

**To: Members of the House of Commons Standing Committee on Justice and Humane Rights,  
Re: Bill C-332, An Act to amend the Criminal Code (controlling or coercive conduct)**

Humane Canada applauds the continued all-party support for Bill C-332: An Act to amend the Criminal Code (controlling or coercive conduct ) including from the Parliamentary Secretary to the Minister for Women and Gender Equality and Youth, Lisa Hepfner; Chair of the Standing Committee on the Status of Women, Conservative Member Karen Vecchio, and Bloc Québécois Member Andreanne Larouche, who stated that this type of conduct includes “physical, sexual and emotional abuse, financial control, and **implicit or explicit threats to the partner or ex-partner and to their children, belongings or even pets.**”<sup>1</sup>

As Canada’s voice for animal welfare and Lead Agency/Founder of the Canadian Violence Link Coalition (CVLC), which recognizes the evidence-based link between violence against people and animal abuse, we understand that while this legislation is very concise, it fails to address other victims that are also targeted by this conduct: the family’s animals.

Given these omissions, we recommend that Bill C-332 be amended at committee to explicitly include animals under the *Interpretation – significant impact* section in order to safeguard protections for the victim/survivors and children that this form of abuse toward animals is meant to target.

**Proposed Amendment: Suggested language**

**Interpretation — significant impact**

**(2)** For the purposes of subsection (1), the conduct has a significant impact on the person if:

**(a)** it causes the person to fear, on reasonable grounds, on more than one occasion, that violence will be used against them, ***their children or animals***

**OR**

**(c)** it causes the person alarm or distress that has a substantial adverse effect on their day-to-day activities, including

**(i)** limits on their ability to safeguard their well-being or that of their children ***or animals.***

**Background - Controlling or Coercive Conduct: A Violence Link crime**

Research shows that interpersonal violence and animal abuse are part of a larger pattern of violent crimes that co-exist. Coercive and controlling behaviour can take a variety of forms. Aggressors use animal abuse to coerce, control, and intimidate women, children, and elders into staying silent about their abuse, preventing them from leaving, or forcing them to return<sup>2</sup>. A recent Canadian study revealed that animal cruelty is often a precursor to

<sup>1</sup> [Debates \(Hansard\) No. 250 - November 9, 2023 \(44-1\) - House of Commons of Canada \(ourcommons.ca\)](#)

<sup>2</sup> P Arkow, “The Evolution of Animal Welfare as a Humane Welfare Concern” in Ascione FR and Arkow P, eds, “Child abuse, domestic violence, and animal abuse: Linking the circles of compassion for prevention and intervention”, 1999, page 19; and Phil Arkow, “Form of Emotional Blackmail: Animal Abuse as a Risk Factor for DV” in “Family & Intimate Partner Violence Quarterly”, Summer 2014; Volume 7, Number 1, page 7

more severe forms of IPV, with an 11% increase in its probability as well as a 16% increase in the possibility of injury and a 25% increase in the likelihood of fearing for one's life<sup>3</sup>.

Animal abuse and coercive control is also often seen in sexual abuse and exploitation crimes. A 2018 report by the Canadian Centre for Child Protection Inc. found that 82% of bestiality cases involved the sexual abuse of a child, and that animals may be used as part of the child sexual abuse grooming process<sup>4</sup>. Some women are forced by their intimate partners to commit bestiality<sup>5</sup>.

Statistics show that women are more vulnerable to intimate partner victimization, with 44% experiencing some form of physical, sexual, or psychological violence within an intimate relationship in their lifetime since the age of fifteen<sup>6</sup>. **Psychological abuse is the most common type of intimate partner violence (IPV) with a reported rate of more than four in ten women<sup>7</sup>. Specific categories of IPV that women are five times more likely to experience include threats of harm directed toward their companion animals<sup>8</sup>.** Unfortunately, this is a common coercive, controlling tactic used by perpetrators of IPV<sup>9</sup> to incite fear and gain compliance.

Companion animals are considered family members and a primary source of emotional support for IPV victims. They are equally vulnerable to violence that occurs in the home<sup>10</sup> as well as the danger of exploitation of their bond with the victim. The Mass Casualty Commission (MCC), formed as a result of the tragic incidents of April 18 and 19, 2020 in the communities in and around Portapique, Nova Scotia that ended in the loss of 22 lives, acknowledges additional risk factors women with companion and farmed animals experience with respect to gender-based violence (GBV) in *Volume 3: Violence* of their multi-volume final report released in March 2023. It noted the correlation between GBV and the abuse of pets and other animals and the barriers for women that have concerns regarding their animal's safety should they be unable to leave with them<sup>11</sup>.

The Commission's report focuses on the perpetrator's long history of violence, starting when he himself was a victim of family violence, only to later inflict that same violence and coercive, controlling behaviour on his intimate partner. The volumes and foundational documents detail missed red flags and opportunities for intervention that went ignored<sup>12</sup>, which is a sad reality for many survivors of intimate partner and gender-based violence across Canada. One red flag systemically ignored and highlighted in the MCC Final Report is a perpetrator's history of threats or harm to animals and the direct links between animal violence and human violence.

The Commission included recommendations on tracking perpetrators history of violence, including coercive control and of threatening, harming, or killing pets or animals in data-collection research and policy

<sup>3</sup> Barrett, B.J., Fitzgerald, A. & Gray, A. (2021). The Co-occurrence of Animal Abuse and Intimate Partner Violence Among a Nationally Representative Sample: Evidence of "The Link" in the General Population. *Violence and Victims*, 36-6, pp. 770-792. Springer Publishing

<sup>4</sup> Canadian Centre for Child Protection Inc., "Bestiality" as reflected in Canadian case law, CanLII Authors Program, 2018 CanLII Docs 266: <https://canlii.ca/t/t0dx>

<sup>5</sup> *Ibid.* Ascione, *Supra* note 5

<sup>6</sup> Cotter, A. (2021) [Intimate partner violence in Canada, 2018: An overview](#). Statistics Canada.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> Newberry, M. (2017). Pets in danger: Exploring the link between domestic violence and animal abuse. *Aggression and Violent Behaviour*, 34: Elsevier Publishing

<sup>10</sup> Stevenson, R. (2012). Pets, intimate partner violence, and the abuser's perspective. Department of Criminology, University of Ottawa: Ottawa, Canada

<sup>11</sup> Turning the Tide Together: Final Report of the Mass Casualty Commission. Vol. 3: *Violence*. p. 326: <https://masscasualtycommission.ca/files/documents/Turning-the-Tide-Together-Volume-3-Violence.pdf>

<sup>12</sup> Turning the Tide Together: Final Report of the Mass Casualty Commission. Vol. 2: *What Happened*. pp. 14-15: <https://masscasualtycommission.ca/files/documents/Turning-the-Tide-Together-Volume-2-What-Happened.pdf>

development<sup>13</sup>. Due to the growing body of research supporting the connection between coercive controlling behaviour and perpetrators using animals as tools to manipulate their relationship partners, often through means of threatening or harming the animal, the perpetrator's treatment of animals must be addressed in any legislation regarding coercive or controlling conduct.

Another reason for animals to be included is that this manipulation by perpetrators is not always as overt as harming or killing a pet. It can be more subtle, but equally as devastating, when a victim comes home to find their beloved animal gone; either taken to the shelter or given away by the perpetrator of abuse as revenge for some imagined transgression or as a show of power. Incidents such as these are even harder to track than those related to intimate partner or family violence because incidents where there is no physical abuse or harm to the animal or victim go unreported. Compounding these issues are statistics that indicate the vast majority of intimate partner violence-related incidents are not reported to police, with the two most common reasons given being the belief that the incident was a private or personal matter and the perception that it was not important enough to report<sup>14</sup>.

In Humane Canada's recent two-phase study of family law professionals across Canada regarding encounters with animal abuse in the context of family violence in their practice, we discovered that there were many cases where clients would volunteer information concerning how their partner had abused or threatened their companion animals as an indirect way to harm or coerce them, and that instances of psychological and financial abuse were more recurrent<sup>15</sup>. Interviewees recounted stories that included several instances of threats to their client's dog or threatening to take the animal away, or where a perpetrator of financial and emotional abuse continued to use the client/victim's dog to control and coerce her. One occurrence involved the perpetrator meeting the victim at a local coffee shop with the dog, telling her "You can spend a few minutes... a little time with the dog if you'll do the things that I want"<sup>16</sup>. Another interviewee recounted the story of a survivor whose partner had sold her dog on Kijiji while she was at work, which they found to be one of the more traumatic in their experience: "the animal wasn't, per se, being physically harmed or abused in any way, but it was being used as something to control and be monetized and taken from her without consent or choice"<sup>17</sup>.

Eighty-nine percent of respondents to the survey portion of our study indicated that they were aware of potential or suspected animal abuse in their cases<sup>18</sup>. This represents a significant increase from a 2019 Justice Canada *Survey of Lawyers and Quebec Notaries on Family Law and Family Violence in Canada* published in June 2023, where 50% and 55% respondents reported asking clients about killing or harming an animal or damaging property and threats to an animal or property respectively<sup>19</sup>. Although it is unclear whether those questions revealed potential or suspected animal abuse, it does indicate that there is a base level of knowledge that

<sup>13</sup> Turning the Tide Together: Final Report of the Mass Casualty Commission. Recommendations. p. 2 <https://masscasualtycommission.ca/files/documents/Turning-the-Tide-Together-List-of-Recommendations.pdf>

<sup>14</sup> Cotter, A. (2021). *Statistics Canada. Intimate partner violence in Canada, 2018: An overview* <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00003-eng.htm> citing Burczycka, M. 2016. "Trends in self-reported spousal violence in Canada, 2014." In *Family violence in Canada: A statistical profile, 2014. Juristat*. Statistics Canada Catalogue no. 85-002-X

<sup>15</sup> Fitzgerald, A., Coulter, K., Monckton, V., and Thomson, K., for Humane Canada (2023) *The Violence Link in Practice: An empirical examination of the implications of the Violence Link for family justice professionals*: [https://humaneCanada.ca/wp-content/uploads/2023/08/Humane-Canada\\_The-Violence-Link-in-Practice.pdf](https://humaneCanada.ca/wp-content/uploads/2023/08/Humane-Canada_The-Violence-Link-in-Practice.pdf), p. 14

<sup>16</sup> *Ibid.*

<sup>17</sup> Fitzgerald, A., Coulter, K., Monckton, V., and Thomson, K., for Humane Canada (2023) *The Violence Link in Practice: An empirical examination of the implications of the Violence Link for family justice professionals*: [https://humaneCanada.ca/wp-content/uploads/2023/08/Humane-Canada\\_The-Violence-Link-in-Practice.pdf](https://humaneCanada.ca/wp-content/uploads/2023/08/Humane-Canada_The-Violence-Link-in-Practice.pdf), p. 12

<sup>18</sup> *Ibid.* p. 8

<sup>19</sup> Badets, N. & Stumpf, B. (2023). *Justice Canada: Identifying and responding to family violence in family law cases: Results from the 2019 Survey of Lawyers and Quebec Notaries on Family Law and Family Violence in Canada*. <https://www.justice.gc.ca/eng/rp-pr/jr/jr/fvlfic-rvrfardf/index.html>

threats or harm to animals is a component of family abuse that is increasing. However, respondents in both surveys shared a common concern around an overall lack of awareness or knowledge about services and resources for clients dealing with family violence.

Having a concisely worded law that includes both subtle and overt threats to family animals would be a positive step forward in addressing these concerns, particularly around whether an activity is a crime that should be reported. Education for all stakeholders on what constitutes harm where animals are involved, specifically psychological harm that includes the intended victim and the animal who is being removed from their home, as well as the children in the home who would have formed attachments to the animal, is also necessary so that those who handle issues of coercive and controlling behaviour are better equipped to assist survivors.

### Current Legislation and Precedent

The Violence Link is currently recognized in federal legislation. Threats of or actual harm or killing of an animal are included within the definition of family violence as of March 2021 when changes to the federal *Divorce Act*<sup>20</sup> came into force. More recently, the definition of domestic violence in the recent amendment of the *Firearms Acts*<sup>21</sup> that received royal assent in December also includes harming or killing of animals and will be a factor to consider when determining whether to revoke a firearms license from the perpetrator of these actions.

In the UK, a national prosecution strategy that addresses coercive behaviours and recognizes the Violence Link, *Controlling or Coercive Behaviour in an Intimate or Family Relationship*<sup>22</sup> was developed to support the national coercive control legislation that was enshrined into law under section 76 of the Serious Crime Act, 2015<sup>23</sup> and is what Bill C-332 is based on. In March 2021, the government announced amendments to the section after it undertook a review of the legislation and updated the statutory guidance relating to the controlling or coercive behaviour offence,<sup>24</sup> most recently in April 2023.

Sections 2 and 6 of the *Controlling or coercive behaviour: statutory guidance framework* explicitly mention the perpetrator's use of pets to control or coerce their victim by harming or threatening to harm or give them away, threaten or using violence against the pet, withholding the victim's ability to buy pet food or supplies or even through technologically facilitated abuse by using GPS locators or spyware on pets<sup>25</sup> in order to keep tabs on their victims. As part of the *Review of the controlling or coercive behaviour offence* conducted by the UK government and updated in May 2021, analysis of the academic literature highlighted some concerns that the language was too broad or vague, which lends itself to a substantial risk that perpetrators of abuse could use it to bring charges against their victims, and that some justice stakeholders had difficulty with identifying, proving and prosecuting the offence due to the "serious effect" element<sup>26</sup>.

<sup>20</sup> *Divorce Act*, RSC 1985, c 3 (2nd Supp), s 2: <https://canlii.ca/t/7vbw#sec2>

<sup>21</sup> Bill C-21, *Firearms Act*, SC 1995, c 39, s 70.1(2)(f),(i): [Government Bill \(House of Commons\) C-21 \(44-1\) - Royal Assent - An Act to amend certain Acts and to make certain consequential amendments \(firearms\) - Parliament of Canada](#)

<sup>22</sup> The Crown Prosecution Service UK. [Controlling or Coercive Behaviour in an Intimate or Family Relationship](#)  
<https://www.legislation.gov.uk/ukpga/2015/9/section/76>

<sup>24</sup> [Amendment to the controlling or coercive behaviour offence - GOV.UK \(www.gov.uk\)](#)

<sup>25</sup> [Controlling or coercive behaviour: statutory guidance framework - GOV.UK \(www.gov.uk\)](#): [Section 2: Criminal justice response](#) and [Section 6: Post-separation abuse, related harms, offences and other forms of domestic abuse](#).

<sup>26</sup> [Review of the controlling or coercive behaviour offence - GOV.UK \(www.gov.uk\)](#): 4. *Rapid literature review*



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The legislation review also emphasized a key point that we reiterate here: ***“the successful implementation of the coercive control offence is dependent on more than just legislation”***<sup>27</sup>. Ongoing training on what constitutes controlling and coercive conduct is highly recommended for law enforcement, legal professionals, and the judiciary, as well as the public, in order to ensure accurate and appropriate knowledge for justice stakeholders on how to implement this legislation.

Bill C-233, *An Act to amend the Criminal Code and the Judges Act (violence against an intimate partner)* which began as a Private Member’s Bill that gained government support and received royal assent in April 2023, amends the *Judges Act* to provide for continuing education seminars for judges on matters related to intimate partner violence and coercive control in intimate partner and family relationships<sup>28</sup>.

Although the language in that particular bill did not define what constitutes coercive and controlling behaviour, Humane Canada has been in discussions regarding the inclusion of animal abuse with the National Judicial Institute in their development of their online course on intimate partner violence for judges. The organization had reached out with an interest in using some excerpts from our previously referenced family law research study. Similarly, we wish to offer our expertise in this area to you to further develop Bill C-332 into an impregnable piece of legislation that will protect all victims of controlling and coercive conduct, human and animal alike.

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<sup>27</sup> *Ibid.*, 4. Conclusion

<sup>28</sup> [Private Member’s Bill C-233 \(44-1\) - Royal Assent - An Act to amend the Criminal Code and the Judges Act \(violence against an intimate partner\) - Parliament of Canada](#)



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## About Humane Canada

Humane Canada, formerly known as the Canadian Federation of Humane Societies, is the only national organization representing humane societies and SPCAs in Canada. We drive positive, progressive change to end animal cruelty, improve animal protection and promote the humane treatment of all animals.

Our 50 member organizations (listed below) include societies in every province and two territories. These are the very organizations that Canadians have depended upon, not only to care for abused and abandoned animals, but also to advocate for greater care and protection of animals and to provide community resources, research, and humane education. Humane Societies and SPCAs are among the oldest and most trusted social institutions in the country.

## About the Canadian Violence Link Coalition

Humane Canada is the founder and lead agency of the Canadian Violence Link Coalition (CVLC).

The CVLC brings together more than 40 stakeholders from both human and animal services interested in confronting the human-animal Violence Link and the weaknesses of a system that ignores that bond, especially in the IPV and DV context. The CVLC works across sectors to raise awareness of the Violence Link and promote proactive practices that reduce harm in our communities.



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## Humane Canada Member Organizations

Alberta Animal Rescue Crew Society

Alliston and District Humane Society

Animatch

Association of Animal Shelter Administrators of Ontario

BC SPCA

Burin Peninsula SPCA

Burlington Humane Society

Calgary Humane Society

Canadian Association for Humane Trapping

Central Alberta Humane Society

Charlotte County SPCA Inc.

Cochrane & Area Humane Society

Edmonton Humane Society

Exploits Valley SPCA

Fort McMurray SPCA

Fredericton SPCA

Gander & Area SPCA

Georgian Triangle Humane Society

Guelph Humane Society

Hamilton Burlington SPCA

Happy Valley Goose Bay SPCA

Humane Society Dawson

Humane Society Hastings Prince Edward

Humane Society Kawartha Lakes

Humane Society London & Middlesex

Humane Society of Greater Niagara

Medicine Hat SPCA

Miramichi SPCA

Montreal SPCA

New Brunswick SPCA

Northwest Territories SPCA

Nova Scotia SPCA

Oakville & Milton Humane Society

Ontario SPCA & Humane Society

Oromocto & Area SPCA

Ottawa Humane Society

Prince Edward Island Humane Society

Regina Cat Rescue

Regina Humane Society

Saskatchewan SPCA

Saskatoon SPCA

Sault Ste. Marie & District SPCA

Société protectrice des animaux de Québec

Southwest Coast SPCA

SPA de l'Estrie

SPCA de L'Outaouais

St. Johns SPCA

The Humane Society of Kitchener Waterloo & Stratford Perth

Thunder Bay and District Humane Society

Toronto Humane Society

Victoria Humane Society

Windsor Essex County Humane Society

Winnipeg Humane Society