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**Standing Committee on
Justice Policy**

Intimate partner violence

1st Session
43rd Parliament

Wednesday 28 August 2024

**Comité permanent
de la justice**

Violence entre
partenaires intimes

1^{re} session
43^e législature

Mercredi 28 août 2024

Chair: Lorne Coe
Clerk: Thushitha Kobikrishna

Président : Lorne Coe
Greffière : Thushitha Kobikrishna

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

**COMITÉ PERMANENT
DE LA JUSTICE**

Wednesday 28 August 2024

Mercredi 28 août 2024

The committee met at 1003 in committee room 2.

**INTIMATE PARTNER VIOLENCE
VIOLENCE ENTRE
PARTENAIRES INTIMES**

The Chair (Mr. Lorne Coe): Good morning, members. I call this meeting of the Standing Committee on Justice Policy to order. We're meeting today to resume public hearings on the committee's study on intimate partner violence. Are there any questions from the members before we begin?

Moving on to the public hearings: As a reminder, the committee has invited expert witnesses to provide their oral submissions. Each witness will have 10 minutes for their presentation, followed by 20 minutes for questions from members of the committee. The time for questions will be broken down into one round of 7.5 minutes for the government members, one round of 7.5 minutes for the official opposition, and one round of five minutes for the independent member.

MPP Saunderson?

Mr. Brian Saunderson: Thank you, Mr. Chair—

The Chair (Mr. Lorne Coe): I need his microphone on, please.

Mr. Brian Saunderson: —expecting any independents today, but I'm wondering if we can divide the time between the opposition and ourselves if the independents aren't here to use their time allotment.

The Chair (Mr. Lorne Coe): I expect we'll move in that direction, but I'll defer to my Clerk, please.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): Yes. If the independent isn't here and both parties are in agreement, then we can split the time. It will be in a second round—so it will be split by 2.5 and 2.5.

The Chair (Mr. Lorne Coe): Committee members agree? Agreed, Madam Clerk, so let the minutes reflect that.

WESTERN UNIVERSITY

The Chair (Mr. Lorne Coe): I'll now call on our first presenter, members, which is Western University. With the assistance of our technician—he'll bring them in through Zoom. Thank you.

Good morning.

Dr. Kaitlynn Mendes: Good morning.

The Chair (Mr. Lorne Coe): How are you? Thank you so much for joining us this morning.

I'm going to just let you know that you have 10 minutes for your presentation. When you have one minute left, I'll let you know so that you can sum up.

Please state your name for Hansard, which is the recording service for the Ontario Legislative Assembly, and your affiliation, and then you can begin your presentation.

Dr. Kaitlynn Mendes: My name is Dr. Kaitlynn Mendes. I'm from Western University. I'm a professor of sociology, and I hold the Canada Research Chair in Inequality and Gender. Thank you so much for having me this morning.

I'm here to talk about the role that digital technologies play when it comes to gender-based and sexual violence. I believe that you've already heard from my colleague Professor Suzie Dunn at Dalhousie University. Together, we are on this project called DIY: Digital Safety. Right now, we're going around Canada and we are talking to teenagers aged 13 to 18 about their experiences of what we call tech-facilitated sexual violence. When we're talking about this, we're really talking about the ways that digital technologies are increasingly playing a role in the ways that gender-based and sexual violence takes form. I'm sure some of you have been following the news and you've heard about things like sextortion. You've probably heard of things like revenge porn. You may have even heard things about how AirTags and GPS are being used to track, survey and monitor victims. These are all things that we're talking about, and these are things that we research. I'm doing this project here in Canada, but I also lived in the UK for many, many years, and I led a project there as well with teenagers. What we've found so far, in talking to teens, are very similar findings. So we know that this isn't a problem that's unique to Canada or the UK, but this really seems to be a growing global phenomenon, and that makes sense.

We know that digital technologies are increasingly important. We also know, particularly when it comes to youth, that since COVID-19, the number of young people getting their own digital devices, most often a smart phone, is increasing and their screen time is also increasing. They are getting these devices at a younger and younger age, and they're spending more and more hours online. Again, this just provides opportunities for many of these forms of tech-facilitated sexual violence to take place.

In going around the country, we've deliberately talked to lots of different diverse communities—those in urban

areas, those in rural areas, racialized communities, members of the 2SLGBTQ+ communities, Indigenous youth. We've gone to the Yukon and then other provinces—Alberta, Ontario, Nova Scotia and Quebec. We've also done this research in both French and English. So we feel as though we've gotten quite a good sense of many of the problems.

What young people are telling us is very worrying. They're telling us about the routine ways, for example, that they're getting sent, without their consent, intimate images. For girls, they're often sent—pardon for being very frank—dick pics from older men. On platforms like Instagram and Snapchat, this is very, very common. We also found that boys also receive a lot of unwanted sexualized images, often from porn bots and others who are trying to “catfish” them or sextort them.

When I'm talking about catfishing, I'm talking about someone who is pretending to be someone else. You will often have men who pretend to be teenage girls. They engage with teenage boys. They start sending them intimate images. The boys think that they're talking with a teenage girl and then they send an intimate image back, and then extortion begins very, very quickly.

Over the past year, we've seen a dramatic rise in these cases, particularly with young boys. There are organizations like Cybertip. They've reported a really, really dramatic increase in young boys reaching out to them because they're experiencing sextortion.

In Canada and other places around the world, we've also seen some of the really, really devastating consequences of this, where young boys are taking their own lives, are dying by suicide because they feel as though there's no way out. Part of this, we think, is because of some of the messaging that young people are given, which is, “Don't ever send a naked picture of yourself to someone. Only an idiot would do that. Once you do that, your life is over. There is no way that these images ever can be removed.”

These are also some issues that our team is grappling with, and realizing that many of these messages, which adults are sharing with young people, which law enforcement agencies are sharing with young people, are actually very, very harmful for them—because young people feel as though they do this thing and there's no way forward. They think that their life is over, that those images are out there forever, that there is no coming back from this, and that's something that is really worrying.

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So when we're thinking about addressing this issue—we obviously think that there needs to be something done on the individual level. There isn't just one solution, but education, we think, can play a really important role.

Our team actually did a review of all the educational curricula policies around all Canadian provinces and territories to see to what extent schools are addressing any of these kinds of issues when it comes to digital technologies, and the reality is that they're not. Partly, that's because school curricula, for example, educational curricula, get updated maybe every 10 years, and if we think of all

that has changed when it comes to technology over the last 10 years, it's substantial.

Schools, we think, play a really important role for talking to young people, and we advocate a rights-based approach, so moving away from this idea of telling young people, “Don't share a naked picture, not because it may be illegal, but because”—sorry. “Don't share someone else's intimate image”—because this is another big thing that we found. It's often called revenge porn. That's how it's colloquially known. We prefer terms like “non-consensual distribution of intimate images.” Sometimes it's called image-based sexual abuse. “If someone sends you a nude image of, say, a kid in school, don't share that image on, not because you might go to jail or maybe because it's illegal, but because it fundamentally violates that person's bodily autonomy, their sexual autonomy and integrity”—so trying to kind of educate young people about this.

Again, we've seen with the rise of apps like “nudify” apps—you can take a picture of someone and make them naked. I live here in London. We've seen several schools where there have been cases—it's often boys who are taking images of girls in their class and they are nudifying them, and then they're sharing these images around social media. This isn't just happening in London. This is happening all over the world.

We need to start talking to young people about these practices and really explaining to them why these practices are wrong and how they violate people's rights, and also to know, “Well, what happens to you if something does go wrong?”

In Canada, there are some really amazing resources out there. We have NeedHelpNow.ca; we have Kids Help Phone line; we have things like Project Arachnid—and I'm happy to explain what these are in the questions—where, for example, you can get images removed off of sites like Pornhub, or if they're posted on social media, again countering this idea that once an image is out there, it's out there forever. That's not true.

There are also sites—so Kids Help Phone line, but also CyberScan and Cybertip—that have dedicated people you can talk to, and they create plans, so really kind of help to support young people who are experiencing some of these forms of tech-facilitated violence.

Most young people do not want to go through the law. I think it's really important to have laws in place. Laws send a really important message about what's acceptable and not acceptable, but the reality is that most people in society, particularly young people, will not use the law as a resource. Instead, they're going to the tech platforms and they're asking the platforms to get images taken down or removed. They're going to these different organizations that I mentioned because they're looking for various forms of support. They're also going to their local community organizations. They're going to YWCAs or YMCAs, and there they are finding different forms of support. So we think it's incredibly, incredibly important to devote time and resources to these different organizations.

I can't quite see you, so I'm not sure if we still have a few more moments, but another thing that I'd really like to point out is—I mentioned we have to focus on individuals, but we also need to focus on structures and systems. Whether we like it or not, most of the platforms where a lot of tech-facilitated sexual violence—

The Chair (Mr. Lorne Coe): Excuse me, Professor. You've got one minute left.

Dr. Kaitlynn Mendes: Okay. I'll just wrap up.

We need solutions that focus both on individuals and on systems. I can speak more about it in the questions, but algorithms are also playing a tremendous role in perpetuating a lot of forms of tech-facilitated sexual violence, and I think we need to do a lot more to hold different companies and corporations accountable for the content and for their own moderation practices and policies.

I'll finish there.

The Chair (Mr. Lorne Coe): Thank you very much, Professor.

We're going to start our round of questions with the members of the official opposition. MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch. Thank you for your presentation, Kaitlynn.

My name is Sol Mamakwa. I'm the MPP for the riding of Kiiwetinoong in northwestern Ontario. Up in northern Ontario, intimate partner violence is an issue. Intimate partner violence is something that does not discriminate. It is something that we face, as well, in the north. I say that because as First Nations, as Indigenous people, we talk about the missing and murdered Indigenous women and girls across Canada, and it's no different in the riding of Kiiwetinoong.

Your presentation, your submission, talks about some marginalized groups like, of course, women, adolescents. Indigenous people experience what you called technology-facilitated gender-based violence. It's the first time I've heard of that term. But we talk about it—you speak of it, and higher rates. I know that you spoke about some of the solutions, when we talk about the systems and the individual. But can you talk to us about why that is, when we talk about these marginalized groups, about these higher rates, and how people at the intersections of these categories may be impacted—say, Indigenous women and adolescents—and how we should tailor solutions to ensure that these groups are appropriately supported? Meegwetch.

Dr. Kaitlynn Mendes: Thank you so much for sharing that. Thank you for your question. Those are all—actually, there's a number of questions there.

Why are certain groups targeted more than others? That's a really great question, and I think it's really complex. I think, in many cases, some of these groups are seen to be more vulnerable and therefore they're more appealing to perpetrators. For example, if you're young, maybe you don't have as much life experience, maybe you're a little bit more naive, so there's this feeling as though you can more easily be tricked.

When I'm talking about the sextortion cases—and we've really seen this hugely on the rise. Young boys, in particular, are being targeted because they're sexual, they're

curious, they're online, they haven't maybe experienced scams as much as older people have, so they're seen as particularly vulnerable.

We know that when it comes to intimate partner violence—and we know that there are certain groups where rates are higher—digital technologies are just an extension. This is just another way that this form of violence is taking place—so, again, through things like surveilling and stalking. If you have someone who is going to be in an abusive relationship, if they're going to be an abuser, they're now just using these technologies. Technology does make it easier—but it's not to say that people who wouldn't abuse are necessarily going to abuse because of the technology. So when we look at the rates of tech-facilitated gender-based violence, they really mirror the rates of gender-based violence, intimate partner violence, as well.

When we think about different solutions, there is no one-size-fits-all. I think that's a key message that's coming out of our research. We really can't just assume that we institute this one policy or this one law and that's going to solve all the problems—it's not going to be, because the experiences are very, very different.

We haven't gone into northern Ontario, but when we went into the Yukon, for example, yes, young people—their experiences of gender-based violence, intimate partner violence, were higher. Technologies were playing a role. And they need different kinds of support. For example, I talked about some websites. I talked about NeedHelpNow.ca, Kids Help Phone line—they do have a website, as well. If you're in a northern community where your access to Internet is not as stable, having an online site maybe isn't the solution; or if you don't have your own phone where you can safely call or text, that's not a solution. So we need more resources on the ground.

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I think community organizations, especially in northern communities, are incredibly, incredibly important. Different kinds of resources are going to be needed for different locations.

Can you just remind me if I've answered all of your question or if I've missed some of it?

Mr. Sol Mamakwa: You answered bits and pieces of it, but mostly I think that—one of the things that you said is that school has a role. Children today, youth today, grow up in a very complex world where, again, access to devices, access to the Internet—I share that because yesterday morning I got a call from one of my fly-in First Nations that I represent, where another 12-year-old has died by suicide. It's always difficult to be able to try to understand the reason why young people give up hope, young girls give up life—because of whatever, right? We don't know the details of it.

You talked about the increasing amounts of gender-based violence today, facilitated by technology, and I'm wondering—further to elaborate the role of technology. When we talk about the perpetration of intimate partner violence and how it can be—

The Chair (Mr. Lorne Coe): MPP Mamakwa, that concludes the time in this round for the official opposition. You might want to come back to that question in the second round.

To the government, please: MPP Saunderson.

Mr. Brian Saunderson: Kaitlynn, thank you very much for coming today to share your perspective on this issue.

As we continue to hear, although we're more aware of the issues, they seem to be morphing and getting worse in many ways, and so our vulnerable—our broader terms, when you look at youth and the Internet and the exposure that they get. Generally, the Internet is becoming more ubiquitous and more accessible, and often more nefarious, I guess.

I had not heard the term “catfishing” before.

You said there are some very good resources out there to combat Internet, digital sexual violence. You mentioned NeedHelpNow.ca and the Kids Help Phone line. Could you talk about what each of those are and how they are for resources or assistance to kids going through this?

Dr. Kaitlynn Mendes: These are two resources that we always give to young people.

NeedHelpNow.ca is a website, and that's specifically for if you're under 18 and if you've had intimate images shared without your consent. Again, this is often known as revenge porn, and this is a really big issue; it's a growing issue, especially now with the “nudify” apps. You don't even need to actually have taken an intimate image of yourself. Somebody could just generate an intimate image of you. We know from the research that the negative consequences are the same if it's a real image or an AI-generated image, so the impact that it has on the target is the same. That's a really great resource where you can go and get help, and they can help you get the images removed if they're posted to a website. The one caveat is, if they're shared through one of the end-to-end encrypted sites like WhatsApp, then, actually, those are much, much more difficult to track. But if anybody tries to post these online, the images are hashed, and they're removed automatically.

NeedHelpNow.ca is affiliated with something called Project Arachnid, which—that's basically what it is. It's a way to get these images automatically taken down. You upload the image of yourself, and then any time anybody tries to upload it to the website, it's automatically removed. They can slightly alter the image, as well; it doesn't have to be the exact copy. So if you go to Project Arachnid's website—they've taken down a billion images so far. It's tremendously well-used. That's a really, really important resource—and again, to counter this idea that if an image is out there, it's out there forever. Going back to the opposition speaker, this idea of—they lose hope. If you think that there's nothing you can do and all you're being told is that your life is over, you'll never get into a good university, no one is going to hire you, people will remember this about you forever, it's really hard to hold on to hope. So that's one.

You also asked about the Kids Help Phone line. It is a phone line, but they also have a website, and one of the great things about it is that you can also text. Kids Help Phone line is also anonymous, and we know from talking to young people that that is incredibly important. This scares a lot of parents, but one of the worst things that young people tell us is that they do not want their parents to find out because of the shame, the embarrassment, because they think that they're going to be in trouble. So what young people really want the most are these anonymous places they can turn to for support.

One of the big issues with Kids Help Phone line, though, is that we hear from a lot of young people that the wait times are too long. They're reaching out for help—and there's so much capacity that they're not able to respond in a timely manner. We've had young people tell us about how they've been waiting on hold for hours, or there's a text line where you can text in and it takes too long to get back. So an immediate thing that could be done would be to provide more support and resources there.

I'll just finish off by saying that NeedHelpNow.ca is really great because they provide tailored solutions and support. If you contact them and say, “I need help”—and it doesn't matter where you are in Canada. They will either connect you with local services—and they can individually create a plan for you. “So what is it that you need? Do you just need the images taken down? Do you need to be connected with local law enforcement or counselling services?” They do that, and I think that's really, really unique and that's incredibly important.

Mr. Brian Saunderson: NeedHelpNow.ca, which I think you said is run by Project Arachnid—

Dr. Kaitlynn Mendes: It's connected, so—it's out of Manitoba. It's called C3P. It's like a regulatory body. They run NeedHelpNow.ca, Project Arachnid and Cybertip. Those are all connected to the same thing.

Mr. Brian Saunderson: How are they funded?

Dr. Kaitlynn Mendes: I think it must be funded by the province.

Mr. Brian Saunderson: By the province?

Dr. Kaitlynn Mendes: Yes.

They're located in Winnipeg. We've actually just started having some conversations with them, but we're identifying that as a good model.

Nova Scotia also has something called CyberScan. It doesn't have the same capacity—they're not running the Project Arachnid, but they also offer different resources and supports for people who experience non-consensual sharing of intimate images.

Mr. Brian Saunderson: You said that they are able to serve children across Canada and integrate them or refer them to local police or local counselling services. How does that work?

Dr. Kaitlynn Mendes: I think they try to get some basic information about where the youth is located. Again, some young people don't want to share any of that information, but if they do, then they'll say, “You're in Timmins,” or “You're in London”—and so they have really great connections.

Actually, C3P is connected all around the world, so there are lots of others of these kinds of organizations. Australia has something called an eSafety commission. New Zealand also has different commissions. They are connected globally and they also share a lot of these different resources, so they know a lot about latest developments—so it's not even just within Canada, but beyond. Project Arachnid, I believe, will take down images even if it's someone contacting them from outside of Canada—they will also get those images taken down.

Mr. Brian Saunderson: We've seen that it is very much an international world, at least online.

Do we have any sense of, of the kids who are being exploited in Canada, how much of that is a foreign risk?

Dr. Kaitlynn Mendes: There is a report that came out this summer that talks about the Yahoo Boys. I don't know if you've heard of this.

Mr. Brian Saunderson: No.

1030

Dr. Kaitlynn Mendes: It's a group of West African—it's like a gang. It's organized crime. This is a scam that they run where they will find the Instagram account for your local high school or sports team, or on Snapchat, and they will message everybody so that more kind of—basically, lots of people add them to their account, so it looks like you have mutual friends. They pretend to be teenage girls—"Oh, well, you're friends with them and you're friends with them, so when I get a friend request, I add them, and then we start chatting." They have a very detailed script, and then the second that you send your first intimate image, the extortion begins. Again, there have been some really, really devastating consequences of young people, especially young boys, dying by suicide. I can talk later about why we think that it's boys, not girls—

The Chair (Mr. Lorne Coe): Thank you, Professor.

We're now going to move on to the second round of questions from the official opposition. Please remember you have two minutes and 30 seconds. MPP Mamakwa.

Mr. Sol Mamakwa: Kaitlynn, can you just continue that thought that you were talking about—the boys.

Dr. Kaitlynn Mendes: Some of you may remember the case of Amanda Todd in BC, who died by suicide after she was groomed and exploited. In Nova Scotia, there was Rehtaeh Parsons—intimate images of her, including those of being sexually assaulted, began to circulate online. We think that girls have actually had a little bit more conversations when it comes to schools, from parents, from the public, and so we think that girls are slightly better equipped, in terms of the messaging that they've received—so if this happens to you, maybe there are ways of support.

Boys, traditionally, haven't been exploited; they haven't experienced this before. Really, it has been in the last year that we're seeing boys getting these cases of sextortion—and again, we think it's because of these messages that your life is over that they are taking these steps.

I'll just point out that there are differences in how boys and girls are sextorted. With boys, it's really a financial scam; that's kind of all that it is. For girls, when they

experience sextortion, it's often in the case of intimate partner violence—it's often from somebody they know or they've had an ongoing relationship with online, and it's often not money that they want, but more images. So we see a key difference in how that takes place.

Mr. Sol Mamakwa: Meegwetch. Thank you. I know that when we talk about starting with young people, youth, students, when we talk about sex education—you spoke about how the school has a role. I know that, probably, the current sex education curriculum does not cover this. School has a role. Those are the words that you said. Can you elaborate on that?

Dr. Kaitlynn Mendes: School has a role, 100%. In all honesty, it's a very challenging time, because there are lots of debates over things like gender; there are debates over parents' rights. We're seeing parents really demanding more input in the kind of information that young people are told. So I do think the curriculum needs to be overhauled, but I don't think that it's going to be easy.

Some schools, we know anecdotally—you have some great teachers who are aware of these issues and they're finding other ways to integrate this, but most are not.

The Chair (Mr. Lorne Coe): We're going to move to the government members for a question. MPP Saunderson.

Mr. Brian Saunderson: I'm going to ask you to finish the question.

I want to look at the education side and the support side.

Dr. Kaitlynn Mendes: Curriculum is one thing, but we also know that not every teacher is also equipped or ready to teach this kind of content. I think it's really important to have this kind of content in the curriculum, but we also need more training for teachers. If we look at pre-service training, for example—most universities actually offer very little or nothing when it comes to sex education. So we also need to do a better job—or a job—of training teachers on what they should do if someone even discloses an experience of sexual violence or gender-based violence. How can they respond with empathy?

Integrating things like trauma-informed approaches is also incredibly important. I know my time is really short, but I'll leave you with that buzzword. That's incredibly important—to make sure that victims feel supported, that it doesn't retraumatize them. For example, not asking the victim what they want and immediately going to law enforcement or the parents often actually does more harm for the victim—so trying to have better ways of dealing with this.

Also, having more transparency in how schools are dealing with these cases when they emerge—there has to be privacy for the students involved, but we need to have some sort of best practice that's also rolled out so that when some students create nude images of others, we have some sense of how schools should be dealing with this, how parents and teachers can be talking about this and getting young people to understand what is wrong about this situation. "Why should you not create nude images of your classmates?"—how it violates their rights. We think that is incredibly important.

Mr. Brian Saunderson: Are there any jurisdictions that are ahead of the curve, that have best practices in place or are leading the way?

Dr. Kaitlynn Mendes: None that I've come across so far, but it's something that we're continuing to investigate.

Mr. Brian Saunderson: Thank you very much, Professor. I've enjoyed your information.

The Chair (Mr. Lorne Coe): Thank you very much, Professor, for your presentation. I'm going to need to move on to our next presentation. Have a good morning.

Dr. Kaitlynn Mendes: Thanks, everyone.

UNIVERSITY OF WINDSOR

The Chair (Mr. Lorne Coe): We're going to bring in our presenters from the University of Windsor.

Good morning, and welcome.

Dr. Mia Sisic: Good morning. I'm happy to be here.

The Chair (Mr. Lorne Coe): You're going to have 10 minutes for your presentation. When you've got one minute left, I'll let you know so that you can sum up, and that will be followed by questions from the official opposition members of the committee and the government members of the committee.

Please state your name for Hansard, which is the official recording service of the Ontario Legislative Assembly, and then you can start your presentation.

Dr. Mia Sisic: Thank you so much for inviting me to be here. My name is Dr. Mia Sisic. I'm a senior research associate and adjunct assistant professor at the University of Windsor.

I wanted to talk to you today about prevention of sexual violence. It needs to start happening as early as we possibly can start to do it, and it can start in developmentally appropriate ways with very young children. Today, however, I will speak to you about university campuses specifically, although efforts are being made in the high school context as well. Campus efforts can have an impact, as I'll talk about today—but please know that I'm not suggesting that this is when prevention should start. It needs to start much earlier. So we need a comprehensive plan for sexual violence. Psychological science is critical in ensuring that the things we develop actually work, or they will become abandoned. This research and programming are part of building effective solutions.

One of the goals of many of the programs that are available out there today is one to end perpetration, but we know that we aren't close to doing that yet. Another goal of many of the programs out there is to change the culture, but culture change does take time. And then, finally, a third goal is to empower citizens or bystanders to take responsibility, intervene and support. However, bystanders are only present in a minority of sexual assault situations—so up to about 17%.

Every day, on our campuses and off campuses, women are still being confronted by men they know who are attempting to sexually assault them, so we need another goal: to provide women with the knowledge and skills they need to deal with this reality. The program that Dr.

Charlene Senn developed, the Enhanced Assess, Acknowledge, Act, or EAAA, Sexual Assault Resistance Program—we also call it Flip the Script with EAAA—is designed to address this goal.

I'm going to talk a little bit about this EAAA program. It originally began by focusing on the largest group of students on our campuses at risk of being sexually assaulted, which is self-identified women of all sexual identities, backgrounds and abilities. I will talk to you a little bit about the structure and the process. It's designed for the youngest women in university, so first- and second-year students under the age of 25. It includes four three-hour sessions—assess, acknowledge, act, and relationships and sexuality—and the way that it's typically spread out is across two weekend days or four weeknights. We have two well-trained expert peer facilitators who facilitate small groups of 15 to 20 women.

Because programs and campaigns for women have historically been so problematic, I want to make sure you know how the program deals with the issue of elevated risk. It sends a clear message that risk is only present when a man willing to behave in a coercive way is present, and women are the best judge of what they can do in any given situation, and we really highlight that survival is successful resistance. What the program does not do is tell women what they should do or hold women responsible for men's behaviour. The program makes clear that perpetrators are entirely responsible for the crimes they commit, and that any risk is created by the presence of that man willing to engage in sexual violence.

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This is how the resistance program works: It decreases the time it takes to identify a behaviour or situation as dangerous. It reduces the emotional obstacles to seeing danger in the behaviour of known men and those related to concerns that her action will be read as inappropriate, and it maximizes the use of what we know are the most effective defensive strategies. It's designed to increase women's ability to get out of such a situation with the least harm possible, but without elevating their fear or restricting them in any way in their daily lives.

There is a statistical reality, but there is also a normal human tendency to think that we are not at risk—so for things like HIV, accidents, crimes—but that other people are. So we need to move this along and pass this if a 12-hour program is going to work, and we have to feel the personal relevance, and the “assess” portion of the units provides activities that make this clear. “Assess” makes explicit the violence, power and control in sexual assault; it explores the researched evidence of cues in men's behaviour and situations that indicate elevated danger; and it gives women practice applying their new knowledge.

“Acknowledge” creates a safe context to explore one's own emotional barriers to seeing danger in these types of situations and strengthening women's trust of themselves when they feel that something is wrong in a situation. It basically undoes the socialization of being nice. It drives home the message to trust yourself—that you have a right to prioritize your sexual integrity and safety concerns over

concerns about hurting other people's feelings or being too harsh.

In the "act," what we do is we contradict self-defence myths like "women will just be hurt worse if they fight back," and we present evidence of the most effective self-defence tactics and a tool box of escalating strategies, using the most effective strategies—which would be forceful, verbal, physical resistance, and leaving.

Our final unit, "relationships and sexuality," is designed to relate to other common situations of sexual assault by male intimates. So the program is not only about refusal; this unit is emancipatory sex ed that most of us lack—what are our own desires and values—and it builds knowledge and confidence that leads to earlier detection of risk for sexual assault.

I'm going to talk a little bit about efficacy and effectiveness.

It is the only campus-based program with proven efficacy in reducing sexual assault. It works to reduce attempted and completed sexual assault by 50% over the next year, and the effects are maintained for at least two years. This was also shown in a real-world application of the program across five universities in Canada.

Here, I have a bit of a comparison of the original study, which we call the randomized control trial, which is basically the perfect application of the program, and then I also show the data for the implementation study, which is basically a study examining the program's effectiveness in a sort of real-world way.

The first thing you can see is that, as has been found in past research, recruitment eligibility was relaxed, and only one quarter of the students were first-year. Most students were women, with a few non-binary students included. Given the move away from first-year, it's not surprising that students were older, but it was a bit of a surprise that a number of women fell far outside of the developmental period the program is designed to address.

The other recruitment flexibility and/or campus and historical differences led to an even more diverse group of students being studied than in the original trial. Also, more rape survivors participated than in the original randomized controlled trial.

The Chair (Mr. Lorne Coe): Excuse me, Professor. You have one minute left.

Dr. Mia Sisic: Thank you so much.

I just have the main findings here to show what the efficacy data from the RCT looked like. These are the six-month follow-up outcomes from the large trial. There's a 62% reduction in completed rape for the first-year women who had taken EAAA. You can see that even with the broader age range here of women taking the program, there is a 55% reduction rate in the second study. These reductions were present even though the rate of completed rape experienced by those students was higher than in the past study. An alarming 8.5% of students in the study who were on campuses experienced a completed rape within six months. So to put these benefits of EAAA another way, you need to only offer the program to 22 students for there to be one fewer rape experienced.

Can I have the second-last slide here?

We're interested in sexual assaults beyond completed rapes—

The Chair (Mr. Lorne Coe): Thank you, Professor. We're not going to get to the last slide.

We're now going to start with questions from the official opposition. MPP Wong-Tam.

MPP Kristyn Wong-Tam: Thank you, Professor, for your presentation.

I am just going to invite you to finish your thought on your last slide, please.

Dr. Mia Sisic: Thanks so much.

For the attempted rapes—we have also reductions in that. One in six young women in the control group experienced an attempted or completed rape in the six months that they were in the study. You can see that the program was effective here as well, in the attempted rapes. And the benefit of the program is even more clear when we include both types of victimization.

I just wanted to say that this week we also had a study released based on that data, showing that the program also has an effect on intimate partner violence. We see a reduced one-year risk of intimate partner violence by 54%, in new relationships.

MPP Kristyn Wong-Tam: We have been steadfast in our dedication to listening to expert witnesses who have come forward with a range of programs and observations. A lot of it is steeped in research led by universities. So I do recognize that you folks are on the front lines of not just analyzing what's happening in our society, but also responding to it.

Obviously, this program that you've put out has a proven level of effort and efficacy, but I'm also curious about how widely this is rolled out.

We know that campus-based violence—and sometimes off-campus—is quite prevalent. There are all sorts of environments, especially during orientation week, frosh week, that allow, especially, new students to come onto campus—maybe they've moved away from home for the very first time. They're coming into an environment that's new. There's a lot of alcohol, and there will probably be a lot of pressure.

I could see a program like yours being very beneficial, but is it currently rolled out across Ontario? Would it be helpful for every university to have resources to roll this out in a properly comprehensive manner? Can you describe how we can do this across Ontario?

Dr. Mia Sisic: I'll try to address your question as best as I can, in parts.

Number one, this would be extremely beneficial if there was some sort of—I don't know your political talk, so you're going to have to help me out a little bit. If there was legislation or something akin to that where universities had to have evidence-based programming—because many universities in Ontario do want to do that. The problem is (a) differentiating between what's evidence-based and successful and then (b) being able to implement it, because these programs do cost money.

That being said, at the University of Windsor, we do have the programming, and it has been very successful. The SARE Centre works closely with these—what we call campus trainers at the universities.

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Just to sum it up: Absolutely, this would be beneficial to every single university that we have in Ontario, across Canada, but there is a cost, obviously, associated with it. There is also hesitation, perhaps, or a lack of knowledge on the parts of the administration at these universities. That being said, we are working on adaptations, one of them being an online program for universities.

MPP Kristyn Wong-Tam: That's wonderful to hear—about the online modules that are being developed.

I understand that there is a red zone in campus violence, especially when it comes to gender-based violence, and my understanding is that it's within the first few weeks of universities and colleges starting up—and I believe it's called the red zone—where they see a significant spike in violence.

I tabled a private member's bill to initiate Consent Awareness Week. It would be a banner that allows post-secondary, high school environments to really focus their efforts on making sure that the campuses and the school and learning environments are safe for everyone.

Will something like Consent Awareness Week help focus your work—if universities and colleges had to participate and lead in those discussions on campuses?

It sounds to me like, while Windsor is doing a good job and maybe other universities and colleges have a program under way, it's not uniform. And right now, we're seeing violence in every single one of these education or learning spaces.

Dr. Mia Sisic: Yes, you're right about the uniformity as well. The primary issue seems to be that the programming that's done, including consent programming, is not evidence-based and it's not successful; it's not proven to be effective.

So I suppose that on the one hand I'm hopeful that if part of this, as you were saying, the consent—that if this programming was included, that would be great. I guess I'm worried that it might be taken down a different path, where they're offered consent workshops, which have not been proven effective in reducing sexual assault over time.

MPP Kristyn Wong-Tam: The conversation around consent has to start at a very early age. Children have to be involved with the conversation of sharing and playing with each other. It's obviously not always going to be sexual, and it should not be when it comes to children. But the foundations of laying down what is an appropriate, healthy sexual relationship for young men and young women—that should be part of education, a sex ed curriculum.

I'm going to pivot a little bit. When it comes to the PSI environments, the post-secondary institutions, they almost become a little bit of a town on their own. They have their own rules—and obviously, they're subject to everything else that we are subject to, but they seem to have some type of first response on campus.

So when it comes to enforcement, when it comes to what's happening within the dorms, when it allows for a broader discussion, what is the one thing that post-secondaries can do right now in order for them to keep all their students safe as it relates to GBV and IPV?

The Chair (Mr. Lorne Coe): We need to move on to the government members for questions. MPP Dixon.

Ms. Jess Dixon: I wonder if we can step back a minute and get an idea of—just because I wanted to hear it from you, about the scope of sexual assault on Ontario campuses, because I feel like some people may not be as aware of what an issue it is.

Dr. Mia Sisic: I'll try to sum it up, because I'm trying to be cognizant of time.

Across campuses, about one in four women have been sexually assaulted, with about half of those sexual assaults actually occurring before they enter the campus, which is part of the reason why we're working on a high school program. It's in a randomized-control-trial stage right now. So we are very aware of the fact that this needs to start earlier. Sexual assault, in my view, is rampant across campuses in Ontario, across Canada.

I wanted to answer—actually, with the prior question, as well, in this answer. Again, the problem is that effective education across time is not being implemented. I think that's part of the reason why I'm here today. We have the only long-term, effective program on campus, with EAAA. I think it would be beneficial to every woman-identified student in Ontario to receive this programming.

Ms. Jess Dixon: Theoretically, we mandate this in some fashion—or at least mandate it for universities and colleges to deliver it. Would there be a requirement for data collection that would go along with that, in order to continue—not doubting its efficacy, but the idea that with a lot of these evidence-based programs, we want to be able to continue to prove 10 years from now, when funding would need to be renewed, that they're working.

Dr. Mia Sisic: There wouldn't necessarily be anything from the programming that would require that kind of reporting—but absolutely, if I was in upper administration at a university, I would want to. I see that as an opportunity to partner for research, to apply for both federal and provincial grants, to basically keep an eye on this. I think it benefits everybody to keep doing this type of, I would say, research into making sure not only that the program is working—but in what ways is it working and what ways may it not be working. There's always that room to tweak things, to make sure that it's as successful as it's meant to be in the original trial.

Ms. Jess Dixon: At Windsor that offers it, for example, roughly speaking, what is the uptake? How many first-years are seeing the availability of the program and then taking it?

Dr. Mia Sisic: That's hard for me to say. That's a better question for the campus trainer here. I can certainly check in with her and let you know what kind of data we keep track of. Let me write it down, MPP, and I'll get back to the committee. Certainly, I see it advertised here all the

time, and I know that they have a lot of programming during the year and that they are full most of the time.

Ms. Jess Dixon: I'm thinking back to my time in undergrad, and I feel if I had seen this program advertised—I don't know that I would have gone. I maybe would have gone if it was scheduled as part of an orientation week or something like that, but I don't think I would have, individually, chosen to go. I think I probably would have thought it didn't impact me—like what you were saying.

Dr. Mia Sisic: Certainly. And there are different uptakes across universities, depending on their culture.

I know, for example, University of Guelph has an incredible culture, in terms of just signing up for everything that the students in first year see—so we've always had success doing research with students at the University of Guelph.

Ms. Jess Dixon: What do you think about the idea of it being an orientation week offering—that idea of trying to get it out early?

Dr. Mia Sisic: I think that's a brilliant idea. I think it's wonderful—and I think it gets them one foot in the door.

Ms. Jess Dixon: Yes.

Throughout this committee, we've been working very hard to identify evidence-based programming—this idea of picking a program that we have the data behind and saying, "Is it going to be perfect for everybody? Maybe not, but it's going to be better than a patchwork."

Can you help me understand what, if any, pushback I might anticipate or that you've seen from trying to get this program into universities, whether it's from students or from universities themselves or that type of thing?

Dr. Mia Sisic: I think sometimes the budgeting is a very real reality, especially now, across universities in Ontario—having the budget ready to invest in this kind of programming long-term, because you're not investing in it once; you have a campus trainer who needs to run this program every single year, several times a year. So I would say that that is theoretically the biggest barrier. There are little things that you might get pushback from in terms of the programming being for women or women-identified students only, or being only for a certain age group, for example. But we are working from scientific evidence and theories, so it is the way that it is because of those reasons, and we certainly are equipped with information to sway decisions, if need be.

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Ms. Jess Dixon: If the government were to, in some fashion, mandate—we've got about a minute left in this round—what would we have to be taking into account to ensure that it was implemented effectively? Do you have any comments on that?

Dr. Mia Sisic: If we take into account that it was mandated, and it was this particular program—they don't get to just pick any program, because the tendency might be to pick a program that doesn't work.

As you mentioned earlier, being able to have access to the reductions in completed and attempted rapes and all of the other data that we usually track—I think it would be

wonderful, and it creates research opportunities and funding opportunities that may not have necessarily been available in that capacity ever before. So I think it would be a potential for a great relationship and great data, and the ability to be able to make sure that the programming works across—

The Chair (Mr. Lorne Coe): Thank you very much, Professor.

We're now going to start our second round of questions with the official opposition. MPP Wong-Tam.

MPP Kristyn Wong-Tam: This has been a really stimulating conversation.

I would like to dive deeper into setting up a week in the month of September or October, preferably when students are coming back to school, so that there is a focused environment of learning and open dialogue that is non-judgmental, because I do believe that young people are really interested in this topic, when given a safe space to explore talking about healthy sexual relationships and consent. In particular, I think boys need to be deeply involved with this conversation, because they may not fully understand that what they're trying to do in managing their relationships with girls is unwanted behaviour. We do see lots of folks trying to navigate that space. With respect to your comment about resources—currently, at this moment, PSIs across Ontario are doing it individually, based on the energy they have on the campus, based on who's in these offices, based on the environment around frosh week. There is no uniformity, and perhaps there need not be, because every campus has a different culture.

What I'm very interested in is, how do we ensure that the baseline of education and the baseline of these programs are going to be in schools? Can you speak to what this committee needs to put in its report in order for the government to see that as a key recommendation?

Dr. Mia Sisic: I'm going to answer your question, I think, but correct me if I'm wrong. I'm going to do it quickly, just in case I'm incorrect.

When we're implementing these programs—when a university, for example, is implementing it—there is a memorandum of understanding of sorts or a letter of agreement that's signed that they are going to follow the implementation protocols of the program. So there are ways that it's flexible in some parts, but there are spots where it is absolutely not flexible. The expectation is that if a university were going to offer the program, then they would have to follow the programming.

MPP Kristyn Wong-Tam: Coming back to Consent Awareness Week, the third week of September—

The Chair (Mr. Lorne Coe): Excuse me, MPP Wong-Tam. That concludes your time.

I'll now turn to the government members. MPP Dixon.

Ms. Jess Dixon: We have two and a half minutes.

Right when we ended, you were talking about that idea of research opportunities—what might be an attraction to universities beyond simply the social good of this program. Can you talk about that a little bit more?

Dr. Mia Sisic: Again, I'll try to answer your question, and correct me if I'm wrong. I'll try to do it quicker than last time, because, apparently, I'm not quick.

Universities love funding. It gives them prestige and status—the more funding that you have. So when I was speaking about research, I was thinking, well, we can collect the data for the benefit of the university knowing that it's working, but at the same time, we can forge these new relationships. Let's say, at the University of Windsor, if our team wants to look at, how is Guelph implementing it now—can we follow along how they're doing it? Is there another university in Ontario that has not implemented it? Can we watch another university implement it? They say, "Yes, you can collect the data." We say, "Okay, great," and then we can apply together to some federal or provincial funding to track this. I think, like I said, it's beneficial for everyone. First of all, these women—you know whether there's a reduction in victimization for the university. We're doing something about this—but also look at the money that we now have coming in because we're doing research and we're partnering with other universities to do this.

Ms. Jess Dixon: Do you know of any universities or colleges that are doing anonymous surveys that are being sent out to students—to be like, "What experience are you having with sexual assault?" or anything like that on campus?

Dr. Mia Sisic: I can't say with any great certainty. It has always been part of our research protocols to include that—what we call the baseline survey to see what the rates are—but I can't say with any certainty who's doing it.

Ms. Jess Dixon: Do you think it would be useful to have a standardized, anonymous survey that goes out, because, again, to be able to actually compare data—to have the same survey that goes out across campuses?

Dr. Mia Sisic: Yes, absolutely. I think that, definitely, researchers need to have a hand in that, because the way that things are worded has to be very particular. You can't just ask somebody, "Have you been sexually assaulted in the last six months?" There are ways of doing that that are research-appropriate, that get the most correct response—

The Chair (Mr. Lorne Coe): Thank you very much, Professor, for your presentation this morning. I need to now move forward with our next presentation. Please have a good day.

OFFICE OF THE AUDITOR GENERAL OF ONTARIO

The Chair (Mr. Lorne Coe): Members, I will now call on the Office of the Auditor General of Ontario to make their presentation.

Welcome. Please take a seat.

Auditor General, you're going to have 10 minutes for your presentation. I will let you know when you have a minute left so that you can sum up. That will be followed by questions from the official opposition members of the committee and the government members of the commit-

tee, which I will moderate for you. There are two rounds of questions.

For the record, please state your name for Hansard, and then you can begin your presentation, please.

Ms. Shelley Spence: Certainly. If we could just have a moment to set up on Zoom—we do have a slide deck. If anybody would like a copy of it, please let us know; we do have some printouts here. Thank you.

My name is Shelley Spence. I'm the Auditor General of Ontario. With me today, I have Vivian Sin. She is a director who was the director on the corrections audit that we performed in 2019, which we'll be speaking about today.

The Chair (Mr. Lorne Coe): Welcome, Auditor General. Please start your presentation. I'll let you know when there's a minute left so you can summarize.

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Ms. Shelley Spence: Thank you for the invitation to appear before this committee as a witness to present on the criminal court system audit, which was released as part of our office's 2019 annual report. Although our report identified systemic issues with the criminal court system, rather than issues related specifically to intimate partner violence or gender-based violence, I believe our written submission, supplementary to my verbal submission, provides greater context for how the criminal court system works and the challenges many parties face in the system.

As you may have read our detailed report, I'm going to highlight the most relevant content for the purposes of this committee's work and the presentation today.

Please refer to the bottom of this slide. You can see that the vast majority of criminal cases are received by the Ontario Court of Justice, with the remainder heard by the Superior Court of Justice. These are generally the more serious offences, such as murder, drug trafficking and that sort of thing.

So why did we do the audit? As we are aware, in July 2016, a ruling by the Supreme Court of Canada, *R. v. Jordan*, required that if a case is not disposed within a specific timeline, the delay is presumed to be unreasonable, and unless the crown can prove otherwise, the charge will be stayed. These timelines are 18 months for cases tried in the Ontario court and 30 months for cases tried in the Superior Court.

The judiciary and the public expressed concerns with delays and backlogs of criminal cases across the province. Delays also have a significant impact on the victims of crime and their families, as well as the accused persons, who may feel that they are denied timely justice. Delays may also contribute to the erosion of public confidence in the justice system.

The objective of our audit was to assess whether the ministry has systems and procedures in place to:

- utilize ministry resources for courts in an effective and cost-effective way;

- support the resolution of criminal law matters in a timely way and to consistently deliver court services across the province; and

—measure and publicly report on the results and effective delivery of court services.

Overall, we found that the ministry lacks effective systems and procedures to determine if resources are used or allocated efficiently, in a cost-effective way, to support the timely disposition of criminal cases. We also found that the ministry lacks the key data it needs to measure and publicly report on the results and effectiveness of the operations of Ontario’s mental health courts. Many of these issues are reflected in our detailed report, which contains 10 recommendations, consisting of 23 actions.

Two years after our audit, we conducted a follow-up and issued a report with progress updates in 2021.

On March 20, 2023, the Standing Committee on Public Accounts held a public hearing on the 2019 criminal court system audit report. After the hearing, the committee published a report with 11 recommendations.

To provide some context and a trend in the incoming cases—in figure 3 from our report, it shows a breakdown of the number of criminal cases received, by type of offence, from 2014 to 2019. I’d like to point out that sexual assault and other gender-based or intimate partner violence offences are categorized under “Crimes against the person,” which comprise 27% of the total cases received in fiscal 2018-19; it also saw an increase of 14% since 2014-15.

Our main finding was that the number of criminal cases awaiting disposition continues to increase. As you can see from figure 6, the backlog of criminal cases has continued to grow, including the age of cases as well. After the Jordan decision, they began tracking cases that were more than 18 months old. While those numbers are stable, the category of eight to 18 months is growing.

Later, I’ll discuss the most recent data from our follow-up reports.

We also audited the court system services in 2003 and 2008. Our audit in 2019 found that the backlog of cases noted in our previous audits continues to grow.

Our recommendation from our report states: “To proactively manage the progress of criminal cases through the court system and resolve them in a timely manner, we recommend that” the criminal law division of the Ministry of the Attorney General:

—monitor all criminal cases that have been pending disposition for more than eight months, and also analyze the reasons for the delays;

—capture the reasons for the cases being delayed and stayed by judges;

—distinguish the reasons under the control of the division and the courts, as well as those caused by defence, and

—take timely action, including appropriately allocating resources and working with the judiciary to improve the court scheduling process.

This table shows the criminal case backlog from our two-year follow-up, as of March 2021, and the latest comparable statistics published by the Ontario court; this is as of December 2022. You can see that although the number of cases dropped by 14% from 2019 to 2021,

there’s a sharp increase in the number of cases waiting to be disposed as well as the number of cases pending over 18 months, which increased by 45% and 109% respectively. We found that the backlog continued to increase partly due to the COVID-19 pandemic, which impacted court capacity and the types of criminal matters that could be heard. The number of cases waiting to be disposed in 2022 has gone down slightly, by 21%, from 2021, but it is not back to pre-pandemic levels. The ministry does not publicly publish the number of cases over 18 months.

The current status of this recommendation, which has four actions based on our 2021 follow-up, is that the ministry will not be implementing actions 1 to 3. Subsequently, when the ministry reported to the public accounts committee in March 2023, they indicated that they had undertaken actions that addressed the intent of the recommendation. Early in 2024, the ministry verbally confirmed that they have partially addressed the recommendation actions, but it does not intend to implement the actions in their entirety. This will be published later this year in our report.

For recommended action 4 in our 2021 follow-up, we found that they were in the process of implementing this by September 2022. When they spoke to the Standing Committee on Public Accounts, they estimated the completion to be December 2023. As I mentioned, our office is conducting a continuous follow-up on this recommended action, which is expected to be out by the end of 2024.

Our 2019 audit: Another major finding was that because of the data issues, the ministry could not fully analyze the reasons why crown attorneys took months to withdraw cases that did not go to trial. In our report, we noted that according to the ministry’s case file information system called ICON, the charges withdrawn by the crown court attorneys ranged from 34% to 40% of all cases disposed before the trial.

In figure 9 here, we noted that these charges took longer to withdraw than they used to, and the accused required more appearances in court before the charges were withdrawn. We found that crown attorneys can withdraw the charges against an accused person before trial for a variety of reasons including no reasonable prospect of conviction as part of being resolved, like a plea bargain, or because it’s not in the public interest to prosecute, and other reasons. These reasons are not captured in their system. We noted, as well, that in 2018-19, these charges took longer to withdraw, and the accused required more appearances in court before the charges were withdrawn.

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You can read that our recommendation on this one is to, again, capture complete data on the reasons and also on the number of appearances required and the number of days that are occurring before the cases are withdrawn, so that can be analyzed and managed.

In our 2021 follow-up report, the ministry indicated it would not implement this recommendation. In March 2023, when the ministry reported the status to the public accounts committee, they indicated that it continues to

implement and explore initiatives that would reduce the number of cases that would likely result in—

The Chair (Mr. Lorne Coe): Excuse me. You have one minute left.

Ms. Shelley Spence: Thank you.

Earlier this month, the ministry verbally confirmed that they will not be implementing this recommendation.

This brings me to the end of my presentation. Thank you for the invitation to present on this important issue. I hope the information I shared with you today about our audit will help support the work of this committee. I'll be happy to take questions that you might have.

The Chair (Mr. Lorne Coe): Thank you, Auditor General.

The questions will begin with the members of the official opposition. MPP Wong-Tam.

MPP Kristyn Wong-Tam: Thank you, Auditor General and director, for your participation in this committee today. The subject that you bring forward is a very important one and, in some ways, it actually helps catalyze even why we are here with respect to the study of intimate partner violence.

You have noted very succinctly that the public confidence in the justice system will erode if the administration of justice is not carried out in a swift and independent manner. I think that your report from 2019 gave a very good road map on how to address the delays that we're seeing in the justice system. I know that, not without effort, you have tried to ensure that members of the House are informed of the findings in your 2019 report. I know that you and your predecessor have worked to the best of your ability to ensure that the ministry and the minister responsible for the file are able to move forward, with your co-operation. In so many ways, you've given us a road map on how to proceed, and I'm very interested in unpacking the need to do the very basics in the recommendations that you've put forward, including just identifying what the government's plan is to reduce the court delays so that survivors and families of victims have their day in court.

When the government says that they have no intention to implement your recommendation but they're going to continue to explore the recommendation, what does that actually mean? If a survivor was here today, how do I tell her that the system is going to get better—or is that an answer that leads us to understanding that the system is not going to get better?

Ms. Shelley Spence: In our report and, subsequent, in our follow-up reports—I can't speak for the ministry, and I do suggest that the committee ask that question of the ministry themselves, but the reasoning they did give was that they felt that it was very complicated why cases were either stayed or withdrawn later, and that it's too hard to capture all that information.

What I will say is that if you don't know, you can't manage, so we still encourage them to capture the data in whatever way makes sense. So it could be at a summarized level and just to say, "This is by courtroom or this is by judge or this is by institution—with transportation issues

etc.," so that they can actually do something with that analysis to fix the issue and speed up the cases. But what we're seeing is that it's not getting better, and it has not been getting better since 2003.

MPP Kristyn Wong-Tam: And to that extent, it's actually getting significantly worse despite the fact that you've put a very bright light on the problem.

Auditor General, when the minister or the ministerial staff say that the problem is too complicated, what you're asking them to do is just beyond their ability to do—you have been able to scrape information from the ministry's own open-source data. You've put forward this plan for them to take action on. How is it that you are able to point to the problem, give them a road map, and they haven't been able to respond to it? And what is your response to the Attorney General when he or the staff say they can't do what you're asking for? Do you believe that they cannot do what you're asking for?

Ms. Shelley Spence: It's interesting that when you look at our recommendations, they can be very pointed. We did say to analyze all cases for all reasons, and that's where it gets complicated, because they're saying they would have to look at transcripts of cases to be able to document in detail why things occurred. Personally, as the new AG, I would be happy if they just categorized them in a summary way, so that they could solve the problem—"Is it this courthouse? Is it this institution? Is it the defence continuously delaying?" etc.—so that we just understand the reasons why, and then we can do something to improve the services and reduce the times that are occurring.

MPP Kristyn Wong-Tam: I don't want to put words in your mouth, but are you rejecting the fact that they would have to review the transcripts? I don't think you're asking for them to review the transcripts. You're asking them to build very high-level categories and then assess why a case has had its charges stayed, why charges have been withdrawn. That's really what you are getting to—you would need to know why this is happening, so therefore the government can fix the problem.

Ms. Shelley Spence: Exactly. Their response to our recommendation, which is in the public report, does say it would take hours of looking through the transcripts. But our recommendation is not to look through the transcripts. Our recommendation is to categorize the cases and the reasons for delays, and analyze that data so that problems can be resolved.

MPP Kristyn Wong-Tam: Only by knowing what the problem is, where those roadblocks are and why we're seeing these cases being delayed, will the government be able to apply the pressure, put in the resources, go in and fine-tune to fix the problem. That is what you are saying.

Ms. Shelley Spence: Yes.

MPP Kristyn Wong-Tam: And that should be done.

Ms. Shelley Spence: Yes.

MPP Kristyn Wong-Tam: With respect to the erosion of public confidence, I know this has been a big issue for many survivors and for families. They have come to this House on repeated occasions just asking for us—all of us—to fix the problem. I don't think that for them it's a

red or a green or an orange issue. They just want us to sort this out.

As the Auditor General, you are an office of accountability. What would you say to those survivors if they were here today about what else they could do to advocate for themselves—or is it entirely left up to us and in government?

Ms. Shelley Spence: That's a good question.

As Auditor General, again, I do not wear any of those colours, as well. We do have an issue here that is affecting the lives of victims, families, accused, and many, many others. That's why we came out with the report. That's why we did the report and the recommendations.

If I were to meet one of those survivors, I would say, "Keep trying."

This committee is an excellent start to looking at the issue, and hopefully—if it takes a change in legislation, if it takes a change in process and procedure at the ministry, then so be it.

But I think to answer your question, MPP—

The Chair (Mr. Lorne Coe): Thank you, Auditor General.

We're now going to move to the government members for questions. MPP Dixon.

Ms. Jess Dixon: Thank so much for coming.

I have a few questions.

From the Auditor General's office's perspective, is the language of the communications that you had with crown law criminal or particularly with the Office of the Chief Justice public, or can it be made public? How have you actually worded the requests?

Ms. Shelley Spence: Our audit requests for information?

Ms. Jess Dixon: Yes.

Ms. Shelley Spence: That is part of our working papers, and those are confidential.

Ms. Jess Dixon: Okay. I have a very interesting view on this, because I was a practising crown for 10 years and was still practising up until 2022—so a different perspective on this.

What I'm wondering about is, in the report, when you talk about the total operating hours of the courts, is that a number that is connected to the number of hours that the courts were actually in operation—or if you take 4.5 hours per court and the number of courtrooms in the courthouse, if they were all to be used, is that the total operating hours?

1130

Ms. Shelley Spence: I have to defer to Vivian for that.

Ms. Vivian Sin: The 4.5 hours is the optimal target set by the ministry. When we looked at the operation hours, at the system and the data that they have and came up with, if I remember, I think it's 2.8 of actual hours used in the courtrooms—actual use.

Ms. Jess Dixon: I think you talked about how criminal cases are 65%, roughly, of total operating hours. That's the 4.5 being the optimum, plus the number of courtrooms that are actually available, or the number of courtrooms that we're actually operating?

Ms. Vivian Sin: Operating.

Ms. Jess Dixon: I think that's a really important distinction to make. The difference between, is it the infrastructure that we have, like courtrooms that are—the infrastructure is there; the people are not, versus the difference between the courts that are actually operating in that they are staffed. I'm very curious to try to figure out more about how that question was posed.

Ms. Vivian Sin: We discussed that courtroom utilization in the other report. It's called "Court Operations." A small subset of that related to criminal cases—we put it in this report. So for a bigger context, like how it was used and the recommendations—they're in the other report, not in this report. We can go back to the other one and address your—

Ms. Jess Dixon: Yes, because I can understand why the offices of the chief justices would be very reluctant to provide data about, for example, how long a courtroom was in operation over the day. You can have a day in court that's incredibly effective, and you're only actually in court for 45 minutes; it appears dead for the rest of the time. But it was a very useful day.

I'm very curious about how we evaluate the usage of Ontario's court infrastructure—so our literal, physical courtrooms, our courthouses—and how many are shuttered throughout the day. I'd be interested in what the response of the chief justices would be to that question, of simply, "Out of the number of courtrooms that are in this courthouse, how many were operating Monday to Friday of all working weeks of the calendar year?" I don't know if that's a question that was ever posed in that specific fashion.

Ms. Vivian Sin: We have lots of discussions with the ministry and with the chief justices. That's why we saw the courtrooms are not being used at up to 4.5, so that's why we wanted to ask for the scheduling. That's the purview of the judiciary. Seeing that it's independent of the government, we were unable to have that question answered of, "Why is this 2.8, and why is it not 4.5?" We're not saying there's no legit reason. I understand that if a case can be handled quickly, it's a very effective way to do it, but we just don't have the data to tell the whole story.

Ms. Jess Dixon: So it wasn't posed as though, "Was every courtroom in this courthouse, at 10, open and operating, regardless of how long they actually sat for?"

Ms. Vivian Sin: Yes, we don't have that.

Ms. Shelley Spence: We were not able to get that. We did ask the question, but we were not able to get access to the data.

Ms. Jess Dixon: And the distinction, being opened, regardless of the number of hours they sat—because, again, I feel like there's a distinction between asking the number of hours that a courtroom was open for versus the question of, was it staffed at the outset of the day or not?

Ms. Shelley Spence: When we reviewed the 175 samples that we did, that was a reason for delays—that there wasn't enough staff to have that courtroom open that day, and especially during COVID. So that is one of the reasons—and, again, analyzing that reason and understanding how

we get it staffed up, and is there a better way to bring people in if somebody is calling in sick etc. rather than closing the court for that day because of that reason? We did find that 4.5 was not being met, and the average that we calculated at—

Ms. Vivian Sin: It's 2.8, but it's in the other report.

Ms. Shelley Spence: —2.8 in the other report just shows that they are not meeting those targets. So they need to analyze why they're not meeting those targets.

You're right; infrastructure is sitting there not being utilized.

Ms. Jess Dixon: Were you able to get any sense of what I would call the ideal operating staffing of a given jurisdiction; for example, like this idea of how many clerks, court reporters, judges etc. you would need to have the infrastructure fully operating?

Ms. Vivian Sin: No, we don't have that.

Ms. Shelley Spence: We didn't look into that.

Ms. Vivian Sin: The staffing—no, not there yet.

But if you look at the figure 10 in this report, we list out all the courthouses and we look at the number of cases pending disposition. So, basically, we're looking at each one to see how many cases are pending and compare with the operating hours. You can see that some are above capacity and some are below.

Ms. Jess Dixon: As far as the public purse concept, I feel like it's an interesting idea to look at the utility of the infrastructure—again, not from the hours utilized, but as far as to get the sense of, "How many people would you need of each category of job to operate all of these courthouses, and how many do we actually have working in this courthouse?" That would be an interesting statistic.

Ms. Vivian Sin: That would be a great question for the ministry, because they are the ones—

The Chair (Mr. Lorne Coe): Thank you very much for that response.

We're now going to go back to the members of the official opposition for two minutes and 30 seconds. If you would like a time check, you can always ask.

MPP Kristyn Wong-Tam: I will, Chair. Thank you.

I'm going to split my time with MPP Mamakwa.

To the AG, I have one quick question: Lydia's Law, which is a private member's bill—I believe you know what that is about. It's calling for accountability and transparency with respect to how sexual assault cases are handled. It has borrowed, to be quite honest, very heavily from your 2019 report.

Four schedules—schedule 2 identifies the creation of a working group to review the progress report that should accompany your document here, and to report that to the assembly. That is to ensure that survivors and families can see themselves and the work that's going to be done to clear the criminal justice system. Will that be helpful—the working group?

Ms. Shelley Spence: Yes, I do believe that is on the back of our report as well, and we do feel that that recommendation would be helpful. If the reason for not doing it is because of having to listen to transcripts etc.—I am always of the thought that whatever implementation

they need to do to solve the problem is great with me. It doesn't have to be specifically every single case and every single reason, but if we can start approaching and gathering data on the reasons and bring that forward and report it and also manage it, I think that will help with solving the problem. We can see the problem is continuing to trend.

MPP Kristyn Wong-Tam: Thank you for your time today.

The Chair (Mr. Lorne Coe): MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch. Thank you for the presentation.

I'm from northwestern Ontario. I represent 31 First Nations—24 of them are fly-in First Nations—and four small townships.

One of the things we face related to northern First Nations, the fly-in First Nations especially, is issues of sexual assaults related to intimate partner violence. Sexual assault centres are very—we don't have those because it takes a dedicated room, dedicated nursing training, and we don't have those. We don't even get to those cases because we do not have time to be able to fly in through Ornge to medevac people to test those cases.

The Chair (Mr. Lorne Coe): That concludes the official opposition time.

We will now move to the government members. MPP Saunderson.

Mr. Brian Saunderson: Thank you very much, Auditor General, for coming today.

As the parliamentary assistant, I'm immersed in this world at MAG.

Through the pandemic—and I know your report goes back to 2019, but you've updated it with some statistics since then. You're aware that we've appointed or we're in the process of appointing 25 additional CJ judges, with seven staff who are just devoted to the judge and the operation of the courtrooms, not court administration, so that puts us at about 325. When we get our new allotment, that will be about 350 Ontario Court provincial judges sitting. And of course, you have to get them up and trained to get them sitting.

You indicated in an earlier answer that you know the number of courthouses in Ontario. Can you tell us, what's the total number of courts that we have in the province for the Ontario Court?

Ms. Shelley Spence: I will defer to Vivian for that.

Ms. Vivian Sin: My memory is not—I think it's over 600. It's in my other report. It's very detailed, so I think I have to go back to that one.

Mr. Brian Saunderson: I guess, to go to my colleague's questions—we couldn't possibly have all those courts up and running on any given day, because it's almost twice the number of appointed judges, and there's always turnover. My understanding is that since the Attorney General took office, about 100 judges have retired. So we're always constantly recruiting and appointing new judges.

We have courts administration and then the actual courtroom support for the justice. Where do you think the most efficiencies can be found in terms of those court

staff? I'm trying to separate between the administration and the judge-alone staff.

Ms. Shelley Spence: Sorry; I'm not quite sure I understand the question.

Basically, because we couldn't get the calendar data in figuring out the ultimate reasons for the delays in a court for a day, we didn't really separate it between the administration of the courtroom versus the number of staff the judge would need. But certainly, if you could pinpoint a problem—if it is that a courtroom is empty and there is a judge available, that you could schedule the judge in there if the proper supports are there—

The Chair (Mr. Lorne Coe): Excuse me, Auditor General. That concludes the time we have today for your presentation—to your audit director, as well. We're grateful for your presentation and your responses to the questions that have been posed today.

Ms. Shelley Spence: Thank you for the opportunity to talk to this committee. I wish you all the best.

The Chair (Mr. Lorne Coe): Thank you so much.

Committee members, the committee will now recess until 1:30 p.m.

The committee recessed from 1142 to 1330.

ONTARIO CROWN ATTORNEYS' ASSOCIATION

The Chair (Mr. Lorne Coe): Good afternoon, members. I would like to reconvene the Standing Committee on Justice Policy.

I now will call forward, to make their deputation, the Ontario Crown Attorneys' Association.

You will have 10 minutes for your presentation. When you get to the one-minute mark of your 10-minute presentation, I'm going to ask you to sum up. There will be an opportunity at the question time to respond and expand on the points that you made in your 10-minute presentation.

For the record, please state your name for Hansard, which is the official recording service of Queen's Park, and then you can begin your presentation.

Ms. Donna Kellway: I'm Donna Kellway of the Ontario Crown Attorneys' Association.

Ms. Lesley Pasquino: I'm Lesley Pasquino. I'm vice-president of the Ontario Crown Attorneys' Association.

Ms. Kellway is president of the Ontario Crown Attorneys' Association.

The Chair (Mr. Lorne Coe): Good afternoon, both of you. Thank you so much for joining the Standing Committee on Justice Policy. You can begin your presentation. Again, I'll let you know when you've got one minute left to sum up.

Ms. Donna Kellway: Thank you, Mr. Chair.

The Ontario Crown Attorneys' Association represents over 1,200 assistant crown attorneys in the province of Ontario.

I'm speaking today on behalf of the OCAA and not on behalf of the Ministry of the Attorney General or the criminal law division.

Prosecuting cases of intimate partner violence and sexual violence has always been an important part of our members' job. Crowns work to ensure that the administration of justice doesn't fall into disrepute, and we have a monumental responsibility in that job to safeguard the protection of the public. If an individual victim's encounter with the criminal justice system is not positive, then not only do we do a disservice to that victim, but this also has far-reaching future implications. If scheduled trials for these cases are not able to proceed, then victims will have been failed by the system. They'll be less likely to come forward to the police in the future. And members of the public seeing this will lose confidence in the administration of justice and may also be reluctant to report violence.

We know that IPV is an epidemic in this province. Statistics tell us there's also an increase in reported sexual violence in Ontario. The increase in IPV and sexual violence cases comes at a time when a confluence of factors means that prosecuting these cases has never been more difficult.

For years, our crowns and our court system have been pushed to the brink by lack of resources. That became even more pronounced in 2016, when the Supreme Court of Canada, in *R. v. Jordan*, imposed strict time limits for prosecutions to be completed: 18 months in the Ontario Court of Justice and 30 months in the Superior Court.

While still under the strain caused by that ruling and attempting to complete cases within these new stricter guidelines, in 2020 the global COVID-19 pandemic began and resulted in an unprecedented backlog of cases, the effects of which continue to this day.

In the meantime, legislative changes for sexual violence prosecutions have increased the legal complexities in these cases, and advances in technology have increased the practical complexities and the volume of evidence gathered in investigations and the subsequent preparation for and conduct of trials. Against this backdrop, experts are now stressing the importance of having a trauma-informed approach when dealing with these cases.

The combination of these factors means crowns cannot devote adequate, necessary time to these prosecutions. Each of these cases require extensive work. Before a crown can decide what happens to a case, they have to know it in great detail. If matters are not in some way resolved—for example, by a guilty plea—they're set for trial. However, all the materials need to be reviewed by the crown whether a trial date is set or not and, either way, will involve discussions with victims.

These victims of IPV and sexual violence are primarily women, vulnerable physically, economically, emotionally. They've contacted the police in an extremely stressful and dangerous time in their lives. We meet with these victims and we ask a lot of them. In preparing for trial, we require them to relive trauma that they've experienced, whether about a single assault or a years-long abusive relationship culminating in the current charges. We ask them to watch their statements again, to review photos of their injuries, to listen to 911 calls in which they were frantically trying to seek help. Sometimes these calls and

security footage are capturing portions of the assaultive behaviour itself.

Preparing for trial, victims revisit all this trauma then have to go into a public setting and do it all again—tell all this to a judge, the accused, the accused’s lawyer, the crown, and a courtroom possibly packed with people. We now know that there’s a special way in which we should be doing this preparation in order to get the most accurate information in the most sensitive way from these victims, to follow that trauma-informed approach. This takes time; it takes empathy and patience. It’s not a process that can be rushed. Preparation happens before, during and after meeting with the victim, and meetings can occur multiple times.

Victims are scared, and they’re emotional. But these cases are emotional not only for the victim; our members are personally impacted by the trauma, as well. Vicarious trauma, depression and anxiety, among other health difficulties, result from careers of passionately doing this kind of work.

Despite striving for these cases to be set for trial as soon as possible, the post-pandemic backlog exists alongside new cases entering the justice system every day. At a time when cases are more complex to prosecute, with technology, legislative amendments and increased pretrial applications, crowns have less time to prosecute them. The combined effect is that these cases are in danger of not being reached, being stayed for delay, with no trial on the merits. When cases are stayed, the police investigation and the preparation for trial by the crown with the victim and police witnesses will all have been for naught. The increased anxiety that a victim has felt as the trial date approached was unnecessary; the arrangements often needed to be made by a victim—taking a day off work, making child care arrangements—all wasted. If a trial date can’t be reached within Jordan guidelines, it will result in a presumptive stay. The matter will not proceed, and all the resources that have gone into the case to date will have been for nothing.

There are only so many crowns and so many courts, and a case being stayed for a lack of resources is a tragic situation for everyone.

At the end of 2023, an Ontario Court of Justice practice direction was put in place to set trials in a time frame that’s meant to ensure cases are completed within 18 months. This has led to a practice called stacking. Stacking means a number of different trials are set in the same courtroom on a trial date that, if reached, is within the right time frame. The problem is, there are only so many hours in the court day. And in the current reality, it’s unlikely if not impossible that more than one trial matter will proceed in a courtroom on a given day.

Crowns have little to no input regarding which cases get stacked, so if two different IPV cases and a sexual assault trial are all scheduled to proceed in the same courtroom, it’s almost inevitable that only one of those three matters is going to be able to proceed. Two of those victims will need to be told that their matters are not going to be reached, that their trial will not be happening that day, that

their matters will be adjourned, and then, based on Jordan guidelines, a date is unlikely to be able to be set for a new trial that won’t result in a stay of proceedings. For a victim, this can be devastating, and for the crown who spent the time preparing, it’s also very frustrating. And if that same crown has carriage of all three matters in that courtroom, then that crown will not be able to carefully explain to the victims what’s happening and why another particular case was prioritized over theirs.

Adequate resources need to go into ensuring that there are sufficient crowns to properly and sensitively prepare for trial and conduct trials in adequately staffed courtrooms to see these matters to conclusion.

As an example of how things are being done elsewhere, a Quebec pilot project that has specialized courts and services devoted to these charges has been referenced in our submission.

Without a properly resourced criminal justice system, victims and justice are not served.

Lack of resources takes a toll on our crowns, as well. We’re losing senior experienced crowns for whom the tension of trying to do more complicated cases and do them faster without sufficient resources, with inevitable frustrating results, is untenable.

If the police get necessary resources to investigate and make arrests but there are not enough crown resources to bring those matters to trial, then a meaningful opportunity to combat this violence and hold the perpetrators accountable is lost. We can’t treat victims as if they are products on an assembly line. These cases require time and sensitivity. They need a properly resourced system with crowns and courtrooms.

Crowns have a unique perspective from working with victims, but we’re not their lawyers; we represent the public interest.

We know that in order to properly deal with any epidemic, we need to have a properly resourced response.

Safe and healthy courthouses, with properly staffed courtrooms, in which victims can feel safe and be confident that their matters will be reached—

The Chair (Mr. Lorne Coe): Excuse me. You have one minute left.

1340

Ms. Donna Kellway: Thank you—that a well-prepared trial will be heard on its merits.

These prosecutions for IPV and sexual violence have to be identified as a priority and resourced accordingly. That is the bare minimum required.

Thank you very much for this opportunity, and thank you to MPP Dixon for the invitation to present.

The Chair (Mr. Lorne Coe): Thank you very much for your presentation.

We’re going to start our questions and answers with the official opposition. MPP Wong-Tam.

MPP Kristyn Wong-Tam: Thank you to both presenters for your excellent written submission. I think that you have brought a lot of passion and, I would say, even urgency to this discussion. We have, in this committee, at

various times talked about the lack of access to justice that is efficient and impartial, to be quite honest.

I want to be able to unpack what you've said, because you've actually brought forward to us some suggestions about having the courtrooms and the staff levels right-sized in order to meet the workload, and in particular also recognizing that when it comes to violence and IPV and GBV, there has to be a different level of care—a high level of care, and then a higher level of care that is trauma-informed.

Do you know how many crown attorneys are required for you to meet the proper threshold of ensuring that you have enough staff to do the work? I'm not talking about the support staff in the trial room, but specifically the number of crown attorneys we should have on the roster in Ontario.

Ms. Donna Kellway: We know that we need more. Right now, we know that the levels that we have are insufficient. Even with increased judges on the horizon and increased hiring that is anticipated, we know that we simply don't have enough.

Right now, cases are, as we've indicated—if a stacking trial court has a number of different matters, whether it's three or more, we can't reach them all. It's not just that additional crowns are needed for that, but additional courtrooms are needed for that.

If you build it, they will come. If people see that their trials are reached and they have confidence in the system, then they may be more likely to report the violence that's occurring. We know that under-reporting is a huge issue, and we know that right now, in terms of choices that are needing to be made when trials aren't able to be reached, those same choices won't need to be made with increased resources.

Can I give you the exact figures that would solve the problem? The population is growing every day, and the number of charges we see is increasing. So all I know is that our membership has been increasing, but it isn't increasing at a fast-enough rate.

And if my colleague could add—

MPP Kristyn Wong-Tam: Yes, please. Go ahead.

Ms. Lesley Pasquino: We have 54 crown offices throughout Ontario, and they're representing different jurisdictions of different sizes. So it's difficult for us to say, "Well, we need X number of crowns," because they would be spread out throughout Ontario.

For example, if the government follows through with its appointment of 25 more judges, the way we've been told it works—the Ministry of the Attorney General rubric—is that there will then be two crowns and one business professional for each judge. So say 25 judges get appointed in Ontario; that's 50 crowns. That's less than one crown for each crown office throughout Ontario. Those crown offices are usually located in courthouses. So that's clearly not enough. What concerns us is that even though an announcement was made on May 30 indicating an appointment of 25 more judges, if the current rubric is followed, it's a decent start, but it's not anywhere near enough.

Again, as Ms. Kellway said, we've seen a mass exodus of our senior and experienced staff just because the situation has become untenable.

MPP Kristyn Wong-Tam: The Auditor General, who was just here before the lunch break, has been sounding the alarm bell since 2019. She even cited that the work of the Auditor General goes back to 2013. So this has been a long-standing problem and deficiency in the Ontario justice system, albeit made worse by COVID. But we're into 2024 now; it has been four years since the pandemic around the COVID virus first came into Ontario. There's a level of expectation from the public that the Legislature must get a handle on this.

We've now heard criminal defence lawyers, we've heard crown attorneys—including yourselves here today—and other advocates and observers of the legal system really describing the court system in crisis. I don't think that this is a group that uses the language "crisis" very often and very lightly.

In your opinion, is the legal system in crisis as it pertains to the lack of access to a timely trial for those who are seeking it? Specifically, is that an accurate way to describe the justice system as it pertains to survivors and families of victims?

Ms. Donna Kellway: Right now, any victim of IPV or sexual violence who can't see a trial happen on its merits because of a lack of resources is fair to call a crisis. We try to deal as best we can with the resources that we can, but more are desperately needed. That lack only grows every day that you're not able to properly address it.

So, yes, I would fairly describe it—for any victim who's not able to at least have a trial happen on its merits when one is warranted.

MPP Kristyn Wong-Tam: I recognize that crowns are operating in the public's interest, and I recognize that your members are doing some extraordinary work under some very difficult conditions. Because they're only able to work with what they have, I can also see the fact that it becomes just overwhelming. The burnout rate, I suspect, is high. People are struggling with the cost of living—because they know in the private sector, compensation is much greater.

As crowns are leaving, are they leaving in greater numbers than the government is able to hire and replace them? Is that also contributing to the problem?

The Chair (Mr. Lorne Coe): Excuse me, MPP Wong-Tam. That concludes your time.

Back to the government members: MPP Dixon.

Ms. Jess Dixon: Thank you both so much. I appreciated you bringing up the trial stacking, which is something I've also experienced personally.

I wonder if you can explain to the committee a little bit how crown resourcing impacts the ability to handle bail, bail review, estreatment, sentence reviews and that catch-release cycle.

Ms. Donna Kellway: Our crowns are expected to move quickly but expeditiously. We're given a tremendous number of cases per day; it's going to vary by the courtroom. We need to be able to ensure that we properly

review every case that comes before us, whether we're consenting to a release or contesting a release and having a bail hearing on it. Obviously, we need to be able to do the proper job reviewing that to make an informed decision and then to be properly prepared for any hearing that's ongoing. Obviously, the number of cases that come in impact—and crown resources are absolutely impacted by that.

If a decision comes through that needs to have a bail review, or if estreatment is needed in a particular case, then obviously, resources are needed to be able to pursue those remedies as well.

1350

It's a matter as well, then, of court resources. Is a court available to hear a bail review? We know from our history of bail hearings and bail reviews that if a matter is not able to proceed in a reasonable time, we're dealing with stays there as well. The Simonelli case dealt with just that issue. That's exactly the type of thing that we need to be able to avoid. Everything that I said before about the stacking of cases—this is just cutting a case off at the knees before a case potentially even starts.

So, absolutely, resources are a crucial issue there.

Ms. Jess Dixon: Can you talk a little about what it looks like from—doing CPTs and JPTs—a plea bargaining standpoint when you're dealing with a large number of outstanding files, like an individual accused who may have 10-plus outstanding SCOPE files?

Ms. Lesley Pasquino: What happens if an accused is released on bail and then they're arrested again and released on bail again, arrested again and released on bail again is, the complexity grows, the volume grows. Those releases may be in different jurisdictions. Although we now have a centralized database called SCOPE, what results in happening is—when I was in a trial office, I would then have to mine data in SCOPE and find out the details of all those other cases in order to put together a package to know the full history and story of where this accused is in our justice system, where those other cases are, whether they're going for trial, whether they're going to be withdrawn. You have to do all that research.

So then when it comes to me having a crown pretrial, which is a meeting with the defence lawyer to discuss what's going to happen on a particular case, I'm not going to deal with that in isolation. If somebody is facing a theft from Walmart in Ontario but gun possession in another jurisdiction, I have to take that into account to see what risk to the public a further release of this person is going to pose, because they're clearly not complying with their bail release on the gun case because they've got into conflict with the law again.

The catch-and-release adds to the complexity of the cases for us crowns. Certainly, when you're in a busy bail court—what people don't understand, I think, is that bail court can have up to 30 cases in it and one crown dealing with it; maybe one crown outside the courtroom vetting. So when you're going through all of those cases and somebody may have 11 outstanding sets of charges, it's a

lot of work to get through all that information and pull it together.

As Ms. Kellway said, that's why instead of one crown in the courtroom and one crown outside of the courtroom doing that digging and that data mining, we need two, maybe three in the courtroom and two people outside of the courtroom. When you're in a busy bail court, you start your day at 6 or 7 o'clock in the morning. That's when the police start pushing through materials, and we have to get it as soon as it comes in because we have to put a case together to put before the justice of the peace. And these are all new cases. Some of them are still being investigated—you have police officers turn up.

Ms. Jess Dixon: One of the things that I've encountered that not everyone understands is this idea that when you're dealing with an accused who has multiple outstanding files, even in the same jurisdiction, if you are looking to go to trial on those or you're negotiating with defence counsel—many people don't understand that you can't hold an accused person's trials all together, all at the same time.

If you can explain that a little bit more for people—and also what impact that has, then, on an ultimate criminal record, when you're having to plea bargain with that many outstanding files.

Ms. Donna Kellway: Ultimately, what charges proceed to trial depend on the charging document, information or the indictment, and there are rules about how you can combine them if they're not all part and parcel of the same incident or at the same time of arrest. So if they're from different jurisdictions, unless there is a consent to have trials all happen at the same time, even if we wanted to use the facts from one case on another, we would need to bring a special application on prior discreditable conduct or different applications to allow evidence of one alleged offence into another trial.

So there are some—I wouldn't call them inefficiencies, but there are just legal rules of procedure that you need to follow that then impact on whether or not a trial can happen on a number of different outstanding sets of charges at the same time. You also have to balance, then, obviously—the same right to a trial within a reasonable time happens on all of them, and different jurisdictions have different rates of delay and different backlogs. All of that is going to be taken into account in ultimately setting or resolving trials.

The Chair (Mr. Lorne Coe): We're now going to move back to the official opposition for further questions. You have two minutes and 30 seconds. MPP Wong-Tam.

MPP Kristyn Wong-Tam: I'm going to ask again, is the Ministry of the Attorney General hiring crown attorneys at the rate that crown attorneys are exiting?

Ms. Donna Kellway: We are definitely having an issue with retention and recruitment. Generally speaking, when you're recruiting lawyers, obviously, hiring new, inexperienced crowns is not going to be the same as replacing a lawyer who is leaving after 20-plus years.

When I say that we're losing the experienced people, it's losing people to retirement, losing people to leaves—

perhaps health difficulties—losing them to other areas of the ministry, or losing them to the defence bar, just leaving the crowns system entirely. The amount of dedication that's there—but the frustration of not being able to do the job the way that they'd like to see it properly done can wear after years. They're trying their best with the resources that they have—and that's getting to a dangerous level, as well.

MPP Kristyn Wong-Tam: So what you're saying is that it's not as simple as one in and one out. We're talking about different levels of experience as well as—how fresh you are coming into the job probably is another consideration.

The Auditor General, who was here earlier, was—she had a report, as I mentioned, in 2019, and she says this is a long, ongoing issue. She also said that the Ministry of the Attorney General has pretty much said that they are not going to implement recommendation 1, which is broken into four sections, and then recommendation 4, and that they're just constantly reviewing it. At the same time, we know that the courts are backlogged. You're not the first one to tell us it's under-resourced. The Auditor General said that the Attorney General's office told her that they just couldn't do what she was asking for, which included identifying cases that were tossed out, and charges dropped, because they would have to review all the transcripts—

The Chair (Mr. Lorne Coe): Excuse me, MPP Wong-Tam. Your time is gone.

We'll go to the government side. MPP Dixon.

Ms. Jess Dixon: We have another two and a half minutes.

I would like you to talk a little bit more about the experience that crowns are having in doing the work under this resource strain, the burnout—but also if you can kind of describe for the committee what it's like for your members when they are having to explain to victims why they might not be getting justice.

Ms. Donna Kellway: Well, it's almost like trying to explain the impossible. Explaining to a victim that their matter wasn't reached on a date in which it was impossible to reach everything that was scheduled; explaining this to a vulnerable person who has overcome so much to be able to go to the police in the first place, who has relived that trauma in preparing for the trial, who has made all kinds of arrangements to be there for that day—this day might have cost them in their job, in their child care—and then letting them know that they're not getting reached, even though it was pretty unlikely they were ever going to get reached because we scheduled way too much for this day. That is soul-crushing, because we care about the case. We don't represent this victim; we represent the public interest. We don't win or lose. We're there to see that justice is done, but it's hard to contemplate that justice is being done for this individual if we are telling them that, essentially, the impossible couldn't happen.

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As I've said before, you might not even have the time because you're expected to run that other trial. Even if you've explained that in advance—that this is a theoretical

possibility—that's equally soul-crushing. To say to a complainant in advance, "You might take the day off work, you might arrange babysitting for your kids, you might come there and still have to face the accused because he might be waiting in the hallway and in the courtroom"—but now, we're telling you in advance, "You probably won't get reached." If you say, "You probably won't get reached," then maybe I, as a victim, won't want to show up. Why would I want to waste my time doing that?

We have hope. We want to make sure that we're fully prepared, that we're ready to go and that our victims are ready to testify. But doing that and trying to explain that to victims is very disheartening.

The Chair (Mr. Lorne Coe): Thank you very much for that response.

That concludes the time that we have available for your presentation. We appreciate very much you taking the time to be with us today. Good day.

ACTION ONTARIENNE CONTRE LA VIOLENCE FAITE AUX FEMMES

The Chair (Mr. Lorne Coe): Our next presentation, members of the committee, is going to be joining us by Zoom. It's the Action ontarienne contre la violence faite aux femmes.

Good afternoon. How are you?

M^{me} Maïra Martin: Pretty good, thank you.

The Chair (Mr. Lorne Coe): Good. I can hardly hear you. I think we need to turn the sound up, please. I know I have mine up. Thank you.

You'll have 10 minutes for your presentation. We'll need, first of all, your name and affiliation for the Hansard record, which is the recording service for the Ontario Legislature. I will let you know when you have one minute left in your presentation so that you can sum up, but there will be an opportunity to convey additional information through the questions which will follow from the members of the official opposition as well as the government members.

So, please, your name and affiliation, and then you can start your presentation. Merci beaucoup.

M^{me} Maïra Martin: Bonjour. Je m'appelle Maïra Martin et je suis la directrice générale d'Action ontarienne contre la violence faite aux femmes.

Je tiens tout d'abord à remercier l'ensemble du comité d'avoir permis à Action ontarienne de venir vous parler de la problématique de la violence basée sur le genre. Action ontarienne est un organisme provincial, féministe et francophone qui vise la pleine égalité des femmes dans toute leur diversité, entre autres par le développement des services, la défense des droits, la sensibilisation, la concertation et l'offre de ressources.

Nos membres sont des maisons d'hébergement, des centres d'aide et de lutte contre les agressions à caractère sexuel et des programmes en violence faite aux femmes qui offrent des services en français aux femmes francophones touchées par la violence en Ontario. En tant que

regroupement provincial francophone, nous avons une perspective unique sur la violence basée sur le genre en Ontario et ses effets, en particulier sur les femmes et la communauté francophone, ainsi que sur les organismes qui les soutiennent.

Action ontarienne soutient la proposition de loi qui vise à reconnaître que la violence entre partenaires intimes est une épidémie. Par contre, nous souhaiterions que cette reconnaissance soit étendue à la violence basée sur le genre dans son intégralité, pour inclure en particulier aussi la violence à caractère sexuel. Nous souhaitons aussi que cette reconnaissance ne soit pas que symbolique, mais qu'elle soit suivie de mesures concrètes du gouvernement pour mettre fin à cette épidémie.

Il faut lutter contre la pauvreté, qui maintient les femmes dans une relation violente ou les met à risque de violence. Il faut aussi travailler en amont et de façon préventive en améliorant l'éducation sur les relations saines, le consentement, la masculinité positive, les stéréotypes de genre et l'autonomisation des filles et des femmes. Il faut ensuite que le gouvernement stabilise et pérennise les organismes qui viennent en aide aux personnes survivantes de violence. C'est ce point que je vais plus détailler.

Le secteur communautaire de la violence basée sur le genre est en crise, et malheureusement, ce n'est pas récent. Pour préparer à cette audience, j'ai retrouvé un mémoire qu'on avait présenté en 2018 et qui faisait déjà état de tout ce dont je vais vous parler, et je suis certaine que j'aurais trouvé les mêmes constats et les mêmes demandes avant 2018. C'est désolant et décourageant de voir que la situation ne s'est pas améliorée depuis six ans, et même qu'elle a empiré après la COVID et dégradation des conditions de vie générales de la population.

L'un des premiers défis qui est rencontré par les organismes est le fait que leur financement de base n'est pas revu annuellement, et ce, malgré l'augmentation constante du coût de la vie. Donc, ça veut dire que le financement n'augmente pas, ce qui fait que les organismes s'appauvrissent d'année en année.

En moyenne, dans notre réseau, sur 10 ans, le manque à gagner correspond à environ 130 000 \$ par organisme. Les organismes doivent donc soit chercher des fonds autrement, soit faire des choix difficiles.

Un autre défi, c'est de recruter et de retenir un personnel qui est qualifié, parce que les organismes ne sont pas capables d'offrir des conditions salariales qui sont suffisamment attrayantes. Une étude qu'on a menée en 2021 montre qu'en moyenne, dans le réseau francophone du secteur de la violence, tous les postes étudiés sont moins bien rémunérés que la moyenne des autres organisations sans but lucratif et que la moyenne du secteur institutionnel.

Cette étude révèle aussi que les organismes de notre réseau ne sont pas tous capables d'offrir des avantages sociaux à leur personnel. La concurrence d'autres secteurs est donc très forte, ce qui rend le secteur de la violence moins attractif pour de nouvelles employées.

Pour les organismes francophones, le défi de recruter des employés capables de s'exprimer en français s'ajoute surtout dans les régions où la population francophone est moins importante.

Une autre cause des difficultés à recruter et à retenir le personnel, c'est l'impact que le travail a sur la santé mentale. Le roulement du personnel, les postes vacants, la demande grandissante de service, le fait de devoir refuser des services, faute de place, le fait de ne pas pouvoir trouver des solutions pour répondre aux besoins des femmes, les délais de séjour de plus en plus longs dans les maisons d'hébergement, et les situations des femmes de plus en plus complexes—tout ça, ça pèse sur la santé mentale des employés et les amène à quitter le secteur.

Juste pour vous donner une idée, dans notre réseau, qui compte 14 organisations, on perd en moyenne trois employés de première ligne par année. Or, on sait qu'un organisme qui a un fort roulement de personnel n'est pas à même de se concentrer efficacement sur l'offre de service.

Le dernier défi, c'est celui de répondre à toutes les demandes. Un sondage qu'on a fait cet été montre qu'en 10 ans, les demandes aux lignes de crise ont plus que doublé. Les demandes pour du counseling ont augmenté de 62 %. Les demandes d'accompagnement divers ont augmenté de 58 %. Les demandes d'activités en prévention ont augmenté de 48 %, et toutes ces augmentations alors qu'on a des problèmes de recrutement et de rétention, et que le financement n'augmente pas.

Et pourtant, on sait aussi que d'avoir des organismes en bonne santé aide à la lutte contre la violence faite aux femmes. Grâce à leur travail, les organismes aident à améliorer la sécurité des femmes et de leurs enfants et aident à leur autonomisation.

Les femmes bénéficiant d'un soutien adéquat sont mieux préparées à trouver un logement stable, à poursuivre leurs études, à trouver et conserver un emploi, et donc, à être indépendantes financièrement, et elles sont aussi plus à même de s'impliquer activement dans leurs communautés.

Les organismes peuvent aussi s'engager activement dans les activités de prévention de la violence en organisant des ateliers de sensibilisation et en outillant leurs communautés, ce qui permet de provoquer le changement social qu'on attend aussi.

Finalement, avoir des organismes communautaires en bonne santé permet de réduire les coûts à long terme de la violence. On sait que la violence—c'est très difficile d'estimer le coût et de mesurer le coût de la violence, mais on sait qu'il est immense. On sait qu'il y a un coût humain, bien sûr, sur les victimes, leurs enfants et leur entourage. La violence a aussi un coût social et un coût économique. Quand on parle seulement de la violence conjugale envers les femmes, on estime qu'à elle seule, cette violence coûte 4,8 milliards de dollars par année au Canada, soit bien plus que ce que ça coûte de lutter pour son élimination.

Donc, si le gouvernement et l'ensemble de la classe politique souhaitent mettre fin à la violence faite aux femmes, il faut donc investir plus dans les organismes de

lutte. Dans le mémoire qu'on vous a présenté, qu'on vous a soumis, nous présentons plusieurs pistes de financement, mais la première qui pourrait être facilement mise en place, c'est le fait d'indexer le financement de base sur l'inflation. Cette indexation permettrait aux organismes de ne pas s'appauvrir d'année en année et de voir leur budget se stabiliser par rapport à l'inflation. Les organismes seraient donc en mesure d'augmenter les salaires annuellement et de s'ajuster aux hausses de loyer, aux hausses de fournitures diverses et de services, ce qui réduirait en partie les pressions auxquelles ils font face. Cette revalorisation annuelle permettrait, en partie, de venir soulager les pressions auxquelles les organisations font face.

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Encore une fois, merci beaucoup de m'avoir donné l'opportunité de vous parler aujourd'hui.

The Chair (Mr. Lorne Coe): Thank you very much for your presentation.

We're now going to start the questions with the official opposition. MPP Andrew.

MPP Jill Andrew: Thank you so much, Maïra, for highlighting the impact of the affordability crisis on women's lives—victims of intimate partner violence, and also the front-line workers who are helping them piece their lives together.

As you know, Equal Pay Day this year was on Tuesday, April 16. The gender pay gap is approximately 32% here in this province, which means women, on average, earn only 68 cents for every dollar that a man makes and must work 117 days into 2024 to make what the average man makes in 2023.

Can you please underscore yet again how pay inequities impact not only the workers but also women and gender-diverse folks who end up having to stay in abusive relationships because they can't afford rent—we don't have rent control—because they can't get a good salary at their job? Many intimate partner violence survivors are piecing together several jobs to make the rent, to pay for food, to pay for the extracurricular needs of their kids. Can you elaborate on your findings?

M^{me} Maïra Martin: Oui, merci beaucoup.

On sait que la pauvreté, c'est une des causes de la violence. On sait que les femmes pauvres sont plus à risque de vivre de la violence dans leur vie, et puis on sait aussi que la pauvreté maintient les femmes dans des situations violentes. C'est beaucoup plus difficile pour une femme qui vit de la violence entre partenaires intimes de quitter une relation quand elle n'est pas indépendante financièrement. Donc, c'est certain qu'il faut trouver des mesures et il faut vraiment travailler pour réduire la pauvreté des femmes, et puis, comme vous l'avez dit aussi, pour permettre des logements abordables, mieux travailler aussi sur le système de garde d'enfants, parce qu'on sait encore que beaucoup de femmes ne sont pas en mesure d'avoir des places qui sont sûres, sécuritaires et abordables pour la garde de leurs enfants.

Mais beaucoup plus aussi—largement, en fait—on s'aperçoit qu'il faut continuer de lutter de façon générale contre les stéréotypes de genres et surtout ce qui maintient

les femmes dans des situations d'inégalité. Vous l'avez très bien remarqué aussi, les différences, les inégalités salariales, le fait que les femmes sont moins bien payées que des hommes à travail égal ou à compétences égales.

On sait aussi que les femmes sont plus à risque de devoir quitter un emploi dans leur vie professionnelle. On sait aussi que les femmes sont plus à même d'avoir des emplois précaires, à court terme ou à temps partiel. Donc c'est vraiment sur tout ça qu'il faut lutter parce que c'est certain qu'on ne peut pas lutter efficacement contre la violence faite aux femmes sans lutter aussi efficacement contre la pauvreté.

MPP Jill Andrew: Once again, you mentioned, as you were presenting, that you've submitted a report in 2018, so we're talking six years ago, and you've seen that most of the recommendations, if not all, haven't been acted on. Are there some particular recommendations that you haven't elaborated on before that you would share with the committee today?

M^{me} Maïra Martin: Oui, c'est certain que nous—donc, on travaille vraiment avec les organisations francophones qui soutiennent les femmes victimes de violence. Ça a été mentionné plusieurs fois et je ne suis pas la seule à le dire, mais c'est vraiment de travailler sur la stabilisation et la pérennité du secteur.

Donc il faut vraiment travailler à la fois sur l'aide aux survivantes—je dirais que c'est vraiment l'une des priorités. Il faut que les organisations soient à même de pouvoir aider efficacement une femme qui vit de la violence parce qu'encore une fois, on sait qu'une femme qui n'est pas soutenue efficacement soit ne va pas être capable de quitter, de façon durable, une situation violente ou elle ne va pas être capable rapidement, en tout cas, de reprendre contrôle sur sa vie. Donc il y a tout ce travail-là qu'il faut faire : vraiment stabiliser le secteur et puis évidemment, énormément travailler sur la prévention.

Je pense qu'une des choses qu'il faudrait vraiment faire c'est revoir le curriculum en matière d'éducation sexuelle dans les écoles. Il faut vraiment qu'on travaille beaucoup plus sur l'éducation sexuelle chez les jeunes. Et quand je parle d'éducation sexuelle, c'est évidemment les relations saines, le consentement, la masculinité positive, tout ce que ça implique, tous les stéréotypes de genre, parce que c'est en travaillant notamment avec les plus jeunes qu'on va pouvoir, à long terme, mettre fin à la violence.

Il faut aussi continuer l'éducation des adultes et puis beaucoup plus engager les hommes et les garçons dans la lutte contre la violence.

MPP Jill Andrew: Thank you so much for highlighting the consequences of toxic masculinity towards intimate partner violence, gender-based violence, and those who are survivors and targets.

You also mentioned needing more supports in school around curriculum. I'm sure you would agree that we actually need more teachers, education workers and guidance counsellors to make that possible. We know that class size is a deterrent to dealing with these sorts of heavy issues because teachers and EAs simply don't have

enough hands and eyes to keep an eye on ballooning class sizes.

Can you speak to the need for more human resources, more people in our school system, more funding for our school boards to ensure that they can address the issues of healthy relationships, sex ed curriculum and justice and equity and all the other topics that help raise awareness on intimate partner violence?

M^{me} Maïra Martin: Je pense que sur les questions relatives à l'éducation sexuelle et puis de relations saines, on ne devrait même pas l'imposer aux professeurs parce que, voilà, ce sont des sujets—aborder d'une bonne façon l'éducation sexuelle et les relations saines, ça demande déjà d'être à l'aise avec le sujet puis d'avoir aussi certaines connaissances, et de pouvoir aussi gérer les discussions, les émotions que ça pourrait faire naître.

Donc, personnellement, mon organisation, on est plus pour que ça soit fait par des personnes externes—évidemment, que ces personnes externes soient payées pour le faire—mais que ça soit vraiment un enseignement qui est déjà obligatoire, parce que je pense que ce qu'on veut c'est que toute la population et tous nos jeunes entendent ces messages. Quel que soit, encore une fois, leur milieu social, l'endroit où ils vivent, etc., on veut que chaque jeune puisse entendre ça, parce que c'est un message qui est extrêmement important, puis je pense que c'est un message qu'on veut—

The Chair (Mr. Lorne Coe): Thank you very much for that response. That concludes the time for the official opposition.

We're now going to move to the government members. MPP Gallagher Murphy, when you're ready, please.

M^{me} Dawn Gallagher Murphy: Bonjour, madame Martin. Je vous remercie d'être ici avec nous aujourd'hui. Aussi, je voudrais vous remercier de tout votre travail.

Donc tout d'abord, je voudrais commencer avec une question concernant les défis propres aux organisations francophones. Ma question pour vous, c'est quels sont les défis spécifiques auxquels sont confrontés les organismes francophones en Ontario lorsqu'ils luttent contre la violence faite aux femmes, et en quoi diffèrent-ils de ceux auxquels sont confrontés les organismes anglophones? Alors, la différence entre les deux.

M^{me} Maïra Martin: Oui. Donc, je pourrais en mentionner plusieurs. En fait, je pense que le premier, le problème, serait le fait d'avoir un très vaste territoire à couvrir, parce que contrairement aux organisations anglophones—beaucoup doivent, par exemple, desservir une ville où une petite région. Les organismes francophones, la majorité, comme la population est beaucoup plus dispersée et qu'il y a moins de [inaudible] et un ratio plus petit, ils ont un vaste territoire à couvrir. Donc je pense que l'un des premiers défis pour eux, c'est d'aller couvrir un très large territoire et aller chercher une population qui est très dispersée dans ce territoire.

Et puis quand je parle, du coup, de défis, l'un des défis les plus simples, c'est simplement même aller les rejoindre, ces femmes-là. Il y a beaucoup de problèmes de transport. Ça peut juste être une question aussi bête que

celle-là : de comment on connecte avec une personne qui est parfois plusieurs heures plus loin que chez nous. Ça implique beaucoup de transport. Ça implique des frais de déplacement, de kilométrage, d'essence, etc. Ça implique aussi du temps pour le personnel et puis ça implique aussi, par exemple, d'avoir plusieurs points de service dans une grande région. Donc il y a plusieurs loyers, plusieurs charges, etc. Donc tout ça joue évidemment sur le budget des organisations et sur la capacité à répondre de façon efficace à toutes les femmes, où qu'elles soient dans leur région.

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Ensuite, l'autre difficulté, justement, c'est comment rejoindre les femmes francophones en milieu minoritaire quand elles sont absolument partout. On voit que c'est très difficile d'avoir de la publicité. C'est très difficile de rejoindre les femmes parce que certaines vont, par exemple, plutôt écouter les médias anglophones mais vont vouloir des services en français.

Enfin, il faut énormément développer ce qu'on appelle le développement communautaire. Il y a beaucoup de liens qui doivent être faits avec d'autres organisations pour se faire connaître, parce qu'on s'aperçoit que généralement les autres organisations connaissent l'organisme anglophone, mais ne connaissent pas forcément l'organisme francophone. Donc, c'est énormément travailler auprès de partenaires pour se faire connaître, pour faire connaître les services et pour que les femmes connaissent les services.

Donc, je dirais que c'est les deux grands défis que peuvent [inaudible] les organisations.

M^{me} Dawn Gallagher Murphy: Vous avez mentionné la région, donc je me demande où sont la plupart de vos clients? C'est au nord de l'Ontario? Vous parlez du voyage pour ces personnes pour recevoir ces services, donc je me demande si c'est au nord de l'Ontario. Ou bien, où sont exactement la plupart des clients francophones?

M^{me} Maïra Martin: Les francophones sont un peu partout dans la province. Donc, vous avez raison, il y en a au Nord. Il y en a dans la région de Sudbury, la région de Timmins, la région de Hearst, la région de Thunder Bay. Il y en a aussi beaucoup dans l'est de l'Ontario, puis après dans les grandes villes, que ce soit Ottawa, Toronto, Hamilton—donc, tout le Sud.

Ce qui est aussi un peu difficile avec la communauté francophone, c'est que ce n'est pas une communauté qui est homogène. Notre point commun c'est la langue française, mais on a des personnes qui sont immigrantes, on a des personnes qui peuvent être racialisées, on a des personnes de la communauté 2SLGBTQIA+. On a des jeunes, on a des personnes plus âgées, on a des personnes qui vivent en milieu urbain, des personnes qui vivent en milieu rural. On a des personnes qui ont un français qui est différent—donc même la langue française peut même être différente.

C'est aussi toutes ces réalités-là auxquelles on doit faire face parce qu'on donne des services en français, mais il faut qu'on s'adapte aussi à la clientèle et à ces propres réalités.

M^{me} Dawn Gallagher Murphy: D'accord, merci. J'ai une autre question, mais tout d'abord : Chair, how much time do I have?

The Chair (Mr. Lorne Coe): Yes—1:52.

M^{me} Dawn Gallagher Murphy: Donc, une autre question, madame Martin, concernant la sensibilité culturelle et linguistique dans les services de soutien. Ma question-là, c'est : de quelle manière les besoins culturels et linguistiques de la communauté francophone influencent-ils l'efficacité des services de prévention et de soutien à la violence, et quelles mesures sont nécessaires pour garantir que ces services sont culturellement appropriés?

M^{me} Maïra Martin: Nous, nous soutenons, à Action ontarienne et avec nos membres, que les meilleurs services en français que vous pouvez avoir sont des services qu'on appelle « par et pour les francophones ». C'est-à-dire, vraiment des services qui sont dédiés pour les francophones parce que—vous l'avez dit—c'est important d'avoir des services qui sont culturellement et linguistiquement adaptés à notre clientèle.

Quand on parle du secteur de la violence faite aux femmes, on parle de traumatismes qui sont extrêmement intimes et c'est extrêmement difficile de pouvoir expliquer, de pouvoir—on touche vraiment à l'intime et au propre, donc c'est extrêmement important de pouvoir, à ce moment-là, parler dans sa propre langue. Et on le voit, que le fait d'être vraiment accompagné—puis quand je parle de l'accompagnement, c'est vraiment l'accompagnement de A à Z, du début à la fin. D'être accompagné dans sa langue, ça fait une toute autre différence.

Il faut s'imaginer que dans certains services, les personnes vont peut-être pouvoir rencontrer une intervenante qui parle en français qui va peut-être pouvoir, par exemple, lui offrir du counseling, mais pour tous les autres services, que ça soit pour un logement—

The Chair (Mr. Lorne Coe): Excuse me. Thank you for that response, but we're now going to move back to the official opposition for two minutes and 30 seconds.

Questions, please? MPP Mamakwa, please. When you're ready, sir.

Mr. Sol Mamakwa: Meegwetch. Thank you. I really appreciate your submission. I'm also focused on upstream or preventative changes that must be done. I'm wondering if you can speak more about the concept of positive masculinity, and in particular, I know how providing education and encouraging positive masculinities would help tackle IPV.

Mme Maïra Martin: Oui, donc, on préfère maintenant parler de masculinité positive plutôt que masculinité toxique pour mettre l'accent sur le fait que les acteurs du changement, ce sont les hommes et ce sont les enfants et que toute personne a la capacité d'avoir des actions positives et d'avoir une masculinité qui est non violente.

Donc, je pense que c'est extrêmement important là aussi d'aller chez les plus jeunes, de commencer chez les plus jeunes, mais de parler de qu'est-ce que c'est qu'être un homme, qu'est-ce que c'est de parler d'être un garçon et d'essayer de détruire un peu le mythe de la force, de la colère, de l'homme protecteur, de toutes ces conceptions

qui finalement ont enfermé les hommes et les garçons dans des blocs, des images, des stéréotypes qu'on voulait faire d'eux, et on sait que ce n'est plus ce qu'on attend—ce n'est certainement plus ce qu'on attend des hommes et des garçons, et ce n'est même pas sain. Ce n'est sain pour personne. Ce n'est pas sain ni pour eux, ni pour les filles, les femmes et les personnes de la diversité de genre.

Donc, c'est vraiment important d'avoir des discussions aussi dès le plus jeune âge—c'est ça—sur comment arrêter avec l'adage de « boys will be boys », parce que ce n'est pas vrai—puis même qu'est-ce que ça veut dire, effectivement? Donc, de vraiment parler de comment avoir un impact positif, surtout chez les jeunes, mais aussi chez les moins jeunes.

The Chair (Mr. Lorne Coe): Thank you very much for that response. We'll now move to the government side. MPP Gallagher Murphy, please, when you're ready.

M^{me} Dawn Gallagher Murphy: Encore, merci beaucoup, madame Martin. Maintenant, je voudrais vous demander des questions concernant remédier aux inégalités en matière de financement et de ressources.

Je me demande si vous pouvez expliquer quelles inégalités existent dans le financement et les ressources alloués aux organismes francophones par rapport à leurs homologues anglophones et comment ces disparités impactent-elles le niveau de soutien offert aux survivants francophones de la violence ?

M^{me} Maïra Martin: Quand on parle de disparité, il faut regarder, comme je vous l'ai mentionné tout à l'heure, le territoire qui doit être couvert. C'est certain que la capacité pour les organismes de couvrir ce territoire-là doit être compensée. C'est-à-dire qu'on doit leur donner du financement qui leur permet soit de pouvoir se déplacer ou de pouvoir faire venir les personnes dans les services, mais aussi la possibilité, par exemple, d'avoir plusieurs points de services, donc de pouvoir payer plusieurs loyers, et puis toutes les charges qui vont aussi avec le loyer.

Donc, ce serait reconnaître que, finalement, le territoire à couvrir a un impact au niveau budgétaire—et le reconnaître. La chose aussi c'est reconnaître tous les efforts en termes de publicité qu'il faut faire, et quand je parle de publicité, ce sont plutôt les liens qu'il faut maintenir et les partenariats qu'il faut maintenir. Pratiquement aucune organisation francophone n'a la capacité d'avoir ce qu'on appelle des agents de développement communautaire, qui sont vraiment des personnes dont le travail est justement d'aller faire ces liens-là dans la communauté pour se rendre visible et pour se faire connaître.

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C'est également aussi ces personnes-là qui peuvent être amenées après à faire aussi des présentations de la sensibilisation dans la communauté. Mais faute de financement, on n'a pas la capacité d'avoir ces personnes-là qui permettraient justement de donner une plus grande visibilité et qui permettraient de vraiment créer ces contacts-là pour faire connaître les services et donc pour permettre aux clientes, aux usagères, de venir dans les services.

Le Président (M. Lorne Coe): Excusez, madame. Merci pour votre présentation.

ONTARIO ASSOCIATION OF
CHIEFS OF POLICE

The Chair (Mr. Lorne Coe): I would like to call forward the Ontario Association of Chiefs of Police.

You will have 10 minutes for your presentation. When you get to the one-minute mark, I'll just remind you to sum up at that point, because there will be questions from the official opposition and the government members—two rounds of questions.

For the record, sir, please state your name for Hansard, and then you can begin your presentation.

Mr. Mark Dapat: Good afternoon. I am Deputy Chief Mark Dapat of Peel Regional Police. I'm here on behalf of the Ontario Association of Chiefs of Police, as the co-chair of the community safety and crime prevention committee.

First off, I would like to thank the Chair and the members of the committee for inviting the Ontario Association of Chiefs of Police here to speak on intimate partner violence and Bill 173, Intimate Partner Violence Epidemic Act.

This is an issue that disproportionately impacts women, and it has devastating impacts on families, children and communities, and too often leads to fatalities. There are too many examples.

In the region of Peel alone, the municipalities of Mississauga and Brampton have declared intimate partner violence an epidemic and are working collaboratively with our police service to provide supports to our community. Our partners in policing are advocating the same in their respective jurisdictions. We firmly believe this is a necessary step to bring more attention to the gravity of the issue and allow for further dedicated resources that are survivor-centric in addressing the issue.

There are a few Peel cases to highlight.

Darian Hailey Henderson-Bellman was a 25-year-old woman who was shot and killed in her home in Brampton by Darnell Reid, whom she was in a romantic relationship with. Reid was on a release order at the time of the murder and charged with firearms-related offences and failed to comply with release orders. He was also charged with two previous IPV-related incidents prior to killing Henderson-Bellman.

Pawanpreet Kaur was a 21-year-old woman who was shot and killed while at her work in December 2022, allegedly by Dharam Dhaliwal, whom she was in a romantic relationship with. Prior to this murder, he was charged with multiple intimate partner violence offences and released on bail. He threatened the victim and her family in an attempt to have them drop the charges.

As recently as July 2024, we arrested and charged Jagmohanjit Jheety in connection to an intimate partner violence investigation that originated in Saskatchewan. He had multiple reported IPV incidents, including criminal harassment and uttering threats.

According to the Ontario Association of Interval and Transition Houses, there are over five femicides occurring every month in Ontario. Femicides have increased by 68% over the last five years. There were 62 femicides in 2023.

And from January to July of this year, there have been 30 femicides in the province of Ontario.

In Peel region, our officers responded to over 9,500 incidents of family and intimate partner violence, which results to approximately 26 incidents every day in 2023. Last year alone, Peel Regional Police laid over 9,500 charges related to IPV; the top five charges being assault, uttering threats, failure to comply with a release order, assault with a weapon, and strangulation. Our data shows that a woman is strangled every day in Peel region, and reports of strangulation continue to rise. These are just the incidents that are reported. We know that intimate partner violence is vastly under-reported.

I'd like to take a few moments now to highlight how Peel Regional Police has taken a survivor-centric approach to IPV. There are other similar programs that are being implemented by our policing partners on a smaller scale, but we believe that if an ideal model was to be implemented provincially—I would encourage the committee to consider the following:

In 2021, as part of our community safety and well-being plan and our focus in addressing family violence and priority populations, PRP launched a dedicated IPV unit. It's the largest intimate partner violence unit in the country. This team receives specialized training in trauma, domestic violence, sexual assault, culturally appropriate and sensitivity response, and victim care and management.

As you heard a few weeks ago from our partners at the Safe Centre of Peel, we've partnered on an innovative, evidence-based and research-based wraparound services model of how a community can work together to respond and provide a safety net for survivors of IPV in one of the most diverse communities in Canada. PRP's partnership with SCOP and service delivery for IPV is based on the Family Justice Centre model that combines collaboration between police, legal and community support agencies, and focuses on creating innovative, collaborative, trauma-informed approaches to intimate and domestic violence. These integrated multidisciplinary centres not only meet the needs of survivors of domestic violence, sexual assault, child abuse, elder abuse and human trafficking—but in often cases, break the generational cycle of violence.

Can you just let me know how much time I have left?

The Chair (Mr. Lorne Coe): You have four minutes and 49 seconds, sir.

Mr. Mark Dapat: Okay.

In 2023-24, the Safe Centre of Peel managed over 1,800 referrals.

PRP's objective in the partnership with SCOP is to approach service delivery with the survivor's well-being at its core.

I will also add that the Safe Centre of Peel model has been highlighted by the federal Standing Committee on the Status of Women as a best practice nationally and was included in their final report recommendations—number 17, to be specific. Survivors can seamlessly receive risk assessments, do safety planning, receive counselling and access other services, including child-minding from partners at the centre. Survivors also have a choice to file

a police report and can access the supports within SCOP regardless of their decision. The SCOP model provides exactly that.

However, as you heard from Shelina Jeshani from SCOP a few weeks ago, lack of funding limits capacity to address high demands.

We believe that continued and sustainable funding of initiatives that adapt the Family Justice Centre model across Ontario are crucial in addressing intimate partner violence.

Secondly, we believe that standardized training and risk assessment for police services across the province would be beneficial for addressing IPV. Currently, PRP uses three standardized, structured and professional judgment threat assessment tools, but it's not standardized across the province. Without a uniform standard, the determination of whether an offender poses a high risk can vary, which may result in inconsistent protection for the victims. With a system in place, we can ensure that high-risk offenders are consistently flagged regardless of where they move, enhancing safety across the province. This would also allow for the centralization of data related to IPV cases that would be invaluable for identifying patterns, understanding the prevalence of IPV in different communities, and allocating resources more effectively.

We're also seeking and recommending that violent and tragic incidents that are being committed by high-risk repeat offenders who have a blatant disregard for their release conditions and, more importantly, for the safety of others and the preservation of life be looked at more closely. Often, accused individuals are released before adequate safety planning such as changing locks or arranging safe living conditions can be put in place, jeopardizing the safety of not only victims but children as well. Violent offenders pose a significant risk to public safety, and we are consistently advocating for stronger measures to protect women, children and everyone in our community.

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In closing, on behalf of the OACP, I want to thank the committee for leading this important discussion to identify and action concrete solutions to intimate partner violence.

I'm happy to take any questions.

The Chair (Mr. Lorne Coe): Thank you very much, Deputy.

We're now going to move to the members of the official opposition. MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch, Chair.

Thank you, Deputy Chief Mark Dapat.

I come from an area in northwestern Ontario that has representatives of 31 First Nations—24 of those First Nations are fly-in First Nations—and four municipalities supported by three different police services: Ontario Provincial Police, Nishnawbe Aski Police Service, and also Treaty Three Police Service.

When we talk about IPV, when we talk about sexual assaults, whether it's even rape, I know that some of the provision of services of sexual assault centres—using rape kits is non-existent on-reserve, because when we talk

about sexual assault centres, they need a dedicated nurse; they need a dedicated room. We do not have those. Not only that, in order to access a sexual assault centre, you need to fly out, and the closest one is in Sioux Lookout. Sometimes you need to medevac a person out or to put the person on a plane. It's really difficult, especially using Ornge, so you don't even get there. There's so much that women lose out on to be able to actually get the charges.

It's very encouraging to know that the Peel Regional Police has taken steps to create safer spaces for people and families experiencing intimate partner violence. I am curious whether other police forces have followed suit and, if so, what the results have been.

Mr. Mark Dapat: Thank you for your question.

Your comments really highlight the conditions that exacerbate the issue. Not having dedicated programs, not having the proper investments or any type of standardized protocols in place, puts people at risk. It puts women at risk, specifically, and it actually encourages women to not report, because if their matters are not taken seriously, and the right support systems aren't in place, then it puts them in a very precarious position, especially when they have young children they're caring for.

To answer your specific question about what other police services are doing, I would say that every police service looks at intimate partner violence as a priority, but they're challenged when it comes to resources; they're challenged when it comes to partner capacity. Many of the police services are adopting the community safety and well-being safety planning framework that has been mandated to all municipalities. Where they're challenged is not the will; their challenge is the ability to have partners that have the same amount of capacity to put a focus on victims as much as we've been able to. We've been lucky at Peel.

What I'm advocating for, as a representative of the OACP, is that we take a look at the fact that there are inequities happening across the province when it comes to standardized programs, and we take a very close look at why we are not already doing that, because it's obviously something that's impacting communities across the entire province.

Mr. Sol Mamakwa: We talk about unique factors in addressing IPV in different parts of Ontario, including rural and northern Ontario. How do police chiefs address their approaches accordingly in addressing this issue?

Mr. Mark Dapat: While I firmly support that there should be some standardization, it's also important to note that you have to be very culturally alive to the community that you are serving. There are specific, nuanced needs that one community may have over another community. Police chiefs across the province are recognizing this, and they're implementing those considerations in IPV-related and domestic programming. Again, that's notwithstanding that there is a standard that should be considered, especially when it comes to risk assessment and ensuring that the safety, well-being and overall health of not just an individual, but a family in the community, are being looked after,

but also making sure that it's culturally appropriate for the needs of that community.

Mr. Sol Mamakwa: According to a national-level survey, just about 6% of sexual assault incidents are reported to police.

Why do you think people—women—are reluctant to report sexual assaults, and what are the Ontario chiefs of police doing to address this issue?

Mr. Mark Dapat: While I may not know the exact answer to that question, what I can say from speaking with and working directly with our partners across all sectors is that the cycle of violence is a matter that is quite complex and difficult for somebody to come forward to.

It's especially difficult when they are involved in a system where there are barriers to reporting, where there are barriers to support; when they may not be the predominant breadwinner for the household; when they're caring for children, and they realize that the impact of reporting will be so great that they may not have a place to live. It might impact their ability to work. It might impact the status in their community. The frustration of a survivor who has to live through that is almost, for them, worth living through to keep their family household intact.

What we're trying to do through the Ontario Association of Chiefs of Police is to recognize that from a survivor-centric lens, if we implement programming that really takes a look at the impact not just from a criminal perspective, but the impact on the individual and their family, and providing them with those upstream supports—

The Chair (Mr. Lorne Coe): Excuse me, Deputy. That concludes the time for the official opposition.

We're now moving to the government members. MPP Dixon.

Ms. Jess Dixon: Thank you so much, Deputy Chief, for coming today.

I do want to start off by saying that we really admire what has been done in Peel, and the Safe Centre of Peel is currently one of our provincial exemplars for the "no wrong door" hub-style approach to care.

What I want to talk a bit about or possibly even push back a bit on is—in the first multiple days of this committee, we talked a lot about primary prevention, intervention, that type of thing. Today we've been talking a lot about the courts. OACP and then, of course, the police associations are quite, I would say, powerful and vocal advocates—but predominantly advocate only to the Solicitor General.

How could the committee help OACP be more involved in advocacy for the groups that don't have the same advocacy voice? The courts and our victim services, again, don't have that central voice.

Mr. Mark Dapat: Bringing stakeholders through different multi-sectors that are involved in this space is definitely a start. Please know that the Ontario Association of Chiefs of Police fully endorsed our participation in providing commentary to this committee and are more than open to furthering the conversation, especially ac-

knowledging that we do have a very influential voice across the province.

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Our position on this particular matter would really be benefited by having advocacy from other areas as well so that we can carry the torch. It's a situation where, when we're speaking to our partners, it's important for them to know that it's not just at a local level; that much of the things we're discussing that need to be changed have to happen all the way up through the provincial level. And this conversation is definitely a great starting point.

Ms. Jess Dixon: How can we monitor this better? From the perspective of OACP, representing a diverse variety of services—currently, it's sort of up to the service to present any data it may have. We don't really have a central repository for collecting that. So even if we were to put in some of the prevention initiatives we would like to put in, we don't really have a system in place for measuring what impact that would have. Is that something you can offer some guidance on—about how we could perhaps rely on police to help us measure our efficacy?

Mr. Mark Dapat: Well, regrettably, my co-chair, Mr. Barry Horrobin from Windsor police, isn't here, but if he was here, I'm sure he would support me in saying this: As the co-chairs of the community safety and crime prevention committee for the OACP—I think that's a conversation that I'm going to have with our committee, about where we can have more presence in the intimate partner violence space. And perhaps that's where reporting and monitoring can start, through, I will suggest, even potentially a subcommittee or a working group that's focused specifically on intimate partner violence.

Ms. Jess Dixon: That would certainly be very helpful, because I think—and you can tell me what you feel about this—one of the things that sort of followed intimate partner violence and sexual violence for so many years was this idea of it being a hidden crime or a private crime or family matter, something you didn't talk about.

Even now, I would say, in the news, we still see more of a focus on the robberies, the home invasions, the auto thefts, that type of thing, as being a measure of crime, and more stats on that.

Do you think that we would be benefited in the advocacy here about making more information about IPV and sexual violence stats available so that people understand the prevalence of this in their communities?

Mr. Mark Dapat: Without a doubt, it would. I would suggest that you may see an increase in reported intimate partner violence cases, but I would also suggest that the more advocacy for people to come forward and report, the more confidence that they have in all of the systems to not just hold those accountable who are committing intimate partner violence crime—but supporting those who are survivors of intimate partner violence. I would suggest that seeing an increase is actually an indication that we're making improvements. It's certainly something we've seen in the hate crimes space that we've been working towards as well.

Ms. Jess Dixon: Do you have any suggestions for us? Obviously, if you put your Peel hat back on again—we've seen really great results with the Safe Centre of Peel. From the government perspective, what could we theoretically do to encourage or facilitate other services co-operating or collaborating with their local communities to develop something similar?

Mr. Mark Dapat: I'm very proud of the program that was created in Peel, and I say that because it was a program that was born out of the vision of our partners, and we were very privileged that they included us at the table for these conversations.

I would recommend that the partners from the Safe Centre of Peel be heavily involved in any future conversations with other community stakeholders to highlight that everybody has a role to play when it comes to preventing intimate partner violence and holding those accountable who are committing crimes towards intimate partner violence.

Ms. Jess Dixon: I just got back from AMO, and I'm wondering if you can comment a little bit on, again—so let's put your OACP hat back on. What role do you think municipalities, local governments, can have in working with their local police services to tackle these types of issues, to bring people to the table and to talk about it?

Mr. Mark Dapat: We're very privileged in having a great relationship in our local municipalities. The role that they would play is so significant in identifying specifically that intimate partner violence is an epidemic. If the data is there to support it, I think the municipality should be backing it, and if they're backing it, that means that the proper advocacy is happening. If they're backing it, that means proper investments are happening at all levels. If they're backing it, they're ensuring that strategic decisions that are being made when it comes to programs that are directly focused on preventing victimization are focused towards intimate partner violence and the like.

The Chair (Mr. Lorne Coe): Back to the official opposition: MPP Andrew.

MPP Jill Andrew: Thank you very much, Deputy Chief, for your presentation. I deeply appreciate the work of the Safe Centre of Peel. I was not familiar with it until today.

I'm wondering, does the Safe Centre of Peel IPV unit include a social worker? Does that include a housing worker? I'm just wondering what the team looks like.

Mr. Mark Dapat: The Safe Centre of Peel is a collaborative that follows the justice model. There are 23 partner agencies in total that participate in it. PRP is just one that sits at the table, and it involves agencies like the children's aid society, like the Canadian Mental Health Association, and those that are working in housing spaces, those that are working in employment spaces and poverty spaces and health spaces. Of the 23 partners, the only enforcement agency is the police; everyone else is either in health or public agencies.

MPP Jill Andrew: Thank you so much for your response.

Secondly, in conversations I've had with Street Haven, for instance, we're learning that many people who are experiencing intimate partner violence—some of them

also experience homelessness; some of them also experience addiction, as a result. As you may be aware, there have been safe injection sites, CTS sites, closed in our province during this government's watch, and I'm just wondering what you think about the impact of closed safe injection sites or any resources that are helping victims and survivors of intimate partner violence. The closure of those—do they have a negative impact on women who are experiencing intimate partner violence or are now possibly experiencing homelessness and possibly managing addiction?

I'm asking that question because we know that there is shame and stigma around intimate partner violence, and it's arguable that there's also shame and stigma around people who are experiencing homelessness or who need supports with addiction. I'm just worried—

The Chair (Mr. Lorne Coe): Excuse me, MPP Andrew. That concludes your time.

Back to the government: MPP Saunderson.

Mr. Brian Saunderson: Thank you, Deputy Chief, for being here today.

The Safe Centre of Peel is certainly an exemplar, as my colleague said, and you're to be congratulated on that.

At the outset of your presentation, you talked about three brutal examples of women who were killed at the hands of their partners, and their partners were out on bail from previous offences for IPV and violent offences with guns.

You also talked about the need for a threat assessment tool. There are three that you mentioned. We're familiar with ODARA and Danger; they come from different perspectives, whether it be assessing the risk of the offender or a risk to the victim. I'm just wondering if you can talk briefly on your comments about the need for a uniform tool across the province so that we can accurately assess this to prevent.

Mr. Mark Dapat: The reason why it's so important for us to have uniform risk assessment tools is that when it's not consistently being utilized across the province, it puts the safety of our victims and survivors at risk, especially when their partners are transient, especially when we know that once the charges are laid against them, they will not be allowed to live in the matrimonial home or the home that they cohabitated in. Oftentimes, they end up moving to other jurisdictions.

The problem with not having a standardized risk assessment tool is that should this person commit this crime yet again—and we know that if they are already committing intimate partner violence crimes, the likelihood that they will continue to do so is quite high—then you put a jurisdiction at risk. You put a community at risk. You put individuals at risk.

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It also gives us an opportunity to do a proper assessment so that when we do present cases to court, and decisions are made by the judiciary to hold them until their trials or release them with specific conditions, there's a standardized approach of what the risks actually are.

Again, this harkens back to the unwillingness for victims to come forward and report because, if they're reporting in one jurisdiction and this person ends up being released, it puts them at risk and pretty much diminishes the value of the risk assessment tool if it's not appropriately or consistently practised.

The Chair (Mr. Lorne Coe): Thank you very much, Deputy Chief. That concludes the time you have available today to make your presentation. We appreciate very much you being here for the justice policy committee today.

CANADIAN ASSOCIATION OF ELIZABETH FRY SOCIETIES

The Chair (Mr. Lorne Coe): I'd like to now call forward the Canadian Association of Elizabeth Fry Societies.

Good afternoon. Please get a seat at the table in front of you and make yourselves comfortable.

You will have 10 minutes for your presentation, and I'll let you know when you have one minute left so that you can start summing up, and that will be followed by two rounds of questions from the official opposition and members of the government.

For Hansard, which is the official recorder of the Legislative Assembly, please state your name and affiliation, and then you can begin your 10-minute presentation.

Ms. Emilie Coyle: My name is Emilie Coyle. I work as the executive director of the Canadian Association of Elizabeth Fry Societies.

Ms. Kelly Potvin: My name is Kelly Potvin. I'm the executive director for Elizabeth Fry Society of Toronto. I'm also representing the Council of Elizabeth Fry Societies of Ontario today, and I am the chair of the board of Thunder Woman Healing Lodge Society.

The Chair (Mr. Lorne Coe): Welcome to the Standing Committee on Justice Policy. Please begin your presentation. You have 10 minutes. I'll let you know when you have one minute remaining.

Ms. Emilie Coyle: Thank you so much.

I just wanted to let everyone know that our head office is on Anishinaabe Algonquin territory, which is colonially known as Ottawa.

We're very grateful to be invited here today.

Ms. Kelly Potvin: I just wanted to add that I'm a two-spirit person whose ancestors are both settlers and indigenous to this land. I work and live on Treaty 13 territory.

Ms. Emilie Coyle: Kelly is the executive director of Elizabeth Fry Toronto, as she mentioned. Elizabeth Fry Toronto is one of 22 local Elizabeth Fry societies that operate all across this country and that are engaged in building community and providing services and supports to some of the most marginalized women and gender-diverse people, many who have been criminalized or who are in danger of becoming criminalized for a variety of reasons, including responding to intimate partner violence. We'll get into that a little bit later.

At CAEFS, which is what we call ourselves, our statement of purpose is to address the persistent ways that criminalized women and gender-diverse people are denied their humanity and excluded from considerations of community. I felt it was important to read that statement of purpose here in the context of the epidemic of intimate partner violence, the reason being that criminalized women and gender-diverse people, especially the ones we work with in our network, are often not the people who are being contemplated when we think about intimate partner violence, and their voices are so very needed at these tables.

Most criminalized women and gender-diverse people we work with and alongside have endured—if you're familiar with the Elizabeth Fry Societies—ongoing and often appalling levels of control and violence throughout their lives, including state violence, beginning at very young ages. When they defend themselves, when they push back, when they do something that puts them “in conflict with the law” because they are surviving, we punish them. When we do punish them, we often do it in a gendered way that “hyper-responsibilizes” them, which means that we demand that they take responsibility for defending themselves against violence and provide punishments to them that are often harsher than the punishments that their male counterparts would receive. Put simply, we expect women to behave in a certain way, and when they don't, we punish them for it.

Criminalization often has unequal and destructive impacts on Indigenous peoples, Black people, trans people, sex workers, and others who struggle under the weight of poverty, addiction, mental health disabilities, precarious immigration status and more.

Our organization is often asked to bring the context of our work to national advocacy, and so we've been asked to come here today. We speak on the subject of intimate partner violence at committees of the House of Commons and at the Senate. We were asked to speak at the Mass Casualty Commission, following the horrific events that unfolded in Nova Scotia in 2020. And we have hosted and participated in panels that touch on intimate partner violence over many years.

We feel a really deep responsibility to be present at conversations around intimate partner violence because it affects criminalized women and gender-diverse people we work with so profoundly, and because government responses to intimate partner violence are often located in a criminal legal response, when this has been proven over time to be very harmful.

I'm going to turn it over to my colleague Kelly, who will now provide specific examples.

Ms. Kelly Potvin: Elizabeth Fry Toronto is an organization based in downtown Toronto. Our services are used by roughly 2,000 criminalized women and gender-diverse people every year. We have counselling services, court supports, diversion, housing, and we operate a community residential facility for provincially and federally incarcerated women.

There isn't a woman or a gender-diverse person who comes into our service who does not have some form of trauma background. If you have an adverse childhood event, a trauma, you are more likely to experience intimate partner violence in adulthood.

I have worked in what used to be called the violence-against-women, or VAW, sector since the early 1990s, and three decades ago we were talking about breaking the silence. Women would come forward; they weren't believed. We were fighting for scant funding, which is still a reality today. One of the ways in which we sought to address IPV 30 years ago was to push for mandatory charging laws that would save people's lives, or so we thought. In the decades since these laws were enacted, we have not seen a decrease in IPV, although we have seen an increase in the criminalization of the very women we sought to protect through this legislation. People who were already being criminalized because of their race or their cultural background were the ones who felt the brunt of criminalization under mandatory charging laws. We never could have imagined that the law would be used against the people who were being harmed.

Our organization has a provincially funded diversion program called the Partner Assault Response, or PAR, Program. It's a diversion program designed for male perpetrators, but we are delivering it to women and gender-diverse people who have been charged as a result of mandatory charging laws, often in the context of dual charging. Women in our program repeat the same stories of victimization to us. They would break into tears and tell us stories about years of intimate partner violence, and at a moment where they threw a teddy bear at their assailant, they were charged with an assault weapon. Examples like this are more common than we would think. They are then made to take responsibility for protecting themselves from partners who have been harming them for years.

Mandatory charging laws are solutions based on carceral control and have been proven ineffective in addressing IPV. This is why Bill 173 is so promising—because it's not about further criminalization of the vulnerable. It's one of the solutions that will lead to an all-government, all-society response to this deadly social problem.

We would also be remiss if we didn't narrow in on two interconnected issues in our country. Indigenous women—which represents 61% in Canada—are more likely to experience IPV in their lifetime since the age of 15 compared to the non-Indigenous counterpart, at 44%. And we have a crisis of mass incarceration of Indigenous women and gender-diverse people in our provincial and federal prison systems. Federally, over half of the people in prisons designated for women are Indigenous. In provincial jails, the numbers can be higher. This means that not only are we under-protecting Indigenous women and gender-diverse people, but we are also regularly criminalizing them. In a country that has committed to reconciliation, this has been part of the IPV conversation and cannot be ignored.

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We know that women and gender-diverse people face barriers when reporting IPV. These barriers are even more glaring when it comes to the criminalized women and gender-diverse people we work with, as their criminalization leads to added stigma, stereotyping, and ultimately discouraging them from coming forward or making a complaint, making them at higher risk of harm, including death.

Elizabeth Fry Toronto is a member of WomanACT, who have already presented before this committee, and we agree with their remarks that we can be strategic and collaborative in order to tackle the IPV epidemic.

Ms. Emilie Coyle: Which we think is really good news. And there is further good news: Long-standing advocacy from feminist organizations across this country has resulted in the National Action Plan to End Gender-Based Violence. We delivered them to the federal government. They're rolling them out across the provinces and territories as we speak. We have a map. We know what we need to do.

Our input was also included in the final missing and murdered Indigenous women and girls report as well as the final report of the Mass Casualty Commission.

So we know it is needed. We just need to look to the recommendations that come out of those commissions, as well.

Fundamentally, we believe wholeheartedly that Canadians of all political stripes want us to be safe in our own homes. For the millions of women and gender-diverse people who are experiencing intimate partner violence, this can often feel like an empty and unachievable dream. But for those of us whose work involves advocacy toward a world free from IPV, we know the ingredients to prevent and respond. We simply need a commitment from all levels of government to work with us, the non-profit sector, by funding what we know will work and giving us the mandate to move forward.

Declaring IPV an epidemic means funding this issue like we funded the response to COVID-19.

The Chair (Mr. Lorne Coe): You have a minute left.

Ms. Emilie Coyle: Thank you.

Currently, organizations like ours and others who have presented before this committee are doing so much for so little.

I will end by reading a quote from a book I recommend to all who are in attendance. It is called *Imperfect Victims: Criminalized Survivors and the Promise of Abolition Feminism*, written by a lawyer named Leigh Goodmark. She said, "Preventing violence starts by making sure everyone has what they need to live: housing, employment with a living wage, physical and mental health care, safe quality child care, transportation" and more. We take that to heart, and we go to work each day with the fortitude that is required to push for change, because we know it is achievable—a world where everyone has what they need to be safe in their own homes and thrive in their communities.

The Chair (Mr. Lorne Coe): Thank you very much for that presentation.

We're going to start with a round of questions from the official opposition. MPP Andrew.

MPP Jill Andrew: Thank you so much, Emilie and Kelly, for your hard work and for your "heartwork," and for eloquently expressing how important it is that we declare intimate partner violence an epidemic, not only to ensure that organizations like yours have sustainable funding, which also includes having the number of staff you need—we are consistently hearing of how underfunding and understaffing impact the ability of organizations to support and shore up resources for survivors of intimate partner violence.

Equally, I have heard that some survivors of intimate partner violence are also experiencing homelessness and addiction.

I asked one of the deputy chiefs from the Ontario Association of Chiefs of Police about this question I'm going to pose to you, but we didn't have time to get a response. The closing of safe injection sites, of CTS sites—I'm wondering if there's any correlation, or could there be any correlation, between the closing of CTS sites and higher rates of violence against women. We do know that women who experience IPV are also at higher risk for experiencing homelessness and also experiencing addiction.

Ms. Kelly Potvin: I think what safe injection sites provide is exactly that. Women with addictions who are using substances that they would go to a safe injection site for are at a high risk of violence when they are high, if they are in an unsafe place. It is about an addiction, and I think that it will increase intimate partner violence. I think there will be an increase in sexual assaults, because people will still be using substances in their neighbourhoods. And I think it makes women very vulnerable to really precarious situations.

MPP Jill Andrew: Thank you so much for that response.

What I learned about safe injection sites is the wrap-around services that they provide, not only with regard to overdose prevention, but also around housing—connecting them with stable housing, employment services, life skills, healthy relationships.

I'm wondering how important it is that we have more resources in our community to ensure that survivors can actually make it.

Ms. Kelly Potvin: I think resources and lack of resources are part of our entire epidemic and problem.

I will say that referrals to housing—what housing? We need more housing, but the wrap-around supports, emotional supports, referrals to case management, whatever people need, particularly people who are homeless or precariously housed—I think we don't have enough of those supports in the community. With the safe injection sites—we are saying goodbye to those wrap-around supports, as well.

MPP Jill Andrew: Can you also speak to the issue of staffing in our organizations?

Ms. Kelly Potvin: I will speak to PAR funding because it's provincial funding. We've run a PAR Program for 20-

some years. We have not had one cost-of-living increase in 25 years. We're still expected to see the same number of people. We're a unionized workplace. We give our staff cost-of-living increases; they're negotiated through the union, and I don't begrudge that whatsoever. Our staff work very hard. But when we can't keep up with our wages, it just means that we have fewer staff to do the same amount of work, and that is not sustainable. We are hitting a wall. A lot of provincial funding from MAG—none of it has increased in 20-plus years. It has just been flatlined.

MPP Jill Andrew: Can you speak to the benefit of sustainable funding for programs, for initiatives, as opposed to one-off project funding?

Ms. Kelly Potvin: One-off project funding is what, I think, the government likes because it's a win. They announce new funding for something, and it's not sustainable—because it will be three years or something like that. At the end of the three years—usually, it takes three years to really iron out the efficacy of a program, so you've done some research around the efficacy of your program. We always evaluate programs. We tweak them to meet the needs. We want outcomes. We prove our outcomes. The government makes sure that they get proof of our outcomes. And just when you're in stride with a program, that's the end of the project. It doesn't mean that the people who are participating in those projects have any less need when the project funding ends.

Then, when you ask if you can re-apply because you've had great outcomes, you've had high levels of participation, the government says, "No, we're going to give it to someone else. We're going to try something different." I don't know what they're looking for. I don't know if there is something different out there in the universe that's going to have different outcomes or better outcomes or that will be more affordable. It seems to change with government. As organizations who have been in operation for 70 years, we're left to react always and to try to make the programs and services that we know are needed from our community of women who access our service fit what the government says they're going to do this year. That's not a systems approach to a problem. We need a systems approach to many problems that have to do with lack of resource in community. Intimate partner violence is really, really entwined with that system failure.

1520

Ms. Emilie Coyle: It is a complex issue that requires all levels of government.

At the federal level, we also have that issue when it comes to federal funding for federal organizations. We continue to have project funding rather than core funding for our organizations, which we've been pushing for, for decades.

When you have a problem like intimate partner violence, which is so complex and requires all level of government, from municipal to provincial to federal, to co-operate with organizations like ours who are doing this work on the ground—and it's important to do that. Because I speak with Kelly, she tells me what's happening

at her organization—I take that up to the federal government; I tell them what’s happening on the ground. I bring what’s happening at the federal government to the local level. And we have that exchange of information across levels of government. It’s really key. To be able to tackle such an epidemic-level issue like IPV, we have to be able to all work together on this, which is why I said in my remarks—

The Chair (Mr. Lorne Coe): Thank you very much for that response.

We now will move to the government members. MPP Dixon.

Ms. Jess Dixon: Thank you both for coming.

I don’t know if you have been following along with some of the other presenters and testimony, but I think we’re coming up on 80 or 90 presenters, and I will say that the distinction between core funding and project funding has been something that has been raised multiple times—particularly the idea of how it’s not sustainable. Also, we’ve seen—and no shade at all to the organizations—how it creates an atmosphere of sort of necessary competition amongst agencies and drives people to keep reinventing the wheel in order to get that funding. So you’re singing a song we’ve been very much hearing and I think understanding—same about the PAR Program, as well.

I was a crown attorney for 10 years. I only joined politics in 2022.

I’m wondering if, with what you are seeing with PAR—so the funding issue is one thing, but the content and the delivery of PAR. We’ve heard a number of academics about that—and I would say, as a crown, I certainly saw, particularly during COVID, what I would call an overreliance on PAR almost as a sentencing, or we would do it as part of bail, pursuant to getting a peace bond, because we kind of couldn’t do anything else. I’m wondering if you could talk a little bit about what you’ve seen as far as the timing on PAR and the experience clients are having with the program.

Ms. Kelly Potvin: You want to know about the timing?

Personally, I would like to see women not charged. I would like to see police be able to make a determination that dual charges are not necessary. I think that could save the province a ton of money.

There is an overreliance. Police walk into a situation, and they have this mandate that was created—and I remember that. I was advocating for dual charges, because we thought we were saving people’s lives. This is not the outcome we had anticipated or would have lobbied for, and I think that there should be room in the legislation for police to make a determination. There’s a woman who doesn’t need to be in the system; she doesn’t need to go before a crown; she doesn’t need to complete a program that’s kind of a farce.

I also think, though, for women, where they will get caught up for whatever reason—the situations can be complex, granted, and they are in diversion. I think that organizations like the Elizabeth Fry Society should be leaders in making a curriculum that’s relevant, that’s

gender-based, that has an impact for women around healthy relationships and that is different, because to treat both male offenders and women and gender-diverse people exactly the same in the curriculum of PAR is, I don’t think, useful whatsoever.

Ms. Jess Dixon: Does the Elizabeth Fry Society have interactions with, I would say, the academics and the scholarship in this space? We’ve had a number of academics present, so we’ve had a lot of different people opine on what PAR could be, reimaged—that type of thing.

Again, one of the things that I would say, from this committee, that we are most desirous of avoiding is ending up with a lot of different people reinventing the wheel. So I think a lot of what we’re trying to focus on is how to bring people to the same tables to discuss something.

I wonder if you can talk a little bit about how you see the role of the society as far as partnering with academia and with other providers.

Ms. Kelly Potvin: I think E Frys across the country and across the province have a long history of collaboration with all sorts of other women’s organizations and researchers. We’ve published lots of research in collaboration with other partners, and I think we’ve got a proven track record of doing that.

If you can’t collaborate with researchers, with other organizations doing work that’s similar, you can’t really find a solution that addresses the system. We are looking for systems change here, and it’s not going to happen unless we have everyone working together and there is a willingness.

We work together nationally, provincially, locally among Elizabeth Fry Societies. I sit on—I can’t tell you—a plethora of tables here in the municipality of Toronto to deal with IPV, to deal with women’s housing. I’m asked and give off the side of my desk, in my free time, my time and my expertise.

We participate in research all the time. We have partnerships with St. Mike’s, and we do research around traumatic brain injury and incarceration and IPV and the intersection of that. Throw on the intersection of racialization, where we’ve done all sorts of research. We’ve worked with researchers many times, for different outcomes, for different projects, for different project funding.

I think that looking at setting up a committee that would work on developing a more appropriate PAR Program for women and maybe tweak what it is would be a great idea, and I think E Frys would be welcome to a seat at the table, to have our voice there.

Ms. Jess Dixon: This is a bit of a loaded question, but how useful do you find the PAR Program for women, in general? Certainly, as a crown—it’s true that the vast majority of offenders are men. When it was women, it was, generally speaking, something reactive—a mischief or scratching, that type of thing. I’m curious—we’ve got 45 seconds left of this one—about what you think is the efficacy of PAR for female offenders.

Ms. Kelly Potvin: As it is, I don’t think it’s effective. But I think that there is something missing that we need to

create that's designed for women who have experienced intimate partner violence—because, remember, these are dual charges, so they have also been victims of intimate partner violence.

I think, when the situation is complex and you can't really tell and a woman is charged, that the curriculum should be designed specifically for women and gender-diverse people—and not just the men's curriculum.

The Chair (Mr. Lorne Coe): We're going to now start the second round of questions, starting with the official opposition. MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch, Chair.

Thank you, Emilie and Kelly, for your presentation.

Again, I tell the presenters that where I come from, from northwestern Ontario—a lot of people do not realize how big the province is.

A few months ago, I visited Kenora district jail after hearing about the female inmates—that they were not getting the proper access to menstrual products.

Can you talk about the forms of state violence that women and marginalized people face in state carceral institutions and how these are related to other forms of gender-based violence, such as IPV?

1530

Ms. Emilie Coyle: This is an issue that is not specific to Ontario; it is an issue that is felt across the country, both in federal and provincial jails.

As we mentioned earlier, 50%—or more, actually, at this point—of women and gender-diverse people in the prisons designated for women federally are Indigenous, which we think is a shameful reality.

In some of the provincial jails, the numbers are even higher, and because we have a real issue with an over-incarceration of people who are on remand, who have not even been found guilty of a crime, that contributes to this particular issue.

Once people are incarcerated, whether it's in provincial or in federal prisons—there's a very different legislative framework that governs the federal system versus the provincial systems, but the similarities that exist are the stigma and stereotyping that lead people to becoming criminalized in the first place. We criminalize poverty in this country. We criminalize mental health disability. We also criminalize people who respond to intimate partner violence—

The Chair (Mr. Lorne Coe): Excuse me. I need to go to the government members.

MPP Dixon.

Ms. Jess Dixon: To go back to the idea of what women are experiencing with the PAR Program, I would imagine that because the vast majority of them would also be people who are victims of domestic violence—my understanding of the PAR Program is that, at its outset, it was designed for men to take accountability and responsibility and understand the power imbalances and the ways that they can actually perpetuate abuse.

Do you find that women taking the program are actually—not that this is the goal, but are leaving with an understanding that they are abused? As they're learning

about that, they're realizing that there are ways they've been abused that they weren't even aware may have constituted an abuse before?

Ms. Kelly Potvin: Absolutely. I think the work that we do and that we have done for many years at E Fry Toronto and many other E Frys has been around supporting women around their victimization. Often, PAR groups stay overtime, and it becomes a support group and we end up facilitating—not that we're paid for it, but we end up facilitating a support group for women and gender-diverse people who have experienced intimate partner violence. So I don't think it's as simple as getting rid of PAR for women; I think it's about re-creating something that actually has an impact and helps women who are victims of intimate partner violence.

Ms. Emilie Coyle: Can I underscore one thing that Kelly said earlier? I think it needs to happen a lot earlier than when people are being charged. We have to really have an understanding of what intimate partner violence looks like, who is responding to calls and how they respond to calls. Then we can eliminate a great deal of this conversation, because people who would respond to these intimate partner violence calls would not be then charging the person who had endured, let's say, decades of abuse.

On top of that, one of the things that I was just discussing with people who were here earlier today from the crown—the crown is actually a very important person in the courtroom, because if you have a crown who understands the patterns of intimate partner violence, they can work with defence and they can drop the charges, and then people can—

Ms. Jess Dixon: I'm biased, but of course I agree.

The Chair (Mr. Lorne Coe): That concludes the time that had been allocated for your presentation this afternoon.

I need to move now to our next presenter. Thank you so much for being with us.

Ms. Emilie Coyle: Thank you for inviting us.

UNIVERSITY OF GUELPH

The Chair (Mr. Lorne Coe): Our next presenter, members of the committee, is the University of Guelph. They're on Zoom.

Good afternoon. Welcome to the justice policy committee. You're going to have 10 minutes for your presentation. At the one-minute mark, if you have time remaining in your presentation, I'll just remind you so that you have the opportunity to sum up your comments. There will be two rounds of questions that will follow your presentation, starting with the official opposition, then to the government members.

For the record, please state your name and affiliation, then you can start your presentation.

Dr. Mavis Morton: My name is Dr. Mavis Morton. I'm an associate professor at the department of sociology and anthropology at the University of Guelph.

I've worked on and studied the issue of gender-based violence and specifically violence against women in

intimate relationships for over 30 years. Most of the work that I do is community-engaged. This means it is in collaboration with research priorities that have been identified by community partners in either the social service, legal and/or criminal justice sectors, or working on gender-based violence and related social justice issues in and with their local communities.

I was hesitant to provide a submission to your committee because what I have to offer is not new. We have close to 50 years of information and knowledge that identify the prevalence, seriousness, harm, consequences, costs, as well as social, economic and public health impacts of gender-based violence to individuals, to families, to communities and to society. While there are definitely gaps in data, such as hearing about the experiences of marginalized groups and individuals, we do also have decades of recommendations from research, inquests, inquiries, committees, commissions and reports about how to respond, prevent and end gender-based violence.

And so, with all this information and expertise that you have taken the time to hear and read, I decided that I would start with one key message: How we name and understand violence matters. In particular, I think we need to remember two things.

Number one: Gender-based violence, which includes intimate partner violence and sexual violence, is a complex, multi-faceted, social and political phenomenon that requires systemic solutions. In other words, it is not an isolated or personal trouble but, rather, is deeply rooted in societal structures and power dynamics.

Number two: Naming this violence as gender-based violence is key to guiding both our upstream and downstream action. For example, in family law, using euphemisms like “high-conflict” to refer to cases in which there is gender-based violence negatively impacts the outcomes and can increase harm and safety issues for victim-survivors and their children.

While the language of “IPV” and “sexual violence” are gender-neutral terms, this issue is not gender-neutral. Gender-based violence is a form of violence committed against individuals because of their gender. Although violence is experienced by all genders, these forms of violence affect a disproportionately large number of women and girls.

Gender inequality and norms about the acceptability of violence against women are a root cause and is a result of inequities that intersect with multiple identities. Therefore, preventing gender-based violence, IPV, sexual violence, violence against women and femicide requires knowledge of and attention to the broader contextual and underlying causes of female victimization, which include gender inequality, power imbalances, misogynistic attitudes, patriarchal social structures, and structural and systemic discrimination and inequalities, including racism, colonialism, ableism, sexism, homophobia etc., all of which impact this issue.

An example of the importance of and the consequences of naming and understanding gender-based violence is with respect to our relationship and responsibility with the

media. The media have a lot of power to frame this issue in ways that reinforce or transform public opinion and public policy responses that impact gender-based violence. Femicide and violence against women is often represented as an isolated event rather than as part of a gendered social problem, which using the word “femicide,” for instance, helps to do.

Two days ago, Ottawa news outlets used the word “femicide” in their reporting. What made this piece newsworthy was that it is the first time that the Ottawa Police Service used the term “femicide” to describe a homicide investigation.

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The voices of authority or perspectives that are most often used in news reports are those of state actors, which includes government spokespeople and legal and criminal justice professionals. How we understand and therefore how we speak about this issue can either contribute to or reduce individualizing, victim blaming and responsabilizing victim-survivors of gender-based violence, all of which has significant public policy implications.

In my remaining time, I’m going to highlight some of the issues and areas to focus on for prevention and intervention that I think are important—and many other people do, too—and use the results of research that I’ve been doing this spring and summer to provide some specific context. As an overarching principle, the phrase “nothing about us without us” must guide our prevention and intervention work to ensure that we understand and implement diverse victim-survivor needs and choices.

(1) Equitable access to justice: Access to justice within the family law system, for example, is inconsistent and is referred to by many victim-survivors that I have heard from as “a crapshoot.” There is an unequal access to family law lawyers and Family Court support workers across this province, especially in Indigenous communities and rural and remote areas. It’s hard to find family law lawyers with expertise in IPV. The financial threshold for legal aid is too low, and yet the cost of paying for a privately retained lawyer often leads to financial hardship, which has many other consequences for victim-survivors and their children. The numbers of hours under a legal aid certificate is not sufficient. The number of lawyers who will take legal aid clients is insufficient. Accessing services based on needs such as language, transportation, disability issues is haphazard. This leads to shifting the burden and time to victim-survivors themselves, who are spending huge amounts of time and resources trying to find, organize and prepare evidence that’s required for their cases. This additional labour impacts their employment, their health and their children. They’re turning to Facebook groups, other survivors who have gone through the system to try to provide some information and assistance, sometimes paying others who are not lawyers but who are offering skills that they need like helping them to navigate the complexity of the systems in which they are embroiled and helping them to communicate with their ex-partners, for example, via email and text. What is required is full legal representation.

(2) More and standardized gender-based violence education and training for all legal professionals in family law, criminal justice and child protection systems: Education and training should include things like—and this is only a partial list—prioritizing safety, IPV screening, trauma and complex PTSD and brain injury, coercive control within an entrapment framework, post-separation abuse, legal bullying, effects of IPV on children and on brain development of children, victim blaming, sensitivity training, tactics used to discredit victims and penalizing women’s fear. Victim-survivors I have heard from report it was common for their family law lawyers to recommend that no information or evidence about their experiences of violence be included in their submissions, often rationalizing this by saying that their understanding is that judges don’t want to hear it. Undereducated or uneducated legal professionals lead victim-survivors to settle for outcomes that do not adequately address their or their children’s safety. Mediation should not be a preferred or default process in cases involving IPV. One victim-survivor I heard from said the judge sent the litigants to mediation, and the mediator suggested they flip a coin to resolve conflicts related to parenting time and responsibility. This litigant declined this approach to justice, which led her back to the court, adding more financial stress to her already overburdened financial context.

(3) Adequately funded essential gender-based violence services and supports: Increasingly, VAW shelters are trying to serve victim-survivors and their children’s diverse experiences, whose needs are becoming more and more complex. They need access to the expertise, support services and programs from VAW shelters, transitional housing and rape crisis centres—

The Chair (Mr. Lorne Coe): Excuse me, Professor. You have one minute left in your presentation.

Dr. Mavis Morton: Thank you.

These staff are working under major funding constraints and are doing invisible, extra work, all while continuing to provide more and more programs, services and resources. Victim-survivors are often involved with multi-agencies and issues at the same time, and gender-based violence services are trying to help survivors navigate all of them. In 2009, Kosny and MacEachen refer to violence against women shelters as a “bucket under all the cracks” because it’s a visual way to describe that shelters operate as a metaphoric bucket that is overflowing but continue to do what they can to catch the women and children who fall between the cracks.

(4) Better communication, consultation, coordination and accountability across all government sectors with integration of services for victims and perpetrators: A large body of research and reports from those working on the ground in different sectors have identified the lack of coordination operating in these different systems, with often competing mandates. This leads to fragmentation—

The Chair (Mr. Lorne Coe): Thank you, Professor. That concludes the time you have for your presentation.

We’re now going to move to questions from the members of the official opposition. MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch.

Mavis, thank you for the work that you’ve done, but also the research. Being a First Nations person from the north who understands the issues that we face in Ontario, in Canada, I think some of the issues and some of the things that you’ve said in your presentation resonate.

I know that you are listed as one of the authors of a 2021 article, “The Degendering of Male Perpetrated Intimate Partner Violence Against Female Partners in Ontario Family Law Courts.”

Can you tell us a bit about the findings from the Ontario family case law review you conducted and how you think it relates to the issue of naming intimate partner violence? Meegwetch.

Dr. Mavis Morton: That research was done looking at—it was about 46 cases, and what we were looking for was to see whether the issue of intimate partner violence or gender-based violence was being identified and, if so, how it was being addressed and dealt with through the courts. One of the big findings was this lack of identifying it—and if it was identified, the lack of naming it as gender-based violence and instead using these euphemisms like “high-conflict” or that couples were having communication issues. It’s actually what led, in part, to the research that I’m doing now. That was looking at the cases and looking at the outcomes and trying to see what was being brought up and how the issue was being dealt with, if at all. That’s where we started to notice—and then the current research that I’m doing now, really hearing about the lack of coordination and accountability, especially across family law and criminal law contexts. There are often multi-legal issues that show up in these cases that are very complex. In Family Court, for instance, the criminal law issues may not be identified, and if they are identified, they may have no bearing or impact on outcomes; and vice versa, in criminal law situations, there may not be an awareness of or attention to the family law conditions or orders. Those are the kinds of things that we noticed that, as I say, really led to this current research.

The Chair (Mr. Lorne Coe): MPP Andrew.

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MPP Jill Andrew: Thank you, Dr. Morton, for your presentation and also for the difficult work you do alongside students and OAITH to create the femicide list annually. I appreciate that work.

You started your presentation with a quote: “How we name and understand violence matters.” The Ontario government said last April, I believe it was, that they would support our Bill 173 to declare intimate partner violence an epidemic. We are now months into IPV hearings. We know that 100 or maybe 100 or maybe even over 100 municipalities have named intimate partner violence an epidemic.

How much longer should we wait? How many more reports and hearings and deputations do we need to finally admit and get off the can and name intimate partner violence an epidemic so the real work can begin?

Dr. Mavis Morton: The answer is, we don’t need any more information or commissions or inquests. Of course,

I would also argue that some of the real work has begun, but it is clear by the continuing prevalence, seriousness and impact that this gender-based violence has costs at many levels. It doesn't matter how you look at it. It requires more of our focused attention in a way that takes into account those broader, systemic issues and inequities.

MPP Jill Andrew: Can you also further highlight the need for real affordable housing, for supportive and transitional housing, which we are desperately lacking enough of here in the province of Ontario?

Dr. Mavis Morton: I'm actually just starting a research project with community partners and a colleague at the university, looking at pathways in and out of homelessness for victim-survivors of gender-based violence. It has been at a crisis level for a long time, but we continue to hear that shelters are looking across the province.

I've been in situations trying to find victim-survivors a spot and there literally is no bed. When women move out of shelters, they don't have the access, nor do they have the resources, to get safe and affordable housing. Again, there's lots and lots of evidence about this, but it has been at a crisis level for a long time.

One of the things that we're interested in doing is developing more relationships with women's homelessness shelters because we know that, in terms of in and out of VAW shelters and women's homelessness shelters—it is a pathway.

So there's lots more work to do. But it is not news.

The Chair (Mr. Lorne Coe): We're going to move on to the government members. MPP Dixon.

Ms. Jess Dixon: I want to talk a little bit more about the community-engaged scholarship side of things.

One of the things that we have been hearing in the committee boils down to, for a variety of reasons—say, if we're talking about agencies—not a lot of collaboration or co-operation; I don't mean really intentionally, but because of the grant structure and that type of thing. So we find a lot of people who are, to be honest, with the best of intentions and the best of hearts, reinventing the wheel and creating their own programs over and over and over again.

We've heard from a number of really, really good academics over the course of this committee—from Guelph, from Western, from Windsor, from Toronto, from even farther afield.

I continue, even as an MPP, to have this experience where I'll be talking with a community organization about IPV or sexual violence or anything else and I'll suggest to them, "Have you ever considered partnering with academia?" From my perspective as a politician, it's a lot easier to advocate for something that's evidence-based rather than anecdotally based—and a lot of the agencies are anecdotes, which is not super helpful from a large-scale advocacy perspective.

What do you think and what role does the government play in facilitating this idea of bringing those two things together—the community and academia?

Dr. Mavis Morton: Thanks for that question.

There has been a long history of academics coming into communities, getting the data they want and leaving. So

there are also trust issues, understandably, with community partners. We know that this work is about relationship—it takes time—and so what the government can do is to encourage and provide funding to help develop relationships.

Part of what I think is really also important is training the next generation of scholars and community agency workers to learn how to work together. It can absolutely be a win-win situation all around, but it doesn't mean that it's simple. It takes time and it takes developing relationships to ensure that the priorities that are known and needed on the ground are the ones that we are working together to try to, as you say, get what is often referred to by community partners that I've worked with—that they need this sort of legitimate data. So the government can help in terms of, again, seeing it and acknowledging it as a really valuable and critical way to do this work. Also, beyond just getting really important information, it builds capacities for the community and for the academic sector. I could go on and on. There are many, many benefits to this work. It's something that I feel really passionate about.

Ms. Jess Dixon: Right now, the government gives a lot of money in grants. One of the things that has come very clear from this committee is that grants are, generally speaking, one-time, project-based, and organizations are having to apply for them to try to scrounge up funding for what should be stable. I'm in favour of upending that funding model in some ways, but there is still a role for grants in some capacity.

From your experience of navigating research grants and doing the work that you do, what do you think about the idea of government having grant programs—project-based, but for research particularly—where it's like a community organization partnering with an academic, with a mutual grant where they obviously have their own mandate and agreement in advance? Is that something that you see very much, or is that usually coming out of universities versus government?

Dr. Mavis Morton: I do see it. One of the best examples that I think of right off the top of my head is SSHRC, the Social Sciences and Humanities Research Council. That model years ago—decades now—really referenced partnership grants. The problem is, it is extremely difficult to navigate that process. So if we're going to offer this opportunity for community partners—and again, in the SSHRC context, either a community partner or an academic partner can apply. That's great because, again, if there is an actual relationship between academics and community partners, in many cases, depending on what's going on, it may be better or worse for somebody to start that process. I can tell you for sure that academics have a lot more time to do the navigating work of applying for grants than most of the community partners I've ever worked with, but it doesn't mean that they don't have necessary expertise to work on those. It's just generally an issue of time.

So whatever the process is, it needs to be easy. There needs to be an understanding of some of the barriers and

challenges that exist to apply for this kind of funding. It also could be really helpful in terms of helping to mobilize the knowledge after the fact and creating opportunities to get that research information out there in the world—again, well beyond academic journals.

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Ms. Jess Dixon: I've read so many great academic articles about this that have been very helpful for me in understanding things, but I know that a lot of the agencies don't have the time to read them because they're busy doing the work. So I'm wondering about the idea of encouraging academia, as well, to build those relationships in order to make it easier to share that—"Oh, there's this great study or this great article that might really help you"—versus relying on the agency itself to stumble across it in some dusty journal.

Dr. Mavis Morton: Absolutely, and this is the kind of thing that my students and I do. Sometimes a community partner like a shelter, they're developing a new program to—a child witness program, for instance. They want to know what the most updated research is and best practices, but they don't have the time to do that, so that's the kind of thing that beyond the new research—

The Chair (Mr. Lorne Coe): Excuse me, Professor. I need to go back to the official opposition for additional questions.

You have two minutes and 30 seconds, MPP Andrew.

MPP Jill Andrew: Would you like to complete your thought?

Dr. Mavis Morton: Thanks—just that there are things beyond conducting a new piece of research. I think academics can help community partners who are working on this issue on the ground—like providing a summary of best practices, for example.

MPP Jill Andrew: We heard from some earlier presenters that because of the climate of competitiveness that sometimes happens with requests for funding—because their sense is there isn't core funding that could actually support the work of our front-line organizations—organizations are having to come up with the coolest idea, the best idea of the week, to get the piecemeal funding for a few months, attached to one staff. When that's done, the staff is gone, they're back down, low capacity again—this revolving door. So I think that's one of the reasons why people are having to reinvent the wheel. They're having to legitimize intimate partner violence and legitimize the impact of social determinants of health on those who are surviving, or trying to survive, violence.

I think my last question to you would be: If you had a magic ball, and you could ask the government to make one change today with regard to intimate partner violence, what would that one change be?

Dr. Mavis Morton: That's a toughie. I think it is, intentionally and explicitly understanding and naming it as the complex social and political problem that it is.

MPP Jill Andrew: Can you also speak to the SSHRC grant? I know that this came up in terms of universities partnering with community organizations. Having been part of academic panels that have applied for and won

SSHRC grants, I know that this can be a months-long, this can be a year-long project—to put together a successful SSHRC grant. Can you share and underscore the reality of under-resourced, understaffed front-line organizations that are doing IPV work? What is the reality of them being able to do that kind of work?

The Chair (Mr. Lorne Coe): MPP Andrew, that concludes your time.

We're now moving over to the government and MPP Dixon.

Ms. Jess Dixon: To go back, continuing on with the SSHRC grant—I'm not familiar with them; I'm just on their web page right now. Is this something that you could see an Ontario equivalent for? When I look at it as Canada-wide, I wonder, does that make it harder for smaller organizations to partner with solitary academics, for example, versus an entire institution at a university?

Dr. Mavis Morton: Yes. I partly use the SSHRC example because it's not a great one. It's really—yes. So I wouldn't re-create that, but I think a process that is easy to navigate and, as you say, offers the possibility for smaller initiatives—and as I was talking about before, it all doesn't have to be some new idea or a new initiative. There are lots of pieces of this work in terms of information gathering, summarizing, analyzing, sharing in different ways that are really important, and the organizations, as the previous speaker mentioned, are totally beyond capacity. If we are able to provide more of that kind of assistance—just like we say with victims and survivors, when they need it, how they need it—that could be really useful.

Ms. Jess Dixon: And with SSHRC, is one of the biggest issues its navigability or having to tie it to global challenges and that type of thing? What should I be looking at with a critical eye when I look at this a little more?

Dr. Mavis Morton: One of the big things is literally the time that it takes community partners to even access their profile. The technical part is really difficult, so that definitely needs to change.

The other thing is, SSHRC has clear guidelines in terms of what is required, but again, I think it's often unrealistic in terms of what you need to provide in terms of information, given the space available. So, again, I think if you really want it to be accessible for community partners to get the information or the knowledge mobilization that they need, it can't be all or nothing; it has to be possible to work on pieces of the process, and it has to be accessible and not something that's going to take them hours just to be part of the project.

The Chair (Mr. Lorne Coe): That concludes the time we have this afternoon, Professor, for your presentation. Thank you so much for being with the Standing Committee on Justice Policy. I now have to move on to our next presenter. Have a good evening.

TORONTO POLICE SERVICE

The Chair (Mr. Lorne Coe): Members, our next presenter is from the Toronto Police Service.

Good afternoon, Detective. How are you? Thank you for joining us today.

You will have 10 minutes for your presentation. With one minute remaining in your presentation, I'll let you know so that you can sum up. Then there will be two rounds of questions, starting with the official opposition and then the government members going forward.

For the record here at Queen's Park, which is Hansard, please state your name and your affiliation, and then you can start your presentation.

Mr. Mustafa Popalzai: Thanks to everyone for having me here to speak to the committee. My name is Mustafa Popalzai. I'm a detective constable with the Toronto Police Service.

I'll give the committee a little background about myself. I began my career in 2014 with the Toronto Police Service. I have worked in numerous different units. I was a patrol officer when I first began my career, moving on to the criminal investigations bureau. I was a community resources officer. I've also worked in the homicide unit. Currently, I'm assigned to the major crime unit in 51 division. I also worked three years as a neighbourhood community officer in Regent Park. Temporarily, I'm assigned to the gun and gang task force, currently.

I often get asked, when I'm speaking as a guest speaker or interacting with community members, if I always wanted to be a police officer. I get asked this question a lot by the youth and members of the community. The short answer to that is, no, I, in fact, did not want to be a police officer. I never had a desire to be a police officer.

That leads me to the next point. The next question I often get asked is, "Why?" The answer to that is, I was born in Kabul, Afghanistan, in the mid-1980s, during the war. I and my family had to escape Kabul, Afghanistan, leaving the country behind and moving to the border region of the country, to a city named Peshawar, which is part of Pakistan, where I grew up. The experiences that I had in that part of the world, the interactions that I often had with police officers, even walking with my dad to stores, shops, every morning before school or after school, how officers continuously stopped him and harassed him—they would not let him go until he bribed them or dealt with them in other ways. My experiences were not so good with officers and law enforcement in general when I was growing up.

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In the year 2000, I and my family escaped the Taliban, and we came to Canada, where I grew up, in Ottawa.

I went to university; I finished my four-year bachelor's in law, honours, and then I went on to complete my master's in legal studies.

In 10 years of living even in Canada, in the capital of the nation, I never had any interactions with police, never wanted to approach them, never wanted to speak to them. Those negative perceptions that I had growing up stayed

with me for over a decade. It wasn't until 2012, when I was a civilian with Ottawa police, where I pretty much had no other option but to interact with a group of officers, where I got to know them. I got to know how police officers work here and what their roles are, what their responsibilities are. After a little bit, I kind of fell in love with the job and found it to be really interesting in ways—how you could work with your communities, engage with your communities; it was a lot more than just enforcing the law. Then, in 2014, I joined the Toronto Police Service.

The reason I give the committee the background is that it's very important to understand why it's very important for us to have the newcomers assistance program, which I'm going to speak about shortly. The program, initially called Project Hope, actually began in 2021, officially, in Toronto, when myself and my partner at the time, Officer Farzad Ghotbi, were working as neighbour officers, and we saw what happened in Afghanistan with the Taliban taking over the country. We had approximately 40,000 Afghan refugees coming into the country, mostly to the Toronto region. We decided to visit them and see what they were about. When we arrived in the hotels, we spoke to the organizations that at the time were responsible for taking care of them: Polycultural and COSTI. We quickly found out that basically all my fears were true, and the people who were coming into the country, at the time being Afghan refugees, did not trust police. The majority of them who at least I spoke with did not have any trust or faith in police. Shortly after, after helping them with a few donation drives to give them the necessities that they need, we began providing them with information sessions, and that was the beginning of Project Hope.

Now, fast-forward: Today, we have provided information sessions to newcomers and refugees coming into the country through Polycultural and COSTI. I've personally provided dozens and dozens of information sessions to the newcomers who are coming into the country, whether it be from Afghanistan, Ukraine—we provided a lot of information sessions for Ukrainians—African asylum seekers, whoever is basically coming in, and a lot of Indian students who are on student visas; we work with them, as well. The whole purpose of providing them with these information sessions is so they don't have to go through the experiences and challenges that I did.

You have to consider someone who spent over a decade in the country, went on to complete seven years of university education, studying law—even being in that environment, I still did not trust police, and the reason for that was that I never had any interactions with them from the time I basically landed in Canada until I started my position as a civilian with Ottawa police.

I did not want the same thing to happen to them—especially to the youth, especially to the young kids, especially to the women and the men who are coming into the country. You have to remember that most of them are suffering from language barriers—you don't understand the language—the culture shock. The law is foreign to them. They do not trust the police. Most of them are coming from regions and areas that police are not to be

trusted for obvious reasons, and based on their personal experiences.

So what we decided to do through Project Hope and our newcomers assistance program, which is what we now call it, is we spoke to them about different topics and subjects. The first topic and actually the most important one, based on the feedback we received from Polycultural and COSTI, two of the main organizations that are welcoming newcomers now in Canada, is that a lot of them are having issues or questions surrounding intimate partner violence or domestic violence.

There were a lot of cases, actually, in the beginning where police were being called even at the hotels or shelters that they were staying in. They were new to the country. The arguments would usually escalate, resulting in violence. Arrests were made. You have to remember, as newcomers coming in, most of them had large families. The parents would separate. The kids would be either with one parent or the other—mostly with the mother. They will have so many questions, so many challenges that basically put them back a lot more than they should have.

The Chair (Mr. Lorne Coe): You have one minute left, sir.

Mr. Mustafa Popalzai: The project that I'm proposing with the newcomers assistance program is—I want to make sure that police services across the region, especially in Ontario, are equipped with enough resources to provide information sessions to newcomers who are coming in, especially in the subject and topic area of intimate partner violence, which can really destroy families. I have personally attended dozens and dozens of these calls, including homicides as a result of these domestic incidents. I could talk forever about the importance of having the sessions with newcomers so they do understand about the laws, about their roles and responsibilities not only as new Canadian citizens, but also the laws around intimate partner violence in Canada.

The Chair (Mr. Lorne Coe): Thank you, Detective Constable. Your presentation time has completed.

We're now going to start with the questions. MPP Andrew.

MPP Jill Andrew: Thank you, Detective Constable, for starting with such a personal story to give us a bit of background around your rise into the TPS. I appreciate that.

Do you know if Toronto Police Service uses the language "femicide" to describe murders, killings, of women within intimate partner violence, gender-based violence, sexual assault cases? Has the force graduated to the use of "femicide"—or is it still the blanket word "homicide"?

Mr. Mustafa Popalzai: I personally do not. I haven't heard that term. I don't believe it's as common, at least in my experience. I can only speak about my experiences through my time with the Toronto Police Service. We still usually use the word "homicide," at least from my experience—but that could be different for other officers and different units.

MPP Jill Andrew: To be frank, before becoming an MPP, I was not using the word "femicide" either, but you

learn new things every day. "Femicide" specifically outlines or specifically describes killings of women and gender-diverse folks. They are killed simply because they are women. They are killed as targets or victims of gender-based violence. We're hearing that by using the word "femicide," that may also help track the cases that are specifically tied to intimate partner violence or gender-based violence. So I was just wondering where we were at on that.

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I also want to thank you for being so transparent about your experiences with police. Most certainly, Constable Mustafa, I appreciate your contributions to trying to make things better for the next generation of youth.

We know that right here in Toronto, there's still disproportionate police violence against Black folks and Indigenous folks, and we know that trust issues are still significant within those communities. However, we have seen neighbourhood community officers who are trying to break that historical and very contemporary reality.

What recommendations would you give to the Ontario government with regard to TPS and what TPS can do to help eliminate the issue of intimate partner violence?

Mr. Mustafa Popalzai: Thank you for the question. Those are great points that you raised.

As someone who worked in the downtown core of Toronto, Regent Park, an area where there's a lot of new immigrants or immigrants who have lived there for a long time, people of colour, people who have a lot of mistrust in police—again, based on their perception or experiences. I've worked there for three years, and I've seen some amazing results when it comes to the neighbourhood officer program.

My recommendation, even to my service, is to have this newcomers assistance program be implemented through the neighbourhood community officers, so any time you have newcomers coming into an area, especially in Toronto or the GTA, we catch them right when they come in—so before they spend months and years and they live with their fears and there are cases of intimate partner violence or human trafficking or sexual assault against them, they are able to build those relationships; they are able to trust their local police officers.

I can assure you that there were a lot of times when people would come to me as a neighbourhood officer but wouldn't call 911, and they would tell me about their problems and their issues because I had built that personal relationship with them, and they would see me beyond my uniform—they wouldn't just look at me just by looking at me wearing my uniform. I was the same way. I always used to see a police officer based on his uniform and never really got the chance to speak to them.

The point I'm raising here is, if we have this newcomers assistance program where neighbourhood officers can go in different communities, hotels, shelters, wherever newcomers are first coming in—as I mentioned, we had a big project with African asylum seekers who were coming in. They were actually being sheltered in churches on Dufferin Street. We went there. We provided an informa-

tion session. Believe it or not, when they first saw us, they wouldn't even approach us, they wouldn't even talk to us. When they saw us, we told them, "Hey, brother or sister, we're here to help you. We're here to answer your questions." They were quite shocked and surprised by the way we were approaching them. We were just telling them, "We're here just to provide you information and resources that are out there in the communities for you." As you know, as police officers, we are aware of resources in the community that—if we maybe can't help them, we can direct them to other resources in the community that they're unaware of, and especially advise them about the laws and the rules surrounding intimate partner violence, and also caution them about the risks of human trafficking and sex trafficking, the risks and dangers that are out there.

I can also say this on record: I have received calls, after my lectures and seminars through this newcomers assistance program, from parents who have told me, "My daughter is being recruited by these people who are trying to force them in the sex trade or sex trafficking," or, "My son is involved in this"—things that they would not normally call police for, but because we met them and provided them those information sessions and introduced ourselves as police to break those shackles, to break those barriers, right off the bat, when they first came in, they were able to pick up the phone and give me a call and send me a message and let me know about their problems. That's what I have personally seen as a really big advantage in the program.

MPP Jill Andrew: How much time do we have left, Chair?

The Chair (Mr. Lorne Coe): You have 42 seconds left, MPP Andrew.

MPP Jill Andrew: I'll ask this and maybe I'll get a chance for you to elaborate in the next round.

When police are called to incidents of intimate partner violence, I have heard from survivors that sometimes survivors feel as though they are on trial when the police first arrive. Some of the questions aren't necessarily the most appropriate or aren't the most comfortable, and sometimes, for lack of a better term, the "bedside manner" isn't what we would like it to be.

What training is happening specifically for our TPS officers dealing with IPV calls? Are you all coming to the door with a social worker, for instance?

The Chair (Mr. Lorne Coe): Thank you, MPP Andrew. Your time has concluded.

I now need to turn to the government members. MPP Dixon.

Ms. Jess Dixon: Thank you so much for coming today to speak about Project Hope and the newcomers assistance program. When I first met you and discussed this, you showed me your WhatsApp and you were scrolling through it, and it was just message after message after message from, at the time I think it was, predominantly Afghan families. I thought that this is really what crime prevention in action looks like.

Can you talk a little bit more about how you've coupled this idea of a positive interaction with existing community

partnerships? You've done the toy drives, the launching-off of Polycultural and COSTI, to create those positive interactions before there's an opportunity for a negative one.

Mr. Mustafa Popalzai: One thing I want to point out to you as well is, currently we're having record numbers of newcomers arriving to the country. If you look at the stats, I believe next year Canada is expected to have almost half a million newcomers coming in. That's a really big number. Based on my experience being a uniformed officer working in the homicide squad, attending to IPV-related homicides, and just being out there as someone who is really engaged with my community or the communities out there, I can confidently say that the number one thing that we need to establish as a police service with our communities is the trust and those relationships. I know it's a lot easier said than done. However, you can only do that through having transparent conversations, through having conversations in a safe space where they are able to ask you questions and they don't fear you. Through the NAP, or newcomers assistance program, we have done exactly that.

We have had dozens and dozens of donation drives, as well. I have worked with numerous different agencies around the city. So far, I could say that we have delivered over \$1 million worth of donations to newcomers coming into the country since 2021. This is just a few officers working out of 51 division and 43 division. Imagine if this was to be implemented by our service to have officers from all across the city of Toronto and even other surrounding police services.

I have to give a big shout-out to Durham regional police, who actually launched their own project called the newcomers assistance program last year, after having met with them. They have successfully been able to hold a number of events in Ajax, Pickering and Durham because they saw the need; newcomers were coming in. Durham region is getting a lot of newcomers—same with Peel. Hopefully, Peel and other surrounding services will jump on board, as well.

It's very, very important to mention that, as police services, we need to make sure that we provide all the needed information. They don't have the information. They need to understand their roles and responsibilities and the laws surrounding IPV. Usually, when I finish these presentations with 60, 70 or 80 members who are sitting, a lot of them come and shake my hand and thank me and say, "Officer, based on my experience with living in different parts of the world, it's socially or culturally acceptable for certain things between partners to happen." And even those small incidents—I'm not talking about criminal stuff right now; I'm talking about domestic incidents that could be just arguing or yelling or things of that nature—they weren't aware of it here.

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So when you explain to them the severity and the seriousness of the issue—the victim is obviously the one suffering in the relationship, but it's not just them. It's very important for the committee to understand that it breaks

down families. Intimate partner violence can break families, in terms of having these kids now lose one of their parents, which brings on more financial difficulties and burdens, and sometimes these kids have their own challenges living with a single parent, which can cause a lot of difficulties and challenges in their own lives. So it's very, very important for us to build those relationships.

My suggestion and recommendation for the committee is to have police services have such programs, within their capacity—because not everyone has neighbourhood community officers; not every service has it around the greater Toronto area, but they do have community officers. They do have other units that can implement this. They can go to these newcomers when they first arrive and let them know, “As police officers, we're not here just to enforce the laws. We're not here just to make arrests. We're here to guide you. We're here to inform you. We're here to help you, advise you and let you know the issues surrounding intimate partner violence,” which also extend to sexual assault, and also, as I mentioned, human trafficking and sex trafficking, which all fall under the same umbrella.

Ms. Jess Dixon: I think it's very notable.

I know that you spent some years as a neighbourhood officer but that now you're somebody who has been in homicide, major crimes, guns and gangs, and you're still here, advocating for crime prevention at the very beginning, before it happens, even as somebody who's very heavily involved—obviously in it in a reactive fashion, as well.

With NAP, with the program—obviously, like you said, not every service has neighbourhood officers. But do you think that this is the type of thing where—you've seen government grants for, say, bail compliance officers, that type of thing, where we could be theoretically looking at Solicitor General grants for this type of program, for a crime prevention program for areas that are having a large amount of newcomers coming in, to say, “Look at this program and consider implementing it in your own service.”

Mr. Mustafa Popalzai: Yes. I think, as I mentioned, half a million people coming in—and as someone who has worn the uniform, I have attended homicides of victims who were new to the country as well, so, domestic-related homicides of newcomers to the country, and there I'm standing and thinking, could we have prevented this? And the reason that I have left the Neighbourhood Community Officer Program and I'm involved in the other units now—but my passion and desire for that work will not stop. I've worked a lot of hours on my own time as a volunteer, outside my regular policing hours, to make sure that this program gets implemented. Why? Because it's proactive. We shouldn't be waiting until a homicide occurs—

The Chair (Mr. Lorne Coe): Thank you, Detective Constable. We're now going to start the second round of questions with MPP Andrew.

MPP Jill Andrew: I just want to highlight that it certainly seems evident to me just how much you care about the community and young people and families and trying to reimagine relationships in community—again,

with communities that have had historical and contemporary incidents of violence and good reason to mistrust some of your colleagues.

Again, from the last round—I had asked this question; maybe you can answer it. When police show up at a home, the apartment building—knock, knock, the door opens—we've heard sometimes from survivors who say three men are at the front of the house, and they don't feel safe, or the approach is not one of immediate empathy. Sometimes, there's victim blaming that happens. So I'm wondering if you can talk about the training that officers who show up at that call for intimate partner violence have. I'm also wondering, in a perfect world, could there be a situation where officers arrive with a social worker right next to them to deal with an IPV case or a gender-based violence case?

Mr. Mustafa Popalzai: Thank you for the question.

Again, based on my experience being a police officer over a decade, all police officers, at least within my service, as far as I know, are trained when it comes to intimate partner violence to a certain extent. Then there's further training that investigators working in criminal investigative bureaus—they're called domestic assault investigators, and they have to go through further, enhanced training. Those are the officers who are involved in processing the cases and interviewing the victims and making decisions on charges and things like that.

A lot of the cases that I personally have attended, as I've mentioned, including homicides—a lot of them are pretty violent, unpredictable. There are a lot of negative things that can happen. A lot of them will have kids involved, even young babies involved. So it's very, very dynamic. At the time, you don't know what you're getting into.

The Chair (Mr. Lorne Coe): We're back to the members of the government. MPP Dixon.

Ms. Jess Dixon: I know that you've had a huge amount of support from Toronto police leadership in making what you've worked on so hard be something that continues and that expands. With your work on this, is this something—because I know we added you to the lineup very late—that you would be able to share a little bit more information with us down the line about what this program looks like, like the best practices that you've learned, the type of information sessions that you've found most valuable, the type of conversation you had with Durham, for example, about how to spread this?

Mr. Mustafa Popalzai: As I mentioned, Durham is implementing it in their own way through their own community officers.

When it comes to the Toronto Police Service, our command has been extremely supportive of the program, always supporting us in any way they could have.

As I mentioned, it's not just for the Afghan refugees; the program is now for any newcomer from any part of the world. Regardless of where they're coming from, the program is meant for them and for the main purpose of making sure that we build those relationships, build the trust with the newcomers to ensure that whenever they are in the cycle of—especially a lot of these females who are

coming in from countries that don't trust police. They're usually stuck in a cycle of violence even when they come here, and they're scared, and the fear of the police stops them from reporting it or asking for help when they need help. As I mentioned, I've personally experienced this, which has even resulted in a homicide that I was involved in.

So it's very, very important for us to have this program in our own ways.

Our command has been amazing. It's still through the works—and hopefully we can have it fully completed by our service and implemented through our neighbourhood officers throughout the city.

I highly recommend that other neighbouring police agencies such as Durham—Durham already has it, but that Peel, York, Halton and other major police services also have similar programs, because a lot of these newcomers are extending beyond Toronto, and they are going to the greater Toronto area—

The Chair (Mr. Lorne Coe): Thank you very much, Detective Constable. That concludes the time that we have available this afternoon to hear your deputation.

I want to thank you so much for your service and the impact that it has on the city of Toronto and elsewhere. I represent Whitby, a community in the region of Durham, so I regularly interact with the officers out in the region of Durham and the Durham Regional Police Association. Thank you so much for all the work you do. Be safe.

Mr. Mustafa Popalzai: Thank you, everyone. Have a good day.

The Chair (Mr. Lorne Coe): Members, that concludes our presenters this afternoon. I want to thank each of you for your participation today.

The committee will now adjourn until 10 a.m.—committee room 2, Legislative Assembly of Ontario.

The committee adjourned at 1640.

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