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# Standing Committee on Justice and Human Rights

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Chair: Ms. Iqra Khalid





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• (1105)

[English]

**The Chair (Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.)):** As we have quorum, I'll go ahead and call this meeting to order.

Welcome to meeting number 19 of the House of Commons Standing Committee on Justice and Human Rights. To ensure an orderly meeting, I'll go over a couple of rules to follow. For all members and witnesses, please note that there is interpretation at the bottom of your screen on Zoom. Just select the language you would like to listen to, whether English, French or the floor, in order to ensure that you can hear what everybody is saying.

Before speaking, please wait until I recognize you by name. If you're on the video conference, as all of you are, please click on the microphone icon to unmute yourself before you start speaking. When you are done speaking, please make sure you're on mute.

As a reminder to all members, all comments by members and witnesses should be addressed through the chair to ensure an orderly meeting.

With regard to the speakers list, Mr. Clerk and I will do our best to maintain a consolidated order of speaking for all members and witnesses, whether they're participating virtually or in person.

Before we start our meeting, there are two points I'd like to raise. First, I would like to get the committee's approval for the operational budget that was distributed to all members yesterday. The budget is in the amount of \$2,875. It will serve to pay for the expenses for our current study.

Do I have everybody's approval?

I do see a thumbs-up from everybody. Okay. It is so approved.

Thank you very much, everybody.

The second thing is a reminder about your witness submissions for the upcoming study on the impact of COVID-19 on the justice system. Your witness lists are due today. Please ensure that you get your witness lists in to the clerk and me by the end of the day today. Thanks, everyone.

At this point, I'd like to welcome our witnesses. We have three witnesses today. We have the Alliance des maisons d'hébergement de 2e étape pour femmes et enfants victimes de violence conjugale, represented by Gaëlle Fedida and Maud Pontel; Québec contre les violences sexuelles, represented by Mélanie Lemay and Simon

Lapierre; and the Women's Legal Education & Action Fund, represented by Megan Stephens.

We'll start with Gaëlle Fedida and Maud Pontel.

You have five minutes to make your submission. Please go ahead.

**Ms. Gaëlle Fedida (Provincial Co-coordinator, Alliance des maisons d'hébergement de 2e étape pour femmes et enfants victimes de violence conjugale):** Hello. My name is Gaëlle. I'm a lawyer. I've been working at the alliance for five years. My colleague Maud has been working in the field of domestic violence in Quebec for 20 years.

[Translation]

The Alliance des maisons d'hébergement de 2<sup>e</sup> étape pour femmes et enfants victimes de violence conjugale has 26 members in Quebec.

Eight per cent of women leaving emergency shelters will require second-stage housing because of the dangerousness of their spouse. In Quebec alone, this concerns approximately 500 women per year, as well as their children, of course.

Following a recent self-assessment survey, we were dismayed to learn that 88% of respondents, including over 350 women, experienced several forms of serious post-separation violence, that is criminal offences. In Quebec, a woman is a victim of attempted murder by her ex-partner every 10 days.

Quebec's chief coroner analyzed 10 incidents of domestic violence that resulted in the death of 19 people. His report indicates that eight of those incidents occurred after a separation.

Domestic violence, which is defined in Quebec law as coercive control, unfortunately does not stop after physical separation, quite the contrary. This is why this bill is so important for victims and all those who work with them.

I'll now turn things over to my colleague Ms. Pontel.

**Ms. Maud Pontel (Provincial Co-coordinator, Alliance des maisons d'hébergement de 2e étape pour femmes et enfants victimes de violence conjugale):** Thank you very much.

Good morning, everyone.

Violence is multidimensional and affects all aspects of the lives of women and children who are victims, whether physically, psychologically or emotionally. Living in constant fear and insecurity will have greater long-term repercussions than physical injury.

Recently in Quebec, there have been many expert reports highlighting the absolute necessity to better understand the issues surrounding domestic violence. At present, acting to better support victims and better supervise aggressors is therefore a government priority.

This is why we believe it is essential to bring coercive control to the forefront of public debate and to see it as a criminal act in its own right, and not merely as a context within which wrongdoing would be committed in the eyes of the law. This would allow women and children living in such a context to be recognized by the justice system as victims with rights under the Canadian Victims Bill of Rights.

When women arrive at the shelter, they are often disoriented by the violence, terrified about fleeing with a few belongings for themselves and their children, panicked about being found by their abuser, and often in shock. As a result, they have often not reported the abuse to the police. Fear of reprisals, lack of knowledge of the system, and fear of not being believed are some of the reasons cited by women.

A report by our sisters in the Fédération des maisons d'hébergement pour femmes indicated that only 19% of the approximately 3,000 women housed in 2018-19 had filed a complaint with the police. Yet all of these women have in common that they have lived under the yoke of an abuser, some for a few months and others for decades.

Realizing that you are experiencing domestic violence can take time. We aren't talking about an episode of violence at the beginning of the relationship, but about an insidious dynamic that can take time to establish. In some situations, the violence will never be physical. It can be a variety of acts of control and manipulation, which will gradually isolate women and children, imprison them psychologically and feed their fear of retaliation if the submission is not total.

Many women are ashamed to speak up, to reveal their experiences, because, in their eyes, what they are experiencing is close to madness. Often, when women tell their stories for the first time, they're afraid that they won't be believed. As a result, the context surrounding these first revelations is crucial. Unfortunately, although we insist on ongoing training throughout the justice system, it's still too often the case that the women we work with encounter a lack of understanding of their experience as a whole, since the preferred approach is one based on offences recognized in the Canadian Criminal Code. Not recognizing coercive control as a criminal act in itself is to minimize the violence of control they have experienced and to erase their suffering as well as that of their children.

Our context of intervention in second-stage housing allows us to see how the aggressor's control techniques diversify in order to maintain a hold despite physical distance. If this control is only partially recognized by the authorities, then our actions to support these women will only be partial.

Working with women and children who have experienced violence is not a trivial task. We do it with the will and purpose to help improve the lives of vulnerable people. We advocate feminist inter-

vention, based on the potential of each woman to regain power over her life.

While we want violence to be recognized, without an integration of coercive control in the Canadian Criminal Code, once again, this recognition will only be partial.

Freedom from violence is no easy task. It's all the more difficult when, in fact, the ex-spouse is only partially guilty of the violence he's caused, or even if he's in no way guilty, and has full freedom to be and to act.

As long as coercive control isn't recognized as an offence, we will certainly talk about a context, but not about actual assaults. The recognition of the aggressor will not be based on the victim's experience or on the multiple traumas resulting from these aggressions and the devastating effects on her life.

It is unacceptable that in Canada, in 2021, a woman fleeing her partner's violence can be told by the authorities that her experiences or history are not sufficient elements to file a complaint, when all the elements of control and domination are present.

As Carmen Gill noted in her research report to the Office of the Federal Ombudsman for Victims of Crime, we are well aware that this is a change—

• (1110)

[*English*]

**The Chair:** Thank you.

**Ms. Maud Pontel:** I just want to finish my last thought.

**The Chair:** We are completely out of time. My apologies. We only had the five minutes, but thank you. I'm hoping that a lot of what you had to say comes out in the testimony.

We'll now move on to Québec contre les violences sexuelles.

Please go ahead, you have five minutes.

[*Translation*]

**Mrs. Mélanie Lemay (Art Therapist and Co-founder, Québec contre les violences sexuelles):** Good morning, dear members.

It's with great pleasure that I appear before you.

My name is Mélanie Lemay. I'm the co-founder of Québec contre les violences sexuelles, a movement I launched with Ariane Litalien and Kimberley Marin. We have succeeded in getting framework legislation passed in CEGEPs and universities throughout Quebec.

Since the wave of #MeToo, we have been very involved in changing awareness about sexual violence.

Given our many experiences, it seems obvious to us that it is necessary to improve at all costs the tools available to victim-survivors to flee violence or denounce it. It is essential to expand the models. Although we are testifying today in favour of adding the notion of coercive control to the Criminal Code, the fact remains that, in its very essence, criminal law too often challenges our experience and our reality. Since it is essentially focused on the rights of the accused, we are only witnesses. By dispossessing us of our histories, the criminal law reproduces power relations that already exist in our society.

In the position I find myself in today, I salute your courage and willingness to dwell on this difficult issue. However, I invite you to look further, to think about ways to innovate, beyond a rigid box that locks us up and forces us into compartments that don't fit our real needs.

This summer, we organized a march in Montreal. This event encouraged many people to unite their voices to demand concrete changes. We must stop the continuation of violence from one generation to the next. This truth is widely accepted in a society that claims to be egalitarian. Yet, in reality, we have been the target of several groups of violent men who wanted to silence us with the possibility of an attack. A battering ram car actually arrived on the scene threatening to attack the crowd. Throughout the day, we had to face men who came to shout their anger in our faces, under the amused gaze of the policemen. We had received online threats, but because they weren't in a form recognized in the Criminal Code, the police abandoned us. Luckily, we had taken care of ourselves and our own safety, and there were no tragedies that day, unlike at other events in the past.

However, we have remained marked by society's indifference to the personal sacrifices we make since we must continually advocate for this cause.

Today, I am speaking to you, but thousands of others did so yesterday and, if nothing changes, there will be just as many tomorrow. So I'm speaking to you with the sincere hope that this will be the beginning of a long dialogue on best practices. Here, in these unceded lands, ideas, expertise and proposals abound and are the stuff of international dreams.

I hope to see you unite as the various political parties in Quebec have done, by creating a transparent committee of experts who bring the realities on the ground to the decision-making table. From this committee, a report was born. I have the honour of being accompanied by Simon Lapierre, full professor at the University of Ottawa's School of Social Work, who was a member of this committee of experts.

This ability to unite and see beyond partisanship is a model and an inspiration. What we, as survivors of domestic and sexual violence, most sincerely wish for is a system that focuses on our rights and needs, in order to develop a real sense of justice free of victimization.

There is even a need to create a whole new area of law focusing on gender-based violence. In this regard, we could draw on the knowledge of First Nations and Black communities, who have long reflected on these issues. They have expertise that deserves to be

heard within these walls. This would certainly create a more just and equitable world for all. In addition to being adapted to the realities of our gender, a form of law like this would allow for the inclusion of the violence suffered by LGBTQ+ communities.

I'll now turn things over to my colleague, who will return to the main topic on the agenda.

• (1115)

**Prof. Simon Lapierre (Professor, School of Social Work, University of Ottawa, Québec contre les violences sexuelles):** Good morning, everyone.

As a result of numerous studies over the past 20 years with women and children who are victims of domestic violence, it's now clear that the perpetrators of this domestic violence use all sorts of strategies to maintain control over the victims and to deprive them of their freedom. Unfortunately, at present, many of these strategies commonly used by perpetrators are not offences under the Criminal Code. So they go unpunished and deprive the victims of resources, support and protection they need and are entitled to.

The criminalization of coercive control or controlling and coercive behaviour would therefore, as a first step, allow for a better validation of the experience of victims of domestic violence, whether women or children. It would also give additional tools to police, prosecutors and the various actors in the system to better protect victims. In addition, I believe that the criminalization of controlling and coercive conduct could pave the way for better training of the various actors in the criminal justice system, for new initiatives in prevention and intervention, and for changes in family law and child protection.

Lastly, I would like to draw your attention to three elements.

First, in this context, it seems extremely important to criminalize controlling and coercive conduct, and not isolated behaviours. The issue here is the accumulation of behaviours in a context of deprivation of freedom.

In addition, it seems extremely important to ensure that these offences cover incidents of violence that occur after separation and that they also apply even when spouses no longer live together.

Finally, I would like to draw your attention to the importance of carefully considering the situation of children in a context of controlling and coercive conduct. Children are very often at the heart of the strategies used by perpetrators of domestic violence to control their spouse or ex-spouse and deprive her of her freedom. The numerous studies we've conducted with children living in a context of domestic violence have shown that their experience is marked not only by exposure to specific incidents or acts, but even more so by daily exposure to a climate of tension and terror caused by controlling and coercive conduct. In this regard, I invite you to consider an approach similar to that taken in Scotland, for example, where offences involving controlling and coercive conduct are considered even more serious when they target children or when children are exposed to them.

• (1120)

[English]

**The Chair:** Thank you so much.

Now we will go to the Women's Legal Education & Action Fund.

You have five minutes. Go ahead.

**Ms. Megan Stephens (Acting Executive Director and General Counsel, Women's Legal Education and Action Fund):** Thank you so much.

My name is Megan Stephens. I'm the acting executive director and general counsel at the Women's Legal Education & Action Fund, LEAF. I am grateful for the opportunity to appear here today from Tkarronto, The Dish With One Spoon Territory, as part of your study on coercive and controlling behaviour.

For 36 years, LEAF has worked to advance the equality rights of women and girls through litigation, law reform and public education. LEAF has long advocated for the need to improve the justice system's response to gender-based violence, including intimate partner violence or domestic violence.

I want to start by thanking you for taking the time to study coercive control. This work is really important, because intimate partner violence remains a pervasive and widespread problem in this country.

We know the status quo is not working. One in three women in Canada experience domestic violence and other forms of gender-based violence. The risks of such violence are greater for women who live with multiple intersecting inequalities, including indigenous, Black and racialized women, women with disabilities and migrant women.

We also know that over the course of the last year, as much of the world's attention has been focused on the COVID-19 pandemic, there has been another shadow pandemic playing out as lockdowns have isolated women with their abusive partners. Frontline workers in shelters and transition homes across the country have reported increases in physical violence, as well as a dramatic rise in reports of coercive control being used by partners.

Coercive control may be a relatively new concept to many of you, but it has long been recognized by both frontline service providers and academics as lying at the core of intimate partner violence. While there are many different working definitions of coercive control, it's generally understood as a course of intimidating, degrading and regulatory practices used by abusers to instill fear and threat into the everyday lives of their victims. Importantly, it's a highly gendered practice that often seeks to maintain or expand the gender-based privilege of a male partner.

While I commend you for this study, I also want to underscore the importance of proceeding carefully in your work. In my submission, it would be a mistake to rush to criminalize coercive control without thinking through the potential unintended consequences of criminalization. While such a move might be symbolically powerful, we have unfortunately seen too often how the crim-

inal justice system can be weaponized, revictimizing those it seeks to protect.

There are, in my respectful submission, important operational, policing and prosecutorial challenges associated with the proposed criminalization of coercive control, all of which require careful consideration.

In terms of the operational challenges, it will not be easy to transplant the concept of coercive control from clinical and academic contexts into the criminal law. The concept covers a broad range of conduct and is the subject of multiple definitions—as many as 22 by one academic's recent count. If coercive control is to be criminalized, the elements of the offence should be clear and draw on terminology and language used elsewhere in Canadian criminal law. Adding an overly complicated new offence to the Criminal Code won't help survivors.

I am concerned that Bill C-247, which draws heavily on the British legislation, is in its current iteration unduly complex and would require some modification.

Assuming you could operationalize an offence of coercive control, there will also be challenges in ensuring that police officers are able to understand and identify reports of coercive control. Extensive training would be essential for police across the country. Even with the training, the U.K. experience suggests that many police are still struggling to see coercive control as worthy of criminal charges.

Another more significant policing challenge is that many survivors, particularly those from marginalized or vulnerable communities, face real barriers to reporting, including a distrust of police. Real work is needed to restore the trust of survivors in police and the justice system more generally.

Finally, as someone who spent more than a decade working as a Crown prosecutor before joining LEAF, I think there would be significant challenges associated with the prosecution of coercive control.

I am especially concerned about the potential impact of prosecutions on complainants. As drafted, the offence requires proof both that the accused's actions could reasonably be expected to have a significant impact on the victim, meaning that it was objectively reasonable to have that impact, and that they have in fact had such an impact, meaning that complainants will need to give evidence about how they have been affected by the conduct.

• (1125)

This could lead to the revictimization of women as they navigate the criminal justice system, having to testify about their experiences, having their credibility impugned, and opening them up to invasive requests for access to their medical or therapeutic records to call into question whether and how they have been impacted.

**The Chair:** Thanks very much, Ms. Stephens.

We'll now go to rounds of questions, hoping that all the testimony our witnesses have been able to provide today gets further explored during these questions.

We'll now go to Mr. Cooper for six minutes.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Thank you, Madam Chair.

Thank you to the witnesses.

Ms. Stephens, you have noted operational challenges in incorporating coercive and controlling behaviour into the Criminal Code.

You spoke of the English experience. In England, we have seen the law now on the books for about six years, relatively few charges, but not that great in the number of convictions, which would perhaps speak to some of the operational challenges you mentioned.

Mr. Garrison has tabled a bill, C-247, which you referenced. You said in your view it would be unduly complicated. You spoke of the fact that there could be amendments to the bill that could perhaps improve it.

Could you elaborate on what could be done to perhaps strengthen this bill or is your broader point that we shouldn't be going down this road?

**Ms. Megan Stephens:** I think it's really important that you are looking into this, because as I've said, the status quo is not working. I don't think it's the kind of thing that can be pushed through without a lot of careful contemplation and thinking through some of these operational, policing and prosecutorial challenges.

I think one of the difficulties is that currently as drafted there's a lot of good thinking in Bill C-247. It's very much a British law. It is taken from the British context and doesn't necessarily use the same language that we see in the Canadian Criminal Code.

I think what's important about the idea of criminalizing this is that it is looking more broadly at the course of conduct, not isolated incidents. Right now the criminal justice system prosecutes specific isolated incidents and typically violent incidents. That's not really how intimate partner violence or domestic violence happens.

There are other places in the Criminal Code where we already look at courses of conduct over time that happen in relation to people, the ability to exercise control over people. If you look at criminal harassment, there's language there about repeatedly impacting someone. If you look at the human trafficking provision or the procuring offence, they talk about exercising control, direction or influence over someone.

I think it is important for it to be a Canadian law that will be understood and applied in the Canadian context; that we look to some

of those other offences and think about how the language there and the language from some other offences look more towards a course of conduct over time instead of necessarily an isolated incident. We think about how that might emerge. I think it also makes a lot of sense to think concretely about this. I talked about the objective elements of proof that would be required for prosecution.

It is going to be difficult to get people to understand and accept that something should be reasonably seen as having a significant impact on someone without proper training and education for people who do not experience that to understand what that means. That is going to be essential for everyone in the justice system. You need it in your police officers so they can understand the reports and unpack what is meant by this course of conduct over time. You need it in your prosecutors to understand that they can have a reasonable prospect of conviction. You're going to need judges to understand this as well. This isn't necessarily generally understood in the public discourse. It's going to be hard to operationalize this without having that knowledge and training to go along with it.

I think those are some of the key considerations that need to go into this, also thinking through how the requirement for subjectively having the complainant say they were significantly impacted by this; how that will play out in potential revictimization of witnesses, of complainants, during the criminal justice process. We've seen that too often in the context of sexual assault prosecution. I think it's a real risk in this context as well.

• (1130)

**Mr. Michael Cooper:** Thank you very much for that detailed answer.

Mr. Lapierre, you mentioned children being victims of coercive and controlling behaviour. You said that we should look at what other jurisdictions have done in this area. Could you elaborate on that?

[*Translation*]

**Prof. Simon Lapierre:** In fact, I was referring specifically to recent legislation in Scotland. In a context where children are exposed to or specifically targeted by controlling or coercive conduct, the offence is considered more serious. Just as the status quo doesn't work for women who are victims of domestic violence, it has been found that the status quo doesn't work for children living in the context of domestic violence.

We've done some research with children ourselves, and the results are consistent with that. There is a general tendency to consider that when children are exposed to domestic violence, they are exposed to isolated incidents or acts or a series of isolated acts. However, children's experience shows us that those who live in a context of domestic violence are in fact exposed to a set of strategies that correspond to controlling or coercive behaviours. These children are affected by the set of strategies deployed by the perpetrators of domestic violence. These strategies have repercussions on the mothers of these children, but also on the children themselves, since they live their daily lives in an atmosphere of tension and terror.

[English]

**The Chair:** Thank you very much for that.

We'll now go to Ms. Élisabeth Brière for six minutes.

Go ahead, please.

**Mrs. Élisabeth Brière (Sherbrooke, Lib.):** Thank you, Madam Chair.

[Translation]

I'd like to thank all the witnesses.

[English]

Madame Stephens, I will ask my question in French, if that is okay with you.

[Translation]

Your comments are really very interesting.

I'd like you to know that I am fully in favour of protecting the rights of victims of violence. However, I question the need to criminalize controlling or coercive conduct, given that section 810 of the Criminal Code, for example, already covers many behaviours.

Do you think this could create a false sense of security, since some people won't go to court, for all the reasons Mrs. Lemay has listed?

Education and training for police officers and other stakeholders could also be provided.

Maybe we can find another solution.

[English]

**Ms. Megan Stephens:** Let me begin by saying that I'm not sure that the section 810 peace bonds are an effective.... They're not a replacement for this. Those who work on the front lines in shelters—and LEAF is not a women's shelter in that respect—I think would tell you that the 810 peace bonds are not all that helpful and that there is a gap.

There are other Criminal Code offences that could be charged that could cover some of this conduct. I think of criminal harassment, of uttering threats. However, it's not happening. I know that criminal harassment charges are challenging to prove at the best of times and would be particularly challenging in the context of an ongoing relationship where people are living together—and uttering threats, as well. There are real challenges, again, with that.

I think it's important to think about...and I'm happy to see it on the agenda. I'm happy to see it as something being discussed, but I'm urging caution and not just rushing through and getting this done overnight. There is something powerfully symbolic about that...and I acknowledge that.

However, I would suggest that there is work being done. As you know, the Department of Women and Gender Equality is working on a national action plan to end violence against women and gender-based violence. This, to me, is something that fits well with that work...thinking about where the criminal justice system can be an effective and useful response, but also hearing from the survivors, and particularly survivors from vulnerable communities. Hear from them on whether this is what they need and whether they think this will be an effective response.

We know there are real concerns in communities across this country about the ability of police to respond to their needs, and so adding another Criminal Code offence may not be the solution. I don't think that section 810 is a valid alternative, but there may be other options that need to be explored.

• (1135)

[Translation]

**Mrs. Élisabeth Brière:** Ms. Fedida, do you want to add anything?

**Ms. Gaëlle Fedida:** Actually, I'd like to make it clear that it is indeed the political intention that interests us here. I would beg you to hear the political imperative and the political message that new legislation of this kind could also convey.

Of course, as people have been saying for years, there's a need for better training of police officers, judges and the entire justice system on this and other issues.

We think these new legislative measures truly round out the legal arsenal. There are still some technical details that need to be worked out, and we are in full agreement on that. The key for us is to finally close the gap in the legislation.

As Ms. Stephens has explained very well, there are certain offences in the Criminal Code that could be charged, but they are not well used. Just because we do things wrong doesn't mean that we can't think about how to make them better.

That's the point for us. Together with legal experts, we need to take the time to look at the ins and outs of the issue and see what has been done elsewhere. Indeed, it has been done elsewhere. It exists. We really think it would be an important complement, as a working tool, including for police officers.

**Mrs. Élisabeth Brière:** Thank you.

I'd also like to hear what Mrs. Lemay thinks. We share an *alma mater*, the Université de Sherbrooke.



**Mrs. Mélanie Lemay:** For me, it's very important to mention that I had to go through the criminal justice system. By its very essence, the criminal justice system makes survivors feel doubly victimized. This is why 95% of them don't turn to the police to report their abuser. However, for the 5% who wish to do so and for whom it is a valid option, consideration should be given to the possibility of adding, if not coercive control, at least domestic violence to the list of offences, as has been done in Scotland.

I propose that you show political courage and meet in a transparent committee similar to the one set up in Quebec that Simon Lapierre participated in. This committee could reflect more broadly on the addition of a new area of law in the arsenal of remedies for survivors. For example, it could reach the 95% for whom turning to the police is not even an option.

We have expertise in Canada. Indigenous and Black communities are already thinking about ways to facilitate the social reintegration of all—because this remains a fundamentally social problem. I don't think pointing the finger at anyone is going to solve it. It's important to be innovative. Maybe we can establish a new area of law that would focus on gender-based violence.

[English]

**The Chair:** Thank you.

That concludes your time, Ms. Brière.

• (1140)

[Translation]

**Mrs. Élisabeth Brière:** Thank you very much.

[English]

**The Chair:** We'll now go to Monsieur Fortin.

[Translation]

You have the floor for six minutes.

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Thank you, Madam Chair.

Just like Mrs. Brière and you, Mrs. Lemay, the Université de Sherbrooke is my *alma mater*. So I'm interested to know what the people from Sherbrooke think about these issues.

I'll start by asking a quick question. You've probably heard about the movement forming in Quebec City to create a specialized domestic violence court.

What are your thoughts on that?

**Mrs. Mélanie Lemay:** This means that it's important to update knowledge in this area. It's clear that there's a significant gap between the reality of a sexual assault victim and what they're asked to do to enter a system that, in its very essence, makes them a victim again. This system hasn't been adapted. It was set up in a century where women didn't even exist as legal persons and had no place in society.

It's necessary to ask how we can ensure that knowledge is updated to reflect what we know today.

Moreover, since we know that 95% of sexual assault victims don't file a complaint with the police, it would be interesting to

produce the Quebec model for them and to work in a transparent way to establish a new field—

**Mr. Rhéal Fortin:** I don't want to rush you, but we don't have a lot of time. Thank you.

Ms. Fedida, I saw you react to the question. Could you tell me in a few seconds whether or not you're in favour of creating a specialized domestic violence court?

I would especially like you, as a lawyer, to give me your opinion on another issue. Indeed, in light of your testimony, I understand that you're a lawyer. If specific measures are adopted to punish controlling and coercive behaviour, won't it be difficult to prove such behaviour? We're talking about repetitive behaviour, the intent of the abuser to harm and the effect this would have on the victim. Won't the difficulty of proving it undermine the process a bit?

Those are my two questions. I'd like you to quickly answer the question on the possible specialized court in Quebec City and, then, the question on the difficulty that would be encountered when it comes to proving controlling and coercive behaviour.

**Ms. Gaëlle Fedida:** It's very clear that we strongly support the creation of a unified family court. Women's groups have been calling for this for a very long time. There are some technical and legal details that still need to be worked out, but it's an excellent intention. We think establishing such a court would be a big win.

I'll now answer the question about problems with evidence. Today, we may have evidence for one, two or three incidents. Now, coercive control is defined as the repetition of small incidents that occur within a given time frame. Each small incident in itself is not necessarily criminal. However, new legislation will allow for a whole context to be portrayed. Evidence of coercive control will more accurately be a balance of probabilities, in the sense that evidence will accumulate. It may be text messages that are sent at any time of the day or night, although that in itself is not a criminal offence.

**Mr. Rhéal Fortin:** Yes, but harassment is already criminal.

**Ms. Gaëlle Fedida:** This is indeed the case, but the act that's been criminalized is the harassment of each and every person. As Mr. Lapierre explained very well with respect to children, it's important to look at the overall context in which domestic violence occurs and the general atmosphere it creates. It's harassment set up as a system. This is the mechanism of dominating—

**Mr. Rhéal Fortin:** What exactly is the difference between the harassment that is currently a criminal offence and harassment that is controlling and coercive behaviour?

**Ms. Gaëlle Fedida:** In the first case, there is a single infraction; in the other, there are a series of elements that lead us to understand that it's a coercive control. Coercive control isn't just harassment, it's everything surrounding the harassment and taking control of the victim's life.

Perhaps Ms. Pontel has some clarification on this.

**Mr. Rhéal Fortin:** Go ahead, Ms. Pontel.

**Ms. Maud Pontel:** Circumstantial evidence is increasingly sought in police investigations. An extensive investigation is therefore conducted to establish context. This allows police officers to fully understand the context of the various elements and incidents that may be recognized by the Canadian Criminal Code.

The problem is that when the Crown files the evidence, this context isn't automatically taken into account.

With regard to the difference between criminal offences and what coercive control might represent, a paradigm shift needs to be considered. As Mrs. Lemay was saying, it's a new way of understanding the context in which domestic violence occurs and—

• (1145)

**Mr. Rhéal Fortin:** I'm sorry for interrupting you, Ms. Pontel, but isn't there a danger of creating an offence similar to one that already exists?

**Ms. Maud Pontel:** I don't see that as a danger at all. On the contrary, I see it as something that could support the victims and allow them to be better heard, since the violence they've experienced would be considered in a comprehensive way. We are not talking about an incident, but about a context of violence that prevents women from running away, leaving, talking, and so on. We work with women who are trapped, even if the door is open. These women are afraid, even if it's just because of a look.

**Mr. Rhéal Fortin:** Don't worry, I agree with you. I'm asking questions to better understand, but I'm not against the idea.

Thank you, Ms. Pontel.

Thank you, Madam Chair.

[*English*]

**The Chair:** Thank you so much, Mr. Fortin.

We'll now go to Mr. Garrison for six minutes.

Go ahead, sir.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Thank you very much, Madam Chair.

Thank you to all the witnesses for being with us today on this very important study.

I listened carefully to the witnesses. I think we heard five voices here today: four saying that we should add an offence of coercive and controlling behaviour to the Criminal Code, and one qualified yes.

I'm going to start with Ms. Stephens, and I want to ask all the witnesses the same question. I think we do understand on the justice committee that women facing violence often have difficulties in the prosecution and court system that lead to revictimization and threats from those who had already harmed them.

Would this be any different, for an offence of coercive and controlling behaviour, from all those other offences where women already find difficulties in the court system and with the police?

**Ms. Megan Stephens:** That's a hard question. Would it be any different?

The system itself is highly problematic, particularly in the context of domestic relationships, and intimate partner violence.

Asking witnesses to come forward and testify with respect to incidents that have happened in the context of their relationships is always challenging, even when it's a one-off context. Asking people to come forward and talk about coercive conduct as being controlling and impacting their lives will also be very challenging.

There will be a whole process of these women having to also understand it in that context, understand the conduct in that way. That can take some time for people to come forward.

There is a risk here, as I pointed out, because there are objective and subjective elements here. Having complainants come forward to talk about how they have been impacted can definitely be challenging for them. It can be challenging when they come from vulnerable communities where there might be racist stereotypes or other discriminatory stereotypes that they have to overcome to have that understood objectively.

There's also a risk that we see in the context of sexual assault prosecutions and others. There are requests for records that can be their own private records, that can be quite intimate—their therapeutic and medical records—in order to either undermine their evidence with respect to how these are impacted or otherwise.

I don't necessarily think it will be different. Those problems will continue.

**Mr. Randall Garrison:** Ms. Lemay, please go ahead.

[*Translation*]

**Mrs. Mélanie Lemay:** Until we address the question of whether police or judicial stakeholders are the best professionals on the ground to receive disclosures of sexual assault or domestic violence in one way or another, the same victimization will be repeated. Whether we add coercive control to the list of offences or operate through the existing Criminal Code offences, I believe that the essence of the criminal process is that women feel like victims again.

While this isn't the issue I'm raising today, I don't believe that adding the notion of domestic violence or coercive control to the Criminal Code will address the problem of repeat victimization. It's the very structure of the system that is lacking.

This is why I invite you to review the system, to consider the possibility of establishing a new area of law or to think about what could be done outside the law.

• (1150)

[English]

**Mr. Randall Garrison:** Ms. Pontel or Ms. Fedida.

[Translation]

**Ms. Maud Pontel:** What's very important to understand is that it takes a lot of courage for women to file a complaint. If, from the very first moments of disclosure, they are welcomed into a structure that understands what coercive control is, they'll be able to move forward. Their greatest fear, when they reveal what they've experienced, is that they won't be believed.

If the training of police and judicial stakeholders was focused on recognizing coercive control, then I'd be able to say that, despite all their fears when it comes to disclosing their experiences, women could be accompanied and assured that they would be heard and believed. Women's greatest fear is that they won't be believed and that their whole experience and the violence they've suffered won't be taken into account.

[English]

**Mr. Randall Garrison:** Ms. Fedida, there has been some reference to use other ways to get at this problem. Do you think there are other ways we could address coercive control behaviour by adding it to the Criminal Code?

[Translation]

**Ms. Gaëlle Fedida:** The unified family court proposed for Quebec in the expert committee's report is very promising. In our view, this would allow the victim to be heard and all the issues to be taken into account. Basically, the goal of this unified court is for the civil justice system and the criminal justice system to talk to each other. Currently, the two systems are completely sealed off from each other, unfortunately. Often, women are even advised not to talk about domestic violence in criminal cases, even in civil cases, in order not to lose their children or appear antagonistic, for example.

As always, therefore, we come back to the need to hear what these women have gone through, to put a name to it, and to establish specific consequences.

Earlier, a question was asked about section 810 of the Criminal Code. However, it's not just about section 810, it also applies to section 811. Practically, therefore, we can clearly see that things are not working correctly.

[English]

**The Chair:** Thank you very much.

We've finished our first round of questions. I see that we have seven minutes left on the clock. Do I have consensus from committee members to allow one representative from each party to ask one question as we approach the hour?

I see thumbs-up from everyone.

We'll start with Mr. Lewis.

I ask that you keep it brief so we can get through everyone.

**Mr. Chris Lewis (Essex, CPC):** Thank you very much, Madam Chair.

I promise you I'll keep it brief, but I do have to say three things. I'll say them very quickly.

Ms. Stephens, thank you for bringing up human trafficking today. I'm very glad that that discussion came forward. My riding is right beside the Detroit-Windsor Tunnel and bridge. We are, unfortunately, very much a human trafficking corridor.

Mademoiselle Lemay, I had a question for you. I'm not going to ask the question, but I do want to say that you said a word that really sparked my interest. It was "innovation". That's the kind of thinking that we need going forward.

Monsieur Lapierre, I know you've kind of been cut off twice, so in however much time Madam Chair will give you, I would love to hear a little bit more about how that affects children.

Thank you, Madam Chair.

**The Chair:** Thank you, Mr. Lewis.

As succinctly as possible, Monsieur Lapierre.

[Translation]

**Prof. Simon Lapierre:** Earlier, someone mentioned a paradigm shift. I feel that a paradigm shift is also necessary in understanding the reality of children living in a situation of domestic violence. It must be understood that those children are not just witnesses of domestic violence or exposed to it, they are victims of it. They are its victims even when they are not actually in the house or the room where the acts of violence, the criminal acts, are being committed, because they are exposed to controlling and coercive conduct on a daily basis. Unfortunately, those children are living in a tense and terrifying climate and they are walking on eggshells day after day. They are not affected simply by being exposed to violence or criminal acts. Being exposed to a climate of tension and terror on a daily basis has an impact in the short, medium and long term on those children and on the ability of the victimized parents to meet the needs of their children.

• (1155)

[English]

**The Chair:** Thank you very much.

We'll go to Mr. Virani. Please go ahead, sir.

**Mr. Arif Virani (Parkdale—High Park, Lib.):** Thank you very much to everyone. It's been a really engaging conversation.

I have one comment and one question, Madam Chair.

The comment is that Ms. Illingworth's letter to the minister actually called for a task force comprised of experts to look at the design of an offence more closely. I gather from what I'm hearing today that there is some consensus and that it should involve victims' groups and women's groups—not just people in the justice system, for example.

Happy belated birthday to Ms. Stephens, who I know personally. I'm going to direct my questions to her.

Ms. Stephens, it's a double-barrelled question. Could you talk a bit about the coercive and controlling behaviour from the perspective of what we're seeing with text messages, as raised by Ms. Fedida, and things like online control?

Secondly, could you talk about the use of firearms—whether those are legal or illegal firearms—in terms of coercive and controlling behaviour when men are controlling women?

Thank you.

**Ms. Megan Stephens:** I think the ever-changing use of technology in the context of intimate partner violence should definitely be on everyone's radar. Any Criminal Code offence that would be enacted should cover coercive conduct. I would think that would be a key part. Again, I'm wearing my former prosecutor hat, not just my LEAF hat. That is definitely going to be the kind of evidence you'll want to have here. It's not just the text messages. It's installing software on your partner's phone so that you can track them.

The ways that technology allows us to come together in meetings like this from across the country is great, but it also has an incredibly pernicious impact on those who want to get away from their partners and cannot. I think it's a core part of this.

There have been moves, obviously, to criminalize things such as the non-consensual distribution of intimate images. Those prosecutions don't happen that frequently; those charges don't get laid that frequently. That's all part of controlling and holding people under one's thumb, so that they cannot emerge into the world.

**The Chair:** Thank you very much for that.

We'll now go to Monsieur Fortin. Your previous colleagues have gone for under two minutes. I hope you'll keep to that standard.

Go ahead, sir.

[*Translation*]

**Mr. Rhéal Fortin:** Thank you, Madam Chair.

Mr. Lapierre, could you tell us more about the situation of the children? From your testimony, I gather that they are not only witnesses to the violence, but they are also victims of it. You used the example of a mother, a victim of controlling and coercive conduct, who may not be able to take care of her children as well as she would like. In those situations, neither the father nor the mother, regardless of who is the victim and who is the abuser, is able to provide their children with an upbringing that could be described as normal or adequate.

Here is my question. Should we not be working more in advance, by which I mean educating and training people to prevent such things from happening, rather than adding another criminal offence?

Once again, I hasten to add that I am not against the idea. I just want us to look at the possibilities outside the traditional system, as Ms. Lemay was proposing just now. Aren't we aiming at the wrong target? Should we not be working in advance to help the children, the victims and the abusers?

**Prof. Simon Lapierre:** There is no quick and easy solution. No single measure will improve the system; it will take a series of measures. Yes, prevention, intervention and training must play a role. But I feel that legal tools are also needed in order to get this work done.

Let me give you a very quick and specific example that involves children. Consider the case of a child and a woman living in a situation of coercive control. Currently, the perpetrator of the violence would be charged with assault. Even if that were part of a series of strategies—

**Mr. Rhéal Fortin:** We have about 10 seconds left, Mr. Lapierre.

**Prof. Simon Lapierre:** ...assault charges are going to be laid. In addition, the accused will be issued an order prohibiting any communication with the mother, but he will still be allowed to be in contact with the child. Because the child was not there when the assaults were committed, he is actually not seen as a victim of that violence, even if, on a daily basis, he is exposed to all kinds of controlling strategies that deprive the mother of her freedom.

• (1200)

[*English*]

**The Chair:** Thank you so much for that.

Mr. Garrison, please go ahead, sir.

**Mr. Randall Garrison:** Thanks very much.

In the remaining two minutes here, one of the things that I heard when I called around to police forces during the early stages of the pandemic was the increase in calls for domestic violence assistance. One of the frustrations expressed by those police was that they felt the current Criminal Code did not allow them to intervene early enough. I'm going to direct my question to the alliance of second-stage housing representatives. Could criminalizing coercive and controlling behaviour provide a tool for earlier intervention in these problematic and violent relationships?

[*Translation*]

**Ms. Maud Pontel:** Yes, giving the police and even lawyers better tools could certainly improve their ability to respond. In terms of the police response, if the officers are better trained when gathering evidence, they will be able to gather enough to make it clear that the women are being controlled, coerced and dominated where they live. If we can train police officers, we can also train lawyers. That would result in a much more comprehensive approach to coercive violence.

Our goal here in Quebec is specifically for courts dealing with civil cases to communicate with those dealing with criminal cases. That's why we support the idea of unified courts. It must be understood that coercive control is a series of techniques used by abusers to maintain their hold on women and children.

So, yes, it would be an appropriate tool for law enforcement.

[English]

**Mr. Randall Garrison:** Thank you once again to the witnesses.

**The Chair:** Thank you very much. Just before I let our witnesses go, one thing that has come to my attention is the link between violence towards pets living within the home and violence towards significant others, intimate partners, as well as children.

If any of you have any comments on that, can you please make submissions in writing to our committee, given that we are running out of time here? We would definitely like to hear your feedback on that link and how we can address that in whatever recommendations we put forward as a committee.

I'll say thank you to each and every one of you for your contributions today. I look forward to continuing to engage with you on this very important topic.

I'll suspend the meeting as we let in our next panel of witnesses. Thanks, everyone.

- (1200) \_\_\_\_\_ (Pause) \_\_\_\_\_
- (1205)

**The Chair:** I'd like to welcome all of the witnesses before us today.

When you are speaking, please make sure your microphone is unmuted. When you're done speaking, mute your microphone. All of your submissions should be addressed through the chair. We'll try to make sure that we maintain an orderly speakers list.

I'd like to introduce the witnesses. They are Kamal Dhillon, author, appearing as an individual on this topic; the London Abused Women's Centre, represented by Megan Walker, who is here to make a submission; and the Sussex Vale Transition House, represented by Julie Matthews, who is also here to make a submission.

Each of you will have five minutes for your submission.

We'll start with you, Ms. Dhillon. Please go ahead.

**Ms. Kamal Dhillon (Author, As an Individual):** Madam Chair, thank you for your kind invitation to speak.

Today I will be referring to the victim as "she" and the abuser as "he".

I wonder how many times we have heard these words spoken to us: "If it was that bad, why didn't you just leave?" Today I feel compelled to share my story in order to break down the walls of secrecy and shame that perpetuate abuse. Due to cultural taboos, domestic violence is rarely described. Unfairly, it is the victims who are blamed for the abuse. With increased sensitivity to the problem, I hope that instead of asking the victim why she didn't leave, people will begin to ask the abuser why he hurt her and will hold him accountable.

I invite you to journey with me as I share my story. At times you will feel pain. At times you will get angry. I want to show you the fear that the abuser instills in the victim. I want to describe to you the harrowing details that unfolded from the day I was married to a

supposedly respectable, warm and charming man. I was subjected to emotional, physical and sexual abuse almost daily. He tried to kill me on many occasions. As a result of my husband's beatings and his rage, I now live with an artificial jaw after having gone through 10 major jaw surgeries. I live with ongoing excruciating pain. I have lost all the nerves in my face.

I was a victim of domestic violence. I was brutally tortured for over 12 years. It didn't happen in a third world country. It happened right here in Canada. In fact, it happened in Vancouver. My marriage was arranged. My abuse began within hours of getting married. For the first time in my life, I was asked by someone if I had been raped. Yes, I was raped brutally on my wedding night. From that day on, my abuser instilled fear in me. The failure of my family members and bystanders empowered him. The system that should have protected me seemed to protect him.

The beatings were relentless. I had unceasing pain. He kicked me, beat me and punched me until he was tired. The emotional, mental and sexual abuse was constant. He was so charming outside, fooling even the doctors, the professionals, the police and the community. He hung me by my sari. He doused me with kerosene. He unsuccessfully tried to push me into an ocean. He hoped that all of this would look like a suicide. He even forced me to drink poison.

By sharing my story, especially the unspeakable accounts of rape and abuse, the so-called "(dis)honour"-based violence, depression, murder attempts, and constantly being urged to take my own life, I hope to let other victims know they're not alone in their suffering. I want to give the victims the courage to speak out and stop the cycle of abuse. I sincerely hope that by my describing the many forms of abuse I suffered, and recounting it as a survivor's trauma, I am also able to reveal how I dealt with this pain and the memories and how I found strength to move on.

My four children were so terrified of him they made a secret bed and tried to hide under it. They covered their heads with pillows so that they couldn't see the abuse.

There are so many abusers who live among us, hiding in plain sight, never publicly identified despite abusing multiple victims over decades. This is possibly due to the existence of a broken system that causes the victims to remain silent.

Without knowing it, my husband and his equally abusive family gave me a very public platform. Now I can speak on behalf of victims who cannot speak for themselves, who are imprisoned by fear and abuse. This time I have a louder voice, one that will change the misconception around domestic violence.

• (1210)

Being a survivor requires great courage. I am unmasking my story, but I refuse to be defined by the history of violence I left behind. This abuse isn't my identity. I fought hard to acquire the skills to cope, to survive, to recover, to combat cultural labels, and to thrive.

We continue to see victims failed over and over. The punishment for the abuser does not fit the crime. Domestic violence is still looked at as a private matter. Most of the time we're looking at evidence of abuse. What about the abuse that has no visible signs?

If there was a victim—

**The Chair:** Thank you, Ms. Dhillon. We've hit that five-minute mark. I'm hoping the rest of your comments can come out through our questioning.

We'll now go to the London Abused Women's Centre and Megan Walker, for five minutes.

**Ms. Megan Walker (Executive Director, London Abused Women's Centre):** Before I begin, I would like to acknowledge the incredible strength and courage that it takes for survivors to come forward and share their experiences. Thank you for doing that today. We should always be listening to the voices of survivors.

I want to thank Mr. Garrison for initiating this study, because it gives us the opportunity to really make it a bigger issue than is currently presented by our legislation.

In 2020, the London Abused Women's Centre provided service to 8,177 women and girls. Of that number, 6,701 of those women and girls were abused by an intimate partner, and 1,300 were being trafficked and also abused by their trafficker and sex purchaser.

In 1998, a coroner's inquest was held into the murder of Arlene May by her ex-partner, Randy Iles, who killed himself following the murder. In its opening remarks, the jury said:

The myths attached to family violence must be dispelled. Domestic violence is a criminal offence and must never be viewed as a 'private matter'.

The jury further wrote:

Domestic violence cases are different than other criminal cases. In most situations the accused and the victim would normally never meet again. With domestic violence, the accused often must have contact with the victim due to property, support and child issues. The criminal justice system will have to be changed to deal effectively with these differences.

That was in 1998, and we are still calling for the criminal justice system to be changed.

We know that many of the activities surrounding domestic violence are criminal offences. However, there is no specific domestic violence offence in the Canadian Criminal Code. Instead, domestic violence-related crimes are spread out among at least 35 different sections in the Criminal Code, making it difficult to connect them to a pattern of behaviour by the male abuser to gain and maintain power and control over his partner.

Criminalizing controlling or coercive conduct absolutely adds another tool in the tool box but once again, it will be lost as a stand-alone section in the Criminal Code. Without understanding coercive control as a pattern of behaviour used by abusers, it will be difficult to enforce.

I have worked to end male violence against women for more than 25 years, and I have seen the confusion created by the multiple stand-alone sections in the Criminal Code. The courts regularly reduce multiple charges against abusive men to one single charge, usually assault. That charge is then often withdrawn in exchange for a peace bond.

When charges are withdrawn, women and their children remain at serious risk of increased torture, abuse and murder. Men use the withdrawal charges to present women as liars, while at the same time, presenting themselves as blameless. The absence of any consequence to male abusers for their crimes against intimate partners sends a clear message to victims: help is not on the way.

Domestic violence cases are different from other criminal cases. The present laws in Canada, under which perpetrators are charged, are simply not adequate for responding to the distinct dynamics present in domestic violence cases. We worked, in 2016-17, with former MP Irene Mathyssen whose office helped write specific domestic violence legislation for a private member's bill. Unfortunately, it stalled when the election was called.

The London Abused Women's Centre recommends the committee expand its area of study to include amending the Criminal Code to create a domestic violence offence. It further recommends that the committee seek the permission to review Ms. Mathyssen's confidential act to amend the Criminal Code for domestic violence.

• (1215)

To be clear, and in ending, there is a need, Mr. Garrison, for your amendment. However, LAWV proposes that it be included as one section of a much larger piece of legislation, a much-needed piece of legislation, specifically, a domestic violence bill.

**The Chair:** Thank you very much for that, Ms. Walker.

I will now go to the Sussex Vale Transition House for five minutes.

Go ahead, Ms. Matthews.

**Ms. Julie Matthews (Executive Director, Sussex Vale Transition House):** Good afternoon, and thank you for the opportunity to speak to this valuable committee.

My name is Julie Matthews, and I am the executive director of the Sussex Vale Transition House, which is an emergency shelter for women leaving domestic abuse in rural New Brunswick.

It is encouraging to me, as a worker in the domestic violence field, to see this motion to add controlling or coercive conduct within intimate relationships to the Criminal Code. Domestic abuse is a pervasive, life-threatening crime affecting people in all of our communities, regardless of gender, age, sexual orientation, race, ethnicity, religion, social standing or immigration status.

Domestic violence takes many forms: physical, emotional, economic, stalking and harassment, spiritual and sexual.

Controlling and coercive behaviour may include threats of harm to the victim, the victim's children, pets—including large farm animals—and other family members and threats of suicide if she leaves or does something undesired by the abuser or refuses to comply with the abuser's demands.

The abuser's owning or keeping of guns in the household not only increases the risk of homicide, but the guns can be used as psychological tools to control or coerce behaviour simply because they are present. This circumstance may be more likely in rural areas given higher volumes of hunters within the population.

Other examples include withholding or controlling finances or bank accounts or stealing the victim's income, continuously sending unwanted communications and forcing or withholding the practising of religion.

In 2020, almost 25% of our clients here reported suffering either physical or sexual abuse, while more than 75% of our clients reported emotional, financial or psychological abuse, all of which fall under controlling or coercive behaviour. These results are very similar to our 2019 statistics.

While we know the current pandemic has seen a sharp increase in demand for services, our rural transition house has seen a decrease in both support calls and total days of care provided, when comparing statistics from 2019 to 2020. The one service that did see an increase was assisting clients with completing emergency intervention orders.

Victims living in rural areas may also have limited access to transportation. If she is not permitted to have a driver's licence, for example, or if she has no access to a car, living outside of the town makes it extremely difficult for the victim to leave the home on her own.

Being in isolation at home with one's abusive partner with a mandated order to stay at home exponentially increases the difficulty and danger of attempting to access any help given the abuser's monitoring of devices, such as phones or computers, and not allowing the victim to leave the home. This problem may be amplified by the lack of Internet access in many parts of our rural community.

Living in a rural area where everyone knows everyone else makes it difficult for a victim to find a safe place to stay where the abuser can't find her. However, safe housing is only the first step for a person living with domestic violence. In order to get out of that situation, she needs to regain self-confidence to be able to be financially independent, find permanent housing—which is a great challenge for someone in ideal circumstances, never mind a difficult one like this—and start anew, still knowing that the abusive

partner may be living and working in the same town where she is. This is just the beginning of her journey.

Adding controlling or coercive behaviour to the Criminal Code could greatly decrease the suffering of hundreds of thousands of domestic abuse victims. A well-known expert in the domestic violence field, Lundy Bancroft, states that the impetus to change from abusers controlling behaviour is always extrinsic and rarely occurs when it is self-motivated. Additionally, he notes that if the legal system does not hold the abuser accountable, he will escalate to more serious violations under the assumption that the system does not mean what it says.

This bill could potentially result in actual impactful consequences for offenders resulting, hopefully, in their improved and changed behaviour patterns. It could give police and RCMP members tools to intervene more effectively and empower victims of abuse to reach out for help with the knowledge that help can actually be given.

Thank you.

• (1220)

**The Chair:** Thank you very much for that, Ms. Matthews. You are well under time. I really appreciate that, given the time crunch we continue to face with our committee.

We'll go into our first round of questions, starting with Mr. Moore for six minutes.

Go ahead, sir.

**Hon. Rob Moore (Fundy Royal, CPC):** Thank you, Madam Chair.

My sincere thanks to all of our witnesses in this panel. There is some really strong, powerful and moving testimony, and we appreciate all your input into this study that we're having today.

I want to ask Julie Matthews, executive director of Sussex Vale Transition House, about some things in her opening remarks. Sussex is in my riding of Fundy Royal. You talked about different challenges faced. Canada's a big, diverse country with urban and rural communities. Representing a rural region, I'd like some more comments from you on some of the things we should be particularly attuned to when it comes to domestic violence situations in rural areas.

One thing you mentioned that really struck me was that everyone knows everyone else, and that hadn't come up yet in our committee study, but that's so true in many small towns and villages. Everyone knows everybody.

Could you make some further commentary on that? Thank you for all the work that you're doing in our community.

• (1225)

**Ms. Julie Matthews:** Yes, thank you. I can answer that with pleasure.

Being as small as you know our town is, Rob, it can be as difficult as even using a taxi service, for example. We have one or two here in our town and it's happened that one of our clients knows the taxi driver who knows the abuser who.... It's difficult to move around the community without somebody seeing you and communicating with others. It's something we run into with getting to work or providing child care. It's not very hard for someone to find you. We find a lot of people living in our community may not want to actually stay in our community due to that. However, this is where all the support is. If it's where your family is, you don't want to go away from that, so it's really a catch-22 to know what's going to be the safest, best solution for you to start a fresh life or at least to be safe with your children, and everything that goes along with that.

**Hon. Rob Moore:** Obviously for all of us, including the way we're conducting this meeting over Zoom—many of us a year ago had never heard of Zoom—so much has changed during this COVID crisis and the response to it. One thing is that Canadians are saying, “Stay home where you're safe. Be home and be safe and protect your community.” Yet we have many in our community for whom home is not a safe place.

Ms. Matthews or Ms. Walker, could either of you comment on things that we should be particularly aware of during this crisis when people are being told to stay home? It's been called a “shadow crisis” because it's happening behind closed doors, but is there any special thing that we should be aware of, as Canadians are being told by provincial governments and the federal government that they should stay home?

**Ms. Megan Walker:** We know that a woman's home is the most dangerous place for her and that one in three women is abused in this country and that every six days a woman is murdered by her partner. These are the lives of women we are talking about. Yes, they are currently isolated in their homes, where they are exposed to ongoing and relentless tactics utilized by their partner to continue to control them. That sometimes may mean killing animals in the home. Sometimes it may mean killing her.

We need to understand that this is a crisis in this country. It's a crisis globally. Mr. Garrison has opened the gates now for us to do something truly meaningful to save women's lives. That's why we need to recognize that male violence against women is a pandemic. We need to make sure that we have proper legislation that is named “domestic violence legislation” or another name that indicates what is actually happening in the lives of these women, where all the sections can be added into that area.

I don't think people really understand that we're not talking about men who are out of control. We're talking about abusers who are very much in control. They don't just all of a sudden explode and abuse and assault the grocery store clerk. They wait until they're home. They wait and utilize the tactics from a power-and-control wheel to make sure that women are pieces of property and are there to obey. If they do not obey and he loses control over that woman, he will shift his tactics. Ultimately, she is at risk of being murdered.

All the while—this is happening right now during COVID—we have children home from school who are exposed to this high level of violence in their homes every single day. Their anxiety would be

through the roof. This is a very difficult time in the lives of women and children.

**The Chair:** Thank you very much for that.

We'll go to Mr. Kelloway for six minutes.

• (1230)

**Mr. Mike Kelloway (Cape Breton—Canso, Lib.):** Thank you, Madam Chair.

Hello to my colleagues.

Thank you so much to the witnesses for coming here today, for your opening statements, for the work you do and the advocacy you show every day. I'm very humbled to be here today.

Most of my questions, if not all, I will direct to a fellow Maritimer, Ms. Matthews. As you know, Ms. Matthews, at the height of the first wave of this pandemic and after a tragic incident in my home province of Nova Scotia, our government implemented a firearms ban. I'm wondering if you could speak to how this ban will benefit those you work with. I'm thinking of the use of guns to coerce and whatnot. Thank you.

**Ms. Julie Matthews:** A firearms ban would be such a powerful way to help victims of abuse. When we do a danger assessment we know the ownership of a firearm, even if it's not in the home, significantly increases that person's risk of homicide. We know that removing that power from the abuser would significantly save that person from harm.

I'm not sure what further I can say to that. Yes, guns are dangerous and a lot of people have them. It's easy to get access to them. I mentioned there's a lot of hunting around. Not everybody is dangerous with a gun, but there certainly should be some good controls around who has access to them or not.

**Mr. Mike Kelloway:** I appreciate that very much, Ms. Matthews.

What do you think could be done by the government to improve the delivery of domestic violence services and information during the pandemic? I know there's been investment in this area, but what more could be done to build on the investment or look at new investment that would help you and others in the services you provide?

**Ms. Julie Matthews:** We could really use a lot more funding, honestly. Not to make everything about money, but I really feel we're significantly underfunded. To have to pay \$13 an hour to our staff is.... I'm in a crisis currently, just to have staff to man our particular facility, so we seek to supplement that. Increased funding would make a big difference in enabling us to properly train and have our facilities and services available.



In the Maritimes, we're generally small towns anyway. We have a few larger cities. However, we see here in my local area that we are limited in the resources we're able to offer, like mental health supports. Family court waiting times are long. If there was something the government could do to speed up the process, even, that women are waiting on to get into the family court.... They can wait three months to access services there.

The emergency intervention orders have been a wonderful addition. However, we've found just in the short time they've been in effect that sometimes the adjudicating officers don't seem to understand the significance of the dangers that the women are in, and they're denied, not granted any sort of.... It's happened that because they've come to stay at the transition house, the officer deems them to be in a safe place and that they don't need to have any other sort of order or protection granted to them. That has been terribly frustrating and difficult, and it's disheartening for the women, who are receiving the message, once again, that there's really no help for them. They feel that much more trapped and in danger, so it's not encouraging to reach out for help again.

That's what I would say on that. I hope it answers your question.

• (1235)

**Mr. Mike Kelloway:** It does. As someone who's worked in the not-for-profit world on a whole host of issues, there is a lot to be said about the amount individuals get paid. We put faith and trust into organizations like yours that do amazing work, but do so—I'm guessing, and I don't want to put words in your mouth—on a budget that would probably be considered a shoestring budget. To me, everything you said rings true about working in the social services sector.

My third question is about the challenges resulting from COVID-19 for women's shelters. I want you to unpack that a bit. Also, what are the opportunities, Ms. Matthews, resulting from the COVID-19 pandemic for women's shelters and other resources dedicated to assisting domestic violence victims across the country? As a result of COVID-19 and perhaps practices you've had to either develop or modify, do you see anything that could enrich? I'm curious. When we hit a crisis situation like we have, oftentimes there are significant challenges, as we all know, but what kinds of social innovation measures have you put in place that you could share with us?

**The Chair:** You're way over your time, Mr. Kelloway. My sincerest apologies.

**Mr. Mike Kelloway:** Okay. I'll have to email you.

**Ms. Julie Matthews:** Yes. Thank you.

**The Chair:** If you can provide a written submission to that question, we'd really appreciate that.

[Translation]

Mr. Fortin, you have the floor for six minutes.

**Mr. Rhéal Fortin:** Thank you, Madam Chair.

My question is for Ms. Dhillon. I was moved by her testimony. She has survived through some terrible things. As I listened to her, I tried to imagine that my sister, my mother or my daughter was speaking. I found it very troubling.

The goal of Mr. Garrison's Bill C-247 is indeed that abusers can be charged with these different behaviours. However, as I have often said since we started considering this issue, provisions in the Criminal Code already consider harassment, violence, threats and such as offences. That said, I fully understand that domestic violence takes place in a specific context.

One question occurred to me as I was listening to you, Ms. Dhillon. I was trying to figure out not how we might have punished the abuser, but how we might have prevented it from happening.

Given your experience, can you tell us anything about what can be done so that situations like those you have experienced never happen again? Is it a matter of educating and training responders and the police? Should there be weekly or monthly visits by people with responsibility for these kinds of issues?

How can we detect a potential problem? How could I determine, by watching my friends and acquaintances, that one individual is possibly controlling and violent towards his wife? How can we find that out before anything happens? How can we respond so that it does not happen?

[English]

**Ms. Kamal Dhillon:** Thank you for your questions. There's tons for me to unpack. The first thing is to be believed. Every victim wants to be believed. If there is doubt.... When the police first came to me, they would ask me questions such as, "What did you do? What happened? How did you provoke him?" Instead of asking those questions, they should believe me.

One of the things I said is that sometimes there is no sign. There are no physical signs that will prove I was hit. If that's what they're looking for, they've missed the mark. I had one incident where my husband had a gun to my head. That left no marks, but that instilled a fear that the next time the gun goes to my head, I won't be alive.

There are a lot of things that you asked in the question. I will try to remember to answer them.

The other thing we do is educate. One of the things I'm doing through my story, my books and my own experiences as a social worker is to go around not just sharing my experience, but...how we listen to the abused and how we identify the abuser. The abuser is not one who wears a sign that says "I will abuse". The abuser, as it was mentioned earlier, is one who is really charming and very nice. He waits for you to go into the room.

• (1240)

[*Translation*]

**Mr. Rhéal Fortin:** I don't want to interrupt you, Ms. Dhillon, but we have very little time and I would like to hear from the two other witnesses on the same question. I am going to let you have another 30 seconds to tell me whether anyone close to you could have intervened to prevent it before you married the man. Could anything have prevented it?

I would also like the other two witnesses, Ms. Walker and Ms. Matthews, to answer the same question.

[*English*]

**Ms. Kamal Dhillon:** I had no choice. I was 18. Being a cultural Indo-Canadian woman, my marriage was arranged. If that was my daughter I would let her get to know the person first. I was engaged and we married the week after I'd met him.

Going forward, I educate young girls never to get into that.

[*Translation*]

**Mr. Rhéal Fortin:** So loved ones have to be better prepared before things like that happen. Thank you, Ms. Dhillon.

Ms. Walker, do you want to give a quick answer? Time is short. In 30 seconds, can you tell me what could prevent this from happening?

[*English*]

**Ms. Megan Walker:** I don't think we can rely on women to prevent the violence they face every day. We need to make sure that men are held accountable for their behaviour.

We need to understand that this is a major crisis. The government needs to stand up, as it's done with COVID, and say that this is a problem and that it is going to make sure it provides the resources needed to ensure that all women have immediate access to service and all men have access to service that they need to learn what it's like to value women if they can value themselves.

It's so important. We need to have legislation that recognizes—

[*Translation*]

**Mr. Rhéal Fortin:** Thank you, Ms. Walker. Forgive me for interrupting, it is not at all polite of me, but I see that I only have 30 seconds left.

Ms. Matthews, what do you think can be done to prevent this from happening?

[*English*]

**Ms. Julie Matthews:** I agree with the other two ladies who have spoken.

There are red flags. Yes, education is a big part of it in order to recognize what is an unhealthy relationship and who is acting in an abusive way, but also, men have a particular need to call out other men when they are saying something inappropriate. You don't make sexist jokes. You don't laugh and make it okay to behave like that or say the things you do, because everything just builds.

[*Translation*]

**Mr. Rhéal Fortin:** Thank you very much.

[*English*]

**The Chair:** Thank you very much, Monsieur Fortin.

We'll now go to Mr. Garrison for six minutes.

Go ahead, sir.

**Mr. Randall Garrison:** Thank you very much, Madam Chair.

I want to thank the witnesses for appearing today, particularly you, Ms. Dhillon. It takes incredible courage to come here and tell a story like yours, and we wouldn't be in these hearings if women who were victims of sexual violence did not speak out and had not spoken out over the years.

I also want to thank the two representatives of first-line service providers, because your organizations, with incredibly few resources, have helped to amplify those voices and make sure they're heard.

My goal in this study is to make sure not only that we hear the voices, that we listen to the voices, but that we also act.

I'm going to ask Ms. Walker a kind of a provocative question. I know she won't mind that.

You've talked about a domestic violence provision in the Criminal Code, which is a large measure that I think would take some time to figure out and enact. Is there a danger in setting aside the adding of coercive and controlling behaviour to the Criminal Code while we wait for something larger? In other words, is the perfect the enemy of a good tool in this case?

**Ms. Megan Walker:** I think the reverse. I think that if we don't stop and invest in changing the Criminal Code, which actually is not that difficult....You start with a code named "ending male violence against women" or whatever you choose, you sift the 35 plus sections under that funnel, and you would add there exactly what you were asking for: coercive control.

You of all people, Mr. Garrison, will be able to access this through Irene Mathysen. She wrote a bill that was absolutely extraordinary, which we circulated very extensively and which had complete support.

It's not difficult to do. The difficulty we have right now in adding coercive control is that in the existing legislation we have, the sections of the law are not enforced, and when they are enforced, or somebody is charged, the reliance is upon the victim to testify to get a conviction.

We need to get away from that. We also need to get away from the courts saying, "Listen, we have so many cases here that we're going to reduce yours to one offence, so plead guilty, get a peace bond and out the door you go."

The danger for me is in stopping what needs to be done, which is broad-based legislation.

• (1245)

**Mr. Randall Garrison:** Thank you for that answer.

Ms. Matthews, I want to ask you a similar kind of question as to whether you think that at this point adding coercive and controlling behaviour to the Criminal Code would provide a useful tool, recognizing that we need other things?

**Ms. Julie Matthews:** Let me preface this by saying that I'm not an expert at what's going to be the best thing for changes in the Criminal Code, but it certainly is a huge gap, I think, because the coercive and controlling behaviour is such a huge piece of abuse, really, and it's unseen. It's difficult to prove because, like Ms. Dhillon said, it doesn't leave a mark. It doesn't have physical evidence like that.

There are so many ways, I think, that this would be a great addition to the Criminal Code, but it would really need to be something that would be followed through on in the understanding of the judges, I think, and for the police to know how to properly implement things and what they can or cannot do.

We know that if there are not any significant consequences for abusers, they're not going to change what they're doing. There's not any reason why they would.

**Mr. Randall Garrison:** Ms. Matthews, from your work with victims of domestic violence or intimate partner violence, can I ask what kinds of things victims need to make better use of the protections of the court system or the police? What kinds of things would be most effective?

**Ms. Julie Matthews:** I'm not quite sure I understand your question.

**Mr. Randall Garrison:** Well, there's the reluctance of victims, quite often, to approach the system because of what happens to them in the system. Are there supports or things that we could do to facilitate using those protections that are available?

**Ms. Julie Matthews:** Well, I think that victims have a great fear that they are going to lose their children if they even bring it up, so to have reinforcement as to the security and the safety that they would have of their children.... That's a big stopper for women's even coming to shelters because child protective services have to be informed, and they are afraid that their children are just going to be taken from them. There's a lot of misinformation there. I think that that, and actually having legal aid easily accessible, would be a great help to them.

**Mr. Randall Garrison:** In the very little time we have left, Ms. Walker, I know you would like to chime in on the same question.

**Ms. Megan Walker:** Well, I think the most important thing we can do is understand that there is a link between the family court and the criminal court. My concern about coercive behaviours is that so often judges are blaming women for being the ones that are coercive. Women are often blamed. They are losing their children to the courts. They are actually at high risk because the courts are releasing men, withdrawing their charges. To add bits and pieces again does not help women overall. You've opened the gates. You've added something that we can all support. What I'm saying to you, though, is that we need it to be supported under the umbrella of something bigger.

**Mr. Randall Garrison:** Thank you.

**The Chair:** Thank you very much, Mr. Garrison.

We have 10 minutes before we conclude our meeting. Just like we did in our first round, I would like to offer members the opportunity of two minutes per representative of each party to ask a question. Can I see a thumbs-up that I have everybody's consent on that?

Mr. Moore, I don't see your thumb.

**Hon. Rob Moore:** Madam Chair, isn't it Madam Findlay's turn?

**The Chair:** It is, but given that it's closer to time and as per the discretion allowed to me through our routine motions, I'm just trying to be as equitable as I can be with everybody's time in making sure that the meeting does not go overboard.

• (1250)

**Hon. Rob Moore:** I guess the concern I have—

**Mr. Randall Garrison:** Madam Chair.

**Hon. Rob Moore:** —is that this happened the last round. In this case, it's Madam Findlay's turn. We agreed upon the speaking times for each party and each member, and it's her turn, but now we're asking her to split her time four ways. That's not what we agreed to. I don't want to belabour the point, but it seems unfair to me to ask someone to split her time four ways.

**The Chair:** You're absolutely fine. I understand that, Mr. Moore.

Mr. Garrison, did you want to add something?

**Mr. Randall Garrison:** Under your proposal, Madam Chair, I would give my two minutes to Madam Findlay.

**The Chair:** Okay. All right.

We'll start with Madam Findlay, and then we'll go on to at least complete that second round.

Go ahead, Madam Findlay.

**Hon. Kerry-Lynne Findlay (South Surrey—White Rock, CPC):** Thank you very much.

Thank you all for being here today. This is a very difficult topic, as we know. I know from having many years in family law and seeing these matters play out that the awareness is really just emerging, I would say.

I've been in front of many judges where the effect on children was completely disregarded as a non-issue, and we know that's not true.

Also, in partial answer to some of my colleagues' questions, I would just say that abusive patterns are incremental. Often they start out in harmony, but the whole idea of abuse is to lure in the other person, so you see a lot of partial reinforcement and an escalation of the abuse over time. It's not usually that it happens just right out of the gate like what happened to Kamal, and that may be partly because of how it was an arranged marriage and her youth.

Kamal, it's good to see you again. You are a courageous woman. I have read both your books. I recommend them to everyone here, *Black and Blue Sari* and *I Am Kamal*. They are chilling reading, but they are important for people to understand just what's going on.

Kamal, in your first book, you describe your experiences, and you mentioned some of them today, horrific torturous abuses. I know that you've been through many surgeries and reconstructions to get yourself feeling physically a little more strong. I noticed in that book that you were led to believe that the things that had happened to you had not happened. In other words, there was a mental mind control as well, suggesting that you were hearing voices or that you were the one that was the problem, that you were mentally ill or whatever. Could you speak about the impacts, specifically with regard to that psychological abuse, that both the verbal and physical abuse created within you and your fear around those?

**Ms. Kamal Dhillon:** Good to see you, Kerry.

That situation I was describing happened in a doctor's office with the doctor's and my husband's involvement. The doctor believed everything my husband was telling him because he was more vocal than I was. My silence was perceived to be that I was hiding something or didn't want to tell the truth. My silence was guilt to them.

I didn't know the word "brainwashed" at the time, and that was exactly what it was. He said if I loved him, I should tell him. If I loved the children, I should do this. Eventually it got to the point where his words were the only words I heard because nobody else intervened. I began to think I was worthless to him, to everybody around me and to God. He would say I was completely worthless. I think a lot of victims hear that word "worthless". That's what I'm doing through my talks: unmasking those labels and telling them to put on new ones, because they're worth it.

**Hon. Kerry-Lynne Findlay:** Would you agree with me that women with children are particularly vulnerable? A lot of women will put up with things they think to protect their children or because of fear of losing the children, as other witnesses have mentioned. They might be able to get away if it was just them. Being a mother puts you in a particularly vulnerable position, would you say?

**Ms. Kamal Dhillon:** It certainly does because now you have the children to think about. Often children don't want to leave the comforts of their home. They don't want to leave daddy. They love daddy, they just don't love what he does, and so it makes it equal....

As you know from my story, I have four children and I had to kidnap two of my children from another country—*[Inaudible—Editor]* you're a politician—and smuggle them into the country, and I did it alone. There were things I had to fight and children made it more difficult, but I'm so glad they're with me and the—

• (1255)

**Hon. Kerry-Lynne Findlay:** We don't have much more time, but what do you think the federal government should be doing to be more proactive to prevent abuse rather than reactive?

**Ms. Kamal Dhillon:** There isn't a proper crime bill to ensure when we report sexual abuse, physical abuse, even death.... We've seen the crime doesn't fit the punishment. We need to know when we're reporting, it's going to be taken seriously and we will have

protection. Not just a piece of paper that says "restraining order", but something like an ankle bracelet, something more concrete, where the victims are protected and the perpetrator cannot lie and say he wasn't there.

**Hon. Kerry-Lynne Findlay:** Thank you very much.

And thank you, Mr. Garrison, for your charity.

**The Chair:** Thank you very much.

We'll now go to Mr. Sarai for five minutes.

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Thank you, Madam Chair.

Thank you to all the witnesses. All of you have shared some very vital information, Ms. Walker and Ms. Matthews, on what you do every day to help women. I've heard Ms. Dhillon's story several times, and it brings chills every time. It's a very heartbreaking story.

Ms. Matthews, do you think that legislation that would prevent women from enduring abuse, which would consider controlling and coercive behaviour a crime, might prevent further abuse so women who get into more violent situations later are able to go to the law under such provisions? Do you think this would be a helpful piece of legislation?

**Ms. Julie Matthews:** Yes, I do.

**Mr. Randeep Sarai:** Even more so, in terms of gun violence— as we've heard from Ms. Dhillon a lot of gun violence happens, whether it's threatening gun violence or others—would having coercive and controlling behaviour as a crime help prevent much more abusive behaviour, because usually it's a prelude to behaviour that's going to come much later that is much more violent, even worse?

**Ms. Julie Matthews:** I think that it would, yes.

**Mr. Randeep Sarai:** Ms. Walker, on the same notion, I know you've asked for a broader group of legislation and you've also asked about enforcement. I've done a little work in criminal and family law, mostly assisting my colleague and not done it myself. One of the problems is enforcement. It varies province to province in how much funding and resources the Crown and the police agencies have. Do you think this legislation would prevent further, more egregious violence that might come?

**Ms. Megan Walker:** I think we need to remember that this is good legislation. We know that abuse against women is a pattern of behaviour, and on the flip side, that may be what makes it very difficult to enforce. It's not a single incident; it's a pattern of behaviour that repeats itself over time. Also, this legislation would rely exclusively on the woman's testimony or the woman's input to see this through to a charge and perhaps ultimately a conviction.

I also want to reiterate that I think we need to load the tool box with as many tools as are at our disposal to ensure that when it's time to charge or time to help a woman, we can dig deep and get those tools to help them.

**Mr. Randeep Sarai:** Thank you.

Ms. Dhillon, in your situation, it obviously started immediately. There wasn't time for such behaviour...as you indicated.

With a lot of women—you've probably studied this a lot in your social work—do you think this would be preventative legislation, so that women don't get into those more severe levels of abuse when a pattern of coercive behaviour can be identified early?

• (1300)

**Ms. Kamal Dhillon:** Definitely.

We need more education. We need ongoing education, I'd say at the school level. One of the things we have heard is, whatever I learned, I learned in kindergarten—and even in homes.

I look at our spiritual places, our temples, our churches. These are places that can also facilitate workshops such as this. People who bring in their mindset and their cultural values need to be educated here on what the laws are. When they are bringing up their boys and girls in two different ways, we are able to show them the proper way to bring up the children, and to show them respect. Respect begins at home.

**Mr. Randeep Sarai:** I'll pass my time to the next witness. I won't have enough time to ask and hear the response.

Thank you.

**The Chair:** Thanks very much, Mr. Sarai.

We'll go now to Monsieur Fortin for two and a half minutes.

Go ahead, sir.

[*Translation*]

**Mr. Rhéal Fortin:** Thank you, Madam Chair.

I will go back to Ms. Dhillon, if I may.

Ms. Matthews was saying that Bill C-247 would be a kind of additional tool in the fight against domestic violence. However, we already have criminal offences.

For example, you mentioned in your testimony that your husband threatened you with a gun. You understood that, if anything like that happened again, you could die. You were beaten and kidnapped by your husband, who did not let you leave the house. Those acts per se are already criminal. Assault, violence, threats and kidnapping are already offences in the Criminal Code.

How do you believe that creating another offence of domestic violence could change anything?

How could that have changed your situation if a section in the Criminal Code said that domestic violence is prohibited? Could the situation not still have happened in the same way?

[*English*]

**Ms. Kamal Dhillon:** I think if I had been believed.... Even when I showed the police the gun, my husband sweet-talked them. I wasn't a credible witness. They told me that I was very hyper.

I don't know what the new laws will be, but I think whether it's new laws or old laws, you have to start taking victims seriously. We stop reporting abuse because we're never taken seriously. We're not believed.

**Mr. Rhéal Fortin:** To be believed....

[*Translation*]

I understand. I am sorry for rushing you, Ms. Dhillon. Once again, I don't want to be impolite, but I only have 30 seconds left.

In your opinion, how did your husband become a violent man? I assume that you will agree that not all men are violent. I hope so, anyway. Personally, I don't think I am. What makes a man like your husband conduct himself in that way with you? Do you have any idea? Are you able to put your finger on the reason he was like that?

[*English*]

**Ms. Kamal Dhillon:** He kept getting away with it. He was more believable than I was.

Yes, abuse isn't just against women. There are very good men out there. There are male victims as well.

[*Translation*]

**Mr. Rhéal Fortin:** Thank you, Ms. Dhillon.

**The Chair:** Thank you, Mr. Fortin.

[*English*]

We are at the end of our round of questions. Thank you very much to the witnesses. I really appreciate the honesty, candour and passion in how you've delivered your remarks today.

Ms. Dhillon, thank you so very much for sharing your personal story. None of us had a dry eye as we heard all of the impact and all that you faced during this. Thank you very much. I really appreciate that.

Just very quickly, I have something to address with the members before we adjourn for the day.

Members, as we go into the conclusion of this study and the beginning of our next study, I just want to advise you that on February 23, after we've concluded all of our witnesses for the meeting, will be draft instructions for committee members to give to analysts on this specific report.

In the second hour, we'll start our COVID and the justice system report. We will continue to speak about some of the challenges we're having.

I would like to remind all members that your witnesses for the COVID and the justice system delays study are due by the end of

today, as I've said in the past number of meetings, so that we give our witnesses enough notice to prepare before they come to committee meetings.

With that, I thank all members for running a very efficient meeting, and to all of our witnesses for everything you have contributed. Thank you all very much.

The meeting is adjourned.

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