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Laidlaw Scholars 2021-2022 Deliverables

Summary Of 2022 Summer

During my Laidlaw Scholars Summer 2022, I was optimistic about applying my research in Family Law and International Law to compiling a resource guide for victims experiencing Intimate Partner Violence. As a legal scholar, it was my pleasure to explore Canadian and American law and discover the direction taken by these jurisdictions in curbing intimate partner violence.

Before the summer started, I gave myself a few SMART goals to work around, with the hopes of ensuring greater project outcomes. Given the research background done last year, I wanted to improve my cultural intelligence and awareness, specifically awareness for intimate partner violence. Adapting a more humanistic approach alongside a legal one, I aimed at understanding whether intimate partner violence could be curbed better if we better understood the effects of using Battered Women Syndrome in domestic abuse defence law. Additionally, another goal I had was to become more critical of my own research. I wanted to be constantly reflective and aware of my own research and its interpretation. As such, I regularly checked back and made adjustments to my own research, as well as considering how others may interpret my research for their own intentions. Understandably, intimate partner violence is a

difficult topic to explore, and as such, it became ever the more important for my research to be as helpful as it can be for the victims of intimate partner violence.

As I started to read up on the project before the summer, I was reorienting myself and reviewing my research from the past year. The research from year 1 proved to be both telling and rudimentary, which was based on what the Battered Women Syndrome is and how it has been adapted as a form of evidence to defend mariticide committed by domestic abuse victims. I still recall the idealistic thought process and instinct to question why legal blame is always on the domestic abuse victim and not its perpetrator, and why these perpetrators were never brought to justice. Stepping further into this rabbit hole during my research in year 1, I recognised the complexity of mariticide, and its legal implications on whether this justifies as self defence. My conclusion remained optimistic, that courts would recognise the fact that domestic abuse victims committing mariticide is due to a perspectably inescapable situation, and that the syndrome has been used to instruct juries to hand down a reasonable verdict.

This summer, however, I had a few opportunities to work with my previous advisor on this project, and reflected on whether I could answer a few key questions raised last summer. I realised that much of the research in year 1 could be utilised to inform NGOs working with intimate partner violence, especially those helping “battered women” in legal proceedings. For the first weeks of the project, I dedicated myself to outreaching out to NGOs interested in adapting the framework of my project. Around the second and third weeks, I was more interested in adapting my research from year 1 into a resource guide, with more research into answering the difficult questions raised by my first research paper.

The process was much more arduous than expected, as much of the legal material gathered had been more or less associated to evaluating the syndrome itself. This raises a key

question that I wasn't focused on last year: is the syndrome itself problematic? Are there merits to using this? In a more feminist society, how much of the "battered women" label should be used? Does it reinforce unnecessary, if anything damaging, stereotypes on intimate partner violence?

To answer these question, I extended my research to be more critical of the syndrome and its role in law. This goes further beyond the scope intended for my first research, in that it goes beyond what the Supreme Courts of Canada and United States of America considers. It also forced me to confront how and why these legal systems have adapted related family laws in the way they have. This manifested in my research incase precedents that documented the evolution of Battered Women Syndrome in law. It was particularly interesting to see these courts balancing their responsibility of deterring killing and delivering justice for domestic abuse victims. What was even more interesting was the gap in literature in how the courts can further improve in preventing intimate partner violence to begin with. There was practically no specific law to deter perpetrators from committing intimate partner violence, and there remains a lot of stigma on victims expriencing such violence.

This led me to a new direction in writing the resource guide: if this resource guide is to be read by lawyers and NGOs, how could they benefit from being exposed to these problems? Maybe it would caution them when creating a defence for these victims. Maybe we can better understand the role of advocacy in creating a better status quo for these victims. And maybe, just maybe, this resource guide can encourage more victims to speak up on their own problematic relationships as well. It was also really troubling for me to see that most cases are only properly reviewed when there are escalations, such as Mariticide. The aim for this resource guide is to reveal the problematic side of law in preventing these tragedies, and to reflect on why Battered Women viewed their scenarios as inescapable and impossible.

Given this, I added sections that require more research into the legal questions for attorneys and NGOs to consider before a lawsuit. A new section was thus born with the purpose to better frame the necessary questions to consider for an effective legal defence. What's more, the new direction has influenced me to not only consider what is an "effective" defence, but what is a humane one. In other words, what was a legal defence that refuses to dehumanise the victim? Is there one where the "battered women" syndrome is not just a legal standard, but the telltale experiences of everyday intimate partner violence? Often times it was difficult for me, an introductory legal scholar to find concrete answers to these questions, but if there was one thing I've learnt from year 1, is that determination always produces candid results.

The result of this summer's research culminated in a resource guide intended for NGOs, with a more comprehensive guide on ways victims can use this as a legal resource.

Reflections

As the second summer for the Laidlaw Scholars program has elapsed, this was my opportunity to look back on two summers worth of research and opportunities. Before I was selected as a scholar, I was truly nervous because of the talent surrounding the scholarship program. I realised, after conversations after conversations throughout the program, that the scholarship was more than just about selecting talented people to write for the program. It was more so about giving more students the opportunity to take up research and create a grounded and meaningful impact with other students.

As far as grounded and meaningful impact goes, I was absolutely astounded by the amount of support given by our mentors, Shraddha and Flo. It was a pleasure working alongside them in coming up with an original thesis and research plan. As I've already mentioned I was initially intimidated by the prospects of original research, especially one that concerns a very powerful and controversial topic. And yet, the team has guided me to craft a focused, engaging and thoughtful thesis that has, without a doubt, completely altered what a research opportunity meant to me.

I am also thankful to my professor and mentor, and perhaps the nicest person on earth, professor Adriel Weaver for accompanying me on this journey. As one of the best professors on campus for Criminal Law, her work inspired me to take on the challenges of this research.

In retrospect, I would say I have exceeded my own expectations within the program. Though I set out with a clear topic and thesis in my head, I realised that even with a firm grasp on the topic of criminal justice and family law, I was definitely underprepared to handle the amount of research that came my way. It was perhaps humbling to see that I had much to learn. And yet,

with the encouragement and guidance of the Laidlaw team, I was able to navigate and focus, slowly making sense of the different legal decisions. This certainly surprised me, as I really and truly felt as though there was substantial growth that was present throughout the process.

A surprise was not the only takeaway from the program of course. I had the opportunity to learn from Laidlaw Scholars-exclusive masterclasses and discussion groups, which was definitely an added bonus on top of the research I've done. This was perhaps a profoundly underrated moment throughout the program, as the scholarship has truly delivered on its promise of adding leadership values to my experiences.

Once again I am thankful for the opportunity to conduct this research. Till next time.