

Supplemental Material

Tab #1: Reasons Why Your Client Might Not Disclose Experiences of Family Violence

There are many reasons why a client may not disclose family violence on their own or may not want to talk about it. For example, they may:²⁰

- ▶ not recognize that what is happening to them is abuse;
- ▶ not realize that family violence has any relevance for the family law case;
- ▶ be afraid of what their ex-partner will do to them or their children if the violence is disclosed;
- ▶ be afraid that their children will be taken away from them;
- ▶ feel shame or be embarrassed about their experiences (particularly male clients);
- ▶ not know or recognize the danger they are in, as they have developed coping mechanisms or they perceive the violence to be “normal”;
- ▶ be struggling to process their own culpability if they fought back;
- ▶ be intimidated by meeting with a legal adviser, leading them to feel reluctant to open up or to think that their legal adviser will not want to hear about it;
- ▶ be uncomfortable disclosing their experiences to a legal adviser of another gender;
- ▶ have a mistrust of people in the justice system, including legal advisers, based on previous interactions that have been negative, judgmental or racist;
- ▶ fear not being believed: victims of IPV often face doubt, disbelief and dismissal of their stories, including when they turn to the justice system for protection;
- ▶ be dependent on their ex-partner (e.g. financially, emotionally or physically, especially if their ex-partner acts as their caregiver);
- ▶ fear having their autonomy taken away from them (e.g. forced into a care facility, removal of their decision-making ability);
- ▶ fear being ostracized or isolated or losing support from their family or their community;
- ▶ fear being deported;
- ▶ be concerned that a disclosure may result in them having to leave their community because, for example, their community does not offer emergency resources;

- ▶ have limited knowledge about Canadian laws, the justice system, the legal process and their rights;
- ▶ be unable to communicate in a way that is understood (e.g. language barriers);
- ▶ be triggered by discussions of the abuse or experience flashbacks as they try to tell you about what has happened;
- ▶ be living with the impact of trauma or brain injury, which can significantly affect cognitive functioning (brain and nervous system); and/or
- ▶ want to avoid distressing thoughts about traumatic events.

Legal advisers can help support disclosure by routinely asking their clients about family violence in an accessible and culturally safe way, using a trauma- and violence-informed approach to asking questions, being respectful and showing concern, and helping clients connect with services and supports. See the [HELP Guide](#).