Helen Naslund got an 18-year sentence for killing her husband after enduring his violence for nearly three decades. Her story is extraordinary, but her pathway to the criminal justice system is not. The majority of female offenders experience abuse before being charged, and the crimes they commit are often an effort to end it.

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he Labour Day long weekend was the Naslund family’s annual measuring stick. The work they accomplished in the weeks before and after determined what their finances would be like at year’s end. In 2011, with autumn looming, the family’s stress levels were high: They were struggling to cover their debts and at risk of losing the farm where they raised cattle and sheep not far from the village of Holden, Alta.

Helen Naslund spent Saturday, September 3, at A1 Rentals, an equipment-rental company where she worked as a manager. When the 47-year-old came home after her shift, she found her husband, Miles, drunk. Brandishing a gun, he ordered Helen and the youngest of their three sons, Neil, to complete the day’s farm work. Helen worked the haybine that evening, and again the next day. But the tractor broke down; the work stopped. Miles flew into a rage and threw a number of tools at Helen.

Miles began trying to repair the tractor while Helen prepared dinner for the couple and the two of their three adult sons who were still living at home. When her husband returned from the field, he told her that she would pay dearly for damaging the equipment. Then he violently shoved cutlery, plates, glasses and food off the dinner table, saying the meal was not fit for a dog. His threatening behaviour calmed only when he passed out drunk that evening.

In the early hours of the next day, Helen retrieved a .22-calibre revolver stored in a cabinet in their farmhouse, where, for 26 years, she had endured countless violent, alcohol-fuelled fits of rage from her husband, often with a gun in his hand. As Miles slept, she shot him twice, ending his life—and perhaps saving her own.

In that moment, one long nightmare ended for her and another began. Nine years later, in October 2020, after pleading guilty to manslaughter, Helen was sentenced to 18 years in prison. It’s one of the longest sentences in Canadian history given to a woman who killed her abusive partner.

While Helen’s sentence is extraordinary, her pathway to the criminal justice system is not: A staggering 86 percent of female offenders in Canada experienced physical abuse before they were charged with a crime, and two-thirds endured sexual abuse. For some, like Helen, the crimes they committed were likely an effort to end or lessen abuse. And Helen’s is not the only case in recent years in which a woman who suffered abuse was held responsible for it. In November 2019, Serrece Winter, a 45-year-old woman from Dartmouth, N.S., failed to show up in court to testify against her on-again, off-again boyfriend for allegedly assaulting her. Winter was violently arrested and jailed for her failure to appear and ended up being charged with assault herself after allegedly kicking a booking officer’s leg. A year later, the charge was dropped following public outcry and criticism from the premier.

Also in Nova Scotia, Lisa Banfield was charged in December 2020 for allegedly giving bullets to her partner, Gabriel Wortman, the man who committed the single biggest mass shooting event in Canadian history. Wortman murdered 22 people in a days-long rampage, and friends and neighbours have told media that they saw Wortman abuse Banfield horribly for years. She likely escaped being killed herself by hiding in the woods.

In February 2021, the Canadian Association of Elizabeth Fry Societies released a report on Canada’s federal prisons for women, in which participants describe their experiences of sexual and physical abuse and how they led to their incarceration.

“Women in prison can be victim, victim, victim to abuse their whole life and then they finally react. She finally says, ‘Enough.’ And now she’s in jail,” said one. “After years of abuse, I snapped,” said another.

This stark overlap between victimization and criminalization suggests that something is wrong.

Helen Speed was born in 1964, the youngest in a family of eight children. She grew up on her family’s dairy farm in central Alberta. A classmate remembers her as quiet and hard-working. Her parents were of their generation: aloof and unaffectionate, but committed to family.

At 16, Helen left home for the nearby town of Camrose, where she met Miles. Within a few months, the pair moved in together. They married in 1983, when she was 19 and he was 21. Two years later, they settled in the farmhouse nearly 100 kilometres east of Edmonton where they lived for the next two and a half decades. They had three sons, born between 1984 and 1992: Wesley, Darrel and Neil.

The first years of their marriage coincided with tough times in Alberta. Interest rates were high, jobs few. The couple struggled to manage the farm’s finances from the start. Making matters worse, farmers describe the quality of the land in the area around the Naslund farm as hit-or-miss—like the weather. With 3,000 acres and 50 head of cattle, the farm required endless work.

The Naslunds’ eldest son, Wes, says things were never great between Miles and Helen, but he still remembers Helen as “joyful and happy” when he was a kid. She loved barrel racing, a competitive rodeo event for women, in which a rider on horseback races through a course of three barrels arranged in a cloverleaf. Helen, who’d competed since childhood, went to rodeo events with her next door neighbour. But eventually, she got rid of her horses and stopped going out.

Wes, who I spoke to last winter, remembers neighbours visiting when he was young, but the social calls stopped by the time he entered his teens. Even his grandparents—his mother’s parents—only visited once a year. Wes believes people feared his dad. When Wes was still in elementary school, his father bought a .357 Magnum. Miles kept it loaded on the coffee table beside his favourite recliner.
"If somebody said something to him to kind of piss him off, he'd sit there and play with it. Cock it and uncock it. Cock it and uncock it. Fiddle with it," says Wes. His father regularly pointed the weapon at his wife and kids. Miles would even put it to their heads if he was furious enough.

"Once [visitors] found out what he was like and what he did, they just... kind of disappeared," says Wes. A neighbour confirmed Wes' suspicions, saying that they forbade their children from going to the Naslund farm because of Miles.

As Miles drank more heavily, his rage became more violent. Once, he made Wes chop willow trees as a punishment for getting into trouble at school. If Wes paused, his father lashed him with a bullwhip—he says he can still feel the grooves from the whip under the skin on his back.

Another time, Wes accidentally drove an old truck into a ditch on the farm. His youngest brother's head smashed into the windshield. When their father saw the wreck, he grabbed Wes' head with his hands and shoved it into the truck's window until the glass cracked, creating a hollow like a fishbowl. Helen beat on Miles to make him stop, but he wouldn't. He was nearly a foot taller than she was and more than twice her weight: Helen weighed about 100 pounds "with rocks in her pocket and soaking wet," says Wes.

He often saw his father punch his mother in the chest or shoulder and knock her to the ground. Sometimes he grabbed her by the arm and twisted it behind her back to manoeuvre her into another room. His mother was "battered for as long as I can remember," and Wes stepped into their fights "many times" to protect her. "There's quite a few loose teeth and holes in the lips, eyes swelled shut that I received so that she didn't have to," he says.

But the Naslunds' eldest son believes the worst abuse his mother suffered was psychological. If Helen made choices without Miles' approval, he threatened her life—even over things as small as having macaroni more than once a week. "If she made a supper that he deemed not fit or suitable for himself, he threatened her. [He'd say], 'If you don't start f-cking making supper, I'll f-cking kill you,'" says Wes.

Helen's current lawyer, Mona Duckett, said her client was not available for an interview for this story. But in court documents presented during her sentencing hearing, Helen described how Miles refused to let her go anywhere other than work without him. "It was, 'Do as I say or else'; that's the way it's going to be," she said.

"It was always the third degree in terms of questioning, and if I went into town, he would ask, 'Where exactly did you go? Who exactly did you speak with?'"

The court documents state that Miles frequently threatened to take his life, but his words made Helen fear for her own.

In 1990, Canada saw an important change in the way abused women were viewed by the justice system. The reason was a woman whose story echoes Helen's: In 1986, Angelique Lyn Lavallee shot her common-law husband, Kevin Rust, in Winnipeg, as he walked out of the room after assaulting her.

Lavallee was acquitted by a Manitoba jury, but the Crown appealed as her actions weren't recognized in Canadian law as self-defence. The case wound its way to the Supreme Court of Canada (SCC). It was one of the first times Canada's criminal justice system considered the concept of battered woman syndrome—a type of post-traumatic stress disorder among women who've been abused, first identified by American psychologist Dr. Lenore Walker in 1979. A woman with this syndrome is on alert all the time for an attack by her abuser, perceiving risk where others might not. It helps explain why a woman who kills an abusive partner is acting in self-defence, even if she doesn't appear to be in danger.

While Lavallee did not testify, medical experts did so on her behalf and said that she had battered woman syndrome. A psychiatrist described her act as a reflection of, in the words of the appeal judge, "her catastrophic fear that she had to defend herself." Medical records showed that she'd been treated in multiple emergency rooms for injuries inflicted by Rust during their four-year relationship, although she lied about how they happened, saying she'd fallen from a horse or dropped a cement block on her foot.

As recounted in the 2013 book Defending Battered Women on Trial by Elizabeth Sheehy, Lavallee's lawyer told the jury, "The issue is not whether Lyn made the choice on this day... as you would have made...[but] whether she thought she had to do what she did."

In a landmark decision, the SCC upheld Lavallee's acquittal, acknowledging that women are entitled to use self-defensive
The court ruled that battered woman syndrome could be used as extension of an argument of self-defence. Women need not wait for the “uplifted knife,” said Justice Bertha Wilson, before protecting themselves when they believed they were in danger of death or grievous bodily harm.

In the aftermath of the decision, the federal government asked Justice Lynn Ratushny to review cases of women who’d been incarcerated for murdering their partners. After looking at 98 of them, she found that women charged with such murders often pleaded guilty to manslaughter—especially those who have children or whose lives are marked by abuse.

Ratushny, now retired, says the women she spoke with told her that they wanted to avoid both a trial and a lengthy mandatory sentence, particularly the potential for lifetime incarceration that comes with a conviction for first-degree murder. But by pleading guilty to a lesser charge, they gave up the opportunity to air their legitimate self-defence claims in court.

Decades ago, Ratushny recommended that prosecutors who are willing to accept a manslaughter charge should charge women with manslaughter from the start. That happens sometimes, but it did not in Helen’s case.

Despite the Lavallee decision, Canada’s justice system remains more attuned to immediate acts of crime, says Jan Reimer, executive director of the Alberta Council of Women’s Shelters. Unlike homicide, theft or assault, domestic violence doesn’t happen as a single physical event. It’s repetitive and cumulative; it’s about escalating control over another human. Physical violence is usually accompanied by mental and emotional abuse: wild accusations about infidelity, for example, or smashing dishes because they have macaroni on them.

This leads abused women and girls to make decisions about their safety in a way that’s almost inexplicable to someone outside that relationship, says Reimer. “When you live in an abusive relationship year after year, your self-worth is destroyed. Now you’re frightened all the time. And it has such a significant impact on your children,” she says. “That often isn’t well understood by our court system.”

The question is always there in cases of abused women: Why didn’t she just leave? It’s an unfair one, dated and harmful. It also ignores extensive evidence from Canada and elsewhere demonstrating that the act of leaving is one fraught with danger. Women face heightened risks of being killed by their partners during and immediately after separation. In Canada, between 2007 and 2011, a woman’s risk of being killed by a legally separated spouse was nearly six times higher than the risk from a legally married spouse.

Helen did try to leave her husband, at least once. When Wes was old enough to drive, he agreed to give her a ride to town and help her get away. At the last minute, Miles called his wife back into the house and into the bedroom. “He said, ‘I need to talk to you,’” Wes recalls. “When she came out, her words to me were, ‘I’m sorry. I can’t go. He’ll find me and kill me.’”

In the court documents, Helen agreed that she was unhappy in her marriage but “due to the history of abuse, concern for children, depression and a learned helplessness, she felt she could not leave.” Wes believes his mother stayed when he was young because she was scared to leave with her children and also scared to leave them behind.

“By the time we got older, she was too broken to fight anymore,” he says. Until the night she killed her husband.

According to court documents detailing the events of that weekend, Helen woke Neil, then 19 years old, who was sleeping in the basement. Darrel was also in the basement, but otherwise isn’t mentioned. Neil helped his mother hide the body of his father, a man who’d physically and psychologically abused them for years.

They pulled his body out of the bedroom and forced it into a large metal tool box, the kind that fits on the bed of a pickup truck. In the documents from Helen’s sentencing hearing, her then-lawyer Darin Sprake said he “struggled” to include battered woman syndrome in her defence. (Sprake said he could not comment on the case.)

By the time Wes was a teenager, his mother had tried to take her life several times. She was almost successful once, in 2003, before Wes turned 16. After a fight with her husband, Helen got drunk, took pills and walked out into a blizzard. Wes’ father woke him from sleep and the family searched the fields throughout a long Alberta winter night until they found her.

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truck. They added weights to the box and welded it shut. Helen got an excavator from work and used it to bury Miles’ Chevrolet Cavalier. That evening, the pair dragged the tool box to a pond and dropped it into the water. Helen pulled a rug, mattress and bedding from the bedroom and burned them. Wes says that Darrel, together with Helen and Neil, came to his house the next day and told him what happened.

On September 6, Helen reported Miles as missing, telling police that he’d left in his car to check on another part of the farm and hadn’t returned. Her story implied that Miles might have taken his own life. When Helen gave formal statements to the RCMP in 2012 and again in 2013, she stuck to her story: that her husband left one day and just didn’t come back.

Over the next six years, Helen worked multiple jobs, including at Crop Production Services, driving a truck that delivered liquid fertilizer. A co-worker from the time says Helen told her that her husband had “just up and disappeared,” and that he would drink a lot and abuse her when he drank.

“She would say it was more than you could imagine, but she didn’t want to go into it,” says the colleague, who never met Miles but had heard about him from local farmers. “And they all would always say, ‘Yeah, [Helen] had it pretty rough.’”

Wes kept the secret, but in 2017, the Naslunds’ middle son, Darrel, told several people that his mother and brother had killed his father and hidden the body. The police searched the farm and the home and, six years nearly to the day after his death, the police recovered Miles’ partially decomposed body. Then, Helen and Neil turned themselves in.

Mother and son were initially both charged with first-degree murder and offering an indignity to human remains. In March 2020, Helen pleaded guilty to a lesser charge of manslaughter. Her lawyer at the time made what he called a “true joint submission” on sentencing with the Crown, recommending 18 years.

Neither lawyer mentioned the history of abuse as a factor to be considered. Neil admitted to offering an indignity to human remains and was sentenced to three years.

In his ruling accepting the 18-year recommendation, Justice Sterling Sanderman listed aggravating factors in Helen’s sentence length, including the indignities done to Miles’ body and that police had been sent on a wild goose chase for years.

“This was a callous, cowardly act on a vulnerable victim in his own home, so his domicile, by a partner,” said Sanderman. He, too, did not mention the nearly three decades of abuse Miles Naslund had inflicted on his wife and children.

Nationally, Canada’s crime rate has decreased by more than one-third since 1998. Between 2008 and 2018, the volume and severity of violent crime declined 13 percent—though police-reported sexual assaults have been increasing over the last five years. Yet, the federal incarceration rate for women is rising. The fastest growing group in Canadian prisons is also the most overrepresented: Indigenous women make up only four percent of the general population but account for 42 percent of women in Canadian prisons and 45 percent of women sentenced to life in prison.

Indigenous women also have the highest rates of physical or sexual violence prior to incarceration: Some research pegs it as high as 90 percent, says Rebecca Rogers, director at Embrave, an Ontario agency that works with survivors of domestic violence. She runs peer support groups for survivors who are in prison or have been released. There are often more women wanting to get into the program than spaces available.

“We treat incarcerated women, especially Indigenous women, like they are so dangerous and they’re going to pose a danger to society,” she says. “These are women who have experienced high levels of violence, high levels of racism, high levels of poverty and that gets left out of their story.”

The same factors that lead to women being victimized—things like sexism, racism, ableism, economic marginalization, intergenerational trauma and colonialism—also contribute to their criminalization.

Rural isolation is another risk factor, according to Paola Di Paolo, an Ontario farmer and researcher who has studied domestic violence on Canada’s farms. She says research suggests rural women may be 50 percent more likely than their urban counterparts to experience domestic violence, as they face unique barriers, including geographic isolation, the presence of firearms and prioritizing the farm above their own health.

“They become trapped. They can’t leave,” says Di Paolo. She learned about Helen’s case on a private Facebook group for rural women who have experienced intimate-partner violence. Helen’s 18-year sentence sparked national outrage, and Di Paolo is one signatory to a petition organized by Women Who Choose to Live, a grassroots.
before legal consequences for defending themselves against male violence. The petition calls on Alberta’s attorney general to intervene in Naslund’s case; by mid-May, it had more than 18,000 signatures.

Sheehy, who wrote *Defending Battered Women on Trial*, co-authored an op-ed in the *Edmonton Journal* with Ratushny, the retired judge. The duo took the rare step of publicly calling on the attorney general of Alberta to initiate an appeal of Helen’s sentence: “Her case raises many questions, fuelling our serious concern that a grave miscarriage of justice has occurred.”

Now professor emerita of law at the University of Ottawa, Sheehy examined 91 cases of women in Canada who killed their partners between 1990 and 2005 for her book. Of these, 49 pleaded guilty to manslaughter, like Helen.

Wes says his mother wanted to protect her youngest son from jail time. “If she took the deal, Neil would only get a few years as an accessory rather than being tried for [a planned, deliberate] murder . . . ,” he says. “They [held] his life and time over her head to get her to take the deal.”

Another reason for Helen’s plea might be the threat of a non-negotiable life sentence if she’d gone to trial and lost. Although the Liberal government has proposed a number of changes to mandatory minimum sentences, including repealing some entirely, advocates say they don’t go far enough. They want legislation to repeal all mandatory minimums, or to at least grant judges the discretion to not impose. Alberta Senator Paula Simons brought up Naslund’s case in the Senate in November as an example of why such sentences are unjust, saying that “the spectre of that mandatory minimum sentence made a truly fair trial impossible.”

Sheehy questions Sanderson, the sentencing judge, for referring to the use of a firearm as an aggravating factor during sentencing. Women usually can’t kill with their bare hands, says Sheehy, “but men can. They do strangle women to death and they do beat them to death. And so, if a woman is going to defend her life, a weapon is often her only opportunity to do so.” If a woman receives a more severe sentence because she used a firearm to kill an abusive partner, it should be clear how and why guns were in the home, says Sheehy. It should also be made clear if they were ever used against the woman herself.

Before COVID-19, a woman in Canada was killed by her intimate partner about every six days. In 2020, 160 women and girls were killed, one every 2.3 days. In the 143 cases where a killer was identified, 90 percent were men. Yet Helen’s sentence exceeds many of the manslaughter sentences given to men who killed their spouses. In 2017, Nathan Russell Mullen received an eight-year sentence for manslaughter for fatally choking his wife, Leslie Dwyre, in Saskatchewan. In Alberta, Allan Shyback was acquitted of murder after strangling his wife and cementing her body in a basement wall of their home in 2012. His manslaughter sentence was seven years, later increased to 10 years by the Court of Appeal.

Reimer, of the Alberta Council of Women’s Shelters, says she feels as though men who kill or harm their partners are treated lightly by the justice system compared with women who do the same. “Sometimes in our sector, you just have to wonder where’s the balance?” she says.

According to Sheehy, the majority of women charged with manslaughter in the context of domestic violence receive no jail time, or sentences of less than two years. No woman has received a sentence close to Helen’s; the longest Sheehy knows of was 10 years. “It’s an extremely punitive sentence for a woman who was held captive for nearly 30 years,” she says.

There’s no single change that will keep domestic violence survivors from ending up in prison with lengthy sentences. But there is one overarching theme in experts’ recommendations: Canadian society is far too tolerant of gender-based violence. Every one of us needs to learn how to recognize it and respond appropriately. Only six percent of women ever report abuse to police or social agencies, but they more often tell a friend or family member.

We need to recognize that domestic violence isn’t limited to physical violence—it includes coercive and controlling behaviours, too. Like abuse itself, solutions to gendered violence must be multi-faceted: Affordable housing and strong pay-equity laws could put women in a financial place to leave a violent relationship, while community-led specialized services could offer specific support to those who are Indigenous or racialized.

We need men to understand that harming women is unacceptable. And so we need to show it is not tolerated, with legislation and enforcement that highlight a broad definition of intimate-partner abuse and don’t shy away from its gender-based nature.

In sum, we need a radical change in the way we view domestic violence—and changes at all points along the pathway that took Helen, and others like her, to prison.

In February 2021, Helen asked the Alberta Court of Appeal to review her sentence. The notice argues Justice Sanderman failed to consider the domestic abuse she endured. It also argues her sentence “brings the administration of justice into disrepute.” It remains to be seen what will come of the request.

Soon after she filed her appeal, Helen wrote me a letter from prison. In it, she said she could not comment on the case and that she is a private person who doesn’t “do very well” talking about herself to anyone, especially strangers. The attention around her case has made her uncomfortable. “It’s pretty overwhelming the amount of interest and concern that is out there,” she said, adding that she appreciates the support from people across the country.

“This is a very difficult road I am going down, but I am holding up as best I can at this time,” she wrote at the end of her letter.