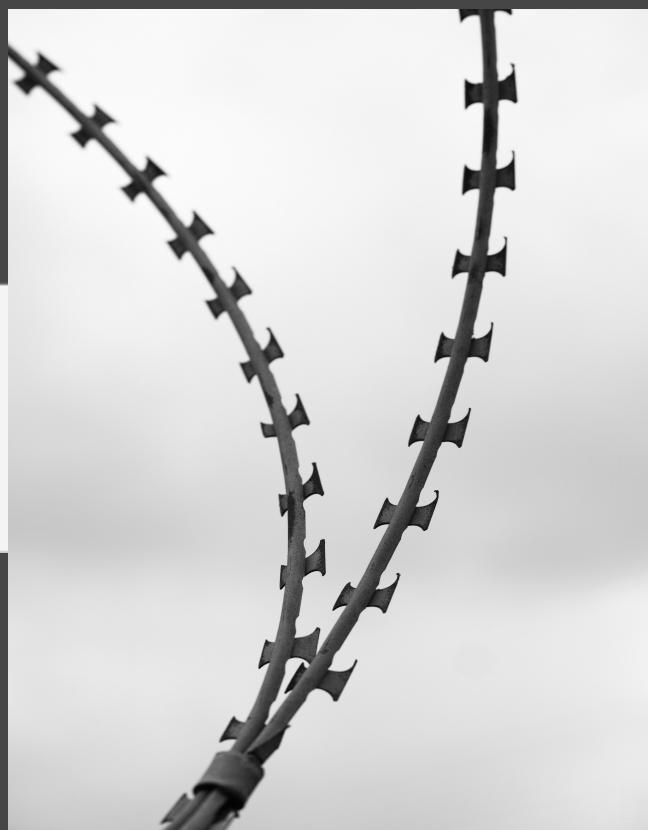
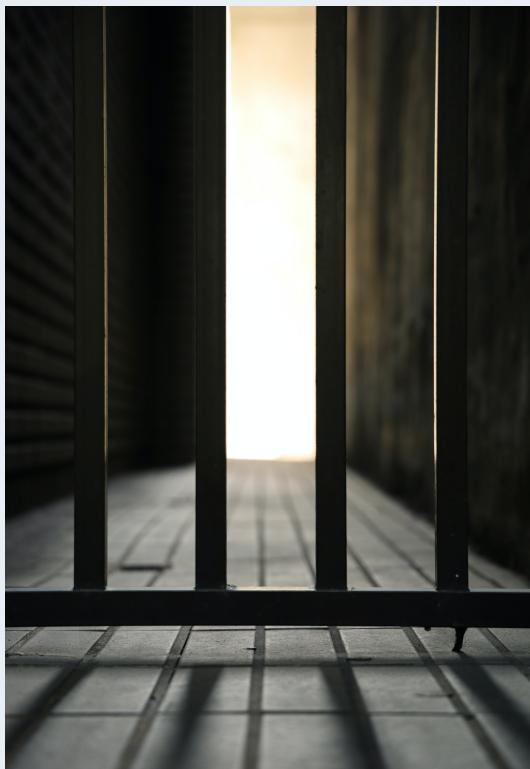


# The Causes and Consequences of Breach of Court Orders for Criminalized Women in Nova Scotia



August 2020



# The Project

**Funded by a SSHRC  
Partnership Engage  
Grant**

To explore the reasons for and consequences of the breaching of court orders by women involved in the Nova Scotian criminal justice system.

## The Research Team

**A Collaboration with  
the Elizabeth Fry  
Society of Mainland  
Nova Scotia**

- Dr. Alex Khasnabish (Principal Investigator, Mount Saint Vincent University)
- El Jones (Co-investigator)
- Ashley Avery (Research Assistant)
- Emma Halpern (Community Partner Lead)

**01**

### *Objective*

Use qualitative, community-engaged research to explore why women involved in the criminal justice system breach court orders and how this impacts their access to justice.

**02**

### *Objective*

Produce research about breach of court orders that will contribute to the Elizabeth Fry Society's strategic planning and programming, advocacy, and justice reform work.

**03**

### *Objective*

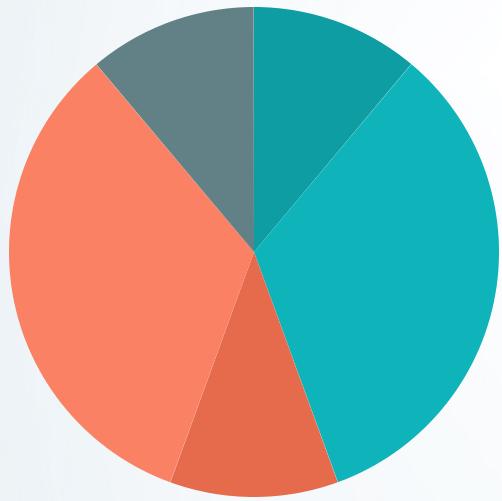
Produce research that will contribute to improving women's access to justice in Nova Scotia and to criminal justice reform.



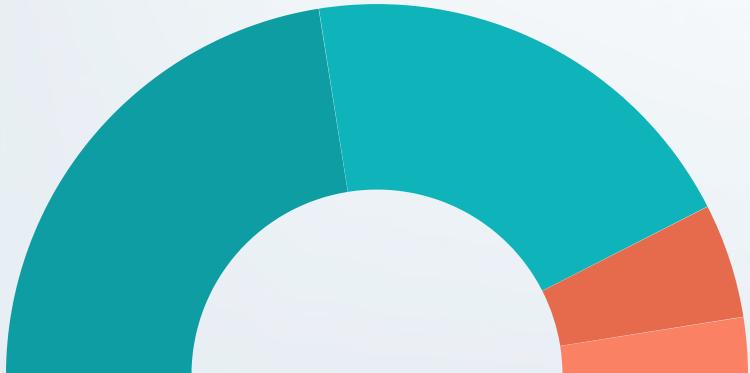
## Our Participants



## Racialized Identity Breakdown



Black (11.11%)    Indigenous (33.33%)  
Some Black Ancestry (11.11%)  
Some Indigenous Ancestry (33.33%)  
Other Racialized (11.11%)



Heterosexual (45%)    Gay/Lesbian/Bisexual (40%)  
Trans (10%)    Undisclosed (5%)

**It just ruins your whole life. You're in and out of Burnside, which is filled with all of the people you should be staying away from. There's nothing there for you, some programs but nothing that really helps you to get better and then you're back out on your ass no better than when you came in....I don't have any relationships anymore... people just give up on you eventually.**

- Interview 18

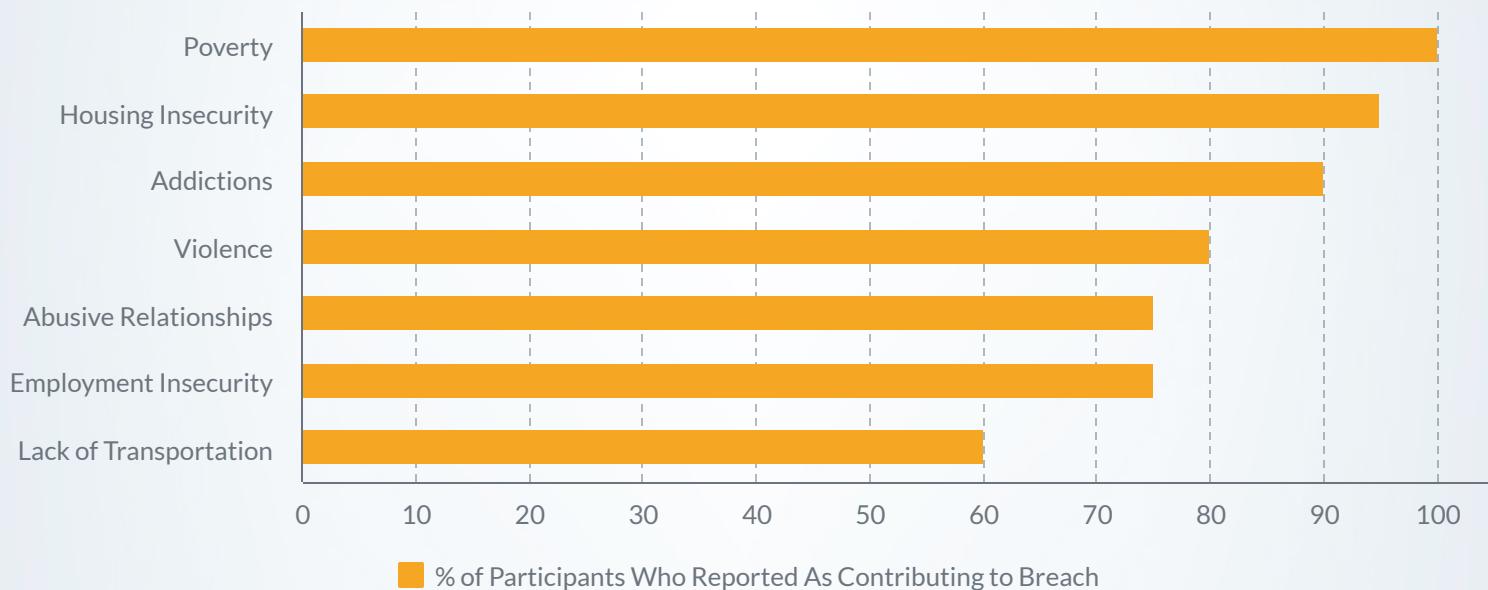
# What We Found

Once you're in the system, you're stuck in the system. It's a revolving door....There's no help.

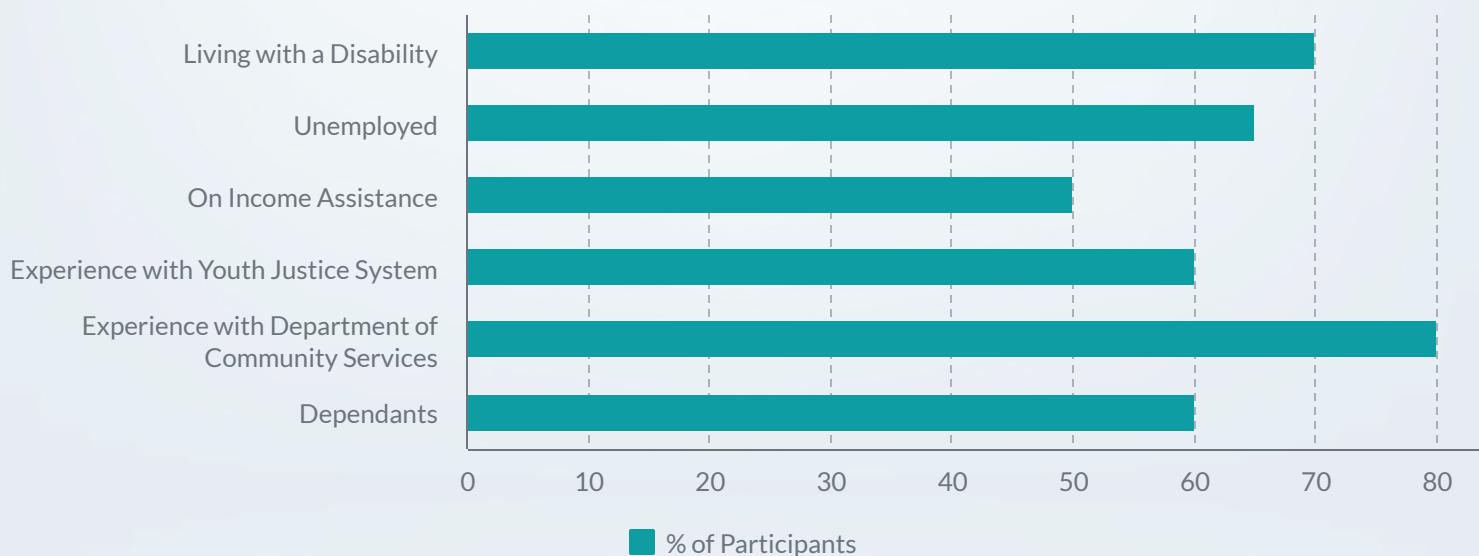
- Interview 14

- Two year qualitative, community-engaged research project
- Twenty women involved in the Nova Scotian criminal justice system who had breached at least one court order

Factors Contributing to Breach

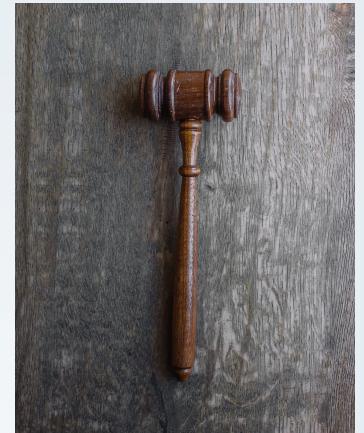


Compounding Vulnerabilities



# The Revolving Door of Criminal Justice

Women reported experiencing their involvement in the criminal justice system as akin to a "revolving door" that did not assist them in addressing the underlying reasons for their actions.

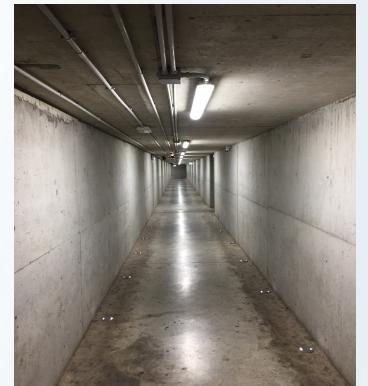


## Set Up to Fail

Orders were often seen as unrealistic or punitive, particularly with respect to addictions, resulting in a cycle of constant and escalating involvement with the criminal justice system.

## Structural Violence

Our participants were poor, addicted, and living with disabilities. They were also disproportionately racialized.



**The judge would say, "we're going to give you another chance but you can't be doing drugs, can't be drinking, can't be doing this." If it was that easy everybody would be cured. They just set you up, give you enough rope to hang yourself.**

- Interview 7

# In Their Own Words

## Women's Breaches and their Consequences

- Women reported court orders as doubling down on punishment and pre-existing struggles
- The association between breach and addictions, poverty, and housing issues was particularly notable
- Women's stories reflect a chain of institutionalization

**It has ruined my life. Jail has become my home...how bad does that sound? They let me out and I know I'll just be right back inside.**

- Interview 21



**I think we need more support rather than being incarcerated. We need to be looked at as an addict, or a woman, or coming from abusive homes or broken homes and losing our children. I think we need more supports than just to be thrown in jail and not given that support or help for when we get out, or any kind of a plan. It's just a vicious cycle set up for failure.**

- Interview 9

## A Desire to Do Better

Women accepted responsibility for their actions and their consequences and expressed a desire to "do better." They reported that their court orders and overall involvement in the criminal justice system did not support this.



# Alternatives

## *Criminalized Women Envision Alternatives to Court Orders*



To have probation and judges and police just let you get help. To have proper housing and addictions support and not be running around the justice system and carrying around a bunch of stigma. Just sentence me to get my life together.

- Interview 18

- Supports (housing, employment, addictions), not punishment
- Treatment, not jail
- Community-based services and programming
- Addressing underlying life circumstances and enduring forms of structural violence

**I would make them give me housing and mental health support, no jail, just help. That's all I have ever needed.**

- Interview 15

**I would take off the conditions altogether. They sent me to jail, isn't that punishment enough? How do they think they can just punish you and then make it impossible to live your life? Always afraid of messing up...you start to believe you're a failure.**

- Interview 17

# A Research Partnership Between:



## Research Funding Provided By:



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