

**To:** House of Commons, Standing Committee on the Status of Women  
**Re:** Study on Intimate Partner & Domestic Violence in Canada  
**Date:** March 21, 2022

I am a former attorney in British Columbia and now work as a professor of criminology and criminal justice at a Canadian university. I and my three children are also the victims of 16 years of severe domestic abuse at the hands of my husband. We faced numerous incidents of violence during this time, many of which have been charged as indictable offences – some of which are currently pending before the courts.

We would like to make several recommendations to Parliament on how to overcome the barriers we faced in our numerous attempts to leave a violent and unsafe situation, and to remedy the severe and long-term damage this has caused us. I am submitting this brief under my initials to protect our privacy, and so that this brief can be made public.

### **1. We need to establish an ethic of accountability for domestic violence.**

Domestic abuse and coercive control are deliberate and intentional acts that are planned and carried out over a long period of time. Abusers do this to terrorize their victims, exert control over them, prevent them from seeking legal and other remedies, and exploit them financially and sexually. Abusers and their victims may *also* be unfortunate enough to suffer from mental illnesses, poverty, and substance use disorders – **but these are not causes of coercive control or excuses for abusing women and children.** Abusers are highly skilled at using excuses that enable them to victimise women and children while blaming us for the abuse. Accountability for domestic violence must begin with an ethic that seeks to hold abusers accountable and that prioritizes the safety of their victims. This ethic should be instilled the key public services that abused women need to access: police, child protection agencies, family and criminal court judges.

### **2. We need a crime of coercive control.**

Establishing a crime of coercive control in the *Criminal Code* is a good way to establish an ethic of accountability for domestic abuse. It would have effects far beyond the criminal justice system. It would also help improve access to much-needed services for victims of domestic violence and would assist victims to seek compensation in family courts through the developing tort of family violence/coercive control.

### **3. We need accountability for enablers of domestic abuse.**

My husband's relatives supported him in his abuse. There were incidents in which they watched him beat my daughter. Their only response was to blame her and make her apologize to her father afterwards. Abusers cannot maintain a long-term system of coercive control on their own. Adults who witness criminal acts being committed against children and who do not report this should also face accountability through criminal charges, but this is rarely done.

### **3. We need changes to provincial child protection systems.**

My children and I have spent much time in domestic violence shelters in Canada when our home was unsafe and we were forced to flee. I spoke to many mothers there who were terrified to report the abuse for fear that their children would be removed from their care. They were correct. Child protection authorities will investigate and take enforcement action against “non-protective parents.” If we were able to protect ourselves and our children from our partners’ violence, then we wouldn’t be in such a desperate situation. We can’t. We need help – and we don’t get it. We need to dispense with punishing “non-protective parents” and seek to assist abused mothers and their children as a family unit, and view their interests as being aligned. This is a provincial responsibility, but leadership for such profound changes in values and practices should come from the top.

### **4. We need access to childcare.**

The single most important resource that would help mothers to leave abusive partners is access to childcare. Abusers isolate their victims over a long period of time from family and friends, and this makes us more in need of assistance with caring for our children. I was homeless several times with my children and did not receive assistance finding new housing or childcare from the domestic violence shelters. I faced the choice of continuing to go to work but not being able to care for my children – and therefore losing custody of them to child protection authorities. On the other hand, I could have given up my job to care for my children but then have been unable to secure housing for us – and therefore risked losing custody of them to child protection authorities. I had to endure many years of severe physical and other forms of abuse before I was able to leave for good. If a woman with my education who was continuously employed full-time cannot do it on her own, then I am honestly not sure who can.

### **5. We need access to counselling and other services for victims of crime.**

My children and I were victims of violence for 16 years. The first indictable charges against my husband were laid in 2011. Despite numerous complaints to child protective services and various criminal charges being laid over the years, none of us have yet received any counselling or other victim services to date – *at all*.

### **6. We need more reciprocal agreements with other countries for enforcement of child maintenance orders.**

Domestic abusers are overrepresented among parents who are non-compliant with child maintenance orders. This exacerbates the financial vulnerability faced by mothers and children who are victims of domestic violence. My husband, like many abusers, has left Canada to avoid criminal charges and child maintenance payments. Canada has done a good job of entering into reciprocal agreements with other countries for mutual legal assistance in matters such as criminal extradition and child maintenance enforcement. More can be done, however. Canada can help ameliorate the financial hardships imposed upon victims of domestic abuse by entering into further reciprocal agreements with countries where abusers are likely to flee.