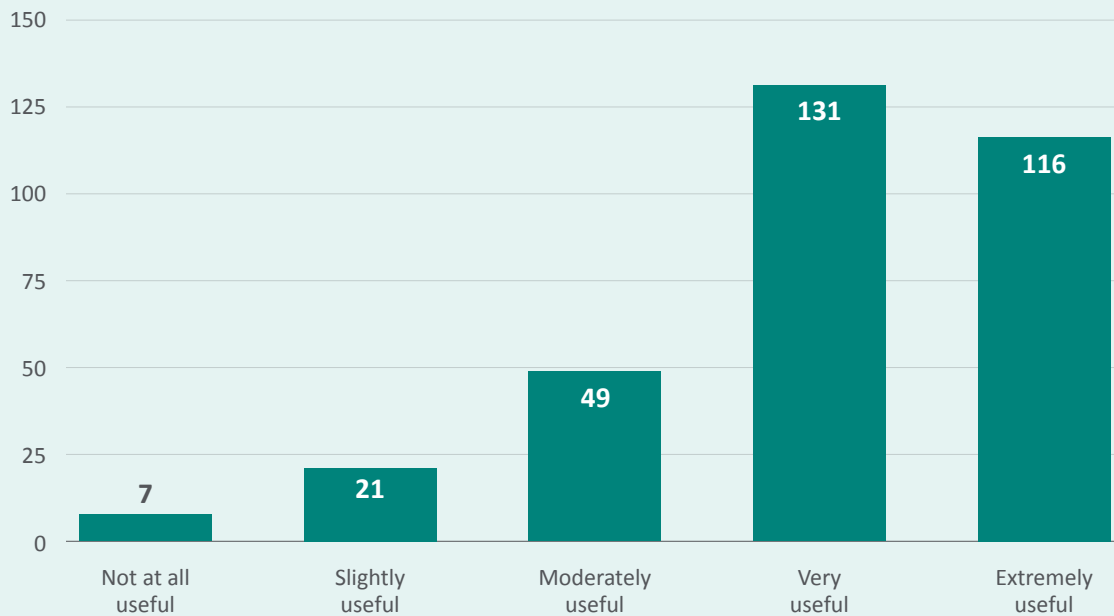


Figure 10: Perceived usefulness of educating mediators on the Violence Link



The interviewees were also overwhelmingly in favour of educating family law lawyers and mediators, and provided additional useful information related to how it would be helpful and how it could be done. Several interviewees noted that lawyers are extremely busy but felt that many of those who focus on family law would see the value in it. One lawyer described why he thinks it is important as follows: “Why I say it should be done is because, lawyers, we’re the first contact. We’re almost like the emergency service providers. I get a call. Something’s happening. I need to do something. This is where my decision will impact the trajectory of someone’s life and trajectory of someone’s case. That’s important in the sense that lawyers should receive training and understand the Violence Link concept.”

Others noted that against the backdrop of changing legislation vis-à-vis animals, such as the *Divorce Act* and the *Civil Code* in Quebec, and changing perceptions of companion animals, it makes sense to provide lawyers and mediators with some sensitivity training in this regard so that they can better serve their clients.

One lawyer suggested the following strategy: “it’s just that lawyers are very time poor and also sometimes quite self-assured. They feel like they know it. So if you say well, we wanna talk to you about animal abuse, they might think there’s nothing there for them to learn. So I think a lot of it would be the positioning. How are you going to give it to them in a way that they feel is accessible, quick and easy and serves the purpose to them? So that might be webinars or something that isn’t too intensive in terms of fitting into their day.”

Another lawyer thought that the education of mediators should be prioritized because:

In my experience, mediators aren’t always properly educated unless they have gone and got proper formal mediation training on things like power and control and balances, things like that. And in my experience, as a family lawyer, a lot of unhealthy individuals will encourage and drag survivors to mediation because they think that’s an opportunity to keep it out of the eye of authorities and judges and to get what they want. And often mediators don’t recognize what’s going on and the only intervention sometimes is a lawyer [giving] independent legal advice or something like that, and realizing the issues.

I will also say on the mediation piece that I find that mediators tend to put in pet provisions in their agreements and separation. I don't want to say more because I'm speaking to my very own micro experience, but I've seen it more in mediated agreements than lawyer-prepared agreements. It seems that mediators seem to be more interested in putting pet provisions in there. So from that perspective, I think it would be valuable for them to have that information.

Another interviewee, who is a mediator, thought it would be easier to educate mediators because “mediators are more-- they're more looking to resolve things amicably, so I could see where it might be easier to educate mediators because they're neutral third parties. So they're going to always try to work things out or get the parties to come to an agreement that's in their best interest.”

One lawyer suggested that the education/training should be mandatory for lawyers, particularly in the face of what is perceived to be an increase in violence in their cases: “I think it should be mandatory to have that type of education. Because unfortunately violence is on the rise and, you know, again some of the old school lawyers go into it just with the blinders on, you know? ‘I'm going to win for my client without really thinking about the impact on everything and on the kids and on the situation and what people are going through.’ So I think there needs to be that education.”

Another interviewee thought such education would be valuable given how diverse the population of Canada and lawyers are, remarking “I think it's important for lawyers because Canada is a very diverse society. There's a huge group of internationally trained lawyers — I know because I'm one of them — and not every society is very protective of pets. So giving them that kind of education would help them to ask the right questions when they're doing a client intake, for example. So yeah, lawyers would definitely need to know [about that] in order to advance their clients' interests.”

A few interviewees noted that one of the most important benefits of training lawyers/mediators would be that they would be more likely to proactively ask clients about their pets and their well-being because it is problematic to assume that all clients would volunteer that information:

Of course, people aren't always just going to walk up to a worker and just say, “Oh by the way, here's a list of all the things that have been happening.” A lot of times when things are happening to you, you don't actually know if it falls under this umbrella or that umbrella because you're just living your life and, a lot of times, trying very hard not to aggravate the abuser. You're just not able to see the big picture. And so the workers are the ones who have to know what kind of information to kind of fish out, to allow them to have a better, clearer view of what's going on.

Another noted,

They don't want to say [anything about concern for companion animals] out of embarrassment, out of fear of ridicule, out of fear of something else that they're not sharing. So if lawyers and judges can ask questions directly because they have received training on like, “Are you concerned about your pets? What are your plans for the pets?” ... That way we get a better understanding of the human dynamic involved in this particular family. In some cultures, dogs are treated like gods or dogs are treated like man's best friend. In others, they have less prominence...

Some of the more specific suggestions for avenues through which to offer this training and disseminate knowledge on the Violence Link include through provincial Law Societies under Continuing Professional Development and through mediation training in provinces that offer it.

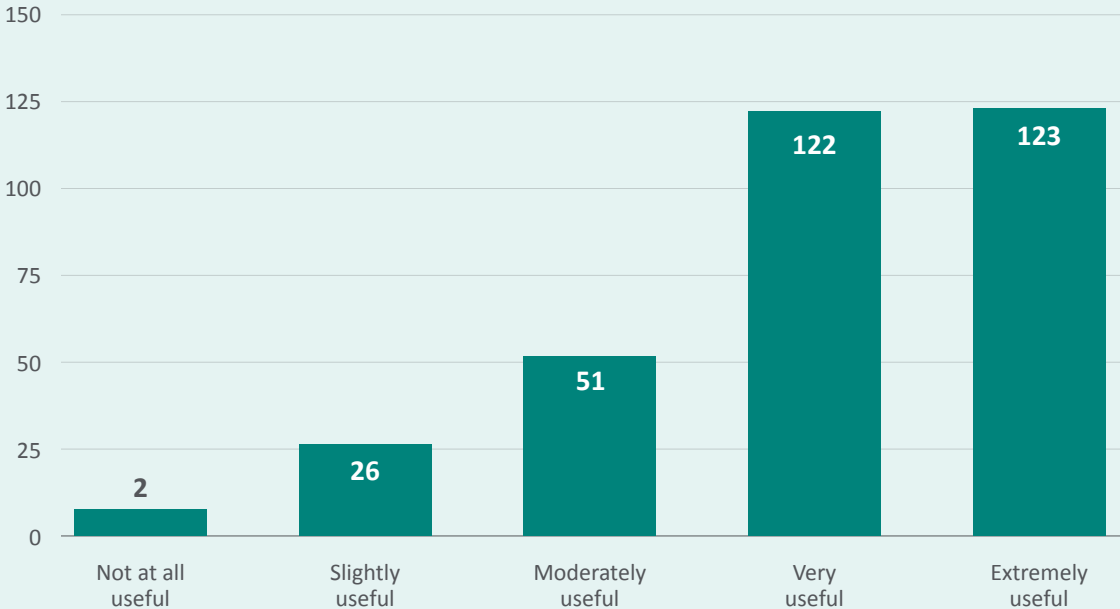
Without training that provides pertinent information on the Violence Link and its relevance to family law, the status quo will continue, which interviewees felt was not advisable. As one explained, if you currently asked family lawyers if companion animals are relevant, “I think the unsavory answer from a lot of senior lawyers would be it’s irrelevant, it’s not relevant to the legal issues you are hired to deal with. You’re hired to resolve their divorce not hired to protect their pets. So it’s outside the scope of my work.” They also pointed out that without training, clients are going to have different experiences with lawyers related to animal concerns because some will be more attuned to it than others.

One lawyer who considered himself somewhat attuned to these issues noted “Family lawyers, a lot of us, are trained to recognize signs of intimate partner violence, and we’re trained to recognize the vulnerabilities that certain marginalized groups face. But we’re not trained to recognize animal abuse. So it could be a wild card...” Later in the interview, he lamented, “Unfortunately, in my profession, I find unless there’s something seriously traumatic that happened, for example, the death of a child resulting from bureaucratic or institutional failure or an egregious case where a lawyer seriously overstepped and caused a lot of losses...Changes come very slowly.” This reaffirms the necessity of training.

**General public**

Seventy-six percent of survey respondents reported that they think educating the public on the Violence Link would be very or moderately useful. Only two people (less than 1%) thought it would not be at all useful.

Figure 11: Perceived usefulness of educating the public on the Violence Link



The interviewees articulated several ways they thought educating the public would be useful. The most commonly voiced way was that it would make their clients more likely to disclose what is going on with their animals, because so many lawyers/mediators are not proactively screening for it. As one lawyer who represents children noted, “I think we would see it if we were screening for it. Yeah, no, that would definitely increase and that’s where the education of the public is important too, because then people will tell you too, right? ‘Oh, and by the way, you know, this is also happening.’” Some also saw it as an indirect way of educating family justice system professionals,

“I think, in a way, it’s the most important because it has a trickle-down effect, right? Like if you’re educating the public as a whole, then by virtue of them being educated, all the other professionals and people that are really directly interacting with it are certainly going to learn about it. They also probably have the initiative to go and self-educate and learn more about it. I just believe de-stigmatizing or bringing these sort of shameful things that are happening out into the open is the step to really progressing in those areas...

So I think an awareness of that would really be important because then maybe more people would also offer help in that department. If survivors are contemplating leaving, I think a lot of people don’t realize that [pets] might be a piece that’s keeping them with their perpetrators.”

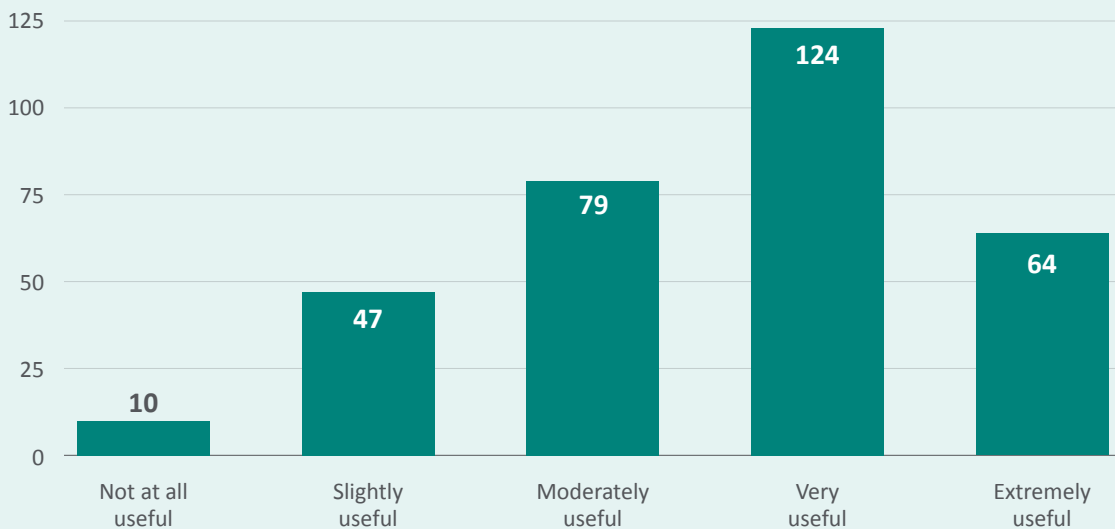
Another point that was made is that the public needs to be made more aware of what abuse looks like so that they can recognize the signs, and that animal maltreatment is an important aspect that the general public needs to be made aware of.

The interviewees also pointed to some drawbacks to this strategy. Specifically, several noted that it is difficult to get public engagement, especially in an age where people’s attention is being drawn in so many different directions by social media, world events, etc. A few others also mentioned that a thorough public education campaign is quite expensive. As for strategies for doing so, some recommended ‘piggy-backing’ on other anti-violence organization’s communication strategies. One of the participating lawyers emphasized that information needs to be made available in multiple languages and available in places that many members of the general public frequent, such as grocery stores.

### Conducting additional research

The majority (58%) of participants considered conducting additional research on the Violence Link to be very or extremely useful, whereas 3% indicated that they thought it would not be at all useful.

Figure 12: Perceived usefulness of conducting additional research on the Violence Link



**The interviewees overwhelmingly articulated their belief that research is needed in order to make evidence-based changes in the family justice system.** As one lawyer articulated, “I think all your strategies are actually important... the research [part] I think goes hand in hand. It’s important in order to get the legislation that you need. So you need to show it and it needs to be evidence-based for when you request to perhaps change legislation.”

Others suggested that it would be helpful to have a greater picture of what clients who experience the Violence Link are going through to better serve them: “I just think we don’t know enough yet about what all is really, really needed for them — for families to leave with their pets.” One lawyer made the point that research into the role of companion animals in human families and how to integrate them into decisions made during relationship dissolution would be useful in working through divorces more generally, not just in cases where there are instances of abuse. Finally, it was emphasized that any trainings conducted with the judiciary, lawyers, and mediators ought to be grounded in academic research.

One of the participating lawyers thought that research would also be useful to assist clients to proactively deal with issues related to their pets during relationship breakdown, stating, “When they come and they’re going through divorce, they’re focusing on the children and themselves and the property. They’re not thinking about pets. If you start putting energy into this type of research, then [people] will now start talking about it more and start involving pets in their separation and think and see the importance of involving pets. So, yeah, I think there’s a need for that kind of a research.”

### **Changing the property status of animals**

In the survey, after we had participants assess the various strategies for addressing the Violence Link that we provided them with, we included an open-ended question where they could insert their own suggestions. There were several unique items that were included by participants (e.g., harsher penalties for animal abuse), but there was one common recommendation, added by three survey participants: changing the property status of animals. We therefore included a question in the interviews to probe this potential strategy.

The interviewees had mixed opinions on this potential strategy: seven clearly agreed, three were on the fence, and two were clearly against it. Those who agreed with changing the property status of animals noted that, in contemporary Canada, companion animals are treated more like family members and less like property. There was a sense that the decision of who would retain the animal upon relationship dissolution would be fairer if based on who actually cares for the animal. According to one lawyer whose clients are children,

**I think it would be quite effective if they weren’t treated as property. How you get to that and how many hurdles you’re going to have to jump through to do it? I don’t know, but yeah, if they were seen as something other than property then you can get them out of that chattel range... and taking more account as who has been the primary caregiver, who looks after the animal properly, who sees to their needs regularly and provides the affection and that kind of stuff.**

Another family lawyer interviewee thought guardianship of the animal should be based on who relies more on the animal emotionally: “If you happen to acquire the pet during the relationship — like you get it together — then you know, I think... we should look at #1, who sort of depends on that pet emotionally.” The point was also made that animals are vulnerable, and their status as property exacerbates that vulnerability, as well as the vulnerability of those who are attached to them.

In addition to concerns regarding how to change companion animals’ property status, a few of the participants expressed concern that introducing uncertainty into who is entitled to keep a companion animal could allow abusers to weaponize guardianship of companion animals to harm their victim. One of the participating family lawyers explained,



I like the idea of it because my dog is my child, [and] I think it would be a step forward in terms of acknowledging them as living things that deserve that level of dignity. I think in some ways it would make it more complicated in the sense that, right now, they're considered property. So as a family lawyer, I can say, "Well, this is the same as a couch. One of you gets them and that's it." It's dealt with.

If you're going to switch it to more like a child model where there's custody, that's a way in which you're giving a perpetrator of violence the opportunity to argue that there should be a continued relationship by virtue of the dogs. So saying like, "Well, now we have to have a custody agreement for the dogs and we have to exchange the dogs." I think in some ways could actually put the animals and the survivor at more risk of continued violence because the dog now becomes something that the perpetrator is using to inflict psychological, emotional violence on the survivor and can withhold from the survivor.

Some of the other interviewees were wary of changing the property status of all companion animals and instead proposed more of a tiered approach, articulated as follows:

"I think that for me, if I'm being totally honest, I think it depends on the animal. So I think it could, I think I'll put it in a class. Like if it was a service animal, it would be considered more of a human because it provides so much, or if it was an animal who was working with border security. Because they're different animals for different things and I know you're not just talking about dogs.

So like I wouldn't give the same, maybe not give the same level of importance to like a parrot or a fish because they're just like a pet. But if it was a dog or a cat who was providing this great support, I think they should be classified more as human and then other probably lower-class animals be classified as property. That's just the way I would do it."

Others were explicit that companion animals ought not to be considered as children, but that it also does not make sense to consider them property. According to a lawyer who works with Indigenous and non-Indigenous clients,

Well, the thing is, they're not children. I don't believe they should be treated as children. I also don't believe that they're property, and I don't think they should be treated as property either. I think we need to have a separate category for animals as animals. And, you know, family animals as a category on their own because their interests and the criteria that need to be considered differ from the chair or the child. And **if we just lump them into the same category as children, I think we'd tend to — or furniture — I think they're going to lose something. We're going to lose something about what is special about the pets**, as opposed to, different from the chairs and the furniture or the children...

For us to talk about them separately in our financial statements, even though they're chattel, they're not listed anywhere on their financial statement. They're not listed anywhere in your marriage contract or separation agreement. You actually, as a lawyer, have to create a separate section and put that in there. And if you don't, there is no-- they don't fit in anywhere, and if we lock them into property, as they are now, they're lost in translation because they're classified as property, and I think that is going to be the same thing. We put them in as children, they're just going to be lost in translation as well.

And then you're going to have the whole discussion of, "Why are you talking about the dog as more important than the cat or why is the cat more important than the child," and all of that and that's-- they can both be just as important without one diminishing the other. And so that's why I think that they should have a separate category and they should have a status. It's not even changing the status, they don't have a status really right now.

Another interviewee also pointed out that the current status of animals in practice is, to some extent, unclear. In the interview, a Francophone lawyer noted that changes in the *Quebec Civil Code* now recognize the sentience of animals. When asked specifically about modifying the property status of animals, the interviewee stated "Yeah, yeah... Because for now *tout est dans le flou — pas claire* [Nothing is clear]. So yeah, I think it would be more effective to change the status of animals. But I think it has to be between. They are not like children, so it has to be something particular for animals."

One of the lawyers saw this proposal as, in her words, 'going too far,' and then stated "Oh, I don't know why I even personally have conflicting feelings about that." Another raised concerns that they framed in the form of concern of a slippery slope, as follows: "I don't know. I've never sat there to think about it honestly, because like, forever ago in law school was like, 'oh, it's weird to say about your dog and your cat that that's property.' And also contract law. Did you know that if you have a pig and it has babies, those are your property as well? You know it's gonna extend to farm animals and then where does it stop? What about as people that like to eat meat? Our cows are going to get rights too. I mean, they should be treated humanely, obviously, and chickens and everything we eat, but I don't know. That's a complicated question that my lawyer brain can see opening a can of worms."

Another lawyer honed in on the applied consequences of such changes on the family law system. He stated,

So I think this is the most controversial question by far. There's already a lot of disagreement in the legal community whether animals should be treated like property or whether they should be treated more like children. I already raised a lot of the evidentiary issues with, how do you get evidence from pets and how do you present that evidence in court? Like you have your veterinarian but then experts can be challenged by lawyers. We opened a whole new can of worms a lot of lawyers are concerned about. And there's also another vocal group, and I happen to be in this group, is that we already have so much on our plate already. Like, can we not do this when our time and resources are already so severely constrained? But I do think this is something we should explore given how intimately animals are a part of our lives. But to change the law so dramatically from one end, or even shift the scale slightly towards the other, will lead to a lot of uncertainty...

Clients are already fighting tooth and nail to make sure the children live with them so they gain a strategic advantage: they receive child support, they get to collect the child tax benefits. Do we want to expand that to animals? I don't know what credits animal owners may claim, but I don't want this to become a new battleground where people will live their lives strategically, and not naturally, to fight over this... So it brings a lot of uncertainty to the legal system and this is something that, unless something has happened that sent shock waves through the legal community, that raises awareness that we need to deal with this, we'll find it hard to accept the idea that we can just change the law at the drop of a hat and say this is how things are now. Because it's gonna create a mess in the family law system.

Further research with family law professionals would be useful to specifically examine the drawbacks and advantages of changing the legal status of companion animals and what it might look like in practice.

Other recommendations are detailed in the next section.



## Discussion and Recommendations

Both the survey and interviews suggest that the family justice professionals who participated in this study are dealing with a significant amount of violence in their cases. Many participants expressed feeling overwhelmed by family violence in their cases and uncertainty regarding what to do with companion animals to serve their clients' best interests. There was overwhelming acknowledgement that the status of companion animals in Canadian society is changing and these animals' interests are more intertwined with the best interests of people than ever before, with approximately 60% of the survey participants agreeing or strongly agreeing that animal welfare is a matter of concern to them in the context of their job and 89% being aware of potential or suspected animal abuse in their cases. Despite this high prevalence, there was relatively little self-reported knowledge among survey participants regarding how family violence and animal maltreatment are linked together.

One-third of participants indicated that they had never heard about this phenomenon until participating in the survey and, when asked to estimate their level of knowledge of the Violence Link on a scale from 0 to 10, the most common response was five. Notably, after being provided with a definition of the Violence Link and then asked to indicate on a scale from 0 to 10 how relevant it is to their work, the most common response was 10 (extremely relevant).

The survey and interview data point to a disjuncture between how common it is for family law lawyers and mediators to encounter animal maltreatment in their practice and what resources they have at their disposal for addressing it. Nearly half of survey participants indicated that there were no resources available for addressing Violence Link cases in their practice. It is evident that **greater knowledge and resources would be a significant asset.**

We would recommend the following methods of knowledge dissemination that were most highly ranked by survey participants:

1. E-learning (i.e., technology-based learning available anytime, anywhere),
2. Access to consultation and support from Violence Link experts,
3. Written materials (e.g., leaflets, posters, manuals, information sheets), and
4. Support through collaborating with professionals in other sectors.

Developing educational materials (available perhaps via videos online and as written materials) and database experts who would be available to testify and professionals familiar with the Violence Link in other sectors would be rather straight-forward. What is less clear is what entity should be responsible for doing so. This is an area where further funding would be beneficial.

Greater knowledge and resources among family law justice professionals would benefit their clients who are experiencing IPV and have animal companions. The survey and interview questions regarding what participants have done when their clients disclosed animal abuse elucidated a number of responses and general confusion. In the majority of cases, clients were simply advised to report the animal maltreatment. This is problematic given that, when we asked participants who had reported animal abuse on their client's behalf or assisted them with doing so, the majority said that the information on how to do so was not easy to access. If trained legal professionals have this difficulty, we can certainly assume that everyday clients would as well. Moreover, nearly one-quarter of the survey participants reported that they did not report the abuse or specifically advised their client not to because they were concerned for their client's safety.

It is evident that there is room for improvement in not only educating legal professionals on how to address Violence Link cases, but also to report animal abuse in a way that ensures the client's safety and **establish guidelines for reporting.**

Our interviews provide important context regarding how family law professionals encounter Violence Link cases in their practice. Among the interviewees, few reported proactively asking questions regarding companion animals in the home. Instead, they were made aware of issues with companion animals when clients volunteered that information. Yet, as some of the interviewees pointed out, waiting for clients to volunteer this information is problematic, particularly because they may fear being looked down upon for making relationship decisions based on the well-being of their companion animals.

Interviewees and survey participants both recommended that client intake forms and other family law forms (e.g., applications, answers, conferences were specifically mentioned) should screen **for the presence and abuse of companion animals as well as the presence of IPV.** This is particularly crucial when probing clients about psychological abuse and coercive control.

We posed a number of potential strategies for dealing with the Violence Link in family law cases in the survey and interviews, including:

1. Clarifying how ownership or guardianship of companion animals should be addressed in family law cases,
2. Establishing cross-reporting between animal and human service agencies,

3. Legislative amendments that would enable the explicit inclusion of companion animals in protection orders,
4. Providing additional services to clients who are experiencing IPV and have companion animals, such as the creation of pet safekeeping programs in domestic violence shelters that do not already have them,
5. Educating the judiciary, lawyers, mediators, and the public on the Violence Link, and
6. Conducting further research on the Violence Link, specifically in the context of family law.

Of note, for each of these potential strategies the majority of survey respondents indicated the strategy would be very or extremely useful, as compared to moderately, slightly, or not at all useful. The only potential strategy that had powerful critiques in the survey and interviews was the cross-reporting strategy. The concern is that there are cultural differences in how people include animals in their lives, and that social control of specific populations could be facilitated through mandated cross-reporting. These concerns are certainly important and we would therefore recommend that any consideration of mandated cross-reporting include discussion among various stakeholders regarding these concerns and how to mitigate them if cross-reporting is implemented.

As some of the interviewees pointed out, the legal system changes slowly and requires significant effort. Therefore, while each of these potential strategies have majority support among our participants, it might be most practical to prioritize those that our participants ranked as the top three: **clarifying how ownership or guardianship should be dealt with, educating the judiciary, and enabling the explicit inclusion of pets in protection orders.**

These three recommendations are particularly important given the increasing number of companion animals in Canadian homes, more closely-bonded relationships with companion animals in many segments of the Canadian population than ever before, and how their presence can complicate matters when IPV is present.

Among those strategies that ranked most highly is **educating the judiciary on the Violence Link**. Because judges are even further removed from clients than lawyers and mediators, they may not appreciate how the importance of companion animals is increasing in the lives of many people. They may also be unaware of the relatively recent empirical literature establishing connections between animal maltreatment and IPV, how the presence of animal maltreatment is associated with more controlling behaviours and severe IPV, and, importantly, how the presence of companion animals can impact people's decision to leave an abusive relationship. This knowledge could sensitize judges to the Violence Link and support them in making decisions that serve the needs of IPV victims/survivors.

Legal decisions regarding **ownership or guardianship of companion animals upon relationship dissolution** is a debate more generally. However, in the context of IPV it is critically important because legal decision-making based on the property status of animals can make companion animals and those who love them vulnerable to further abuse. Ownership of animals can be used by abusers to keep their partner from leaving a relationship and can be used as leverage to get them to return. We would recommend the examination of specific methods for decision-making regarding ownership of animals that take the Violence Link into consideration.

Given the increasing number of companion animals in Canadian homes, these recommendations are particularly important

**Amending protection order legislation to enable the explicit inclusion of companion animals** is also critically important in reducing harm and the ways that an abuser can coercively control their partner. In the United States, 36 states have amended their protection order legislation to enable including companion animals. Importantly, in some of these states, the ability to include an animal in a protection order does not hinge on their property status: an applicant can apply to have an animal legally owned by the perpetrator in a protection order (Fitzgerald forthcoming). This ability takes away an important source of leverage from abusers.

Of course, **at the root of these two strategies that were ranked most highly by the participants is the problem posed by the property status of animals.** As noted in this report, some survey participants flagged this as a critical issue. When we raised the issue with our interviewees, they also articulated myriad problems raised by the property status of animals, but opinions were mixed regarding how to proceed. For years, animal advocates have problematized the property status of animals because of how it makes animals vulnerable to abuse, but **the problem that is becoming increasingly apparent is that the property status of animals also makes victims/survivors of IPV vulnerable.**

In closing, we would like to sincerely thank those who participated in this study and to acknowledge those who took the additional time to reach out to thank us for conducting this research. We received several emails in the duration of the study from family law professionals who were grateful that someone was asking questions about what they perceive as an increasing trend in their practice, and in an area that they currently feel ill-equipped to help their clients. One of the family lawyers we interviewed, whose practice serves a large number of Indigenous clients, noted, “I get, from time to time, a request to participate in surveys and different things. And I jumped at this one because I thought: Finally. And I’m thinking, well, why don’t we talk more about this? ...I think this is something that we need to maybe pay more attention to.” Later in the interview, she reiterated how happy she was to be discussing these issues:

This is an important step, like this whole conversation that we’re having is a hugely important step. You have no idea how thrilled I am to be doing this...

**And this Violence Link, publicizing and giving awareness to the Violence Link, can only help everyone to realize that because [animals are] an important factor, they should be a factor. And not just a sideline.**

We hope this report has helped to underline exactly that point.

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