Executive Summary

This report identifies six systemic sites in which gender-based violence (GBV) and family policing (i.e., "child welfare") intersect in ways that increase risks and create harmful impacts for survivors, families, and children.

1. The shared history and overlapping harms of GBV and family policing
2. Service provision as administrative violence
3. Mandatory reporting
4. Family policing investigations and interventions
5. Intersecting legal systems
6. Government custody of children and separation from family

MANDATORY REPORTING (also known as the duty to report) is the universal legal "duty to report" suspected child abuse/neglect to the Ministry of Children and Family (MCFD). Mandatory and permissive reporting laws often lead to misreporting, which results in over-reporting, due to vague and subjective definitions like neglect, reporter fear, implicit bias, and a "when in doubt, report" culture.

At these sites of intersection, legal and social ideas (such as the "best interests of the child" and the assessment of survivors as "unable or unwilling" to cooperate with family policing systems)[2] are interpreted and applied in ways that harm survivor-parents, children, and families. BC's current policing and family policing responses to gendered family violence are driven by **saviourism** and carceral mindsets of individual blame, control, isolation, and punishment.[3] The ineffectiveness and harms of these systems, along with calls for reform, have been documented in systemic reviews over many years.[4]

SAVIORISM is the idea that assumes some people need someone to save them and that without intervention and guidance they will not survive. In the context of GBV, it can look like people dictating to survivors what they need to do for their own safety.

Building on the insights of research advisors and community experts, this project highlights transformative changes that could direct resources away from harmful systems of policing and towards wholistic, relational well-being aligned with families' **self-determination**. Action is needed on many levels: by individual advocates, supporters, and professionals; by collectives and organizations; by communities and Nations; and by policy-makers and institutional decision-makers. This report invites these groups to join the many community organizations, Nations, and advocates who are already engaged in transformative advocacy and support work to shift from family policing to family well-being.

SELF-DETERMINATION is both an individual and collective process and goal. It is the ability to make important decisions about one's life. For Indigenous nations, it includes the ability to make collective decisions about governance, including nation membership, laws (including child and family well-being), economics, etc. without interference from the state.

Key Terms

Throughout this publication we define critical terms and include them in a glossary at the end of this report. However, there are two terms that are important to define before proceeding.

GENDER-BASED VIOLENCE

Gender-based violence (GBV) is "violence that is inflicted upon a person or persons due to their gender identity, gender expression, or perceived gender."[5] It impacts women and all people impacted by gender-based discrimination, including Two-Spirit, non-binary and queer people, and trans people of all genders. GBV can include physical and/or sexual assault, threats of violence, verbal and/or emotional abuse, intimidation and other forms of coercion and control.

Intimate partner violence (IPV) is a predominant form of GBV. IPV is the "abuse of power by one partner in a dating, common-law, married, or otherwise intimate relationship. This abuse can be physical, sexual, emotional, financial, social, cultural, or a combination of some or all of these."[6]

The majority of community experts who participated in this project had encountered IPV either as survivors or as supporters to survivors. In this publication, we use both GBV and IPV, as survivors had encountered the family policing system due to both types of violence and they felt the wider umbrella of GBV encapsulates a more fulsome understanding of what they had endured in their lives and their wider community.

We also acknowledge there are variety of terms to refer to people who are subjected to abuse, and people who are engaging in abuse or violence. We recognize that language is constantly changing, and that language is important because it shapes the way we understand complex issues. In conversation with community experts who contributed to this project, we use the term "survivor," along with person-first language, to avoid simplistic and dehumanizing understandings associated with common narratives about "victims" and "perpetrators."[7] With that in mind, we also refer to those who carry out gender-based violence as people who use or engage in violence or abuse.

FAMILY POLICING

West Coast LEAF has been working and learning in the area known as "child welfare" or "child protection" for several years. In this work, we have been privileged to learn from families, Nations, and advocates in BC and beyond, who have extensive lived expertise in navigating this system. A key learning from these community experts is that a more honest term for these systems is "family policing" – a term rooted in movements led by poor and Black families in the US.[8]

Predominant narratives about "child protection" or "child welfare" imagine the system as beneficial and necessary to keep children safe. But as we describe throughout this report, the family policing system is actually very poor at keeping children safe. At its core, the family policing system has a narrow focus on assessing whether to remove a child from their home—and thus a focus on scrutinizing parents and families or caregivers as "risks" to their children.

The family policing system maintains power and control over the lives of families and children—most often Indigenous families and children—through surveillance (ex. mandatory reporting laws), regulation (ex. coercive "voluntary agreements"), and punishment (ex. removal of children from their family). Families who are struggling under the weight of systemic injustices like racism and poverty need supports, such as adequate housing, livable income and disability rates, and mental health services. Instead of recognizing these injustices as the systemic barriers they are, the system sees family struggles as individual failings. In contexts of GBV, family policing systems often apply their policing lens to the parent (usually a mother) who is herself experiencing violence. The system's punishments include arguably the greatest power that can be asserted by a state: severing the bonds between a child and their family, caregiver(s), and community.[9]