

Welfare Policy

A Critical Site of Struggle for Women's Safety

JANET MOSHER AND PAT EVANS

On sait que l'accès aux bénéfices sociaux adéquats et non-punitifs est une stratégie anti-violence gagnante. On doit s'inquiéter face à la réforme en Ontario depuis les 10 dernières années qui a rendu les bénéfices plus punitifs et moins adéquats donc qui a diminué les choix pour les femmes tout en compromettant leur sécurité.

Access to adequate financial resources that is dependent neither upon the batterer's co-operation nor labour market participation is critical to the safety of women abused in their intimate relationships. Without such access many abused women and their children remain locked in abusive relationships with no hope of escape, or are forced to trade subjugation to abuse for abject poverty, homelessness, and profound social exclusion. Yet often our strategies to aid women in abusive relationships have been premised upon too narrow a conception of safety, focusing on ending the physical assaults, rather than on ensuring that women have access to the means to meet their basic human needs of shelter, food, transportation, and belonging (Davies; Schechter). Adequate, non-punitive and respectfully bestowed welfare benefits must be understood as a crucial component of Canadian anti-violence policy and strategies.

Disturbingly however, the direction of welfare reforms of the past decade, propelled by concerns about welfare dependency and reducing social spending, has been to restrict access, reduce benefits, impose workfare, and dramatically increase the scrutiny under which recipients must live. Concerned by these major changes to social assistance policy, and aware of the emerging American research documenting the harmful impact upon abused women of similar welfare reforms in the United States, we undertook a research project to learn from women of their experiences with Ontario's new welfare regime. The research included qualitative interviews with 64 women who had been in an abusive relationship with intimate partner/s and received social assistance (either Ontario

Works [OW] or Ontario Disability Support Program [ODSP]) at some point since 1995, when the major reforms began (Mosher, Evans, Little, Ontario Association of Interval and Transition Houses & Ontario Social Safety Network). We discovered very quickly as they shared their experiences how powerfully social assistance can operate to make women less, rather than more, safe. When social assistance intersects with policies and practices in other arenas (such as immigration, criminal justice, child welfare) it constrains and complicates even further the limited options women are able to exercise as they attempt to end the violence in their lives. Our findings not only confirm the central importance of access to adequate state income support for women's safety, but detail the myriad ways in which Ontario's present welfare system is failing abused women and shoring up the power of abusive men.

As women contemplated the complex question of whether to stay or leave, many were acutely aware that they could not support themselves and their children through labour market participation. A number of women had no family or friends they could turn to for support and assistance, and for many, this was wholly or in part attributable to the social isolation their batterers had enforced. Perhaps not surprisingly then, several of the women expressed gratitude for the welfare benefits they were receiving, observing that they had absolutely nowhere else to turn and no other possible avenue of financial support. While on the one hand this makes abundantly clear that welfare can and does provide a crucial avenue of escape for abused women, it is equally clear that inadequate rates and a punitive and demeaning environment compel some women to return to abusive relationships and compel others to never leave.

Current rates are profoundly inadequate; at the time of the study the maximum monthly benefit for a single person was \$520. Rates have since been increased by a paltry five per cent, but still represent only roughly 34 per

cent of the Statistics Canada low income cut-off for a single person (National Council of Welfare). Women reported regularly going without adequate food, shelter, transportation or clothing, and several women were without phones. They were hugely concerned about the impact of poverty and the stigma of welfare for their children. Similar to our findings, several American studies have also found that leaving an abusive relationship greatly increases the risk of food insufficiency and homelessness (Tolman and Rosen).

Nine of the women we interviewed remained in abusive

enable their taunts of “you can’t live without me”—because we have failed to make adequate financial support available to abused women.

Our research also makes clear that not only the adequacy of rates, but other features of the social assistance delivery system play a critical role in relation to women’s safety. Two centrally important features, both integral to the reforms of the mid-1990s, are workfare and the policy of zero tolerance for welfare fraud. In 1997 the *Ontario Works Act* came into effect, tying eligibility for social assistance to participation in a range of activities geared to

Partners used a number of tactics to sabotage women’s efforts to get and maintain a job or to improve their employment prospects. These included burning books, harassing women by repeated telephone calls or visits at work, and leaving them without transportation home when women worked night shifts.

relationships because they knew how much they would receive on welfare and felt that they could not provide adequately for themselves and their children; seven women reported returning to an abusive relationship in situations where their struggle to survive on welfare was *the* reason, or one of the one main reasons, for returning; and six women were contemplating returning at the time of the interview or had considered returning to the abusive relationship because of the difficulties of surviving on welfare. Women also commonly referred to their friends and other women who they had come to know in shelters or elsewhere and offered their observation that many women were remaining in or returning to abusive relationships because of the welfare rates. Earlier research undertaken by the Ontario Association of Interval and Transition Houses (OAITH) shortly after a 21.6% rate cut was introduced in the mid-90’s came to the same conclusion; all of the shelters surveyed reported that women were remaining within, or returning to, abusive relationships as a direct result of the decrease in financial assistance. It is abundantly clear that the horrendous “choice” confronting many women is that of continuing to endure abuse or face the inadequate provision of the means essential to bare human sustenance, let alone necessary for human flourishing or full citizenship.

It is also important to pay attention to the even starker choice facing women without legal status in Canada. In Ontario, women without legal status are categorically ineligible for social assistance benefits, unless an application for permanent residence or refugee status has been initiated. The denial of welfare benefits leaves some women with virtually no choice but to remain in the abusive relationship (Mosher). As was painfully clear from our interviews, inadequate rates diminish, even extinguish hope. We collectively give abusive men more power—we

provide not the best, but the shortest, route to employment. Workfare applies to those considered “employable” with temporary deferrals for those caring for children too young to be in school part-time or other family members requiring care, or to anyone who “has declared himself or herself to be a victim of family violence.”

Contrary to the assumptions of mandatory workfare, women in our study viewed paid work as critical to improving their economic security. What we learned from women, however, was that workfare failed women ready for employment as surely as it failed women who were not job-ready. While paid work may be particularly important in order to lessen or remove the power of violent partners (Brush), seeking employment may be impossible because of the impacts of abuse, and/or because women’s efforts risk intensifying the abuse (Moe and Bell). The findings from our study document with chilling clarity the kind of interference and harm that women experience when they are employed or try to find employment. Equally clear from our findings are the many ways in which the practices of workfare operate to ignore these harms.

Partners used a number of tactics to sabotage women’s efforts to get and maintain a job or to improve their employment prospects. These included burning books, harassing women by repeated telephone calls or visits at work, and leaving them without transportation home when women worked night shifts. Women were forbidden to take a job, go to school, and made to feel guilty about the care of children and household. Talking about employment was risky and could provoke an escalation of abuse, and many women were subjected to continual put-downs about their ability to hold a job. The control exercised over women who were newcomers to Canada, especially those who were sponsored, was particularly

powerful as partners were usually well positioned to isolate them, at times completely, from members of their own communities. Women were very clear about the nature and purpose of the control the men exercised. Capturing a common refrain, one woman explained:

He never permits me to master any skills. I guess he might be thinking that if I live a life of a simpleton, it would be easier for him to dominate me and put me down.

Our research also documented the physical and psychological harm women suffered. Roughly half reported serious and continuing impacts that included chronic and severe back pain and headaches, depression, anxiety, suicidal thoughts, sleep problems, ulcers and eating disorders. In addition to their own health issues, they were also concerned about the effects of violence and poverty on their children.

How did women fare in relation to workfare requirements? Some women reported that they were pleased that workfare was in place, and hopeful of the help it might provide. With few exceptions, women spoke of their considerable frustration and great disappointment. They found little support beyond resumé workshops and were rarely given any help to locate the unpaid community service that was required of them. Also, their own efforts to access education and training were often thwarted. In recounting her unsuccessful attempts to get her worker to refer her to a training program, a woman explains that it made her feel: "Like you're a lost cause and there's no programs. Just keep you on welfare, keep you down, keep you low ... you end up living in that rut...." A woman who works 30 hours a week and has her low wages topped up by welfare wants to access computer training in her spare time but is told she is not eligible: "If I want to take some training, I have to save money. And with two kids some times that is hard...."

Other women experienced the workfare requirement as an almost unbearable additional pressure on lives that were already replete with stress from the impacts of abuse on their own health, the health of their children, and safety concerns. Despite recent hospitalizations for nervous breakdowns one woman struggles to meet the requirement of 120 hours a month of unpaid community service. Suffering from severe back problems and depression, another explains that she had no help from her worker to access a medical deferral. Yet another woman sees no option other than to apply for ODSP because she cannot manage the workfare requirements: unable to bear physical proximity to people, she had to flee an interview when told that the employees were like "one big happy family." Proof of a full-time job search was required, despite the fact that one woman attended university full-time; falling ill, she was terrified that benefits would be cut off because she could not produce the necessary list of job contacts.

Workfare can endanger the security of women and

children. A worker insisted that one young mother leave her infant in the care of an abusive boyfriend and then contacted him directly to inquire whether it was true that he had abused her. In apparent contravention of the legislation, several women were expected to meet their workfare requirements outside their children's school hours: "But as soon as she went to school ... I had to look for a job—even weekends, or anything I could get." A woman looks back on her struggle to meet the obligations of workfare, and at the same time, the needs of her children:

I find that if you have children ... they push you out the door to go to work. I understand that the government is trying to cut back, but the people that do have children need to be with their children.... I was working and I had no problem with working but it was also a very difficult thing to do with three children especially with what my children had been through in the past. And that's when my problems began with my kids because ... I wasn't home for my children and the only type of employment I could find was a job where I was working in the evenings. It's not easy to just go out the door and find a 9:00 to 4:00 job where your kids are at school. It's really hard.

Given this discussion, it was particularly troubling to find that less than one quarter of the women we interviewed were aware that they could be deferred from workfare because of the violence they experienced. In fact, only nine of 55 women knew about this possibility. Twenty-two reported that workfare requirements were applied, although their worker knew of the abuse. Seven women were deferred, but most frequently for reasons unrelated to the abuse, such as the age of their children or other medical conditions. Two women were told about the deferral but did not want one. The findings from our study document, so very clearly, that the deferral does not meet its presumed intention of providing some necessary time free of participation requirements for women who have experienced violence.

While it is evident that the possibility of a deferral on the grounds of family violence is not working for women, it is also not easily repaired (Mosher *et al.*; Lyon). Even if appropriate information is made available, many women do not feel safe in disclosing the abuse they have experienced to welfare workers. The reasons given for not disclosing the abuse include the prospect of being judged negatively, being suspected of lying, and having to answer intrusive questions and provide documentation (police/medical/shelter reports) that they do not have. But there are other compelling reasons. Women have legitimate fears of potential reports to child welfare authorities, retaliation by the abuser who may learn of the disclosure, the launch of an investigation into whether she is living with a spouse and risking not only an assessment of an

over-payment but a possible fraud charge, and for newcomers, a concern that such a disclosure may further jeopardize their status in Canada. Rather than attempting to set up deferrals to apply to abused women as a separate category of those who receive social assistance, regulations and practices need to be in place that resonate with, rather than operate against, the realities of women's lives which include the prevalence of violence in their lives, their needs and the needs of their children, employment barriers, and their own aspirations. In order for Ontario Works to work for and to be fair to women, a shift must be made to high

reminiscent of the negative messages delivered by their batterers. As one woman explained,

Okay you've left. You've made this great decision, but we're [welfare] gonna' keep you this big because you're never gonna' get anywhere else.... I've left an abusive man to deal with an abusive worker.... Like you don't have to make me feel bad. I already feel bad ... and you're groveling all the time. Well that's the situation I just left. And I'm sure that there are lots of women who feel that way. All I did was grovel. Now I have to beg you?

“Okay you've left ... but we're [welfare] gonna' keep you this big because you're never gonna' get anywhere else. I've left an abusive man to deal with an abusive worker.... You don't have to make me feel bad. I already feel bad ... and you're groveling all the time. Well that's the situation I just left. All I did was grovel.”

quality programs in the context of voluntary participation and decent levels of income support.

As noted above, an additional feature of the reformed social assistance regime in Ontario that has had a profoundly negative effect on all recipients, with particularly pernicious effects on abused women, is the policy of zero tolerance for fraud. Having constructed a problem of rampant welfare fraud—a problem not borne out by even its own statistics—the government proceeded to introduce a series of additional measures to detect and punish fraud (Mosher and Hermer). Included among these measures were expanded powers for eligibility review officers, information sharing agreements, consolidated verification procedures, a toll -free welfare fraud snitch line and increased penalties upon conviction (a lifetime ban on receipt of benefits was introduced by the Conservative government but later revoked by the Liberal government, but in conjunction with the introduction of a new get tough on fraud policy directive).

The system's focus on fraud, and the more general denigration of those dependent upon the system, led many women to draw both explicit and implicit parallels between life in an abusive relationship and life on welfare. Women described being mistrusted, being constantly under surveillance and treated as criminals, as prisoners and as garbage. As with their husbands who did not trust them and constantly monitored them to ensure compliance, women in receipt of welfare assistance are not trusted by the deliverers of the program and are constantly monitored to ensure their compliance with an impossibly complex and impenetrable set of rules governing welfare receipt. Many women felt routinely demeaned, dehumanized and disrespected in their interactions with the system. The message that they were stupid, incompetent, lazy, not fully human, and unworthy was disturbingly

Just as in their abusive relationships, the welfare system also exercises a form of power through its control over access to information. Many women drew parallels between the lack of control over their lives experienced on welfare with the lack of control felt in their abusive relationships. Distressingly, some women returned to abusive relationships because they had greater control over their lives in the abusive relationship; the welfare system, especially as it interacted with other systems (child welfare, immigration, criminal justice, family law) was wildly unpredictable and uncontrollable.

The welfare fraud regime operates in a further and very direct way to shore up the power of abusive men. Current or past partners threaten to report, and in some cases actually do report allegations of fraud to welfare offices; they can do so anonymously and with absolutely no repercussions for false reports. The potential or actual suspension or cancellation of benefits, the possibility of an overpayment being assessed and the looming threat of a criminal fraud charge, operate to keep women entrapped and silent about the abuse. Women described how accepting small amounts of money, or even a few groceries, could lead to their literal entrapment. So too, could the formation of a relationship itself. One woman on welfare met a man and they began to spend more and more time together. She was very hopeful that a permanent relationship would develop and that he would be her “ticket off welfare”. But when she suggested he move in and share expenses, he flatly refused. He became more and more abusive, constantly threatening that he would call welfare and report that he was living with her, although in fact he refused to commit to the relationship and rather than providing for her, sponged off of her. However, because they did spend a lot of time together, he may well have been found to be a “spouse” for welfare purposes, creating

the possibility not only of her being cut off and assessed with an over-payment, but charged criminally with fraud. In her words:

I mean you can't even get a guy outta' your house because now he has all the power in the world. Welfare fraud, welfare, that's what it's all about. They just gained the biggest stronghold they could ever gain and there'll be so many women that will be affected by that.... I just got into an abusive relationship that I could no longer get out of because now someone could accuse me of fraud.... Now I was bound because... that just gave him the control.... See that's the whole problem with how it's set-up now 'cause now women can't get out. Now they are definitely trapped. They are trapped... they're going to basically life sentence you when you need some help.

Our study, consistent with both historical and contemporary research in the United States, makes clear that access to adequate financial support is crucial to women's ability to leave and remain separated from their abusive partners (Davies; Lyon; Raphael). Our research also demonstrates that attention to adequacy of benefits alone is insufficient in formulating sound public policy that takes anti-violence objectives seriously. The conditioning of benefits upon mandated employment or employment readiness activities flagrantly ignores what is known about both the dangers employment can pose for abused women, and about the tremendous importance of access to meaningful employment in the longterm for women's safety and ability to live violence-free lives. Building a system upon a presumption of fraud emboldens abusive men while entrapping abused women.

Disturbingly, Ontario's new *Domestic Violence Action Plan* (2005)—its blueprint for protecting women and children—is silent on the links between poverty and violence and on the harms of current welfare policies. While modest initiatives in relation to housing and employment are included, the plan fails to take seriously the evidence that violence makes women poor and keeps them poor, and that the realities of social assistance can be harsher than the abuse. As such, the plan fails to create for women one of the crucial pathways to safety: access to a system of income support grounded in fundamental human rights.

The support of the Social Sciences and Humanities Research Council in funding this research is gratefully acknowledged.

Janet Mosher is an Associate Professor at Osgoode Hall Law School, York University. Violence against women, the welfare state and access to justice are her primary research interests.

Pat Evans is an Associate Professor in the School of Social Work, Carleton University. Her research and writing highlights women's issues related to welfare and paid and unpaid work.

References

- Brush, Lisa. "Battering, Traumatic Stress, and Welfare-to-Work Transition." *Violence Against Women* 6 (10): (2000): 1039-1065.
- Davies, Jill. "Policy Blueprint on Domestic Violence and Poverty." *Building Comprehensive Solutions to Domestic Violence*. 2002. Publication #15. Online. http://www.vawnet.org/NRCDVPublications/BCSDV/Papers/BCS15_BP.pdf. Accessed June 30, 2006.
- Lyon, E. "Welfare and Domestic Violence Against Women: Lessons from Research." *National Electronic Network on Violence Against Women*. 2002. Online: http://www.vawnet.org/DomesticViolence/Research/VAWnetDocs/AR_Welfare2.php. Accessed June 30, 2006.
- Moe, Angela. and Myrtle Bell. "Abject Economics: The Effects of Battering and Violence on Women's Work and Employability." *Violence Against Women* 10.1 (2004): 29-55.
- Mosher, Janet, Pat Evans, Margaret Little, Ontario Association of Interval and Transition Houses and Ontario Social Safety Network. *Walking on Eggshells: Abused Women's Experiences of Ontario's Welfare System*. 2004. Online http://osgoode.yorku.ca/osgmedia.nsf/research/mosher_janet. Accessed June 30, 2006.
- Mosher, Janet. "The Complicity of the Public State in the Intimate Abuse of Immigrant Women." *Migrant Women's Quest for Social Justice*. Ed. Vijay Agnew. (manuscript under review), 2006.
- Mosher, Janet and Joe Hermer. *Welfare Fraud: The Constitution of Social Assistance as Crime* (forthcoming Law Reform Commission of Canada) 2005. Online. http://osgoode.yorku.ca/osgmedia.nsf/research/mosher_janet. Accessed June 30, 2006.
- National Council of Welfare. *Welfare Incomes 2004*. Ottawa: National Council of Welfare, 2005.
- Ontario Association of Interval and Transition Houses (OAITH). *Locked In, Left Out: The Impacts of the Budget Cuts on Abused Women and Their Children*. Toronto: Ontario Association of Interval and Transition Houses, 1996.
- Raphael, Jody. *Saving Bernice: Battered Women, Welfare, and Poverty*, Boston: Northeastern University Press, 2000.
- Schechter, Susan. "Expanding Solutions for Domestic Violence and Poverty: What Battered Women with Abused Children Need from Their Advocates." *Building Comprehensive Solutions to Domestic Violence*. Publication #13 September 2000. Online http://www.vawnet.org/NRCDVPublications/BCSDV/Papers/BCS13_ES.pdf Accessed June 30, 2006.
- Tolman, Richard .M and Daniel Rosen. "Domestic Violence in the Lives of Women Receiving Welfare." *Violence Against Women* 7 (2) (2001): 141-158.