

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

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**Official Report  
of Debates  
(Hansard)**

JP-48

**Journal  
des débats  
(Hansard)**

JP-48

**Standing Committee on  
Justice Policy**

Intimate partner violence

1<sup>st</sup> Session  
43<sup>rd</sup> Parliament

Thursday 29 August 2024

**Comité permanent  
de la justice**

Violence entre  
partenaires intimes

1<sup>re</sup> session  
43<sup>e</sup> législature

Jeudi 29 août 2024

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Chair: Lorne Coe  
Clerk: Thushitha Kobikrishna

Président : Lorne Coe  
Greffière : Thushitha Kobikrishna

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House Publications and Language Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400  
Published by the Legislative Assembly of Ontario



Service linguistique et des publications parlementaires  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400  
Publié par l'Assemblée législative de l'Ontario

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

## STANDING COMMITTEE ON JUSTICE POLICY

Thursday 29 August 2024

## COMITÉ PERMANENT DE LA JUSTICE

Jeudi 29 août 2024

*The committee met at 1001 in committee room 2.*

### INTIMATE PARTNER VIOLENCE

**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 our public hearings on the committee's study on intimate partner violence.

Are there any questions before we begin? MPP Dixon, please, when you're ready.

**Ms. Jess Dixon:** I move that written submissions submitted in French to the committee for phase 1 of the IPV study be translated to English; and

That the committee cover any costs associated with the translation of the documents.

**The Chair (Mr. Lorne Coe):** MPP Dixon has moved a motion that you've heard. You have a copy before you. Any discussions or comments? If no, I'll now put the question. All those in favour of the motion? Opposed? Madam Clerk, the motion is carried.

### KIDS HELP PHONE

**The Chair (Mr. Lorne Coe):** I will now call forward to the table directly in front of you Kids Help Phone.

Would you mind just sitting here in one of these two chairs?

**Ms. Alisa Simon:** This one here? Perfect.

**The Chair (Mr. Lorne Coe):** Right there. That would be fine. The reason for that is that we have equipment that we use for bringing other presenters in through Zoom, and if I sat directly in front of that, I would not be able to see you, okay? Thank you. And if you could just move your microphone a little bit closer to you. Okay.

You're going to have 10 minutes for your presentation, and when you get to one minute remaining, I'm just going to let you know that so that you can start to sum up.

There are going to be two rounds of questions after your presentation, starting with the members of the official opposition and then the government members. Once the first round is done, we'll start the second round, and that will conclude the time for your presentation.

Could you please state your name and affiliation for Hansard, which is the official recording service for the Legislative Assembly of Ontario? Please, your name and affiliation. Thank you.

**Ms. Alisa Simon:** Perfect. My name is Alisa Simon, and I am with Kids Help Phone.

**The Chair (Mr. Lorne Coe):** Thank you very much for being with us here this morning. You can now begin your presentation, and I will let you know when one minute is remaining.

**Ms. Alisa Simon:** Okay. Thank you so much.

So, good morning, Chair, Vice-Chair and honourable members. As I said, my name is Alisa Simon. I am the executive vice-president of e-mental health transformation and chief youth officer at Kids Help Phone. I am very thankful that you invited us here today to offer our perspective on this critical issue.

For 35 years, Kids Help Phone has been Canada's only 24/7 e-mental health service for young people in many languages—over 100 languages. We offer 24/7 on-demand immediate counselling; crisis response; peer-to-peer services; as well as clinically vetted, self-directed tools and activities; health promotion; and mental wellness initiatives.

We also play a really key role in helping young people navigate to the services they need to meet the challenges that they're facing. That can be from food banks to shelters to substance abuse treatment.

We have no upper age limit, so we hear from young people as young as five all the way up to 29. And we hear from young people from every single corner of this province, from Windsor to Moosonee, from Kenora to Kingston.

We know first-hand that young people are changing faster than ever, and technology is changing even faster. We have focused on transforming from a phone-based helpline to a comprehensive solution that integrates a growing number of access points, programs and resources. And we involve youth in all that we do, because the reality is you can't design things for young people without young people.

So, Ontario's young people rely on Kids Help Phone. We are a trusted place for them to come. Their trust is so deep in us that 75% of users tell us something they have never told anybody else, and that is critical when we're talking about intimate partner violence, or IPV, because we know that there is shame and fear that can be experienced by young people who are impacted by IPV. The ability to trust some place and know that they can go there safely is important.

Young people are talking to Kids Help Phone more than ever before. We have seen our interactions grow from 1.9 million in 2019 to over 20 million since the beginning of 2020. In fact, last year, we supported young people 4.7 million times, which is our largest number of interactions since we began 35 years ago. Those numbers are national, so I'm going to break it down to Ontario: 57% of our one-to-one counselling services are from the province of Ontario and 31% of visits to our interactive tools come from young people in Ontario. That equals more than 1.5 million interactions from young people in this province.

Young people reach out to us from every corner of the province, and they come to us with every issue they're facing, from cyberbullying, family relationships, school challenges, all the way to thinking about self-harm and suicide, and increasingly, we are seeing people reach out about IPV. In fact, from 2020 to 2021, we saw an 165% increase in young people reaching out about intimate partner violence. And then, moving into 2022, we saw a 31% increase, and then a 63% increase from 2022 to 2023. So, year over year, we have seen more and more young people coming to us talking about IPV.

The demand for support from young people experiencing IPV has continued to grow this year. In the first half of 2024, 8% of our interactions have been about young people talking about partner violence or partner relationships. And when we're talking violence, we're talking about physical, sexual and verbal.

This data point is a real concern for us at Kids Help Phone. The situation is even more troubling when we look really focused in on Ontario. In the first half of 2024, 73% of all of our interactions related to IPV have come from young people in this province—73%. We compare that to 12% from Quebec, 6% from Nova Scotia, 4% from British Columbia. So the majority, the vast majority, of young people coming to us about IPV are coming from here.

These conversations require deep clinical knowledge and understanding because one in every 20 conversations about IPV requires a safety plan, and one in every 100 requires an emergency referral so that we can ensure that those young people are kept safe.

One thing that we see over and over again at Kids Help Phone is young people feeling like their issue isn't big enough or important enough and that they have to justify why they need support. In fact, 49% of people that come to us say if they hadn't reached out to us, they would have done nothing. They would have ignored the problem or hoped it went away.

We know that IPV is always important enough, and that support for anybody that is experiencing or witnessing violence is critical. So part of what we do at Kids Help Phone when someone reaches out to us is we validate their experience and we name it, because the stigma around not naming it is still large. We've seen that at Kids Help Phone around mental health and suicide. Kids Help Phone and other organizations have worked tirelessly to bring mental health and suicide out of the shadows, and it's time that we do that with IPV. We need to speak loudly. We need to name it. We need to use the words that young people use,

so it's IPV, but it could also be abuse, it could also be domestic violence. We need to look for solutions so that all of us, from front-line workers to teachers, from health care providers to coaches recognize IPV and understand what to do to help victims access needed support.

We also believe at Kids Help Phone it is critical to educate young people about healthy relationships, and we have to speak to them early about what makes a good partner and beginning to think about healthy relationships because health promotion of IPV is equally as important as ensuring that supports are available. Young people need to understand what safe and healthy looks like, and KHP plays a big role in that prevention.

We have programs that are available in schools for grades as young as 4, all the way up to 12, where we focus on help-seeking and understanding, when you're facing challenges, what do you do? The need is significant, and Ontario needs to do more to support young people experiencing intimate partner violence. We need supports and services and resources across the board.

I also want to talk about what's available now. Kids Help Phone, as part of our work, collects every service and support that's available for young people. We have a resource database of over 40,000 services. As of June this year, we have more than 480 Ontario-based community resources that deal with intimate partner violence. That includes 119 transitional housing shelters, 62 domestic violence support groups, 83 domestic violence hotlines, 153 intimate partner abuse counselling services and more.

#### 1010

I mention that because part of the problem is knowing where you even go for support when you need support. As we see this epidemic on the rise, we actually need to both look at do we have enough services, do we have the right services, and equally important, how do you navigate between services? How do you know where to go and where to go next?

So Kids Help Phone is supportive of adding additional, evidence-based services, because we need to know they work. Non-duplicative—because we don't need numerous things all doing the exact same thing and confusing everybody. More doesn't always mean better, particularly if young people don't know where to begin or if services are disconnected from each other. We have to create a system where young people know where and how to reach out for help, and the navigation makes sense.

As intimate partner violence is on the rise, Kids Help Phone is calling on this subcommittee to support the critical work of organizations like Kids Help Phone and others that are doing this critical support work for young people with investments in resources that enable young people and their families to navigate the system, to prevent IPV and to understand the kinds of supports that are available. Being able to reach relevant services in their time of crisis or need or exploration or questioning and meeting young people where they are is critical, and it can be life-changing for young people.

We appreciate—

**The Chair (Mr. Lorne Coe):** Excuse me. You have a minute left, please.

**Ms. Alisa Simon:** Thank you so much.

We appreciate the members of this committee for recognizing the importance of addressing this issue and coming together to put together solutions.

Kids Help Phone has been a long-standing partner with the government of Ontario, and the young people of Ontario look to us and our partnership to continue to be able to be there. We are committed to working with all of you to find solutions to strengthen and build what young people need in this province.

So I will close and thank all of you for the opportunity. I'm open to questions.

**The Chair (Mr. Lorne Coe):** Well, thank you very much for your presentation.

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

**MPP Kristyn Wong-Tam:** Thank you so much for coming out today. It's nice to see you again.

The Kids Help Phone does exceptional work, and I am a huge fan of the remarkable reach that your service in particular has in Ontario and right across Canada. I've also watched your organization evolve to meet a more diverse population with the languages that you need to deliver your service in and so I want to say thank you for that. I know that that work is not over; it continues to take place.

I'm just really curious, because you were talking about the need to ensure that we have a system of supports that's properly funded and that it's evidence-based and driven to results that we would expect, can you just explain to the committee the structure of funding that Kids Help Phone receives and whether or not you receive any core and sustained funding from the province of Ontario, and how much of your funding is perhaps donor-based?

**Ms. Alisa Simon:** Yes, absolutely. So Kids Help Phone—about 50% of our funding currently does come from government. From Ontario, we have \$6.2 million annually. All of that is for special projects, so it is to run the Good2Talk helpline, which is the post-secondary helpline. We receive funding for bullying prevention and presence in schools as well as to build our resources around the database with those 40,000 services and supports. So we do not receive ongoing core funding from the province of Ontario, which is something that we would love to change as we move forward.

**MPP Kristyn Wong-Tam:** Thank you. And because 75% of your funding is, I guess, foundation- or private-donor-based, how much of your staff capacity is used to try to lift those numbers up so you can be able to sustain the delivery of your programs?

**Ms. Alisa Simon:** Yes, so just to clarify, it's about 50% that is government-based, so the other 50% or so is foundation, individual and other types of funding.

I don't have the exact number with me to be able to answer you. I would say it's probably about 20% of our budget, but we can certainly get back to you with a better number. We do have a large advancement team that is working to raise the funds that we need. We hold the Walk

So Kids Can Talk every year, which is the largest walk for mental health across Canada. It is a lot of work to raise the funds that we need to be there for young people.

**MPP Kristyn Wong-Tam:** Thank you. Just to clarify: You would take 20% of your budget annually to try to raise the 50% that's needed from the private side of fundraising in order to create your budget?

**Ms. Alisa Simon:** It's around there, and that would be for government funding, as well—all of our advancement work.

**MPP Kristyn Wong-Tam:** Oh, I see. Okay.

**Ms. Alisa Simon:** But I would prefer to get back to you with the exact numbers just because I don't have them in front of me.

**MPP Kristyn Wong-Tam:** Okay. Thank you. That's very helpful. And I know that you folks are doing everything you can with the little that you have, so you're able to stretch a dime into a dollar, and I commend you for that.

I want to just ask, with respect to the evolution of technology, because our committee has heard on several occasions around tech-facilitated violence in terms of—you've talked about bullying, and I think I also heard you mention cyberbullying. The Kids Help Phone, as a name, goes beyond just the picking-up of the telephone. Can you explain to the committee how your organization has evolved to meet the technology and communication mediums that now exist for young people?

**Ms. Alisa Simon:** I love that question, because the reality is, as I said, technology is changing really quickly. Kids know that, and they're on top of it.

At Kids Help Phone, we provide services through phone, text, chat. We have an online portal that young people can use to connect with us; it's to our texting service, but it uses the Internet. But we also have leveraged technology to help with things like triaging. We have an AI that we have built that helps triage our texting conversations so that we get to those most likely to need an emergency referral prior to those that are potentially a little bit less critical. We get to them all, but it allows us, within about 30 seconds, to get to those more severe, significant conversations, whereas it might take us two minutes to answer the other ones.

We also are consistently looking at technology. Right now, we're building out a new product to help our front line better know what the issue is that the young person is talking about and what referral might be most appropriate for them.

So there is a big runway for us to use technology. I will say we believe in human-centred technology; young people have to be involved in every aspect of understanding how to leverage technology and AI. And you have to have the data to do it, so Kids Help Phone has spent the last few years building the largest data set for youth mental health in Canada. We have over 50 million messages in our data set, and so we can use that to then help build technology with the real words and experiences of young people.

So technology is critical, but it has to be done the right way, and you have to have the end users involved in every single step so that you make sure that you are building things that will truly meet their needs.

**MPP Kristyn Wong-Tam:** Thank you for that very full answer and also for ensuring that the young person is centred around the evolution of your programs.

I'm going to ask about education, and actually in particular the education environment. Most young people spend the majority of their waking hours at school—of course, outside of the summer months—and I would say that being able to ensure that young people have access to resources and good information that will allow them to develop their cognitive skills and their understanding of the world, including healthy human relationships, is going to be absolutely critical in preventing violence overall. And so, I'm curious to know about your partnerships within schools, because what we hear and what we know is that schools—publicly funded schools in particular, and most children in Ontario attend publicly funded schools—are struggling. The school boards are struggling, the teachers are struggling, and the classroom sizes are crowded. Resources are limited, and everyone is sort of doing the best that they can to tape the ship together as they sail across the harbour. They can't do it all, although they should be resourced to do more. But I'm curious to know the relationship that Kids Help Phone would have on the ground in the school communities where the students are.

**Ms. Alisa Simon:** We work tirelessly to get into schools, because, as you said, that's where young people are. We have very strong relationships with some districts, and we are building relationships with others, because you have to go district by district.

We offer in-school programs for young people from grades 4 to 12 that are free to any teacher or school to offer to their kids, and we connect one of our paid professional counsellors with the whole classroom. We also are about to pilot something I'm very excited about, which is that when young people are on their online platform—we are working with one of the online educational platforms—that they will be able to directly connect to Kids Help Phone through that platform, and we'd like to see that grow because that's where young people are spending their time when they're doing their homework, when they're going to see their assignments, is on those online platforms. So we absolutely believe that schools are critical, and I think how we get into those—

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

1020

We're now going to move to the government members for questions. I have MPP Hogarth, please, when you're ready. Thank you.

**Ms. Christine Hogarth:** I was really excited to join today to hear your conversations on this very important topic. I just want to, first of all, thank you for what you have done—30 years of experience.

The Kids Help Phone: Watching TV or seeing advertisements growing up, I think we all had about five channels or six channels. We all probably watched the same programs, if you're in my generation. The Kids Help Phone was always advertised, and I do remember that. The work is noticed, and it's recognized, so I thank you for that.

The sad point was when you mentioned how your calls have increased. I'm just wondering where that comes from. Do young people just feel more comfortable making those calls today than they would have in the past? Is it something through social media? What do you think is making that change? Because we can't close our eyes and say, "Violence didn't happen back in our day." I don't mean to put you in the same category as my age group, but violence did happen, but people didn't talk about it. So what is it now that's bringing these kids out and what can we do better to entice more children to speak out?

**Ms. Alisa Simon:** I think part of it is we continued to see our numbers increase and then COVID hit. The world shut down and Kids Help Phone didn't, not even for a minute. So we saw our numbers really skyrocket at that time. The reality is that they never went back down. So that's part of it: COVID changed the world for all of us.

The other is, as we've added new channels—people tend to have a belief that if you add a new channel, maybe you'll see your other channels decrease. That has not been our experience. When we added text, we just saw our phone stay the same as it has been, but we now were serving kids through text. And so as you're adding new ways to connect, you get new young people who feel comfortable doing that.

Young people who reach out to us through chat or text say they don't want anyone to hear their voice. It feels more anonymous. They can be crying and you don't know. That's really important, having those channels that young people feel comfortable with.

Being in front of young people and being a trusted brand is critical. You can be in social media, you can be in schools, but if people don't trust and know you, then you're just another poster they walk by, right? So we do a huge amount of work to try and make sure that our brand resonates with young people, that we are in front of them. We're talking five to 29, so we're talking for young people who are just beginning to potentially watch some shows all the way to young people who are into lots of gaming. So when you talk about social media and the reach—thinking about that whole spectrum.

I think the other piece that I would add is that we've always said no problem is too big or too small. That's always been sort of our mantra. A lot of the work that we've done around stigma reduction, around help-seeking has been about how every single one of us struggles. It doesn't matter who you are, it doesn't matter where you come from, we all face challenges and we all struggle. We say Kids Help Phone is there for every moment of those struggles, and in that conversation around help-seeking, particularly in younger grades, getting people to understand they don't have to wait until a problem is big I am



hopeful means that young people might be willing to reach out more and more on those issues that maybe they kept to themselves.

The last thing I'll say is, being anonymous and confidential is critical for us because, most places, if you say as a young person that you are involved in intimate partner violence, you automatically have to go to child welfare. Kids Help Phone is one of the few places in Canada that you can contact us, we can help you keep safe, we can connect you through a three-way call to child welfare to find out what would happen, but you aren't automatically put into a system that you may or may not be ready for.

**Ms. Christine Hogarth:** Thank you very much for that. And then you had talked about—and I liked what you say—healthy relationships. That's something we talk about in our family quite a bit because a lot of people don't even know what a healthy relationship is. There are various different types of relationships that may cause bullying for people who don't understand, and it puts pressures on young people. So learning about healthy relationships of various types is so important for our youth. Just seeing those relationships—I don't know; sometimes we wonder if we even know what a healthy relationship is. Did we grow up with a healthy relationship around us or role models?

So how do we impart on our young people the knowledge of what is a healthy relationship?

**Ms. Alisa Simon:** I spent a lot of time thinking about that both as a mother and at Kids Help Phone, because the reality is, it's really challenging when we're up against an onslaught of social media that's giving messages to our kids in ways that it never happened before. How do we, as parents, as educators, as legislators, help influence young people to think about good mental health, role models, healthy relationships?

A lot of this does start in the family. But the reality is, it's hard to parent. It is hard to be the one to have to do all of that heavy lifting. And at a certain age, developmentally, we all know our kids stop listening to us. That's just the honest truth. So I think we need to start at the family, but we need to be looking at schools. We need to be looking at social media and television shows and movies, where young people are spending their time, to show role models of what healthy relationships are, and we need to name when it is not healthy.

We need to name what manipulation looks like, because I think most young people would think about violence as physical, and most adults also. We often forget about all of those other types of violence that break us down, that end up being terrible situations for young people and adults to live through.

So naming it, showing examples of what that is, getting young people involved in naming it and getting them involved in, what could you do in that situation? Because if we educate people about what intimate partner violence looks like, what healthy relationships look like, we also have the say, "And then what do you do if you're up against this?" And help them understand what those next steps of help-seeking would be.

**Ms. Christine Hogarth:** Thank you for that. You've also mentioned that you offer programs for free to schools, so thank you for that. It's not really the education system; it's that you have a free program that comes right to the schools. Tell me a little bit about that program. Who reaches out to you to say, "We'd like to see you in our school or our school district"?

**Ms. Alisa Simon:** The program is called Counsellor in the Classroom, and we started it probably about eight years ago for grades 7 and 8. We thought middle school is such a critical time. We have since created a program for primary school and another one for high school, so it's available for all grades from 4 to 12. Any teacher or school district can reach out to us. We work with them to get a date. We get them curriculum that the teacher can teach themselves, and then one of the sessions is connecting with one of our counsellors. Regardless of where they are in the province, it's all done remotely, and so our counsellor can come in and have a conversation with the whole class about help-seeking, about understanding well-being—

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

We now are going to move to the official opposition. MPP Andrew, when you're ready, please.

**MPP Jill Andrew:** Thank you so very much, Alisa, for your presentation. I deeply appreciate the work of Kids Help Phone. I know it personally and intimately. I know people who have volunteered and folks who, frankly, their lives have been saved because of that person on the other line. So I thank you for parenting and shepherding many of our students and youth in our public school system.

I wanted to know if you could elaborate on coercive control as a form of intimate partner violence, the non-physical aspect of violence. The threats, the harassment, the ongoing bullying, the body-based discrimination, the fat-shaming—these sort of things that kids are facing that sometimes even the adults in their lives, including sometimes our teachers, our education workers and parents, may not see the gravity of how that impacts them, not only socially and emotionally but academically. Can you talk a bit about coercive control?

**Ms. Alisa Simon:** I would say, for young people, we know relationships are challenging. Again, as a parent, I see that with my own daughter. It is challenging to know how to interact with friends, and then when you start talking about romantic relationships, it becomes even more complicated. And young people have somehow been taught that it's okay to play games, to be emotionally manipulative, and they don't necessarily know the difference between manipulation and healthy conversations. We see young people coming to us, talking about that all the time, and then you add online pieces.

**1030**

One of the things that is really amazing to me as a parent and working at Kids Help Phone is how those relationships are then complicated by social media. As a parent, social media now disappears, so we can't even go on their phones and look to try to understand what's

happening within their relationships because many of the platforms are built so that the second you send a message, it's gone.

And so we really have to rely on young people to get to the point where they believe something doesn't feel right. For me, that is always about helping them understand that, as soon as it doesn't feel right, or you question, reach out for help. Let's talk through it.

**The Chair (Mr. Lorne Coe):** Thank you very much for that response. That concludes your time. Thank you.

To the government side, please. Yes, MPP Hogarth, please. Thank you.

**Ms. Christine Hogarth:** I wonder if we could just go back and you can finish off when we were talking about the school program, and if you could finish your thoughts on that.

**Ms. Alisa Simon:** Basically, any teacher or any educator can reach out to us, particularly from public schools; it's where we focus most of our attention. But we will work with private schools and others, as well. We've got the ability to be in your school, and so if you have connections with your school district or schools in your ridings, please have them reach out to us.

**Ms. Christine Hogarth:** I think that's fabulous and it's a great way of learning. But you find that, when you're in schools, as you mentioned earlier, kids like to be anonymous. So they probably won't ask questions, but at least they're getting the knowledge in their heads of what is healthy and what is not.

**Ms. Alisa Simon:** It's amazing. They ask questions all the time. In fact, part of our work with teachers and what we give them is how to ensure disclosure isn't happening, or if it is happening, it's happening in a safe way. Because young people will ask really amazing questions of us, and they ask everything from their personal experiences to "How do you do it as a counsellor?" to "Do people call you crying?" They want to know all sorts of things about their world and the world of Kids Help Phone.

**Ms. Christine Hogarth:** I think that's amazing.

My last comment is, I would love for you to say, how do we reach you? How do kids reach you? If you can say your number or an email address, just so we can get that on the record.

**Ms. Alisa Simon:** Sure. Okay, am I going to remember our phone number?

*Laughter.*

**Ms. Alisa Simon:** I think it is 1-800-668-6868—but before we publish that, we might want to check it.

Our text number for young people is 686868, and we also have a text line for adults—it is our only service for all ages—which is 741741.

If people would like to reach me, it is [alisa.simon@kidshelpphone.ca](mailto:alisa.simon@kidshelpphone.ca).

**Ms. Christine Hogarth:** Once again, thank you for the work you do. You are saving lives. You are making young people better people, and you're the type of people we need in society, so thank you for the work you do over the years.

**The Chair (Mr. Lorne Coe):** Thank you very much, MPP Hogarth, and thank you very much for your deputation this morning. That concludes your time.

#### SAFEPET ONTARIO

**The Chair (Mr. Lorne Coe):** I will now call to the table SafePet Ontario, please. If you could take one of the chairs right there, that would be nice.

You can have 10 minutes for your presentation, and I'll let you know when you've got a minute left so you can start to sum up. We have two rounds of questions, as you just witnessed. For the record, I need your name and affiliation, please. Thank you.

**Dr. Hayley Glaholt:** Hayley Glaholt, SafePet Ontario.

**The Chair (Mr. Lorne Coe):** Thank you. You may begin your presentation.

**Dr. Hayley Glaholt:** Good morning and thank you for the invitation to speak with you today. I hope my oral submission will provide you with a clearer understanding of how intimate partner violence is perpetrated, and specific barriers that keep victims from escaping their abuser.

My name is Hayley Glaholt and I am the executive director and co-founder of SafePet Ontario. The mission of SafePet Ontario is twofold: (1) We provide pet safekeeping for survivors of family violence and sex trafficking in Ontario; and (2) we educate front-line workers and the public about the link among animal abuse, elder abuse, child abuse and intimate partner violence in families.

We have been providing this life-saving service to survivors for nearly a decade, and we are intimately involved in victims' lives at the most high-risk moment: when they are planning to escape, or are actually escaping, their abuser. We receive desperate communications on a daily basis asking for help for people and their pets, and we collaborate with law enforcement, veterinarians, child protection workers, victim services and other front-line workers throughout the province to arrange their safe escape.

In 2023, we received 357 requests for our pet safekeeping program, and as of August 22, 2024, we've received 247 this year so far.

In Canada, 89% of women staying at violence-against-women shelters indicate that their partner has abused their pet. More broadly, 50% of women in violent relationships report that their partner has hurt or killed one of their pets. Academic research proves that actual or threatened animal abuse is the most significant predictor of intimate partner violence in a relationship, and women in a household with an animal abuser are five times more likely to experience IPV at the hands of that partner. Research also shows that threats against children and pets are a defining feature of intimate terrorism, which is now called coercive controlling conduct, the most lethal type of family violence.

Most violence-against-women shelters in Ontario do not accept pets, and therefore, survivors are left with no options for escaping their abuser with those they love.

Many victims stay with their abuser for fear of what he will do to their pet if they leave. If there are children in the home, these children are then exposed to animal abuse for longer periods of time, which promotes the cycle of violence continuing.

As my written submission articulates, SafePet Ontario believes that intimate partner violence cannot be fully understood or addressed without taking two crucial realities into consideration. First, victims—adult and child—will remain in high-risk, potentially lethal situations if they cannot take their pets with them to safety. Second, animal abuse must be taken seriously as a predictor and marker of coercive controlling conduct, the most lethal type of conduct. As such, SafePet Ontario has three recommendations to the study on intimate partner violence.

First, take animal abuse seriously. As a province, we must explicitly acknowledge the connection between animal abuse and intimate partner violence in policies, legislation and directives. This will give voice to the lived realities of victims of intimate partner violence. Government bodies responsible for tracking statistics on femicide, IPV and family violence must be required to include threats of animal abuse or actual harm to animals as a crucial element of, and risk factor for, IPV. Real data around the extensive scope of this issue will open the door to funding streams, innovative programming and collaboration among sectors. Criminal and family lawyers must receive education on why and how to include pets in peace bonds and restraining orders. Lastly, law enforcement and provincial animal welfare services officers must be permitted and encouraged to remove animals from the home, regardless of proof of ownership, in cases of IPV, and police must be mandated to escort victims back to their home in order to retrieve pets that have been left behind.

Second, integrate the link into front-line IPV services. Information about the link among child abuse, elder abuse, IPV and animal abuse must be fully integrated into the mandates, training, procedures and scope of all front-line service providers that work with families or survivors of abuse. This includes law enforcement, child protection, gender-based violence, animal health and welfare, addictions and mental health workers and those in the medical field. Front-line workers must be required to ask about the presence and treatment of animals in the home when assessing for risk and vulnerability. This reduces the need for victims to raise the issue themselves, which they're sometimes too ashamed to do if they feel they won't be taken seriously, and it normalizes the idea that pets must be considered when analyzing the cycle of violence in intimate partner violence.

Lastly, fund violence-against-women shelters and collaborative organizations that provide pet safekeeping options. Make funding available to all violence-against-women shelters in Ontario to create on-site housing for residents' pets. One-time grants ranging from \$10,000 to \$200,000 per shelter could be made available, and annual funding in the amount of \$5,000 to \$10,000 per shelter could be provided to cover the costs of pet supplies, transport and veterinary care. Grants should also be made

available on an annual basis to humane societies, SPCAs, municipal animal control organizations etc. to provide 30-day emergency housing for survivors' pets. Lastly, earmark provincial grants for charities and non-profit organizations that provide collaborative pet safekeeping options to survivors, and ensure that pet safekeeping organizations are explicitly eligible for government funding that is distributed via larger charitable organizations and government bodies in Ontario such as the Ontario Trillium Foundation.

#### 1040

I will end with a quote from one of our many courageous SafePet clients. She states, "I know from experience that women stay in abusive relationships fearing the loss of their pets, and my cat is family. I love her so much. I may have gone back to him after my three-month treatment program, had I not known she was being taken care of by SafePet Ontario."

Thank you for the opportunity to speak to you today. I look forward to answering any questions you may have.

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

We're now going to start with questions with the members of the official opposition. I have MPP Andrew, please, when you're ready.

**MPP Jill Andrew:** Thank you, Hayley, for a wonderful presentation and for the work that you're doing with SafePet Ontario.

I'm a fur mom. I have two adorable cats, Josephine Baker and Dorothy Dandridge. I would never leave them under any circumstances. In fact, I love them more than I do some humans.

To be more serious and to the point, Gandhi said, "The greatness of a nation and its moral progress can be judged by the way its animals are treated." I want to know, does SafePet Ontario have any core funding from the government? What is your funding structure? How are you doing this outstanding work in the province of Ontario?

**Dr. Hayley Glaholt:** It's challenging. We don't have any core funding, and I have been doing this for 10 years. I work full-time elsewhere, so this is sort of a side hustle—I don't mean to sound flippant, because I'm very passionate about it—and I was only able to start paying myself part-time about a year ago.

We have some grants, but they're all running out in December. So it is like a constant stress of trying to find more funding, and that's why I feel particularly adamant about talking about this: so that funding organizations that fund gender-based violence initiatives understand that this isn't an animal rescue charity—not that that is any way a bad thing—but that you cannot understand and help survivors without this. My hope is that we're able to secure core funding soon, but either way, we'll keep going.

**MPP Jill Andrew:** Thank you, Hayley. Can you express to the committee how many calls or requests for support—on average, monthly, weekly, yearly—that you've got to turn away or, frankly, can't get to because of lack of resources, whether that's financial resources or

whether that's human resources? What is your staff complement or your volunteer complement?

**Dr. Hayley Glaholt:** The background is that we don't actually advertise that much, because we can't help everyone who contacts us already. We get about, I would say, 10 requests a week. We have a wait-list of about 60 to 70 families right now. We have one full-time staff member and then me, and then we have about 70 families throughout the province that foster the animals.

So there's always a wait-list. We try to triage. If the woman is trying to leave and he's been abusing the pet and it's urgent, we try and triage, or if the pet is left behind—because they tend to get killed if they're left behind—then we try and triage that, but it's very hard.

So I would say our statistics can be frustrating, because we're not able to help the vast number of requests that we get, but, at the same time, we are able to help a large number as well.

**MPP Jill Andrew:** Thank you, Hayley. Having briefed your written submission, I read some of those quotes and it is absolutely clear how inextricably linked some survivors are to their pets.

Can you express to the committee the gravity of that connection and the fact that some people will stay in abusive relationships and can die in those abusive relationships because there's nowhere to bring their pet to? As you expressed, many shelters—most of them do not accept pets.

**Dr. Hayley Glaholt:** Yes. It's hard to explain because it is incredibly powerful. Every day, I hear from clients who have gone back for years to their abuser, never even considered leaving because they couldn't take their pet with them—years and years of their partner forcing them to starve the pet because of financial abuse; to punish her, to punish the kids, starve the pet; abuse the pet to punish her.

The earlier presenter was talking about coercive control and violence. Abusers know pets are what matter the most. If the pet doesn't matter to the victim, they don't bother abusing it. The more powerful that relationship is between a person and their pet, the more that animal is used to get to the children victims and the adult victims. Every day, we have clients saying, "I never would've left had I not known about your program." It is incredibly powerful, and this bond is also a healing bond for survivors, right?

These animals have been with them and oftentimes have protected them while they're getting violently abused by the person in the home, so the guilt factor is massive if you have to leave this animal behind, he then kills it and sends you a photo of it on the phone. The guilt is so profound that the healing process is halted for these survivors. So in that respect, this emotional bond—it's not just a pet, right? It is really a child. Statistics show that for elderly women in particular, either who don't have kids or who are empty nesters, they're least likely to leave their abuser if they can't take their pet with them because the pet is everything at that point, right? So it's extreme.

**MPP Jill Andrew:** Thank you so much, Hayley. How much time do I have left, Chair?

**The Chair (Mr. Lorne Coe):** You have one minute and 17 seconds.

**MPP Jill Andrew:** Can you express to this committee your thoughts on whether or not the laws against animal abuse are firm enough, and if there was one thing that you could express to this committee that could happen today, what would that one thing be?

**Dr. Hayley Glaholt:** Oh, dear. I don't think they're firm enough. I think we're beginning to realize—it's an old idea, but we're beginning to realize that the type of person that abuses an animal gratuitously is the type of person who will also abuse children and adult humans.

So a lot of the sort of coroners' inquests—the one thing I would say to police, prosecutors: Animal cruelty has to go on the record of the person so that we can see, over time, that this is not a healthy person and they're a dangerous person. I know that takes money, I know it's hard to prosecute these things, I know animals are property under the law, but it's such a warning sign and an easy warning sign to get on the record. It's a starting point to flag people, I would say.

**The Chair (Mr. Lorne Coe):** We'll now move to the government members. I have MPP Dixon, please, when you're ready.

**Ms. Jess Dixon:** Thank you so much for coming. Your written submissions are really excellent—very, very excellent.

I have a personal rule that I don't use questions as an opportunity to talk about government programming, but I am going to do it in this case because we have a \$100-million grant pot at \$20 million a year out of women's social and economic development that is IPV prevention- and support-related. I will send you the details. But with all of your contacts with various violence-against-women shelters etc., what you're talking about as far as being able to build an outbuilding, a shelter—that's kind of a perfect candidate for a one-time grant, right? So be creative in thinking about that and we will send you the details.

I'm very proud that one of the biggest things that I did when I was articling was that I was on what's called the Breezy case in Ottawa—Steven Helfer—and it was the first case to proceed by indictment in Canada on animal cruelty. At the time, we did a huge amount of research into the link, went into the federal Hansard, because we were determined to get a sentencing decision that enshrined that in it. But that was 2013, and here we still are.

**1050**

In some ways, I don't really want to hear the examples, but I've got to ask you, from what you've heard from your victims, when we talk about police not having this understanding—like, they don't have the training, or not going back to the person's house, not escorting them back—can you talk a little bit about what that looks like? I want to drive home why this training is important. We'll keep it to police for right now.

**Dr. Hayley Glaholt:** Yes. I do quite a bit of training with police, and I'm not in any way trying to blame them or say that they're doing their jobs badly. I do think there is a sense, though, that they are just animals. So, "You

have kids in the home. Why didn't you leave in the first place?" But also, "You have kids. How could you keep them in danger just because of the cat or just because of the dog?"

Police have a lot of horrific things they're dealing with every day, and I think the idea of going back to get a dog is not a priority for them, and in some ways, I can understand that. But clients will go back anyway to get the dog, and then the client is putting themselves at risk to be killed, putting everyone at risk, putting the shelter at risk. So in this respect, clients tell me that they're embarrassed to say to police that, "I stayed because he was threatening to kill my cat if I leave."

So what I say to police is that it doesn't matter if you think pets are important; the point is, the person you're trying to help says this is important, so to help them you need to at least sort of pretend to take it seriously. Do you know what I mean?

I think that educating police on—I tend to use the Hurricane Katrina example: People stayed in their homes, died in the hurricane, drowned, because they couldn't take their pets on boats to safety during flooding. People will do this, right? It's not an option to leave. For me, it would not be an option. So if police are entrusted with protecting lives, saving lives and taking gender-based violence seriously, you need to listen to what the clients are saying, and the pets matter.

The property thing is a problem, because police say, "I don't want to show up and have these two fighting about who really owns this dog." They're like, "I don't want to get involved." I mean, I get it, but—you know?

**Ms. Jess Dixon:** Yes, yes. And I mean, I guess if we had almost like a presumptive ownership for the victim or looked at what BC is doing—I'm not super familiar, but as far as they're like pets-as-property when we were talking about the Divorce Act and that type of thing—

**Dr. Hayley Glaholt:** Yes, and the position I take at SafePet in terms of legalities of property is I'll take the pet, and if the abuser wants to prove that it's his pet, please do, and then we'll go from there. Do you know what I mean? But until then, getting everyone to safety and then triaging, that matters to me.

**Ms. Jess Dixon:** You also talked in your written submissions, which—I remember doing this. When we talk about educating lawyers, like crowns, family law, that type of thing, do you have examples of what you've seen in terms of when a peace bond comes out or a bail order or protection order that isn't addressing the animal? Because those have been very hard to get, from my experience.

**Dr. Hayley Glaholt:** Oh, very, very hard, right? And again, peace bonds, restraining orders, they're only—if someone is determined to kill someone or harm someone, a peace bond or restraining order doesn't matter in some ways. But if lawyers understood and judges understood that, okay, maybe she and the kids are safe here, but he's sending photos of what he's doing to the animal to get her to come home—well, not sending her, but indirectly—that is destroying everything everyone is working towards.

So if it could be named in the restraining order that the pet goes to her or the pet goes to an anonymous location or whatever, you're taking so much pressure off the survivor to fix this for herself. Again, I can't emphasize how much it can be very embarrassing and hard for survivors to say, "This is the reason I went back."

**Ms. Jess Dixon:** Yes, and I guess that's really where the training concept comes in, because my experience has been that it's very, very difficult to get any type of condition regarding animals unless there was an explicit threat against the animal or an offence that was actually charged. But I imagine that, if we go back to the police context, there are more investigators who are prompted to be asking those questions, we would actually be getting the grounds to lay those charges, most likely.

**Dr. Hayley Glaholt:** Well, this is the thing, right? I think investigating animal abuse—and again, I'm not throwing anyone under the bus, but I think people are very quick to say, "I checked. The dog had food on the floor. There was a bowl of water. We're all good," and that's just not reality.

**Ms. Jess Dixon:** Yes, I can definitely see that.

I've only got 15 seconds left until my next round, so I won't start a question right now, but I'll ask you the rest in the next round.

**The Chair (Mr. Lorne Coe):** We'll come back to another round of questions, but I'm going to move to the official opposition, please. MPP Wong-Tam, you have two minutes, 30 seconds.

**MPP Kristyn Wong-Tam:** Thank you so much, Hayley, for taking the time to present to our committee today. I'm very interested in the early detection of animal abuse. Oftentimes if animals need regular care, if someone is bringing their pet to see a veterinarian, the veterinarian medical practitioners within the sector probably have some sense of awareness around animal cruelty, but they may not be making the links to intimate partner violence, gender-based violence, child abuse or elder abuse.

I'm just curious to know, from your experience and your interactions with that sector, how common knowledge is this, and do you believe that the sector is taking any action to further this identification, and then how do they respond to it?

**Dr. Hayley Glaholt:** That's a great question. Veterinarians are aware of it. Veterinarians are in a tough spot, because they run businesses, so they do need clients, and if they are reporting animal abuse on clients and it's not true, that person goes on social media and says, "This vet is going to report you for abusing your animal," and then they're going to lose money. So vets are in a tough spot.

They also, and understandably so, are hesitant to kind of open a can of worms that they don't know how to address. So part of what we do is we're coming up with training for veterinarians about, "If you suspect this client is being abused or this animal is being abused, what do you do then?" You can report animal cruelty. Sometimes that could put the client, though, at risk, unless other supports are put in place, as well. So vets, in some ways,

are aware of it, but it's very overwhelming for them to deal with.

**MPP Kristyn Wong-Tam:** What recommendation would you have to this committee? As you know, our scope is to look at IPV. You're drawing the conclusion that there is a link to animal cruelty, animal abuse. We're going to have to produce a report, and the report may have some legislative changes attached to it, recommendations to the government. What would that recommendation be to this particular piece of making the links?

**Dr. Hayley Glaholt:** Specifically to veterinarians? Well, I think it goes back to any professional who engages with families, which includes veterinarians. I mean, it's looking at them as front-line professionals, in a way. Sometimes going to the vet is the only time the survivor can be alone in a room with another adult, so first categorizing vets as front-line professionals and, again, mandating them to take animal cruelty seriously, and perhaps putting protections in place for them on reporting animal cruelty. Again, what that would look like—I would need to meet with the Ontario Veterinary Medical Association etc. But it's trying to take consequences away from reporting these things and taking them seriously.

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

Back to the government members: I have MPP Dixon, please.

**Ms. Jess Dixon:** I'll continue along with the veterinarian line. I agree: It gets really complicated when you look at mandated reporting, and veterinarians currently don't have the continuing professional development requirement anyway, so you would have to be getting them in school.

Do you think the idea of—theoretically, we have a veterinarian's office, the waiting room, that type of thing. The idea of having IPV resources in there, like brochures, that type of thing, that even a client can just look at a brochure and it talks about resources in their community for intimate partner violence, is that something that you think, even though it's minor, can have an impact?

1100

**Dr. Hayley Glaholt:** Yes, I mean, that's one of the things we try to do with our SafePet materials, and we try to make our logo very noticeable and obvious so that putting posters in a vet's office, putting small cards, things like that—so that at least clients know this vet is aware that this exists, and also, “There is a program that could perhaps take my animal,” could plant the seed for that person to finally escape that cycle, right?

I think resources for the Assaulted Women's Helpline and stuff like that is helpful as well. I mean, the tricky thing is, if the abuser sees that, they might switch vets.

**Ms. Jess Dixon:** Yes.

We've got another minute. What is your sensation of—and again, this isn't a critical thing, but awareness with violence-against-women centres or humane societies about this idea to ask about animals or to look at funding, places to put animals, what's your sense of that?

**Dr. Hayley Glaholt:** I think there is an awareness. I mean, I started this charity because I started visiting violence-against-women shelters and said, “Is this is an issue?” and all of them resoundingly said yes, and they've said, “We try to informally deal with it. We cram as many dogs as we can into our office. We take them home,” but it has to be addressed. So I think that—I've lost my train of thought. What was your question?

**Ms. Jess Dixon:** Basically that you are seeing awareness, certainly for violence against women, maybe not so much with the animal organizations themselves.

**Dr. Hayley Glaholt:** Animal organizations are aware of it. They, too, are trying their best. It comes down to money, though. We need money to be able to provide medium- to longer-term support. So everyone is trying their best at this point to plug holes.

**Ms. Jess Dixon:** Thank you.

**The Chair (Mr. Lorne Coe):** Thank you very much, MPP Dixon.

Thank you. That concludes the time for your delegation today. Thank you so much for being with the committee.

#### SAFETO

**The Chair (Mr. Lorne Coe):** I'm now going to call forward on Zoom SafeTO, please.

**Mr. Scott Mckean:** Good morning.

**The Chair (Mr. Lorne Coe):** Good morning. I need to see you on the screen, please. Thank you.

Good morning. You will have 10 minutes for your presentation. When you reach the one-minute mark left in your presentation, I will advise you. Please state your name and affiliation for Hansard, which is the official recording service of the Legislative Assembly of Ontario.

**Mx. Nat Rambold:** Hello. My name is Nat Rambold. My pronouns are they/them. I work for the gender equity office at the city of Toronto as a gender equity consultant, intimate partner violence and gender-based violence.

**Mr. Scott Mckean:** Good morning. My name is Scott Mckean, and my pronouns are he/him. I am the associate director of violence prevention and SafeTO for the city of Toronto.

**The Chair (Mr. Lorne Coe):** Well, good morning and welcome to the Standing Committee on Justice Policy. Please start your presentation.

**Mr. Scott Mckean:** Great. Thank you so much for having us here today. We're grateful for the opportunity to be in front of you this morning and are honoured to show our support for our community partners and the victims that they support daily.

We apologize that we can't be in front of you. We had intended to be, but we have had another event that ran over, and we just couldn't make it there in person, so thank you for accommodating us on Zoom.

We're in front of you this morning to inform the very important work that you are leading, and we wanted to aim to stress the importance of leveraging existing legislation and infrastructure, share some considerations from the city of Toronto to highlight the importance of collaboration

across governments, and most urgently, stress the need for sustainable investment in community organizations and grassroots groups to empower their ability to lead this essential work.

We'd like to first highlight the bold step the province made in legislating the design of municipal community safety and well-being plans through the Community Safety and Policing Act. The city of Toronto, along with other municipal leaders, municipalities, police leaders and ministry staff, co-designed the Community Safety and Well-Being Planning Framework that is now used by municipalities across the province. The framework outlines how advancing community safety and well-being issues, including gender-based and intimate partner violence, should happen across a spectrum of prevention, intervention, and response and recovery efforts, and more importantly, the framework provides a methodology of how actions can drive long-term social development.

Following extensive consultation, city council adopted SafeTO, the city of Toronto's plan to advance 26 actions across seven strategic goals. We are currently in the first phase of implementation and working to advance the Toronto Community Crisis Service, which is Toronto's fourth emergency response responding to mental health crisis, to apply an all-systems public health approach to the multi-sector violence prevention, intervention, response and recovery efforts for gun violence and to innovate how we use data to drive preventative outcomes, to name a few. The early foundational work that we have led will support us to transform community safety and well-being in Toronto, and we intend to utilize the infrastructure that we have built to support gender equity and the advancement of efforts to solve gender-based violence and intimate partner violence.

The updated legislative directions for municipalities to update community safety and well-being plans by July 1, 2025, combined with municipalities identifying the epidemic of gender-based and intimate partner violence, provide a unique opportunity for all of us to prioritize these issues and invest in communities' ability to lead the response with the support of government.

**Mx. Nat Rambold:** The city of Toronto has made several commitments to gender equity, including the 2023 council directive declaring gender-based violence and intimate partner violence an epidemic across the city of Toronto. This declaration represents a significant recognition of the severity of GBV and IPV as an issue in our city.

The original motion and subsequent member's motion requests that relevant city divisions collaborate to address the crisis of gender-based violence and intimate partner violence across the city. The development of the city's GBV and IPV response will be supported through the gender equity unit, which has created a role responsible for coordinating the city's GBV and IPV response. The efforts will advance SafeTO's priority action 2.3 to develop a comprehensive gender-based and intimate partner violence reduction strategy. Created in 2019, the gender equity unit has a mandate to develop tools, strategies for addressing intersectional gender inequities impacting

women, girls and gender-diverse residents. Operating at a municipal level, the city oversees the provision of core services. These include things like public health, housing, child care, shelters, social services and more.

We have a role to play in ensuring that survivors are receiving trauma-informed wraparound supports when accessing city services. Through our commitment to community engagement, well-being and health promotion programs, the city also plays a unique role in preventing IPV and creating systems-level change. Our approach to gender equity includes a mandate to develop tools and strategies for addressing intersectional gender equity in key areas; to solicit public input from diverse women, girls, and trans and non-binary people to inform priorities and outcome measures; and to develop a results-based accountability framework to measure progress and identify and establish partnerships with key sectors.

The city's motion on declaring GBV and IPV an epidemic includes recommendations to advise on developing key actions to align intimate-partner-violence-related priorities across city divisions and to advise on measurable outcomes focused on collaborative synchronicity across divisions. As part of the city's reconciliation efforts, this will also include our commitment to realizing action 12 of the city's reconciliation action plan, to develop an implementation plan to guide the city's response to the calls for justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls and two-spirit peoples report.

The recently announced funding made available through Ontario's Action Plan to End Gender-Based Violence will play a significant role in funding the life-saving services provided by community-based anti-violence initiatives in Toronto and beyond. No one sector can entirely address gender-based violence and intimate partner violence on their own. It's going to require an all-systems approach.

We've heard from our community partners that they lack the capacity and infrastructure to meet the current demands to support the people that they work with, and so we urge you today to invest in community agencies and grassroots groups to ensure that they have the capacity to lead.

**Mr. Scott Mckean:** I just want to repeat what Nat just referred to, which is that no one entity can address this issue on their own and it takes all sectors coming together. So we urge the province to utilize the community safety planning framework and leverage the commitment and collaborations that municipalities have already demonstrated and built by appointing a designated provincial resource to work alongside city and community partners to operationally address on the ground gender-based and intimate partner violence.

**1110**

Thank you very much, and we're grateful for the opportunity to be here and happy to answer any questions that you may have.

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

We will start the first round of questions with the official opposition, please. MPP Wong-Tam, when you're ready, please. Thank you.

**MPP Kristyn Wong-Tam:** Thank you to you, Scott, for being here today, as well as to you, Nat. It is a pleasure to see you both at this committee. I know the hard work that you are doing in delivering safe programs to ensure the health and well-being of Torontonians.

I really want to dive into the city of Toronto's community safety and well-being plan because, obviously, this is a document that has been asked of all municipalities, I believe, from the province of Ontario. It has to roll out in a way that responds to the local needs of a community. I know this plan was developed in broad consultation with stakeholders, service providers and the public. I'm just curious to know the outcomes of the plan, because you've now had it in place for, I believe, two years. Are you getting the results that you are looking for in terms of a safer city, more awareness around the programs, and is it adequately funded to roll out properly?

**Mr. Scott Mckean:** Thank you for the question. What I would say is that we have seen significant results in the actions that we prioritized. For example, the Toronto Community Crisis Service has been operational, and it has responded to thousands of calls that are coming in through 211 and 911. As a result of community-led evaluation, the program scaled to 60% of the city and now has council direction to become city-wide.

In our gun violence efforts, we have applied a multi-sector approach to gun violence and are investing in community to be part of an integrated team. So we've created for the first time an integrated office that consists of staff from across institutions that are working actively to reduce gun violence. We had been seeing a reduction. We saw it increase this year, so we're pivoting and continue to mobilize.

So, so far in our plan, we are seeing amazing partnership. We're seeing effective results on the ground, and we'll continue to build the infrastructure necessary to change community safety and well-being in Toronto.

**MPP Kristyn Wong-Tam:** Scott, thank you. That's very helpful to note.

I'm just wondering if you could explain to our committee the referral pipeline, because obviously, you've stated that no one sector has all the solutions. You want to be able to work with your partners, including those that are at the province. But because the city of Toronto is so diverse—and every community and every town, every municipality has a very unique composition, but the city of Toronto is, I would say, hyper-diverse, and we are a very large city. So I'm curious to know, based on the plan that's before council and the fact that Mayor Chow herself prioritized the motion to declare intimate partner violence an epidemic, how much of your plan is actually focused on eradicating IPV and GBV?

**Mr. Scott Mckean:** I would say that we're not starting from scratch. We have existing efforts that are under way. We have an extensive partnership with the violence-against-women sector and the shelter system. We have

extensive efforts within Toronto Employment and Social Services that have mechanisms to do that, along with public health.

The work of SafeTO, now that the epidemic has been declared, what we do is we actually reassess about how can we work differently. So our priority right now is taking internal stock of the levers that we have, and with the work that Nat is doing moving forward, is to look at how do we partner with community to define the path forward. So, on September 16, our community partners are driving a collaboration event which is going to inform our direction, and we're supporting them to do that.

The question about how much of our plan is—it's under development because we are leveraging and taking stock of these existing efforts so we can innovate them in our steps moving forward.

**MPP Kristyn Wong-Tam:** Thank you. And because you rely so heavily on your community partners, I suspect you've heard very similar comments and feedback that I have heard. The staffing levels at our front-line services—people are feeling the strain. It's very hard for GBV organizations and VAW sector organizations to retain staff. The costs of living—budgets have been flatlined, and dare I mention the word “wait-lists.” It seems like everywhere I turn, we are experiencing wait-lists in Toronto Community Housing, shelters, supportive housing, transitional housing, detox beds, rehab beds—you name it. You've got to get in line for everything.

When you are working with these community partners—because you yourself are not the front-line workers, per se. You're not that service provider; you're the keeper of the plan, and you try to bring the sector together in a coordinating role. How difficult is it to ensure that Torontonians have access to the resources and service when the service providers themselves are not able to meet the demands of the service levels because of the inadequate funding and, in particular, core funding?

**Mr. Scott Mckean:** It's incredibly difficult. In addition to our service system roles, both of us have front-line experience and come from the front lines. The importance of the plan is that there's a collective impact approach and there's a backbone support that the municipality is providing by convening and strategizing with the front lines, first and foremost, and bringing data and bringing evidence and ground experience to the forefront to help with decision-making. The second component is more difficult, and there is a definitive lack of infrastructure and a lack of investment in the leadership of grassroots and community agencies that have the expertise necessary to address these issues.

So our plea to you today, as you're considering the investment side of this, is to really think about how you could build infrastructure—the same kind of infrastructure that exists in other systems—into this issue in particular and empower those specialized groups who have the relationships and the trust necessary to lead this work and for us to operationally get behind them so that they can advance this work.



**MPP Kristyn Wong-Tam:** Thank you, Scott. Can you just very quickly explain the need for a designated provincial resource to work with the city on this issue?

**Mr. Scott Mckean:** What we've learned through our gun violence work is we've created an integrated office to prevent violence, and so we have embedded staff from the Toronto Community Housing, the school boards, the police service and community agencies that we invest in that are all working collaboratively to apply a public health approach to violence. We want to extend that same approach to apply it to gender-based and intimate partner violence and work with our community to build out what that looks like. The embedded staff from a provincial resource would help bring the provincial lens of the investments so that we can integrate our investments and make sure that we're having the maximum impact across governments.

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

I'll now turn to the government, please. MPP Dixon, when you're ready. Thank you.

**Ms. Jess Dixon:** Thank you both so much for coming to present.

Scott, I wanted you to come to the committee because of your experience in the Community Safety and Well-Being Planning Framework and history, and so I want you to give us a little bit more of a general walk-through of what it was, what it became—but not Toronto-specific. For context, what I'd like you to keep in mind is one of the things that we've been hearing a lot here is about—I don't mean this in a critical way—lack of co-operation and collaboration and knowledge-sharing. Again and again and again, we'll see communities where the police are doing one thing, the crown is doing one thing, the municipality is doing another and then nobody knows who all of the different agencies are, and the agencies are all individually applying for grants to, in some cases, come up with very similar programs, which is a problem with the grant system.

But if you can talk about what community safety and well-being frameworks are supposed to be and how they could operate to help us with that very big issue that we are seeing.

**Mr. Scott Mckean:** Sure. Thank you for the question, MPP. Historically, when we think about crime or issues like gender-based and intimate partner violence, we think about the outcome, which is either someone being assaulted or victimized. At a broader community level, we think about crime when we ought to be thinking about the well-being of people and places. If that well-being of people and places is left unattended to, it can manifest into crime and victimization.

So a number of people came together, and were tired of just, like, "Let's chase incidents," and support the outcome, where we can change that outcome. That was the honest birth of the Community Safety and Well-Being Planning Framework. It came from all sectors and everyone saying, "Enough is enough. We need to think holistically."

**1120**

To your point—I heard you talk about police leaders and victim-support-services people not working together—the framework provides the rationale for us to think at every stage. Currently, we have a very robust emergency response system, as we should. However, we can reduce the reliance and burden on that if we start to think about, if risks are escalating, how do interrupt those risks and connect people to the most appropriate services and supports? More proactively, how can we prevent and create opportunities for support services or behaviour change at a preventative level through what we know in our relationships with community and what data is telling us? Then, we connect how emergency response, intervention and prevention happens and create communication across those spectrums so that we can advance long-term social development that will ultimately prevent these issues from escalating, such as housing, confronting anti-Black racism, dealing with access to equity in human rights, and poverty.

**Ms. Jess Dixon:** I'm from Waterloo region; I've read their plan—and this is, again, not a criticism, but I've never had a local government reach out to me and say, "Hey, we want to have a meeting with you to make sure you're familiar with our community safety and well-being plan." They exist, and people do a lot of work on them, but—as I said, this is a general context versus a Toronto context—it just doesn't feel like a guiding light that it could be, theoretically speaking. Because again, it comes back to this grant system whereby, in order to get funding for it, it's every organization fighting it out on its own again.

So one of the things that I've been thinking about through the course of this committee, and I'm trying to figure out how to use this framework as part of it, is putting more of a responsibility—not an unfunded responsibility—on local communities to say, "Okay, figure out who in your area is offering services"—because a lot of those services, I would say, are prevention-based or early-stage-intervention-based—"and come up with more collaborative proposals for what you need as a community," versus these direct appeals from each organization skipping the community to go to government because of how the structure is.

So I'm trying to think about how the framework fits into us remedying that issue of trying to really encourage collaboration so that communities are bringing us a more unified proposal about what they need as a community from the government to create a safer community.

**Mr. Scott Mckean:** It's a great question. That could be a conference unto itself. I think just a couple of quick things because there are time restraints.

The first thing is trust. Your government—not in the political sense but as the province—and as the municipality, we've burned the communities in some shape or form over time, and we've violated trust. As municipal staff, my job is to consistently rebuild that trust and work with communities, so as we built our plan, we built it with our communities. That's the first thing I would say, that we

have to be conscious of that, so the guiding light can only be ignited if there is that trust in the relationship.

The other part is will: Do we have the will to actually think differently? This is where people get nervous because there have been systems in place for a long time; as you start to think about change, people get nervous about the change, and that could take away from illuminating that guiding light.

But I think the part that I would say, from the city of Toronto's experience, is we built the plan with community. Consultation is clear. We can't do everything all at once, so what we are trying to do—we try to innovate as we're going. From that funding perspective, for example, we did bring together—for example, with our Youth Violence Prevention Grants, we did ask agencies to work together already. We did have input from your regional office in the city of Toronto, from the Ministry of Children, Community and Social Services, the Solicitor General and MAG, on our proposals. So there was a cross-government lens on it from the first place, and then in addition to that, we invited community members to be part of a selection panel. And so community was part of the designing, community was part of the influencing and community was part of the decision-making in how those grants rolled out.

So that was one sense of accountability, and the next sense that we're building out is how do we publicly put on the outcomes of those specific agencies and organizations so that residents and community agencies, organizations and grassroots partners can see their work in real time and illuminate that. That becomes part of that guiding light.

**Ms. Jess Dixon:** Thank you.

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

We're now going to start the second round of questions with MPP Andrew, please, when you're ready.

**MPP Jill Andrew:** Thank you, Scott and Nat, for the invaluable work that you all are doing with SafeTO.

I have two short questions. The first one: I wanted to know if the SafeTO GBV/IPV table—if you all have any provincial representation on any table that you all are currently doing. And I also wanted to know as well, around housing, what would it mean to have real affordable housing in this province to folks who are surviving, who are trying to escape intimate partner violence, and especially, frankly, more rent-gear-to-income units, more inclusionary zoning? You were very right to note that poverty is at the heart of much of this work.

So I'd like to know, first of all, if you have a provincial representative at that table, an MPP, and of course, the impact of real affordable housing and different types of housing for folks who are escaping violence. Thank you.

**Mr. Scott Mckean:** Thank you. I accidentally muted myself here.

So, the first part is the gender-based and intimate partner violence table. We have thus far in our plan—our first phase was prioritizing on mental health, gun violence, integrated data, transit safety. This next iteration, we are moving into this space. So we have existing efforts, and our current table has not been pulled together, so we have

a number of existing interventions that we are relying on for that work, including how our shelter system has a partnership with the violence-against-women network. What's next in our journey here is exactly what you're talking about, is creating that table. And so we are working with our community partners right now, who, again, are holding a massive consultation for the sector in Toronto that addresses this issue, and the outcome of those conversations will help inform what that table looks like.

What I would say about having dedicated representation from the ministry: So, we do have dedicated connections already through the infrastructure we've built with three specific ministries, which are the Ministry of Children, Community and Social Services and representatives from the regional office who also oversee this portfolio along with other things that we're mobilizing; the Ministry of the Solicitor General; and the Ministry of the Attorney General—

**The Chair (Mr. Lorne Coe):** Thank you, sir, for that response.

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

**Mr. Brian Saunderson:** Thank you to both presenters for taking time to come today and share your experiences.

I come from the municipal sector as well, and the community-based safety plan—just a yes or no, but my experience of that, when I was on Collingwood council, is it's a bit of a SWOT analysis to work with your community to find out what issues are arising in your community, how you can work together with the community partners and the police to try to combat, to try to push the community forward in a strategic and coordinated way. Is that kind of a fair thumb sketch of what you see that process as being?

**Mr. Scott Mckean:** I see that as part of the process, so yes, but also, the second part of that is the direction and action that results from the SWOT analysis.

**Mr. Brian Saunderson:** Okay, good. And then that's a good segue to my next question. So, the city of Toronto is much larger than most municipalities, probably, in Canada by far away. How much of your global Toronto budget is directed to your efforts that you've outlined today?

**Mr. Scott Mckean:** I don't have the full total, but I can tell you that council had invested initially \$12 million in the implementation of SafeTO and has since provided additional investment, and we've received several grants to support our efforts.

**1130**

**Mr. Brian Saunderson:** Okay. And you've talked as well about certain provincial portfolios that you're working with. Certainly your community partners are receiving some funding, but funding, we're hearing, is obviously always an issue, and getting stable funding as opposed to grant funding is a topic we've heard about. Do you have any suggestions about shifts in the paradigm of funding to help your community partners with the programs and services they provide?

**Mr. Scott Mckean:** I think investment integration between the province and the city to look at where we're

investing together and looking for collective outcomes across our government is something that we don't do very well. We have a ground knowledge that the province doesn't have, and the province has relationships that we don't have, so bringing those together so we can maximize our support for grassroots groups is mission-critical, and then also looking outside of the box of traditional transfer agencies and looking into the grassroots.

**Mr. Brian Saunderson:** Thank you very much.

**The Chair (Mr. Lorne Coe):** Thank you, sir, for that response. That concludes the time allocated for your presentation this morning. Please have a good weekend.

**Mx. Nat Rambold:** Thank you very much.

**Mr. Scott Mckean:** Thank you so much.

MS. ROBIN PARKER

**The Chair (Mr. Lorne Coe):** I now would like to call forward, please, to the justice policy committee Robin Parker. Ms. Robin Parker is joining us by Zoom.

**Ms. Robin Parker:** Hello. Good afternoon—oh, good morning.

**The Chair (Mr. Lorne Coe):** Good morning. How are you?

**Ms. Robin Parker:** It's been a long morning already. I'm fine.

**The Chair (Mr. Lorne Coe):** Thank you for joining us. You're going to have 10 minutes for your presentation. I'll let you know when you have one minute remaining. For the record, please state your name and affiliation, and then you can begin your presentation. Thank you very much.

**Ms. Robin Parker:** Okay. My name is Robin Parker. I'm a lawyer. I've been a lawyer for almost 30 years. I'm testifying as an individual.

**The Chair (Mr. Lorne Coe):** Please start your presentation.

**Ms. Robin Parker:** Okay. I can't actually see the room. I wonder if there's a picture. Thank you. That just helps me see who I'm speaking to a little bit better.

First of all, I'm very grateful to be invited here to speak to you today. When I was a lawyer, I found out about Hansard, and I thought that one of my goals was to amass enough knowledge and experience that I could actually participate and share what I knew with my elected officials, and so to do so today is a great honour and it's an important part of our democratic process.

I want to thank the committee for studying this really important issue. I want to thank MPP Jess Dixon, and her executive assistant who has worked really hard to get me here today; my schedule is very difficult.

The reason I've been asked to speak to you today is because I've been an advocate for restorative justice programs for survivors of sexual violence in the province of Ontario and elsewhere. For approximately the past 30 years, I have prosecuted—I started my career as a prosecutor—and defended sexual assault cases. I've represented complainants and survivors.

I am a survivor myself, and accessed the justice system in 2018 and received a restorative justice process, which I spoke out about. When I was first assaulted, I decided not to report it immediately, in fact, but I changed my mind after learning about the crown policy in Ontario which says that restorative justice for sexual violence is not permitted. I'll tell you a bit more about that in a moment, but I just wanted to give you an overview of who I am and my perspective. I also investigate and make fact findings in sexual violence and sexual harassment cases for institutions, primarily universities. So I have spoken to and worked closely with basically everyone in the justice system who deals with sexual violence cases and have taken almost every perspective, including investigator and decision-maker, in that regard.

I mentioned that in 2018, I was sexually assaulted. It wasn't the first time. The first time was when I was an undergraduate, and it's what propelled me to go to law school, in order to try to change the system from within. In 2018, when I was sexually assaulted, I had been a criminal lawyer for 22 years. Then, having had 22 years of experience first-hand with the criminal justice system, I immediately made the same decision I made the first time I was sexually assaulted, which is that I wouldn't report.

But when I tried to go back inside my home, where my 17-year-old daughter was waiting for me, I found that I couldn't go into the house and face her. I couldn't lie to her about what had happened, and I couldn't pretend it didn't happen without harming myself more. But I couldn't face her and share with her the death of the idealism which had fuelled my entire career, which had come at so much sacrifice. I'm the first person in my family to attend university, and so it wasn't always an easy road, and I had spent my life as a single mom trying to teach her that we do matters and that we can make a difference. And so, I felt that for her anyway I had to report. But I knew from the moment that I reported that I couldn't have a trial and I didn't want to, and I was not alone in that struggle to decide.

I know the committee has heard extensive evidence about the pervasiveness and tenacity of sexual and gender-based violence, but bear with me while I just give you a few specific statistics from this exact perspective: 30% of women over the age of 15 report experiencing sexual assault or violence. If you sort for race, disability or any other protected ground, that number is higher. For example, 62% of Indigenous women report experiencing sexual violence, and of Indigenous women who are incarcerated, that number is almost 100%. There is a direct link between sexual violence and trauma and other forms of involvement in the criminal justice system.

Yet, in 2018, Stats Canada interviewed and surveyed over 43,000 Canadians. Of the people who reported experiencing sexual violence in the previous 12 months, 5% had reported to the police. And, of course, 5% reported is not the amount of charges laid—that would be even lower—although since the Globe and Mail's groundbreaking work on “unfounded” cases, the laying of charges has gone up. These are breathtaking numbers, and as someone

who works in the justice system every day, I can tell you that if that number doubled to even a paltry 10%, the system would collapse.

Let me give you another statistic: Sexual assault survivors were asked to rate their level of confidence in the police, the court and the criminal justice system overall. Two thirds said they were not confident at all in any of these institutions, and the per cent who felt confident was 2%. This is our justice system; we're here today to work on building it. We are the architects of the justice system, and so the problem is our responsibility, as is our responsibility to fix it.

One of the difficulties in trying to advocate for different processes is that people view perpetrators of sexual violence as monsters. But when we look at the pervasiveness of the crime, we are forced to understand the truth—which defence lawyers and prosecutors and police officers know—which is that there are not very many individual monsters. It's part of our culture, and I believe that the way we prosecute sexual assault cases is contributing to the problem. One of the things that happens is because of the intense collateral consequences, which are in your jurisdiction as a provincial legislative body, it means that the sentence itself is almost incidental to how the collateral consequences of a conviction will completely derail someone's life. And it's a reason that there's almost no guilty pleas in sexual assault cases. It's a reason that when charges are laid and prosecutions move forward, there's a real hardness. It's a reason in part for the aggressiveness with which those cases are dealt with, and for why there's so much attrition, why so many women step back, step out of the 5% who report, and then the even fewer where charges proceed.

The thing is, is that when you have a sexual assault trial, at no point in the system does anyone talk to the person who is accused of committing harm in a real, open and honest way to give him an opportunity to learn. And a lot of these young men, when I have met them, they show up with this question mark in their eyes. They're 20. There's been alcohol involved. They're young. It's all very difficult and complicated, and I can't have that conversation with them to educate them because my job is to defend them, and those two things can't coexist.

1140

This is the tension in sexual assault prosecutions: the overwhelming need on the one hand to deal with a pervasive and corrosive social problem that we seem to be making no headway with, and the overwhelming need or requirement on the other to protect the rights of one person in the face of a carceral system that will permanently change the rest of their lives. That's just the reality when we're dealing with these cases.

Solutions: We need options other than the criminal justice system to deal with sexual violence cases. The largest part of my law practice involves these options, and that is investigations. The level of seriousness of the investigations that I deal with in the university context has increased by an order of magnitude in the last five years. These are young women—

**The Chair (Mr. Lorne Coe):** Excuse me. You have one minute remaining in your presentation.

**Ms. Robin Parker:** Thank you. These are young women mostly who make decisions not to go to the police. I've dealt with cases where there are physical injuries, photographic evidence, lasting head injuries, concussions, choking, and these cases are cases that are not being reported to the police because these victims don't want to face the justice system.

In Ontario—and perhaps someone will ask me questions about this so I can tell you a bit more about it. But the crown policy is against—they are not permitted to use restorative justice in their policy. And so, when complainants, many of whom I work with, say they want a restorative justice process and that they won't come to court to testify, the crown withdraws the charges.

Alberta has a comprehensive and detailed restorative justice process that they're using, and I'm working with the crowns and judges in Alberta to try to raise awareness about the importance of this alternative, which I experienced myself and has happened one other time in Ontario—

**The Chair (Mr. Lorne Coe):** Excuse me. That concludes the time that you have for your presentation.

We're going to move now to the first round of questions from the official opposition. I have MPP Andrew, please, when you're ready. Thank you.

**MPP Jill Andrew:** Thank you very much, Robin, for your work and for your strength and courage in sharing that you are a survivor. Thank you for role modelling for your daughter as well.

Can you continue your thought on the value of restorative justice? Because, as I understand it, with the carceral system as it stands, the justice system, the idea is to return people at some point to community to be better, responsible, compassionate citizens. Can you express how important restorative justice is as a part of that solution? Thank you.

**Ms. Robin Parker:** Thank you for your question and for your kind words.

In a restorative justice process, in the crown policy, they view it as a form of diversion, which I don't think it is. But that's how it's interpreted, and diversion under the policy is not permitted for sexual violence.

I think they view it as form of diversion because there's a perception that it's somehow lighter. But what happens in a truly rigorous and well-done restorative justice process is that both the victim and the offender, or the person who was harmed and the person who caused harm, are supported so that they can come together, if that's what's needed, and that the person who has been harmed can explain what happened to her. That is not what happens in court.

In court, she gives evidence. Certain information is led, other information is not led, and then she's cross-examined. In a restorative justice process, she's listened to, she explains what happened to her and how it hurt her. Then she's given an opportunity to see that the person who harmed her hears and understands what happened, and then there's a possibility for reparations. Those things can

range with all kinds of things from apologies to specific actions to education. In Marlee Liss's case, the other case in Ontario where restorative justice happened, that person ended up going into therapy for over a year.

Whereas in a criminal trial, an accused is taught what the evidence is through the disclosure. They are prepared to testify in a very acute situation. Particularly accused who are minorities themselves—Black accused, Indigenous accused—face very serious problems inside the justice system, and so the stakes are very, very high for them. At no time does anyone say to them, “Hey, what do you think happened that night?”

I'm talking about a very specific type of sexual violence. I'm not talking about violence where people are choked or strangers who jump out of bushes. I'm talking about the majority of cases in this system, where people know each other and alcohol is involved and people are under the age of 30.

So it's an educational process where there's an opportunity for reparations. There is no educational process inside the justice system, and there is no opportunity for reparations and very, very, very little, highly regulated opportunity for the victim to be heard.

The solution I propose is not that we incorporate those things into the criminal justice system, because inside the carceral system we have to follow the rules that are there to protect the accused. The issue is how society should deal with the accused's social harm. What I'm proposing is what they have in Alberta, which is an alternative where someone can go through a different process, and if that is agreeable, if it works out, then the charges can be withdrawn. In the Alberta model, which I commend to the committee, that can come in at any phase of the proceeding, including at sentencing, so there are different options. Things can be railed off at the beginning, things can have a restorative justice process during the trial and things can have a restorative justice process at the end of the trial. So it's a big model that has to be built, but they are building it in other places in Canada.

**MPP Jill Andrew:** Thank you, Robin. It sounds as though this restorative justice model actually allows the survivor to have voice, to have a sense of autonomy, to be able to share their perspective, whilst I've heard from many survivors who are effectively on trial that there can be victim-blaming, there can be biases around how they're dressed, how they spoke that night, what drink they had, that can actually be held by legal professionals and they can be held against them in their quest for justice. Would you agree?

**Ms. Robin Parker:** I absolutely agree, and I'm very glad that these survivors are coming and sharing their stories. It's certainly true in my case. I can even say, as a legal professional myself, a senior counsel, the crown in my case—I was sexually assaulted by a massage therapist, a man who, as it turns out, wasn't even registered with the College of Massage Therapists. The crown said to me, “Well, I guess you don't really know how to go get a massage.” As a lifelong athlete, I'm familiar with how to get a massage, and I'm familiar with what's not involved

in a massage, which is why I went to the police in the first place. So I thought, if I, a white woman who knew the crown, was very senior to her—I had done trials with her; she was probably in high school when I graduated from law school—could say something like that to me, I know, and I know from my own work, what other, younger women experience.

The thing that is the most challenging, what many survivors want is for them to be heard and to be believed, to be told, “Yes, that's how it happened.” That is simply not possible in the justice system except under very specific circumstances in some very rare cases after a trial, where the judge may, in her reasons, make findings that are consistent. But the survivor has not had an opportunity to tell her story during the trial; I can't stress that enough.

I taught trial advocacy and evidence for years at Osgoode, and it's a very specific process. It's like the scientific method that we've—in a way, inside the legal context, as a truth-discovery mechanism, but it's a different kind of truth. It's not the same as someone's lived experience, which is much more multi-layered and complex. That's where healing and transformation can begin, not just for the survivor but for the perpetrator. That's why I stress how pervasive it is and how my clients could be like my friend's son, because it's in our society socially at every level. So it's our responsibility to educate the people who cause harm, as well, so that we can stop that harm from continuing.

**1150**

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

We're now going to turn to the government members. I have MPP Dixon, please, when you're ready.

**Ms. Jess Dixon:** Thank you so much, Robin.

Obviously, I've experienced some of the frustration. I remember—I wouldn't call it, obviously, an official transition to restorative justice, but I did have a case once very similar to a lot of what you're talking about: alcohol involved, the accused had FASD, and the victim also had a number of challenges. It was just an absolute mess. It took a very long time, but I ended up being able to get permission to send him to a program. This was during COVID. I ended up finding a program that he could do virtually that was based out of BC and got permission to do that, but it took quite a long time to get it. I genuinely believe that it was a much better result for all involved than what we would've been looking at otherwise.

I wonder if you could tell us a little bit—so the goal of this committee is not just to sort of learn about how we could be doing things, but it's to really drill down into specifics. I wonder if you could talk a little bit more about Alberta and what you've seen there.

**Ms. Robin Parker:** Yes, of course. It would be my pleasure to share with the committee the Alberta policy. I have a flow chart that shows their model and how it works. I will, of course, send you all of that.

What Alberta did was they funded a pilot project, and they drafted the policy. They're still trying to implement it and roll it out. It's been in play for a couple of years now.

So two of the main architects of the policy, Justice Anna Loparco from the Alberta Court of King's Bench and Matthew Hinshaw, who was the crown and one of the many people who worked on it, but is implementing the policy—he and I, we're actually trying to write a paper to report on outcomes. And so, their restorative justice policy is quite comprehensive.

Restorative justice is allowed in Ontario, just not in cases of sexual violence. In their system, it's permitted in cases of sexual violence. They have very specific requirements to off-load it completely early on in the system. But unlike our model—and those are great, and it makes it very easy, in certain cases, for—no position of trust, for example; no position of authority; maybe no alcohol; no bodily harm. But they also have, as part of their policy—the desires of the complainant is a very, very important and weighty factor that needs to be taken into account in deciding whether restorative justice is available as a sort of off-ramp at the beginning. It's not a complete off-ramp, of course; the crown retains discretion. Certain things have to be done to everyone's satisfaction before the charges might be stayed or withdrawn. In some cases, guilty pleas are required. It's a very detailed and specific policy.

But the important thing is that the wishes of the complainant are given a lot of weight, and the complainant is given resources in order to come to a really good understanding of what it would mean to go through the justice system and what the restorative justice system would look like. This is something that's very lacking in Ontario.

A number of years ago, they started a pilot project for four hours of independent legal advice for victims of sexual violence. They made a very small list of lawyers who could accept these four hours of certificates. I just want to say the legal aid rate is \$150 an hour, so four times 150 is what you would get paid. Nobody ever gives four hours; when you take on a client, you serve the client. These are my ethics anyway and they're all the ethics of all the people I know who do this work.

So what happened is the short list, which has never been expanded—the number of hours have never been expanded—everyone on that list is completely burnt out. And so now, people can get these vouchers, but they can't get free legal advice because there's no one. I'm not even on the list. So there are some very simple, practical things we can do in Ontario.

But just to go back to the Alberta process again: It's important, if you're building a system, to make sure that the complainant as well as the accused have access to resources and support and independent legal advice about what their options are so that when the complainant is making decisions, they're doing it in an autonomous, fully informed, free state. Because of course, the concern always has to be that they might be pressured. And I think that's the basis for the crown policy in Ontario, is that concern, but there's kind of too great of a loss. In that desire to protect, there's actually further harm being done, unfortunately, despite the really best wishes of many,

many good people who are on the front lines trying to find solutions.

**Ms. Jess Dixon:** Yes, that was going to be my next question for you, because obviously all restorative justice has to be victim-dependent as far as the victim being fully in agreement and support of that process.

So would the idea be, when you're talking about the legal aid certificate for victims, that if we are looking at potentially going to a restorative justice model, the victim would be able to access some amount of legal advice in advance and then, during the process, to make sure that they're giving their agreement in a fully informed way? And is the lawyer's obligation in that regard not just the rights of the victim but also making sure that the victim is fully informed of the consequences in the process?

**Ms. Robin Parker:** Yes, absolutely. Right now, the easy thing in Ontario to do would be to just expand the legal aid model for victims of sexual violence. My dream has always been to have a legal aid clinic for victims of sexual violence where you can provide wraparound services. Barbra Schlifer is very close, but they have a more limited mandate. Those wraparound services can include counselling and things that are already available, but they can all be brought into one place—helping with housing—but that there are lawyers there who are salaried: full-time staff whose job is to provide those services so they can build up expertise. Because they are salaried, they have the opportunity to kind of relax into doing their work and really concentrate on giving their all in that setting, which is something that lawyers who serve victims of sexual violence now simply do not have.

I co-founded a group called Lawyers Against Sexual Violence. We're just individual practitioners who do lots of pro bono legal work and sometimes take these tiny little legal aid certificates for things here and there, but we're trying to offer those services. But whenever we testify—we testified about pub bans in Ottawa as well. We're always saying you can't—in pub bans, they put in a requirement for legal advice to complainants but didn't fund it, and, of course, the crown can't give that advice. That's something just to stress for the other members of the committee—

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

We're now going to move back to the members of the official opposition. MPP Andrew, you have two minutes, 30 seconds. Thank you.

**MPP Jill Andrew:** Thank you, Robin, again, for your wealth of information that you're sharing today. I'm certainly learning a lot. It really does appear as though the crux of a lot of this—the irony—is that education and awareness is not embedded in the carceral system, in the justice system. That seems to be what can actually be the most preventative or prevent intimate partner violence.

I wanted to ask you about the impact of cuts. We know that our courts are not exactly well staffed; they're understaffed, they're under-resourced. What is the impact of cuts to this work? We know that there are many cases that have been stayed. You've got folks who have com-

mitted intimate partner violence getting off simply because there aren't the human resources there to try the cases. Can you express your thoughts on that? Thank you.

**Ms. Robin Parker:** It's absolutely devastating. I'm working with a 16-year-old complainant who was sexually assaulted by a 33-year-old who videotaped the sexual assault. She hasn't heard from the police since December, when she received a text message after she gave an eight-hour statement, and the text message said, "Charges have been laid."

I met her mother, and I emailed the court and got a copy of the information and found out a preliminary inquiry has been scheduled in her case—because it involves possession of child pornography—during her daughter's exams in March 2025. No one told her. That case is going to have to be adjourned, and then there could be problems with delay.

The reason no one told her is because no one has time—because the crown on that case is a very good crown, is very hard-working. Victim services is understaffed; they don't have time to reach out to people. The police don't need more money, actually. It's victim services and support inside the crown's office, and then we need to be able to run trials. We need the resources to have trials happen in a timely way.

**MPP Jill Andrew:** Thank you so much. You mentioned "in a timely way," because I understand—is it the Jordan's law, I think it is?

**Ms. Robin Parker:** It's the Jordan decision—

**MPP Jill Andrew:** The Jordan decision, which—when the time runs out, the time runs out.

**The Chair (Mr. Lorne Coe):** Thank you, MPP Andrew.

We're now back to the government, and we have MPP Saunderson, please. Thank you.

**Mr. Brian Saunderson:** Thank you, Robin, for coming today and sharing your own personal experiences and how you got to where you are today—very courageous.

I'm the parliamentary assistant to the Ministry of the Attorney General. We have been working on justice centres. You may be aware of the ones that we've opened in Toronto, London and most recently up in Kenora. The Kenora is very much focused on Indigenous issues and restorative justice with the Gladue courts and how it does have some wraparound services right in the courthouse. That was a project, a collaboration with the local chiefs of the local Indigenous bands. They actually own the building, and then we've done the work to turn it into a courthouse.

So I'm very interested in your model and the Alberta model. It's really a diversionary stream, it sounds like, and that that would be done at the election of the complainant. Is that how it works?

**Ms. Robin Parker:** Yes and no. It's done—the crown has to agree to it.

The Kenora Justice Centre, I just wanted to say, is fantastic. I'm aware of it, and it's like a fantastic dream, a great service for Kenora, where I have worked.

No, it can't just be at the election of the victim, because I think we'd need to build in protections in the policy to ensure that there's no pressure. But also, the fact is, is that

the victim is the witness, and if the justice system is engaged, there are larger societal concerns at play. I'm not here in taking a political position. That's what the rule of law requires, and we have to support that.

So the policy would have to be written in a way that the crown has say, dealing with the public interest factors that the government, really, would say would be the important factors, as the elected officials. What I'm saying is the views of the complainant need to be given significant weight. And right now, there are cases where the charges are just withdrawn because the complainants want restorative justice and it's not available. I'm personally aware of three of those cases, which is a strange outcome.

**Mr. Brian Saunderson:** Yes.

I don't know if I have much time, and this is a big question—

**The Chair (Mr. Lorne Coe):** You have four seconds.

**Mr. Brian Saunderson:** Four seconds? Well, thank you very much, Robin. I appreciate your time today.

**Ms. Robin Parker:** It's such a pleasure. A pleasure to meet you. Thanks.

**The Chair (Mr. Lorne Coe):** Thank you very much for joining us this morning. We appreciate it very much.

Members of the committee, we will now recess until 1:30 p.m. this afternoon.

*The committee recessed from 1203 to 1330.*

#### NISHNAWBE-ASKI LEGAL SERVICES CORP.

**The Chair (Mr. Lorne Coe):** I'd like to reconvene the Standing Committee on Justice Policy and our deliberations on the study on intimate partner violence.

Our first delegation this afternoon is the Nishnawbe-Aski. Good afternoon. I appreciate you being with us this afternoon. You will have 10 minutes for your presentation. At the one-minute mark, I'll just give you a heads-up so that you can sum up. Then there will be two rounds of questions, starting with the official opposition and then from the government members.

Can you please state your name and affiliation for Hansard, which is the official recording service of the Legislative Assembly of Ontario.

**Ms. Alana Odawa-Lindstone:** Meegwetch. Good afternoon. My name is Alana Odawa-Lindstone. I work for Nishnawbe-Aski Legal Services Corp. in Thunder Bay. However, we provide services to 49 First Nations in the Nishnawbe Aski Nation territory. I used to work in the restorative justice sexual assault and domestic violence program, but I oversee that now as a program manager, so I work with the victim witness program as well.

When would you like me to start?

**The Chair (Mr. Lorne Coe):** You can start right now. Thank you so much for joining us today. Please begin.

**Ms. Alana Odawa-Lindstone:** Meegwetch. First off, I just wanted to start off by saying that I would like to begin with respectfully acknowledging the sacred land that I am on today and that we are gathering—I am gathering—in Fort William First Nation, a signatory to the Robinson-

Superior Treaty of 1850, a territory of the Anishinaabe people.

I'll just jump right in. As far as the programming that we offer through Nishnawbe-Aski Legal Services goes, during COVID, we saw that there was a need for programming, especially when it comes down to individuals who have caused harm to their partners. Because of the uniqueness of our territory that we serve, a lot of the communities are fly-in. There are some drive-in communities, but the majority of them are fly-in. At the time, I was the only one staffer for all 49 First Nations. We started to see the need of having programs, because programming wasn't being offered.

As we started to go forward, there was a handful of us that actually received training through the Duluth model. Then, we developed a program that's based on the concepts of the Duluth model, but also some of the topics and needs that fit the people that we serve. We incorporated some of the traditional and cultural practices into that as well. We recently just received funding to have a victim support worker who will work alongside the SA/DV worker, so they will be working hand in hand.

Prior to this programming fund that we just received, we would utilize elders, and we still continue to utilize elders for support. We also utilize some of the individuals in the communities who are front-line staff and who will support and help through the process of bringing people together.

One of the biggest things that I had noticed when I was in this program is that I started to see that individuals who have been charged or who have caused harm to their partner—a lot of times, they're getting back together, and that cycle of violence continues. So we started to see that that's why we started to need the resources and whatnot to help them with giving them the education pieces around that. So, we would work with the person that has caused harm, but then we would invite the victim as we went through it, and if they were willing to participate later down the road as part of a healing circle component. That is something that is really important, because it actually gave them some resources of safety planning and some communications like how to de-escalate, how to talk through conflict, how to resolve matters in a healthier way, and also reconnecting them with the lands as well, too, because that is something that is really important as part of our healing process as First Nation people. That's where our healing comes from as well, too, is through the land.

So, as we kind of got through some of the things, it's been very uplifting, especially when you have individuals that you're not seeing going through the court system again. That's something that I feel is a really high success.

One of the things that we want to focus on with the individual that's coming through the program is that we're not here to tell them how to do their healing work, but we're just there to plant some seeds. We're there to give them the resources and tools that they need in order to build their garden and to build a healthier foundation for their families and for the next generation.

That's something that is really important, I feel. As far as individuals coming through the program, that's one of the key things, is what is that message you're sending out to the next generation? Being a positive role model is something that is very important. Sometimes you have to showcase, what does that positive role model look like? Who are those role models that are in your life? What does your environment look like? Taking a look at all that but also learning about our histories and having that understanding about those historical impacts and how that affects us today and how those traumas may have trickled down to the next generation. So they learn about those things, about those patterns and surviving through some of those historical traumas that they have encountered or they have witnessed or experienced. Our main focus is wanting to break that cycle and giving them the resources and tools they need.

Some of the barriers and challenges with this program are that for 49 First Nations, right now there's only one worker that works with the offender, and then now we have one worker working with the victim. That's been something that's been a challenge. I'm not sure if you're aware of the—I guess you can say the travel and how much it costs to go up to the First Nation communities. For example, if we would leave here and fly to Pikangikum from Thunder Bay, and to stay in the community and to do programming in the community with the individuals, that's close to \$2,500 or sometimes more for a three-day trip there. Flights from Thunder Bay are very expensive, so funding is one of the biggest things—getting into the communities. Also, too, just having the one worker for all the 49 First Nations—we do what we can with the resources we have.

The success stories are actually working with individuals and actually seeing how they start to recognize their behaviours and how it impacts others and how it impacted their family and how they are able to actually recognize that what they have done has played a huge impact not only to their families but to everybody else that's made better within their circle. That is something that I really feel is important, is just to recognize that bringing people together after things that have happened and providing a space and connecting in environments.

Another challenge and barrier is that with the funds, we can't go into communities, so we find alternative ways to meet with individuals. So, we meet with them through Zoom or through online, but that's not typically our ideal way that we would want to connect. But when you're left with only one person, we don't really have a whole lot of—there are only so many hours in a day, right? And a lot of the time, if you go up to the communities, it's—

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

**1340**

**Ms. Alana Odawa-Lindstone:** Okay, thank you.

But one of the biggest things I just want to end off with is that this is an opportunity for us as individuals—meeting with First Nation members who have gone through this process, meeting with them in a holistic kind of way and



giving them resources and tools to allow them to break the cycles of violence and so that they can learn how to show kindness and love to the people that they care for. Meegwetich.

**The Chair (Mr. Lorne Coe):** We're now going to move to questions from the members of the official opposition. MPP Wong-Tam, please, when you have a moment.

**MPP Kristyn Wong-Tam:** Thank you, Alana, for taking the time to join us; I appreciate that. You are working under what I believe are some pretty strained conditions. The area that your legal clinic provides service for is sizable. We have northern members of our caucus who have oftentimes reminded urban members of the caucus about how large their catchment area is. So, I want to be able to dive right into that.

I'm interested in understanding how large of a service area are you serving, in terms of size, if you can sort of give us an estimate. And how many other legal clinics are within the service area? Are you the only one that services the Indigenous community?

**Ms. Alana Odawa-Lindstone:** The large area of Nishnawbe Aski Nation is equivalent to the size of France; that is a very large area. A lot of them are fly-in communities. They are accessible in the wintertime through winter roads. However, that's not always all cases. The winter roads are not paved; they're very rustic. Individuals, when they do travel on the winter roads, sometimes it's a 12-to-14-hour drive in some really horrendous conditions.

But as far as the vast area that we do cover—in this program, currently, right now, I was the worker in this program but now I manage the program. We have another staff—only one staff—who provides services. But also, like I said, we just received funding to have a second worker so that they can work collaboratively and cohesively together to provide support equally to both sides, because that's one of the biggest things. One worker couldn't do both jobs and that was very challenging.

What was the next question after that?

**MPP Kristyn Wong-Tam:** I wanted to know whether or not your legal clinic is the only one in the area that provides service for the Indigenous community.

**Ms. Alana Odawa-Lindstone:** As it relates to NAN legal, we provide different types of services. We offer legal aid and Gladue services. We offer a bail bed program. We offer restorative justice.

We do have other offices in, I guess you can say the city hubs or whatever, so Thunder Bay, Timmins, Sioux Lookout. We have workers in Kenora. We have workers in Red Lake. We have workers in the communities, so we do have a very large area, but also there's not enough of us.

**MPP Kristyn Wong-Tam:** Okay, thank you. I think that was well established. I really appreciate you reinforcing that point for us.

I know that when it comes to providing service to communities that are diverse, we need to ensure that it is culturally appropriate and linguistically appropriate. So I really want to be able to dive into the access to justice piece. When Indigenous members are looking for service, and they're looking for a justice system to help respond to the harm that has been inflicted, do your community

members currently find that the justice system works for them as Indigenous people wanting to speak their language today? And if not, what needs to change?

**Ms. Alana Odawa-Lindstone:** That's one of the unfortunate things. I am not a speaker, so that was one of the barriers that I found when I was working with individuals in Pikangikum because their main first language in the community is Ojibway, so we would have to outsource and get other individuals to help with the translations. We had other elders participate who were fluent in both English and Ojibway, and that's one of the things that's because of our history. I don't speak the language. I can understand bits and pieces of it; however, I'm not fluent in speaking or writing. I can pick up things.

But one of the things about access to justice—I think that sometimes, it depends on who you ask. Some individuals, sometimes, have had good experiences; sometimes, they haven't. It all depends on a case-by-case kind of thing.

**MPP Kristyn Wong-Tam:** With the few minutes that I have remaining on the clock, I want to ask about the legal aid program. We have heard a number of complaints from individuals who have not been able to qualify for legal aid funding, or perhaps they do qualify for legal aid funding, but we're running into problems with clinics that are just stretched very thin. They don't have the staff to take on additional cases, and that's before we run into the problem that we know exists with respect to taking a long time for cases to get to trial. Can you talk a little bit about your clients' access to legal aid funding and whether or not you are turning clients away? Do you have the bandwidth to take on more clients? Can you just describe what that situation looks like?

**Ms. Alana Odawa-Lindstone:** So the majority of the clients that I work with are—there are two types of clients that I have worked with. The victims are being taken care of through the crown's office. So the accused, if they're coming through restorative justice, a lot of the time are not needing to apply for legal aid, unless they have other matters that are not eligible for restorative justice. However, as far as all the details as far as legal aid, that would have to come from our manager from the legal aid department. But as far as the individuals accessing supports and stuff, one of the biggest things I notice is the salary. You have to be within a certain amount of dollars to qualify, which is sometimes not always realistic.

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

We're now going to move to the government. MPP Hogarth, please.

**Ms. Christine Hogarth:** Alana, thank you very much for being here and for the work you do in your community. I do represent an urban riding of Toronto, Etobicoke–Lakeshore, but I was born and raised in Thunder Bay—I was just there last week—so I do certainly understand the geography. I know it's a 17-hour drive from Toronto. Most people can't even believe it would take 17 hours to get across our beautiful province, but it does, and that doesn't even take you to the end.

But also, I've had the opportunity, in my role as parliamentary assistant in the past to the Solicitor General, to travel up to Lac Seul and Sioux Lookout and meet with the chiefs up there and our first responders to see the lay of the land and what's happening in those communities, to make sure that they have the services and supports that they need. I know that, at every AMO, the mayor of Sioux Lookout is always at the table with conversations about his community.

You had mentioned some things that really resonated with me. We talk about ending the cycle of violence. When talking to the Women's Habitat, Carla, who runs the local women's shelter in my area—it's about ending the cycle of violence, and wellness for our young people.

**1350**

Earlier on today, we talked with Kids Help Phone—a lady who runs that organization—talking about how their numbers have gone up. Young people are now actually understanding that there's a place to go to using technology as a tool. You mentioned technology, and it's not ideal, but how could you use technology to help with your vast geographical area? Is there a way that technology can help out to talk to these young people or even those who are in the position of being part of violence against a partner?

But it's also the kids who witness this violence. We need to really get to the root cause of how we help these young people be better people. Is there a use of technology? Maybe you can expand upon how we can help young people who have witnessed—they may not be part of it, but they are mentally, because they've witnessed it, and that is what they know of a relationship. That's, in their mind, what a relationship is. So how do we get into the minds of these young people? Any thoughts or comments?

**Ms. Alana Odawa-Lindstone:** I think one of the biggest things—we have another program that is through our agency as well, too, because we have to focus on who our audience is, right? We have a worker—her name is Taina Martin—and she works with individuals who are youth. It's through Springboard. They have a gender-based violence program; it's a computerized program that she walks through and talks to them about that. She either does small groups or one-on-one.

That is something that we notice certain age groups like to respond better to. But I find that the older generation like human-to-human contact: "Sit down with us. Let's sit down together to talk in a circle and have face-to-face conversations and have meaningful connections that way."

One of the things that we found challenging and hard when COVID happened is we were all disconnected. Before that, we were able to sit down with each other and have meaningful conversations, and then all of a sudden we were told we couldn't even go to the communities because everybody was on lockdown. So we had to look at other ways and resources, so we did Zoom. However, those are challenges and barriers for us, for certain individuals, because the Internet connection up north is not always something that—not everybody has Starlink, and

sometimes it comes down to that they don't have the device. They don't have the means or the resources to get connected, right? So there were times that we had to use alternative platforms to connect with individuals at different times, because it's not fair to them that they don't have the resources. So we try to find alternative ways, and sometimes we have to be very creative in just connecting with clients.

That is something that we're always open to: knowing that, yes, there's that generation that's coming up that just likes to text sometimes. But we're trying to find ways of how we can share that message.

One of the biggest things that I found that is very helpful is through the child's eyes. When I'm working with the family or working with the individual that has caused harm, I'm like, "Close your eyes." We have this conversation about what the child is seeing and hearing. Even though they may be in another room, they can still hear. And even for individuals like women who are carrying a child, like when they're pregnant, we talk about the importance of water and how water is such an important role as you're carrying your child, because there are energies in water.

If an individual is subjected to violence or if there's a negative environment, that takes us on in our bodies as well, too, and it trickles down into the baby you're carrying as well, too. So there are those effects as well, too, and that's why our ancestors had told us, "When you're carrying a child, you have to really look after yourself." That meaning is that—your environment. You have to be aware of what you're putting into your body. These are some of those traditional teachings that we do pass on to try to end violence. I know it may seem like we've been dealing with this for so long, but that's something that we're hopeful—one family at a time, one generation at a time.

The more that we can provide, planting those seeds along the way, however that individual is going to take care of their garden and how much water and sunlight they're going to give it—that's what we tell them: "We're not here to tell you how to heal, but this is an opportunity for you to take responsibility for your own healing path. Nobody else is going to do it for you but yourself." That's one of those messages that we like to give to our clients: "You have to do the work, and healing work is not going to be easy." Healing is not easy at all. It's hard some days when you're working through some of those traumas that may have happened throughout your life.

So, that's one of the biggest things. We want to send that message out that we know what—

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

We're now going to move to the official opposition, please, for two minutes and 30 seconds. Thank you.

**MPP Jill Andrew:** Thank you, Alana, and good afternoon. I really appreciate you speaking to a trauma-informed approach to addressing intimate partner violence, specifically as to how it impacts Indigenous community members.

I understand earlier that you had mentioned that sometimes the perpetrator and the survivor come back together. I wanted to ask you to expand on why that, and so many other reasons, makes restorative justice such a crucial approach to addressing IPV. That's one question.

The other one: I just wanted to get your take on changes that have happened to the victim compensation board. There's a new program that the government has, the Victim Quick Response Program, which, as you may know, no longer addresses or takes account for historical abuse and historical violence. So, all of a sudden now, you've got tell your story within the timelines of a government as opposed to healing, which can be non-linear and cyclical and intermittent.

Any thoughts on either of those? Thank you.

**Ms. Alana Odawa-Lindstone:** As far as that goes, to your first question, one of the things that—okay; repeat the first question, just because my brain is on the last question. So, the first question, please.

**MPP Jill Andrew:** No worries. The first question was simply for you to restate the importance of restorative justice, especially since sometimes perpetrators and survivors reunite.

**Ms. Alana Odawa-Lindstone:** Yes. That's one of the things where I saw a pattern. When I first became in this role as an SA/DV worker, I started to see that. I started to see that they were getting back together, and the next you know, they were back in the court system again. So it's like, okay, so, what can we do to provide an alternative way of approaching this, and what can we do? If they're getting back together later on down the road, we should be able to give them some kind of resources. And sometimes—for example, I had one client who came through, the male, he was in my program. We did an alternative to PAR programming. We did that with him, and then she ended up in the court system. She received assault charges. So then she had it—so then that's when those things start to flourish. It was really important, because it gave them an opportunity—

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

We're going to move now to the government members, and I have MPP Dixon, please. When you're ready. Thank you.

**Ms. Jess Dixon:** I'm curious—and this may come in in written submissions. So, with restorative justice, like the talking program—I was looking through your signed agreement with OPP. Generally speaking, one of the many goals of restorative justice and these other programs is the idea that because it has a healing property, it also reduces recidivism in some way. And I know that, generally speaking with organizations like yours, you're doing everything you can just to maximize the dollar that you do have and be able to get the services you do have.

1400

I did see that there's some aspect of submitting data to MCCSS with the youth justice program. Are you engaged in any sort of recidivism tracking or working with any

other organizations or institutions about measuring that with your programs?

**Ms. Alana Odawa-Lindstone:** That is something that—you would have to have further conversations with the ladies that do all that with the youth. The majority of the clients that come through this program, for the SA/DV program, they're adults—

**Ms. Jess Dixon:** It matters, adults or youth, regardless, what you're seeing. Are you tracking recidivism from people that participate in those programs?

**Ms. Alana Odawa-Lindstone:** That is something that I cannot answer at this moment, but when I submit my submission, I can put that in there. It will be available to you as well, right?

**Ms. Jess Dixon:** Well, depending on whether or not you're doing your own, because there's one part which is, say, for youth justice, but also, some agencies may be connected with an institution—an academic institution, that type of thing—to test their program, because part of what we're looking for with this committee is the idea of looking at what works and seeing how we can upscale and upsize. So tracking what results from that is an important aspect. So if you are able to access that and include it in your written submissions, that would be incredibly helpful.

**Ms. Alana Odawa-Lindstone:** I will speak to something. I just feel like I don't have enough time, and I wanted to really explain. It's like you're not getting the fulsome story because of the time constraint.

However, I just feel that sometimes when we do certain things, like in Indigenous cultural—sometimes it's case by case, and sometimes we can't always measure things.

**Ms. Jess Dixon:** No, it's very difficult in restorative justice; I agree.

**Ms. Alana Odawa-Lindstone:** Yes, and that is something that I really feel that, until you actually are able to sit in the circle and witness something and be there—and I welcome that. I welcome individuals that would like to participate and experience first-hand. That would be something—because then that way there, you're able to actually see and feel and be present and see how some of this stuff actually is helpful, just connecting with individuals.

But that is something that, as far as the tracking piece of things goes—I know right now, I don't do the tracking, but I know that I would have to ask the other programs that work extensively and do the data from the other programs.

**Ms. Jess Dixon:** Thank you.

**The Chair (Mr. Lorne Coe):** Thank you very much for that response, and thank you very much for your delegation this afternoon. We're now going to proceed to our next presenter. Again, thank you for being with us.

**Ms. Alana Odawa-Lindstone:** Meegwetch.

#### COMMUNITY JUSTICE INITIATIVES OF WATERLOO REGION

**The Chair (Mr. Lorne Coe):** I will now call on the Community Justice Initiatives of Waterloo Region, please,

to attend the table. If you could sit in one of these two seats over here, that will allow me to see you and not the equipment in front of me.

**Ms. Kate Crozier:** Does this work here?

**The Chair (Mr. Lorne Coe):** Okay. Thank you.

You're going to have 10 minutes for your presentation. When you have one minute left in your presentation, I'll let you know so you can start summing up. That's going to be followed by approximately 20 minutes of questions from the official opposition and the government members.

For the record, I need your name and your affiliation for Hansard, and then you can start your presentation.

**Ms. Kate Crozier:** My legal name is Katherine Holstein-Crozier, but I go by Kate Crozier—she/her pronouns—and I am the interim executive director of Community Justice Initiatives. Anything else?

**The Chair (Mr. Lorne Coe):** You can start your presentation.

**Ms. Kate Crozier:** Okay. Thank you so much.

As an organizational leader with 10 years of experience in the violence-against-women sector as a domestic violence and sexual assault counsellor and advocate and 10 years of experience in restorative justice work, specifically in cases of gender-based harm, I bring to this committee the unique experience of both understanding violence-against-women sector work and experiencing how restorative justice can provide meaningful options for safety, healing and justice to repair the impacts of gender-based harm and its capacity to create behavioural change.

We have overinvested in the criminal legal system to address this issue, resulting in a reliance on a system that does not feel safe for Indigenous, racialized and 2SLGBTQ+ people to access, cannot meet the needs of victims and survivors, does not build meaningful accountability or behaviour change and is a process that is extremely slow and expensive.

White feminist leaders in violence-against-women work have spent the last 50 years doing incredible work to elevate this issue to the public square. Their shelters have saved lives, and their counsellors have helped survivors understand that they are not responsible for the violence that they have experienced, aiding the healing process. However, they have also historically advocated toward investing in the criminal justice system to address the problem of intimate partner violence. Resources have been directed toward increasing the criminalization of this issue, including mandatory charges, stricter sentences and bail conditions, and training for police and judges. And while it's important that our legal system be informed of the nature of interpersonal violence, it's not making people safer. It's not growing a just outcome.

Many racialized, Indigenous and 2SLGBT advocates for issues of gender-based violence have made it clear that their communities will not choose to access legal systems to address interpersonal violence. For example, intimate partner violence is a significant issue for Indigenous women, with 60% having at least one experience of IPV in their lifetime. However, Indigenous people in Canada are 10 times more likely to be killed by the police than a

white person, as reported by the CBC. And 2SLGBTQ people are 67% more likely to experience IPV, double that of heterosexual women, yet have historically been over-policed and experienced criminalization of their relationships. For so many folks in these communities, they will not access the police for safety. Instead, they will rely on friends or live with violence in silence.

The Women's Legal Education and Action Fund, LEAF, reminds us of the unintended consequences of leaning into criminal legal processes to address IPV. The criminal legal system is a site of colonialism and systemic discrimination against Black, Indigenous and racialized women, girls, and trans and non-binary people. This fact must be held at the centre of every discussion about carceral responses to intimate partner violence. The impact of a new criminal offence will be felt more deeply by members of marginalized groups who are already disproportionately surveilled, targeted and punished. That's from the report *Criminalization of Coercive Control: A Position Paper*, published this year.

But there are other options to invest in: victim-centred, trauma-informed, cost-effective choices. However, the moratorium on section 717 of the Criminal Code is one of several barriers to actualizing these options.

I want to share a little bit about what it looks like for survivors who want to use a restorative process. I hope you're familiar with the story of Marlee Liss. She has offered her story publicly as an example. She went to the police with hopes that the legal process could bring about a resolution to her experience of sexual violence. However, it wasn't long before she noticed how this system was increasing the harm she was feeling, rather than helping. The preliminary inquiry, where her statement was reviewed and judged, was the tipping point for Marlee. She asked to be able to exit the legal system and have a restorative justice process. She saw that it could provide the accountability she was seeking.

Nathalia Comrie similarly went to the police to get some information on how to get her ex-partner to stop harming her. Instead, the police took an action that Nathalia did not want and that was not helpful. They charged her ex-partner, and Nathalia found herself stuck in the criminal legal process. From the start, she was clear that she did not want her ex-partner, a Black man, to go to prison; she wanted him to stop hurting her and for him to understand the impact his actions had on her. She saw potential in restorative justice to meet these needs and, like Marlee, asked for her case to be referred.

The response from the crown was shocking. Marlee shares in the *Toronto Star* how she was berated by the crown, who implied that she didn't understand how serious rape was. In Nathalia's case, Sarah Scanlon, her counsellor, and I attended meetings with Nathalia and the crown. At these meetings, Nathalia was clear that she did not want to continue this process and would not co-operate with the crown. She asked to be referred to restorative justice. I witnessed the crown reprimand this request with several statements like, "I'm going to make sure he's punished," "You're breaking my heart," "Don't you know

how hard feminists have worked so that cases like this can get to this point?” And on top of that, she was told that if she didn’t co-operate, she would be held in contempt. It was crystal clear to me that Nathalia’s needs for safety, healing and justice were irrelevant to this process.

And keep in mind that these are two people who did feel safe enough to go to contact the police for help. This system made them feel complicit in their harm and did nothing to make them safer, and yet this is where we’re putting most of our financial resources.

Racialized, Indigenous and queer feminists, however, for decades have pointed us towards community accountability models, including prevention efforts, Indigenous autonomy, and restorative and transformative justice. I want all survivors to have many good options for healing and justice available to them and let them choose.

1410

I will address the potential of restorative justice to contribute one part of how a divestment from the criminal legal system can provide meaningful intervention. As a point of clarity, I will distinguish restorative justice from mediation. Mediation is the process of a mediator addressing a conflict by hearing from both parties and deciding on a middle ground where each party wins some and loses some.

Restorative justice, distinctly, is not mediating harm. It believes the survivor and believes that the person who offended has responsibilities to repair the harm. It asks victims of harm and crime what their healing and justice needs are, and we hear things like, “I need them to admit what they did. I need them to listen to how they impacted me. I need to know why they didn’t stop, what were they thinking at the time, have they done this to anyone else.” We ask those who have caused harm to what extent will they commit to growing their accountability for the harm they’ve caused.

A few other points of clarity: Restorative justice cannot do anything with people who say they were falsely accused. We only work with people who admit they have caused harm. Certainly, they minimize, they rationalize, they justify the harm they have caused, and we can work on that, but they have to admit to causing harm.

Punishment does not grow accountability; it grows feelings of victimization and resentment. I’ve been working in prisons for about 10 years and have a good understanding of what’s happening in prison, and it’s not meaningful accountability building. Accountability processes occur in environments where it’s safe to disclose harming behaviours, explore root causes, impacts and responsibilities.

Restorative justice does not require the victim and offender to meet together, to reconcile or to forgive. Instead, the focus is on the needs of the victim and the ability of the offender to meet those needs. Restorative justice can align with intersectional feminist values of believing victims, understanding the role of power and the way systemic oppression factors into experiences of violence, trauma and intervention.

There are many situations for which restorative justice is not appropriate, including where the violence and abuse

hasn’t stopped. Ideally, we can create behaviour change for those causing harm and stop future occurrences of abusive behaviours. This includes acknowledgement of harm caused and understanding of the impact of their behaviours, including the ripples of impact beyond direct victims, and understanding of what belief systems or previous experiences contributed to their harming behaviours and a plan in place to prevent future harm. This is what we mean by accountability.

Community Justice Initiatives has been providing this intervention for 40 years around cases of sexual harm, and we’re internationally recognized for having the most experience with using a restorative justice framework to address this harm. The same framework can be used to address low-risk and historical cases of IPV.

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

**Ms. Kate Crozier:** Perfect; thank you.

Yet, due to the moratorium of section 717 of the Criminal Code, which prohibits alternative measures in responses to cases of gender-based violence, this important work can only take place outside of the legal system.

We have promising models in Waterloo region. Recently, we have been working with our local sexual assault centre and woman abuse sector to find ways to support those whose needs aren’t being met within the criminal justice sector.

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

We’re going to start with the questions from the member from the official opposition. MPP Wong-Tam, please, when you’re ready. Thank you.

**MPP Kristyn Wong-Tam:** Thank you, Kate, for your presentation today. I have heard from my colleague MPP Fife about what great work your organization does, so I’m sure that she is going to regret missing the opportunity to exchange some words with you.

We have heard from a number of different women’s organizations now who have come forward to express some concern and, in some cases, alarm that the justice system as it sits today, configured in the way it is, is not working. You’ve highlighted an alternative model around restorative justice that is working and the fact that it’s been now proven to work for the people that you served for the past 40 years.

Because the current system is very binary, it allows for this resolution, but only through a process that takes a lot of time. It is adversarial, and there is a high level of expectation for the harmed, those who have received violence, to be a perfect witness, and that’s a very high bar to meet for anybody.

Can you explain to this committee—because government is always worried about the cost. Is there a cost saving to working through the restorative justice model? Is there a time saving? And do we get better resolutions for the survivor and the victims of sexual violence?

**Ms. Kate Crozier:** There’s certainly a cost saving and better results. Time saving depends on the pace of the participants’ readiness. To be fair, 1,326 cases got thrown

out of our provincial courts this year due to being too slow, delayed for years, to proceed. So certainly that process is extremely slow.

Our model trains and engages community members to facilitate cases. We have a very slow, careful onboarding process. We have 175 people connected to our organization doing restorative justice work. Around gender-based violence harm, that threshold of training is quite high. They have to understand violence-against-women work and the impacts of sexual harm. They have to be trained in restorative justice. And then, they take a second-level training to be facilitators in restorative processes around interpersonal violence.

So what is better? What is better is that we are meeting the actual needs of individual participants. It's not a cookie-cutter model that says, "For this amount of harm, you get this amount of punishment," or cases thrown out altogether. We're meeting the specific needs of each individual survivor who comes to us, and we are clear when we cannot meet those needs and can be transparent and end it, preventing that traumatization of going through a system that the people experience in the legal system.

Engaging community members makes it a low-cost model. We have one to two staff people mobilizing 30 community volunteers to do this work. We run our program, which includes a lot of things, but our dialogue program alone runs on about \$75,000 a year to handle about 10 to 12 cases at a time.

The speed of these cases depends on the readiness of the parties. Some cases start and partway through the survivor says, "You know what? Just knowing that my offender came to the table is enough. I actually don't need to talk with them. I don't need to go further. They've engaged and started to do their work. I'm good." For others, as they go through, they might need to take a pause and spend time with their counsellor. Things might feel overwhelming, and people take a pause.

We may see some regression on the person who caused harm, and we're going to slow that process down and only bring those parties together when we see that readiness to meet the needs of the survivor.

A typical process would land at about 12 to 18 months—certainly faster than the criminal legal system in that way.

**MPP Kristyn Wong-Tam:** Yes, I would say so as well.

I'm curious to know who is asking for the restorative model, the alternative model. Do the survivors feel more empowered by asking for that model? Is it offered to them because they have found their way to your doorstep? Where are you getting those referrals from?

Also, a complementary question: The carceral system is designed to punish; it's not necessarily designed to rehabilitate, although it should. But the punishment is oftentimes looking at the good and the bad, so that therefore there is very little ability to rescue someone from the cycle of violence. So I'm curious to know, have you seen bias in the system that deems some individuals not worthy of saving? Maybe it's because of the colour of their skin or because of how they speak or their immigration

status. Have you seen that type of bias when it comes to who gets access to the restorative model, who gets to be saved?

**Ms. Kate Crozier:** That's a really good question. Survivors have to find us on their own. Because the moratorium on section 717 of the Criminal Code disallows a referral to alternative measures, they aren't going to learn about that in the legal system. That includes that victim services is not at this point equipped before people become entrenched to refer that as an option.

We believe in a survivor-driven model. Some of our work that is with the courts that is not around gender-based violence and interpersonal harm is crown-referred work, where the person who has been accused wants to take responsibility. For us, that's not appropriate in cases of IPV. We want survivors to be choosing that and then to see if the offending party is ready to participate.

**1420**

There is no doubt in my mind bias plays a role in this. My knowledge in these last few years is specifically around sexual harm, and I see what happens in the prison system, who is selected to go to the Ontario Correctional Institute and receive the excellent treatment that OCI provides. That is a subset of a giant population. I see it largely as white heterosexual men who have access to that program and others not. Other referrals come from lawyers and from probation and parole, and these are largely white heterosexual men referred to our program to get letters before they're sentenced because they participated in our program or meet the conditions of parole. It's our interest in making sure everyone who wants to grow their accountability has the option to do so.

**The Chair (Mr. Lorne Coe):** Thank you very much for that response. The time for questions from the official opposition has concluded. Over to the government members and MPP Dixon, please.

**Ms. Jess Dixon:** Thank you so much, Ms. Crozier, for coming. I don't know if you know, I'm also a Waterloo region MPP, and I was a crown for 10 years. I first found out about CJI through a presentation in the crown boardroom, which would have been around 2015 and referred many people to VORP at the time, which I understand is now the responses to harm or crime.

I'm delighted to have you here, as I actually, to be honest, back in 2022—because I had worked with Ryan MacTavish, and I had also ended up referring matters from Guelph and St. Thomas to CJI, which had taken quite a while. But I had reached out multiple times to Chris Cowie, indicating that I would love to speak with him about the program, and I never received any response, so I kind of decided that CJI, I guess, wasn't interested in that type of advocacy—

**Ms. Kate Crozier:** I'm sorry.

**Ms. Jess Dixon:** —so I'm delighted to have you here.

One of the things that I sort of have been focusing on at this committee—which I know, frankly, irritates some people, but I think it's kind of necessary, so—I'm a big believer in restorative justice programs and in expanding them for domestic violence and sexual violence. I worked

as a crown for 10 years; I can see the value of it. A lot of the time, the issue becomes, when you're looking at a government model where the idea is that we're supposed to be spending taxpayer money effectively and also there have to be reasons to move away from deeply ingrained systems—and so, a lot of the time, that comes down to talking about results, about studies, about partnering with academic organizations to be able to show that—generally speaking, I would say, with restorative justice, one of the goals is the idea that we are trying to also reduce recidivism by having a more holistic and healing approach. Is CJI currently working on or partnering with any groups about being able to do more longitudinal studies of what restorative justice looks like in the community?

**Ms. Kate Crozier:** Not at this time, but I can see the value in that.

**Ms. Jess Dixon:** Is that something you've ever looked at? Because, again, one of the things that we've heard from this committee, which I'm not averse to advocating for, is the idea of research grants. So, because organizations like yours obviously spend most of their funding offering the service that they're offering and moving into a research model requires additional funding—but is that something that you think that CJI would be potentially interested in doing, in partnering with academia as far as being able to do those types of studies?

**Ms. Kate Crozier:** Yes. We've had really good experiences in the past. We partnered with the University of Waterloo for the ARC-W study to track our Stride program. So this is reintegration of women and gender-diverse folks who have offended, and there was a time 1 and time 2 study of the impact of being surrounded by a circle of support over time. That was meaningful. It was tailored to exactly what our program was, with results that are important and fit the messaging that we're hoping for, so I definitely see potential where there's a good relationship between the researcher and the program.

**Ms. Jess Dixon:** Because, I mean, I would very much encourage it with the new VORP program, because I think having people—the community at large—sign on to the idea of restorative justice for domestic or sexual violence offences is a bigger step. But I think even starting at non-intimate but personal violence offences like the—one of the St. Thomas cases that I referred to CJI was actually a robbery, which technically isn't eligible, and I got permission to do it because it was a bizarre case where it was young people, drinking. They all knew each other. There was no way anyone was going to get away with it, per se, but it wasn't really in anybody's best interest that these young men end up with robbery convictions on their records, so we ended up going to CJI. But I think that if you look at that program, even though it's a little bit more down the road, it gives us more to advocate for when it comes to this idea that you can take it to intimate and personal violence offences.

**Ms. Kate Crozier:** There's a promising model out of London, that I'm going to include with my report when I submit, of group work before dialogue work. It bought this time to show authentic interest in growing accountability

before the dialogue work was done and slowed things down. So that's a promising model in itself to cite.

**Ms. Jess Dixon:** I certainly encourage that. It was working with Ryan over those that really gave me insight into the program and seeing how it worked, which meant that I continued to be an advocate.

We actually had a presenter in, Robin Parker, who's a huge advocate for restorative justice for sexual violence offences, and she was talking about what Alberta is doing as far as restorative justice. Is that something that you've been looking at, at all?

**Ms. Kate Crozier:** For sexual harm, honestly, people come to us. We're the main trainers for that. But for interpersonal violence, you said she's doing?

**Ms. Jess Dixon:** No. In Alberta, they are, I would say, making greater strides than Ontario is at the moment as far as broadening—because, of course, in crown policy, we can't actually refer, absent me going in and making a very strong case, as I did as a crown. So Alberta is really looking at expanding that, looking at someone's evidence and actually saying, "Okay, what could we expand that to?" But it's interesting; because it's a government doing it, it gives Ontario something to look at as far as structure because, again, as a government, we have to look at things differently than an organization does, because we're looking at what can be upscaled, what can be amended, what is in our power to do.

So I was just curious if you were following along with anything that was happening there.

**Ms. Kate Crozier:** I had heard that they removed the moratorium, but as to how it's being enacted, I'm not familiar yet.

**Ms. Jess Dixon:** I would certainly, when you're doing your report, love to hear—you know, if you look into it at all—your thoughts on that because I think that would be very helpful for us.

What's your relationship right now with the local crowns? Are you getting referrals? Are you doing more other—

**Ms. Kate Crozier:** Sorry, with crowns?

**Ms. Jess Dixon:** With crowns. Are you getting referrals? Are you doing more other work? Because it felt like we were all about you and I didn't hear anything about you again for a long time, to be blunt.

**Ms. Kate Crozier:** Yes. I think one of the pieces I appreciate about CJI is we won't take cases we're not equipped to handle, and interpersonal violence requires specific training and not everyone at CJI has that training. Those are a lot of cases that are emerging where it emerges that you didn't know it was going to be an issue and it emerges. For those who aren't trained in risk assessment or safety planning or understanding how power shows up, they can't do those cases, and so sometimes we're turning cases away. But, yes, we are, to your question, sorry, still accepting as many cases—was that—

**Ms. Jess Dixon:** Sorry, you have 15 seconds left so I'll ask you again in your next two and a half minutes.

**Ms. Kate Crozier:** Okay.

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

We're now turning to the members of the official opposition, please. MPP Andrew, when you're ready.

**MPP Jill Andrew:** Thank you, Kate. I understand that I missed some of your presentation. I apologize; I was on a medical call. But I want to thank you for highlighting the crucial value of restorative justice, along with, of course, naming intimate partner violence an epidemic.

You're probably familiar with Lydia's Law as well, which comes out of your Waterloo region MPP Catherine Fife, if I'm not mistaken. She is calling for more accountability around reporting sexual assault cases and wants to see the independent legal advice program, ILA, strengthened, and also notes the issues with the Victim Quick Response Program.

I think I wanted to ask what your thoughts were on the changes that have happened to the victim compensation board—I mean, that's pretty much been washed away. We know that the Victim Quick Response Program has got an inherent flaw in that it doesn't recognize historical abuse and violence, and we know that survivors aren't on government timelines for healing or even for disclosure. So any thoughts on that that you have?

**Ms. Kate Crozier:** I can share some. Any time we narrow choices for survivors, we find them put into a box that's going to end up causing harm because it's not meeting their needs. Sometimes, people simply want it to be compensated for the cost of therapy that the compensation board did, or the cost of injury that the compensation board took care of really well. Instead, now, they have options of going through a civil procedure or a criminal procedure because something is not done; justice hasn't been felt. So they try these other processes, and it fails to meet needs, and they're retraumatized through the process. I think we want survivors to have as many options as possible to inform choices, to choose what's the best fit for them.

1430

**MPP Jill Andrew:** Thank you. Especially when many cases are being stayed or tossed out, if they're not able to get support for psychotherapy, for instance, this can be very concerning and hard for their healing.

**Ms. Kate Crozier:** Absolutely. We're going on 1,326 cases in the last year stayed. It's incredible.

**MPP Jill Andrew:** Thank you. I appreciate that.

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

We're back to the government and MPP Dixon, please. Thank you very much.

**Ms. Jess Dixon:** I'm curious about some of the crown outreach you're doing because, like I said, I first found out about the CJI through a presentation in the Kitchener crown's boardroom where they went all the way back to the Elmira case, and that was how I and everyone else that I work with I think really found out about it.

So I'm curious, is that something that you're still doing, that kind of outreach to raise awareness about the existence of your programs?

**Ms. Kate Crozier:** To some degree. To another degree, we are flooded with cases, and so we don't have the financial capacity to do more. Around the previous VORP

program, now RRHC, to my understanding—it's not a program I've overseen; I've more done gender-based violence harm. But they were able to meet the cases coming in, and an expansion would require more resources to do that.

For the sexual harm work that we're doing, we're being referred from around North America because it is so rare in this continent to do this work. So we're obligated to our region to support those folks who reach out. Where we have the capacity, we're working with people.

**Ms. Jess Dixon:** Not to present this second, but do you have the numbers prepared as far as the—I'm sorry, I'm going to keep calling it "VORP program" because I can't remember the acronym. But the new VORP program—do you have numbers prepared as far as, were that to be expanded, what is required in order to expand it? Because like I said, we may not be able to jump immediately to domestic, to sexual, but I think even starting at that level is a potential way to start seeing buy-in to the idea that restorative justice can deliver better results.

**Ms. Kate Crozier:** I don't, and I would suggest that the VORP program is perhaps not where it should be housed. The VORP program tends to do with disputes that don't require the level of knowledge that IPV does. Our revived program, which has expertise in trauma-informed care, intersectional trauma-informed care, slower processes, more careful processes, understanding how power shows up, is where I would house that program.

**Ms. Jess Dixon:** In my last 10 seconds, I'll encourage you, as far as written submissions, when you're working on that—what we are looking for is programs that work and can be upscaled, so it's evidence that it works or that there's a plan in place to establish how it's working, and then the numbers.

**The Chair (Mr. Lorne Coe):** Thank you very much. That concludes the time that we have available for your presentation. We appreciate very much the time you spent with us this afternoon. Thank you.

**Ms. Kate Crozier:** Thanks for having me.

#### ESRI CANADA

**The Chair (Mr. Lorne Coe):** I will now call on Esri Canada to attend the table. Thank you, sir.

**Mr. Shaun Hildebrand:** I will plug this in to show up here on the screen.

**The Chair (Mr. Lorne Coe):** My Clerk will meet you at the table and attend to that, please.

Committee members, if you want to get a coffee or water, now would be a good time to do that—

*Interjection.*

**The Chair (Mr. Lorne Coe):** Okay, just a suggestion.

Mr. Hildebrand, you'll have 10 minutes for your presentation, sir. I will let you know when you have one minute remaining in that presentation so you can start summarizing and preparing for the 20 minutes of questions, approximately, that will follow.



Please state your name, sir, for Hansard, and then you can begin your presentation. Welcome to the Standing Committee on Justice Policy.

**Mr. Shaun Hildebrand:** My name is Shaun Hildebrand from Esri Canada.

**The Chair (Mr. Lorne Coe):** Well, we're pleased to have you, sir. You can start your presentation.

**Ms. Shaun Hildebrand:** Thank you. I've been asked to provide some technological insights into location intelligence, specifically how geographic information systems can assist with tracking and managing offenders who are associated to intimate partner violence, as well as any sort of rehabilitative assistance that the technology can assist with for victims and different resources.

I'll give a quick background on myself. I served as a police officer in Toronto for 21 years. In my latter six years, I was the innovation lead designing and project-managing a suite of tools to help the officers be evidence-based, situationally aware and increase their officer safety. As a result, I won multiple awards from the Ontario Association of Chiefs of Police and, most recently, from the FBI National Academy. Since January of this year, I now lead the national portfolio for law enforcement solutions for Esri Canada.

What you're seeing on the screen here is the firearm bail dashboard. This started as an internal dashboard within the Toronto Police Service, and it was for tracking and managing all offenders released on bail specifically for firearm-related offences. In the first iteration of that, we only mapped the individuals. Now, the dots, the pins on the map that you see are their court-mandated location or house arrest location, curfew location or ordered address to reside at.

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We started expanding that scope to map these individuals across the country. If Toronto charged them, we mapped them out. We then expanded the solution over to Durham police, and we started getting the two agencies to track and share the data inter-agency between Durham and Toronto. That was presented to the province, and now they're in the process of rolling this out to all police agencies in Ontario. The current state is only firearm or gang-related charges.

Just to give an idea of how this system can work not only for tracking the individuals, but it can also work from an intelligence lens to gain more of a geographic approach, the picture in the middle was an image of an unknown suspect associated to an abduction. While we were still piloting this product and growing it organically with the officers in Toronto, one of the analysts using the product was able to identify this suspect within two minutes of using the platform, being able to use a spatial search as well as different descriptors.

When using a GIS platform, a geographical information system platform, one of the biggest offsets with policing is that there are a lot of siloed datasets. There's a lot of different information that the officers get from different sources, and none of them speak to each other. Officers are inundated with information overload. On a regular basis,

when officers start their shift, they're getting information on such things as, "These people are wanted; these people are missing; these people are to be identified." They have to kind of memorize that and then make it relevant as they're out on patrol.

Whereas with GIS, the officers can leverage their current location, their day of week and their time of day to receive information that's relevant. The officers and the analysts can use GIS to identify crime patterns. They can allocate resources more effectively and enhance community safety. Through the platform, the information can be shared inter-agency with the different police agencies, but also with community services, so it enables the officers to easily visualize the information. As I stated, there's a constant information overload, and so this enables them to be very specific about where they are and what is relevant and where they should be policing based on analytics.

Part of the inter-agency collaboration—it doesn't just stop at police agency to police agency. They can start collaborating with probation, with parole, with protection orders and with the crown attorneys. When you take these siloed datasets and you overlay that for the officers, the possibilities are endless.

This is just giving you an example on the screen here of crime data, missing persons data, offender data in the top right, and the bottom right had people that were unknown, to be identified. But you can start overlaying your different community resources that are available for your IPV victims. When officers are making referrals, it's often difficult for them to make effective referrals that are relevant to where the victims, witnesses etc. may be. They don't want to be putting them in a situation where they're driving or maybe even taking a bus across the city to go to the wrong place.

One of the other pieces with GIS technology is that it can provide that real-time situational awareness, as I spoke about. This is depicting an officer moving, and the little icon is moving along for the officer. As the officer moves, this information is popping up on the screen. Now, when we look at how we leverage this for intimate partner violence, we can do real-time tracking of intimate partner violence offenders with proximity alerts for victims who have protection orders. We can do safety apps for the victims mapping out the nearest shelter or other safe locations, police stations, trusted community resources. We can do referrals. Even in the current state, the police in Toronto and Durham and expanding across Ontario, they leverage the proactive compliance checks of those bail offenders to provide referrals to things like gang exit strategy programs, employment opportunities, and they track those referrals to ensure that they're actually following up and the referrals are more effective. It's helping rehabilitate those offenders. This can be leveraged for intimate partner violence offenders as well as sexual assault offenders.

We can also leverage the technology for public awareness campaigns using interactive maps that can be shared through public portals which raise awareness, encouraging community prevention, increasing education amongst the

policing community, identifying areas that need the services more than other areas, as well as what we spoke about: the interagency collaboration expanding to social services, health care providers etc.

The data can be posted in a data warehouse for the province, if we were looking at this on a grander scale for offender management. We could look at putting all bails, paroles, probations, protection orders seamlessly from where they're created into a centralized data warehouse, where that could be searched by law enforcement, parole officers, probation officers and crown attorneys, given certain permissions and certain governance in place to ensure that they're only accessing data that they're privy to.

Part of my written submissions—I will highlight what the current state is, identifying the pain points, the information gaps that currently exist. There's a lot of paper base in our court and offender management release. They're very flat PDF files which then take someone to manually re-create that document into a database to then project it into a system like a GIS system that can assist with real-time intelligence. I will highlight an iterative approach, a kind of step-by-step of what each step could be—

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

**Mr. Shaun Hildebrand:** Thank you—as you grow into a provincial model. I'll highlight the costing associated and what the software platform requirements are.

Now, if you're not familiar, Esri Canada and Esri Inc. is the largest global geographic information system. The majority of cities, municipalities, provincial and federal government all have our enterprise licence, which has over 100 pieces of software. So you already have the software at your fingertips; it's just how you leverage it to help your cause.

**The Chair (Mr. Lorne Coe):** Thank you, sir, for your presentation.

We'll now turn to questions from the members of the official opposition. MPP Wong-Tam, please, when you're ready.

**MPP Kristyn Wong-Tam:** Thank you, Shaun, for coming out today. I think the first time I heard about the bail-compliance dashboard was during our bail reform hearings earlier this—I guess almost a year ago now. My ears had perked up at that time because I thought, “How simple of a concept to be able to put information all into one place and allow people to share it as readily available as it can be,” and hopefully it'd be up to date and, of course, making sure that everyone is trained to use it and then to understand it. So thank you for coming to talk to us about the pilot project.

I'm curious to know, because you've now taken GIS and said, “Look, if you wanted to overlay it with a system that will allow us to protect survivors, protect those who have been harmed, to ensure that perpetrators are known and their whereabouts are known”—right now, as it stands, your presentation is to let us know that it is possible to put some parameters around this technology to allow

law enforcement to be able to track those who potentially can commit harm.

Now, do they have to have committed harm and then you need to track them, or is this something about making sure that if someone has been called and there have been reports of someone having been abused—do you start tracking their behaviour then? How does this work? What are you proposing to us? And the only reason I ask is because the firearm bail compliance was very restrictive and only for those who are involved with gangs as well. This sounds a lot broader.

**1450**

**Mr. Shaun Hildebrand:** To give a bit of context, the firearm bail dashboard in Toronto is everyone on bail for firearms, regardless of gang affiliation, as well as, if it's gang-related, charges like participating in a criminal organization etc.

Durham regional police went one step beyond. They include all bail offenders, if they have a court-mandated address that they must reside at, including house arrest and curfew, so they actually capture all offences. The current model for the province to all the agencies is just firearm offences at this time.

Now, something to consider when we think about intimate partner violence is often an offender has a location where they shall reside, but they also have an exclusion area. That is something that's not currently captured within the provincial bail system but should be, especially when we think of intimate partner violence offenders and sexual offenders. They often, or always, have an exclusion area of a proximity to maybe a 500-metre radius of the victim's home address, the victim's place of work, schools etc. Part of the system and the platform itself is we can add that in and make the officers spatially aware when they enter that geofenced area: “By the way, Johnny is not allowed to be in this area. So as you're driving through this area, if you see this person, that's someone who's not supposed to be there.”

We can take that one step further for things like protection orders, where there is a court-ordered protection in place. We can allow that system to upload maybe even directly from the courts, especially when you think of an emergency protection order. That should be uploaded instantaneously from the court, and if an officer is driving through that area, they should be made aware that that's something to look out for as they're driving.

**MPP Kristyn Wong-Tam:** Is that part of the proposition? I realize that we're talking about this in a bit of a blue-sky manner but is the intention to create a system that allows court-mandated individuals who have been found guilty—obviously they've been charged; they've been found guilty and then now there's a protection order. They cannot go within, for example, 50 metres of an individual. That's when the system will trigger itself.

When Officer Greg Pierzchala was killed—and he was one of the reasons why we went in through the bail reform hearing, because his death was preventable. As the OPP chief was saying, his death was entirely preventable. The individuals that actually killed him had lifetime firearm

bans. They should not have been anywhere away from the certain area that they were restricted. But all of that fell apart. I believe that they even had tracking monitors that were cut.

So help me understand the mechanics involved with what you are proposing.

**Mr. Shaun Hildebrand:** In that use-case scenario right there, there's a major gap between police agencies and sharing that data. Even the fact that that individual is wanted, the fact that we have known locations where that offender might reside at—perhaps it's a girlfriend's address. It's a place where we've encountered that individual before. It's places they're known to frequent. We might get sightings of the individual. We're able to continuously add mapped-out locations, and if we have an overall provincial system, then each agency, no matter who is entering the data, can get that real-time situational awareness.

So in that situation, it might be as soon as the ankle monitor is cut, there needs to be a transition from, "Okay, this person's on bail with an ankle monitor; we know it was cut because we get real-time notification from Recovery Science," to a wanted bulletin and go to an intelligence analyst at the specific police agency or to broader multiple agencies to update all the known addresses associated. Or, if we have that data warehouse of that offender profile, we know all the associated addresses and instantaneously, we can upload and start feeding that to the officers as they're patrolling, as they're running investigations, as they're investigating crimes with suspect descriptions, overlaying with parameters or descriptors of known offenders in relation to that and the geography.

They're generally creatures of habit for the most part. They don't go to unfamiliar locations, especially when they're wanted. They're going to hunker around in places where they're familiar with the geography.

**MPP Kristyn Wong-Tam:** Thank you very much. I won't have the time for additional questions right now, but I may follow up with you shortly.

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

To the government, and we have MPP Saunderson, sir, when you're ready.

**Mr. Brian Saunderson:** Thank you, Shaun, for taking time to come today and share this with us. I was part of the bail reform committee as well as the PA to the Ministry of the Attorney General. The information you're providing us is very exciting, because we were hearing that tracking the bail requirements and monitoring them on a real-time basis is not easy, and it's not really centralized in one area.

We've been hearing—this is, I think, our 10th day of evidence now in this very important study that we're doing on a very, very complex issue that is very devastating. What we've heard from a number of victim services organizations and legal services agencies is that if there is a charge laid, often, the accused will leave the area. We don't know where he is, and we don't really know what threat he poses to others, certainly understanding through the cycle of violence that it's not unique. It will repeat; recidivism is extremely high unless we can get them into

treatment of some form. So the idea of being able to track an accused for harm prevention of the victim but also to protect other women, potential victims—how do you see this tool operating to address those issues?

**Mr. Shaun Hildebrand:** That's a great question. I think often, in the intimate partner violence incidents and occurrences, the victim doesn't know who the perpetrator is, their government-issued identification. Often, especially when you have somebody perhaps who's been charged in one area, and now they've fled to a new area, and again, they're repeating, but they're generally—a new name or a fake name to the victim. For law enforcement, it's very hard to track. So being able to even simplistically say, "Okay, the descriptors of that individual are this and this," being able to go to a centralized data warehouse, to be able to search that and be able to see and compare, I think that in itself would be helpful.

Is your question more about the rehabilitative side of it or being able to—

**Mr. Brian Saunderson:** Let's start with the harm reduction side, just the protection of the victim and then other potential victims.

**Mr. Shaun Hildebrand:** So I think for the other potential victims, really just being able to track these individuals and know who they are, for the crown attorneys to be able to have a wholesome view of who these offenders are—because often, even when an individual is before the courts, there's a massive information gap, even as far as bail goes. Being able to say, "How many compliance checks have been done on this individual? What are the statuses of those checks?"—even on the current bail dashboard for Toronto and Durham, they have people that have been checked 50, 60 times, and 99% of them, there's no contact because no one ever answers the door. So being able to provide that back to the crowns to maybe even strengthen the cases, should an individual be held in custody, are they a model bail person or not, I think would add some assistance in not having that offender repeat while currently on charges.

**Mr. Brian Saunderson:** We've heard evidence of the horrendous statistics across the country of femicide at the hands of a partner. I'm wondering, are there ways that we can—because there are tools we've also heard about identifying risk, whether it be ODARA or danger—various tools. Are there ways that you could then identify high-risk individuals and then also high-risk victims so that when they go into the system, they could see that this person has been identified on the risk assessment tools as a very high risk, and if this person is off the grid, we need to act very quickly?

**Mr. Shaun Hildebrand:** I won't get into the granular of analysis because that's not my area of expertise. However, once you take all these siloed data sets and you put them together, especially when you're adding in the spatial component and understanding the demographics of an area that might be contributing factors that need to be looked at, the analysts can do a proper analysis on an offender or on a victim to provide proper insight as to the risks for both.

1500

And then, as I mentioned quite quickly in the presentation, it also enables us to create that community-centric piece where there are educational pieces involved, easy access to the resources, being able to assist the victims and being able to perhaps notify the police from their phone to be able to get to the nearest shelter or safety location, just leveraging their own GPS on their phone to where they need to be.

**Mr. Brian Saunderson:** Okay.

How much time do I have left?

**The Chair (Mr. Lorne Coe):** You have two minutes.

**Mr. Brian Saunderson:** First of all, how long did it take you to put together the dashboard for the bail?

**Mr. Shaun Hildebrand:** The first iteration of that dashboard took us about a day. We just project the data off an Excel spreadsheet. But the visualization and being able to see it spatially is paramount. Being able to have the addresses geocoded is paramount. We started in September 2018. Our first dashboard went live to the officers in November 2018, and then went to all 5,000 police officers in Toronto in May 2019, so it's relatively quick.

The nice part, too, with a fulsome platform, is the iterations. You can continue to be agile. You can continue to grow it organically as you understand the needs a bit more. You understand the user experience required from a victim, from the officers, from your parole officers and your probation officers. You can grow it as well as you can take the same data and project it differently to whomever the roles are.

The current state in Toronto: They are continuing to evolve and expand it. It's never a finished product, which is the nice part.

**Mr. Brian Saunderson:** On the sharing of this information, can we be sharing this with victim support services and other groups that would need to be involved if an abuser is hunting?

**Mr. Shaun Hildebrand:** Yes, 100%. Leveraging the current model that the province has in place as a result of the bail dashboard, using that same model, it can all be shared, and you can decide what is shared appropriately to each agency.

**The Chair (Mr. Lorne Coe):** Thank you, Mr. Hildebrand, for your answer.

It's now time to move to the official opposition, please, for two minutes and 30 seconds. MPP Wong-Tam, please. Thank you.

**MPP Kristyn Wong-Tam:** In my two minutes and 30 seconds, I'm going to ask questions around ownership of the data, where it is stored. Obviously, many of the witnesses who have come before us have talked about the need for good data, whether it's to propel research, to determine outcomes, all that sort of stuff. But I'm just curious to know—you will need to operate in the space where you're pulling together all of the data, and the data is very poor from what I can tell, and every law enforcement agency is doing something different.

So I'm curious to know, are you suggesting this company, the one that you work for, Esri Canada, be provided

with a contract or work with the government to put together the framework for the data collection and then manage the data? Who owns the data and where is it stored? And how can we ensure that we protect the privacy of those who need privacy and that it doesn't necessarily become a very expensive exercise where we don't get the outcomes that should be clearly predetermined before we even begin the project?

**Mr. Shaun Hildebrand:** My suggestion is that you leverage your current provincial Esri enterprise agreement. You leverage the current technology you already have. You leverage the current data warehouses that you already have in place, especially if we look at the provincial bail model. All those are put into place. Currently, the OPP is managing that data.

My biggest suggestion is when we talk about the data quality, that's where I believe the data should be coming straight from the source to a centralized place, whether that sits with the OPP or it goes to a different provincial entity. For example, in the Toronto model, we put one person at our bail and parole unit, a civilian that I hired in 2019, and all bail releases, those flat PDF files, went directly to him. Then he had to quality check every single one of them because there were a lot of problems with the data that's on it: The data was inaccurate; the names are spelled wrong; the addresses are wrong. So he would clean it up and he would put it into a records management system to project it for the officers to actually visualize and utilize and leverage—

**The Chair (Mr. Lorne Coe):** Thank you, Mr. Hildebrand. We're going to go back to the government, to MPP Dixon.

**Ms. Jess Dixon:** You're giving me flashbacks, talking about the PDFs, because, yes, it's absolutely ridiculous that that's what we do. Then you'd get disclosure packages of a PDF printed and faxed multiple times from another jurisdiction that would be blurry, and you'd be reading it sideways, trying to figure out what the address is.

Anyway, I just wanted to pin down a couple points. Right now, it's being used in Toronto for the firearms offences. Durham is doing it for bail orders that have specific compliance measures on it—the required address, that type of thing. At the moment, say, in Toronto, generally speaking, if you're accused of a domestic or sexually related offence and there isn't a firearm involved, you're not going to be monitored on the bail dashboard?

**Mr. Shaun Hildebrand:** Correct.

**Ms. Jess Dixon:** But you could be?

**Mr. Shaun Hildebrand:** Yes.

**Ms. Jess Dixon:** When I hear about this, what I think—and tell me if I'm right—is that this turns even a brand new officer out on patrol into somebody that has way more ability. Because it used to be, when I would release people on bail, there were three beat cops where I knew they were the best ones, and I would call them and let them know, "Hey, I couldn't keep this guy in. He's going to be at his girlfriend's house. If you drop by there in an hour, you will probably find him." But I relied on the fact that I had two or three great beat cops that would know exactly who he

was; they knew that that was his girlfriend's house; they knew that's where he hung out.

What it seems like to me is, you can now take even more of a rookie officer, somebody that doesn't have the familiarity, and as they travel, as they patrol, they're able to be like, "Oh, no. I should be looking for this person. He shouldn't be here." Is that kind of what it can do?

**Mr. Shaun Hildebrand:** Yes, it's proactive policing on a silver platter. As they drive, the bulletin is popping up on the screen, very simply: "Bail, wanted"—whatever it may be—their photo. They have to look out the window, then they have to get out of the car if they see the person. It's very simplistic.

It also breaks down, as you said, about—you're notifying these three officers. Well, the biggest gap is inter-agency. For example, when I left Toronto in December, at that time, there were 17 offenders charged by Thunder Bay police on bail in Toronto for firearm-related offences. At the time, there was one from Ottawa police. In the entire span of the bail dashboard, there was one from Ottawa police. Why? Because there's some sort of gap in the information sharing that's not happening, which this will solve.

**Ms. Jess Dixon:** That's fascinating. Perfect.

**The Chair (Mr. Lorne Coe):** Thank you, Mr. Hildebrand. That concludes the time for your presentation. We appreciate very much your being with the Standing Committee on Justice Policy.

#### DR. CARMEN GILL

**The Chair (Mr. Lorne Coe):** Members, I'm going to call on Carmen Gill, who is our next presenter. I believe she's participating by Zoom. Can you bring her in, please?

Good afternoon. Thank you very much for being with us. You're going to have 10 minutes for your presentation. At the one-minute mark of your presentation, I'll let you know you have one minute remaining so you can start summarizing at that point. Then prepare yourself for 20 minutes of questions from the members of the opposition and members of the government on this committee.

Please state your name for Hansard, and then you may begin your presentation.

**Dr. Carmen Gill:** Thank you very much, Mr. Chair, and thank you to the members of the committee for inviting me to participate in this meeting on gender-based violence.

My name is Carmen Gill. I am a professor in the department of sociology at the University of New Brunswick. My research focuses on the police response to intimate partner violence, and I will probably use "IPV" through my statement.

**1510**

Specifically, I work on coercive control, and as such, I have conducted surveys with police officers on their perceptions of IPV involving coercive control. Therefore, my statement is emphasizing the importance to recognize coercive control behaviour as central in situations of IPV by police officers. I work in close collaboration with the

crime prevention committee at the Canadian Association of Chiefs of Police.

IPV is multi-dimensional in nature and encompasses numerous forms of violence. However, it's often seen as an episodic or one-time event, failing to address the complexity of the issue involving repetitive tactics used by the abuser. Violent behaviour does not necessarily involve physical violence or a single incident, but instead consists of repeated and continuous patterns of behaviour that occur over lengthy periods of time. Regardless of when the violence starts and what it looks like, it is the abuser's way of maintaining control over his partner.

Since the Canadian criminal justice system primarily places emphasis on the evidence of physical violence, first responders are to find evidence of such violence. Consequently, there is a neglect to question the context of the abuse and the harm caused within these situations, which results in coercive control being unaddressed and dismissed. It is almost impossible for police officers to recognize the deprivation of rights to freedom, the obstruction of liberty and the power-and-control situation. The lack of corresponding offences to situations of IPV, including repeat behaviour to control a partner, makes it difficult for law enforcement to intervene adequately on scene.

Police officers are the first responders from law enforcement to decide if an IPV situation is criminal as per the available offences within the Criminal Code of Canada. Without the clear recognition of coercive control as criminal behaviour, it is impossible to uncover the destructive behaviour that encompasses this abuse or have it addressed within the criminal justice system. The recognition of coercive control as an offence would finally be a recognition that power and control over an intimate partner is a crime against the person. It would allow those caught in abusive relationships to report when they are experiencing abuse, even if it's not physical violence.

Police officers must assess whether a situation is considered as IPV and could potentially be criminalized. At the same time, they are responsible for recognizing the signs of coercive control. The assessment for them is twofold. On one hand, police officers are to determine if it is an isolated incident that is situational, caused by tension that led to a conflict escalation. On the other hand, they must assess if the situation involves a controlling pattern from the abuser, which would not be an isolated incident. This is very important, to recognize the pattern of violence and not just to look at an incident, so the context is extremely important to recognize.

Coercive control behaviours are not always visible to outsiders and demand a deeper interaction with the survivor to detect the pattern in place. These patterns are built up over time and are characterized by a combination of different tactics to control an intimate partner. For me, it encompasses three pillars under the various behaviours that can be identified: (1) the denying of resources or rights; (2) the surveillance and the micro-regulation; (3) the manifestation of violence that we know: physical, sexual violence.

Coercive control blends in intimate relationships and is normalized in our society. It appears so normal that even survivors may consider that they are not abused because they have not been physically assaulted. Identifying coercive, controlling behaviour is like putting together a puzzle. It makes sense once the pieces of the puzzle relate to one another.

Every professional working with survivors is in a delicate position to go beyond what they see on-scene or consider what IPV is, to ensure they have a broad understanding of the context of the situation. The revised Bill C-332 is illustrating some of the tactics that can allow the identification of such behaviour.

Of course, the question is how to read a situation without visible physical violence. To optimize their response, police officers need to have a clear understanding of coercive controlling behaviour and what it looks like. They need to gather evidence that would not be looked for and it starts by allowing identification of those behaviours.

Too often, victims of violence will not seek help because they believe it is not serious. However, when they do, they are not taken seriously, as it is difficult to determine how violence is occurring. What is perceived to be life-threatening by a victim may be perceived as minor in the eyes of responding police officers if they do not recognize the severity of non-physical tactics of abuse and the context in which they occur.

Focusing solely on individual incidents allows for the disregard of escalating patterns of violence, the dynamics of abuse and further understanding about barriers that prevent victims from leaving. A lack of comprehension of coercive control as part of violence in intimate relationships during an initial response by police officers may set the stage for the availability—or not—of subsequent support responses.

I want to stress, as well, the fact that coercive control increases the risk of lethality, especially in situations of separation or a custody battle. My experience reviewing domestic homicide cases in New Brunswick has shown that in about over 30% of cases, there was no presence of any physical violence prior to the murder, but there was a display of controlling behaviour in those relationships.

There's a need to better address IPV and especially coercive control from the criminal justice system. To do that, it is important to improve knowledge on the complexity of the issue for first responders, to provide adequate risk assessment tools and offer ongoing training to professionals from the criminal justice system. An offence of coercive control would clearly recognize the fact that IPV is a pattern of power and control over victims and would legitimize victims' experiences.

Of course, we have to highlight the fact that addressing IPV situations is not the sole responsibility of police agencies but a responsibility that is shared among different agencies. It is important to encourage and support collaboration between agencies and to continue maintaining initiatives that are working well in communities. Thank you.

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

We're going to now start our questions with the members of the official opposition, please. MPP Andrew, when you're ready. Thank you.

**MPP Jill Andrew:** Good afternoon, Dr. Gill, and thank you for your presentation on coercive control. I appreciate it greatly.

Earlier today, we heard from SafePet, and we also heard from Kids Help Phone, both of whom are doing work also addressing coercive control and the sort of patterns that can lead up to the physical attack, so to speak.

I appreciate that you are encouraging that intimate partner violence not be seen as a one-episode event but that there are these incremental steps or threats and harassment, name-calling, various financial abuse that can be used to demonstrate power and control over victims.

I guess I wanted to know how we create better educational opportunities, whether it's for police officers as first responders, crowns, judges and even our students in school. Do we need to do more to educate the public on what coercive control is and how it shows up? Because currently, folks aren't as familiar with that terminology or even what it means.

**Dr. Carmen Gill:** That's a very important question, because without first educating the general public—we need to raise awareness about coercive control. So we use this term, and it seems to be, really, an abstraction, but when we start talking about this, people know what it is. I've done multiple consultations with police agencies across Canada in 2020 and 2021, and police officers were telling me that they did not know about the term, but they knew exactly what I was talking about. So they are already aware of those situations. Police officers, when they're responding, they use one tool; they use the Criminal Code of Canada. But they know that there is something happening in those homes.

**1520**

So, yes, we need more education for police officers, but we need to educate crown prosecutors. Just last week I did a training for crown prosecutors in New Brunswick about coercive control and what they should expect if there are situations that come on their desk and there's not necessarily physical evidence in those cases so that they can move forward with the case. We're already starting to raise awareness with them.

Judges: Well, since Keira's Law, there is a need for judges to be educated on IPV, coercive control, sexual violence. For the last three years, I've done seminars with judges in Canada, with the institute, about coercive control.

But this is not going to be enough. There will need to be a major campaign across Canada. I don't know if it's going to be each province that is going to do this, but there is a need to raise awareness with the general population, because we need to stop talking about IPV as physical violence. The example I'm giving to everybody is, you can terrorize your spouse for 15 years, but you punch her in the face once and it's a criminal offence. There is a problem. We have done a lot since the 1980s when we decided

to criminalize IPV, but what we did is we focused only on assault and threats of assault. We forgot about the entire complexity of this particular issue. We are really working really narrowly when we look at IPV. We need to expand.

**MPP Jill Andrew:** Thank you for that, because I suspect that there are times when folks find the courage to disclose that they are being violated, but because they don't have those scars and those "battle wounds" that are visual, people may say, "Just buck up. Be strong." People may make fun of them or not even believe them. Or you may have someone come to the door to support you, and they say, "I don't see any crime here. There's no blood. There's no black eye. I can't get involved in a domestic dispute, an argument." That is an opportunity to see a pattern of behaviour that could lead to the ultimate death or murder of someone, and we don't want that to happen.

**Dr. Carmen Gill:** Exactly.

**MPP Jill Andrew:** Thank you for your comments. I really appreciate them.

**The Chair (Mr. Lorne Coe):** Thank you very much. You still have two minutes left, if that's what you'd like to use—less than two right now: 1:59.

**MPP Jill Andrew:** On page 7, actually, of your written submission, it said, "Within the United Kingdom, police officers in England and Wales are trained to conduct the Domestic Abuse Risk Assessment.... Seventeen questions are suggested, most of which ask how often abusive behaviours happen, on a scale from 'never,' 'occasionally,' 'often' to 'all the time.'" Are these sorts of questions the kinds of things that you'd like to see adopted in Canada, where we are able to capture that pattern that we're talking about of coercive control?

**Dr. Carmen Gill:** Yes. I'm already working with the crime prevention committee at CACP, and I developed a national framework for police intervention in intimate partner coercive control. I highlight the DARA in this particular national framework to help them to start looking at coercive control.

I am in London right now, and I met with someone from the College of Policing because I really want to know how it's evolving with the DARA, because I'm really looking at this particular instrument as something that could be viable for us in Canada. However, I will want to add further questions that would be more related to our Canadian context.

**MPP Jill Andrew:** Understood, Dr. Gill.

Quick question: Are you currently part of any projects that we should know about with any community organizations, provincial or national, here in Canada that are specifically targeting coercive control or trying to do those public education and awareness campaigns that we so desperately need?

**Dr. Carmen Gill:** I'm developing a partnership on policing intimate partner violence in Canada, so that's what I'm doing. I have a group of people that is working—

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

We're now going to go to the government members for their questions. I have MPP Dixon, please, when you're ready. Thank you.

**Ms. Jess Dixon:** Thank you so much. To go back to screening tools: I know you've covered some of this already, but what we've been hearing a lot over this committee is about all the different types of screening tools that we have and the idea that while there are some good reasons for differences based on what entity may be doing the screening, that a little bit more standardization would be helpful when it comes to having that data be more comprehensible across multiple situations and institutions.

Where are we at right now? Because you're talking about ODARA. Does ODARA address anything regarding coercive control right now?

**Dr. Carmen Gill:** Yes. The DARA is strictly focusing on coercive controlling behaviours, so different patterns. If you want to focus on physical violence, then we are going to look at the ODARA in Canada.

**Ms. Jess Dixon:** On a risk assessment, what are the type of questions that would be present that are signalling that they're about coercive control, that they're designed to detect coercive control?

**Dr. Carmen Gill:** How often John, for example, used or tried to use weapons such as household items, knives or guns; how often does John threaten suicide; how often does John call you names, humiliate or degrade you; how often does John control your daily activities, such as who you can see or how you perform household tasks? So, that sort of questions. It's really related to isolation, humiliation and manipulation of the person, so it's all about coercive control.

**Ms. Jess Dixon:** Yes. When we're talking about screening and doing a risk assessment for coercive control, we have a number of different agencies. You may have the police doing one, you may have probation or parole in another. You may have a psychiatry link, and then you may have victim services that are doing it based off information provided by the victim. In your studies, what are you seeing as far as the existence or perhaps breakdown of communication between those different agencies and opportunities for them to collaborate better so that that data is being communicated? Is that something you're seeing problems with?

**Dr. Carmen Gill:** It depends. It depends where you are in the country, because there are places where there is extraordinary collaboration. So I put in my submission the Peel police service. I think this is what you should look at because it's the Cadillac right now in terms of collaboration. They really work with a centre where there is a connection between different agencies. They're all coming together to work together. So when I say we need to criminalize coercive control and we need to prosecute those people who are doing this, it doesn't mean that you need to intervene only after it is criminalized. People should all work together in order to be able to recognize this particular pattern. Should this all be prosecuted? Not necessarily. If they all work together, they can recognize

this particular pattern and potentially save lives before it's too late.

1530

Collaboration is difficult. There is different legislation in place about the protections and you cannot necessarily share information with certain agencies, so you always have to work through those barriers, but there is possible collaboration.

If you look at the specialized domestic violence courts, for example, they do have some collaboration. If they have specialized units in police agencies, generally, they will have more collaboration with one agency or maybe a few agencies that are in the region, but it's not necessarily the same everywhere.

**Ms. Jess Dixon:** In your reviews and familiarity with different screenings, risk assessments etc. about coercive control—another thing that we've heard a lot about in the committee is the idea of things being technology-enabled or -facilitated. Are you seeing questions that may flag that, such as, "Does your partner ask for passwords to accounts, track your location," that type of thing?

**Dr. Carmen Gill:** Absolutely. This is going to become something very important to recognize because the use of technology is really important in coercive controlling situations. The use of emails, for example, control of social media, control of bank accounts—it's really prevalent—or even cameras that are going to be installed around the house. It's pretended that it's supposed to protect everybody in the home, but basically, it's to control if she goes in and out of the house. There are even some cases where cameras are installed inside the home where the partner is going to be controlled.

**Ms. Jess Dixon:** For us as the committee, say we're giving recommendations about standardizing or increasing risk assessments, when we talk about tech, is that something where, as a committee, we should be looking at the idea of a recommendation that says, "Okay, if you're going to come up with this more standardized risk assessment, it needs to be revisited at X period of time to address those technological concerns"? Because I can't remember when things started, but I think 10 years ago, nobody would have been asking about, "Are they controlling your Alexa?" or something like that. So we would want to keep our questions tech-current.

**Dr. Carmen Gill:** Absolutely, because what we're talking about today might be different 10 years from now, or we're just not aware of what will happen with the technology. But, for me, a risk assessment is not about scoring; it's about detecting the signs that there is a pattern of coercive control. So this is a little bit different compared to if we look at the ODARA, which is scoring what is happening in the situation. For me, it's about recognizing a pattern. Like I said, it's like a puzzle. If they can recognize that there is a pattern, we are in a better position to address the situation—

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

We're now going back to the members of the official opposition. MPP Andrew, when you're ready.

**MPP Jill Andrew:** Dr. Gill, please take a moment to finish your thought.

*Interjection.*

**MPP Jill Andrew:** Yes, I know, because you're talking, and then someone just comes in.

**Dr. Carmen Gill:** Yes, and—what was I saying? That's the question.

**MPP Jill Andrew:** Okay, I'll jump in then. I don't know if you have data specifically on the number of folks who are suffering in silence because coercive control is not currently recognized as a feature of intimate partner violence; do you?

**Dr. Carmen Gill:** I don't have numbers about that. What I know is all the women that are contacting me each time I'm speaking publicly. That is phenomenal. It's mainly women, because I have to admit I haven't heard from men, but women are contacting me and asking me when it is going to be criminalized because they want to know if they will have a possibility to be heard somewhere. But right now, we don't have numbers in Canada.

**MPP Jill Andrew:** Can you express how debilitating a pattern of threats can be for the woman who is simply trying to leave home or go to work, have autonomy, have financial independence? How does this deteriorate, how does this just break down a woman's sense of value and security over years?

**Dr. Carmen Gill:** They really get low self-esteem. They really second-guess themselves. What happens in a coercive controlling pattern is they will start second-guessing themselves. They will start rationalizing the behaviours and considering that this is their fault, or they're reading the wrong thing because they've been told that they're not reading the right thing. There will be some women that are going to change their physical appearance because they are not going to be able to control what they're going to even wear. They want to wear a dress and they're going to be told they cannot wear a dress to go to the grocery; they have to wear sweatpants.

So this is going to have an impact on their self-esteem. For some, it's going to transform into depression. They will stop reacting, they will stop resisting and they will comply because this is what they think they have to do. Because in a coercive controlling pattern, it's really difficult to get to understand that this is violence. It takes a long time to recognize that this is what's happening to you because you're groomed in this particular situation.

At first, it's going to start by something more like, "My spouse is caring for me. He shows up when I'm meeting friends and, oh, he cares about me, so he wants to be there. We don't have two cars because he wants to drive me everywhere I need." But suddenly it's like you're caught in a web. So it has a real impact. This leads to trauma.

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

We'll now move to the government members. I have MPP Hogarth, please, when you're ready.

**Ms. Christine Hogarth:** Thank you, Dr. Gill, for being here. Just listening to that, the words you were saying resonate with some discussions we had on human traffick-



ing: They're losing their self-worth. I think the more we talk about IPV and coercive control, maybe others may realize that they might be caught in that web, and more and more people are coming forward.

Is there something you think we can do—because you have to look at families. It's mostly women who are involved in this; obviously, some men. We have to look at the family unit. If that's the family you grow up in, how it's going to be that cycle of violence—because, "It's okay to talk to mom that way, so I'm going to talk to my girlfriend that way." How do we get to the root cause so we stop this cycle of violence so we can tell our young boys it's not okay? Any suggestions?

**Dr. Carmen Gill:** This is a most important question that we can answer. We still live in a patriarchal society. This is where we have to go. This is how far we need to go. We need to question our gender models, masculinity and femininity, because we are still considering that these are the two models that are prevalent in our society.

We can always talk about educating our children, but it starts at every level. It's not just education in schools, but it's education throughout all services that are delivered in our society and how we are perceiving people in our society, how we are treating women, how we're treating men in our society, what we are valuing in behaviours in our society. So to recognize that we are equal means to recognize that we are equal all the way and not just at certain places and when it's convenient for us.

1540

**Ms. Christine Hogarth:** One quick question before this is over: Earlier today, we had had a police officer who was talking about a data set for police officers in Ontario. You work across Canada. Have those discussions—because a criminal going from Ontario to BC or Ontario to Manitoba or Ontario to Quebec or even to the US—are those connections, are those data sets available, or is that something that we should be looking into?

**Dr. Carmen Gill:** There is something that is produced in Canada. I think it's controlled by the RCMP. There's a big database, and police agencies have to input their information in this particular database. That's what I understand about how it's functioning. This is something that I don't have access to, but it's really for police agencies.

**The Chair (Mr. Lorne Coe):** Thank you very much. That concludes the time for your presentation. We very much appreciate you being with us this afternoon. Please have a good weekend.

**Dr. Carmen Gill:** Thank you. You too.

**The Chair (Mr. Lorne Coe):** Thank you.

#### WOMEN'S NATIONAL HOUSING AND HOMELESSNESS NETWORK

**The Chair (Mr. Lorne Coe):** We'll now call on the Women's National Housing and Homelessness Network to make their delegation. Our technician will bring them in on Zoom. Thank you.

**Dr. Kaitlin Schwan:** Hello there. Can you hear me?

**The Chair (Mr. Lorne Coe):** Hi. Good afternoon. Welcome to the Standing Committee on Justice Policy. We're pleased to have you making your delegation today.

You're going to have 10 minutes for your presentation. I'll let you know when you've got one minute remaining so that you can start summarizing in that last minute. You'll have 20 minutes of questions following your presentation from the official opposition members as well as the government members, which I will moderate for that period of time.

I do need your name and affiliation, please, for Hansard.

**Dr. Kaitlin Schwan:** My name is Kaitlin Schwan. I am the co-founder and researcher at the Women's National Housing and Homelessness Network. I'm also an associate professor of family medicine at the University of Southern California.

**The Chair (Mr. Lorne Coe):** Thank you very much. You can please start your presentation. Thank you.

**Dr. Kaitlin Schwan:** Thank you. The point I want to make today is really very simple: There is no solution to IPV without a solution to the housing crisis. The area of work I do is in housing need and homelessness, specifically for women and gender-diverse people. As I imagine you folks know, research has consistently shown there's a bidirectional relationship between intimate partner violence and housing insecurity for women and gender-diverse people. This means violence is both a cause and consequence of homelessness and housing precarity. When governments fail to provide safe, accessible housing for marginalized and poor women and gender-diverse people, we know that exploitive and violent men and others step in.

The link between housing, poverty and intimate partner violence is really well established, so I'm not going to focus on that today. What I wanted to focus on when I was thinking about what I could uniquely contribute here is actually the National Housing Strategy and the opportunity we have to leverage it in pursuit of ending the epidemic of IPV in Ontario and across the country. As you will all know, the National Housing Strategy constitutes a huge pivot in federal housing policy through this \$82-billion investment that is aimed at ensuring accessible and affordable homes for everyone in Canada. There has been a lot of research, a lot of scrutiny of the National Housing Strategy, and that's been a major component of my work, is to look at what this strategy means for women and gender-diverse people who are in poverty or experiencing housing need.

What we've found in our work at the Women's National Housing and Homelessness Network is that marginalized women and gender-diverse people are the most likely to be in core housing need and experience the deepest forms of poverty, but they're least likely to benefit from the National Housing Strategy. The Canadian charter articulates that women have the right to equal benefit from housing programs, and this isn't what we're seeing happening at the federal level.

So, what I want to suggest to the committee today is that failures in housing policy are really key causes of

intimate partner violence. If the province is going to make progress towards ending IPV, we really need to see gender equity and justice in our federal housing policy. I'm going to briefly outline three recommendations that I think could help alleviate the IPV epidemic in Ontario through amendments of the National Housing Strategy, and I would suggest that the government of Ontario should be seeking to implement these amendments in bilateral agreements through the use of NHS funds and through the implementation of NHS programs.

The first recommendation is that the National Housing Strategy really needs to prioritize investment in affordable housing that reflects the depth of poverty experienced by women and gender-diverse people, particularly those at the intersection of violence and poverty. There have been a lot of evaluations in this area, and what they have shown is that the current programs that are being funded through the National Housing Strategy are disproportionately excluding low-income women and women-led households. We're actually not producing units that are affordable to women in greatest need, especially if those women are Black, Indigenous, people of colour or women with disabilities.

Just to draw a quick example: The largest National Housing Strategy program is the Rental Construction Financing Initiative; it's about 40% of what we're spending. What we're seeing is that only 3% of the units produced through this are going to be affordable for low-income households—households that are disproportionately led by women.

It's also the case that the biggest spending we're doing in the National Housing Strategy is on programs that define "affordability" as 80% of average market rent. As you folks will know, if you're a single mom on social assistance, your capacity to pay is not tied to the rent of your neighbours. It's really tied to your income. So unless we're tying affordability metrics to income, we're failing women and gender-diverse people who are in extreme forms of poverty, which we know are linked to IPV.

It's also worth noting that the NHS commits just 25% of funding to women and girls, and that target actually hasn't been embedded across NHS programs. The conclusion we've come to through our research is that NHS investments have this de facto discriminatory impact on women and gender-diverse people, given their disproportionate housing need and homelessness, and that this contributes to enormous challenges exiting situations of intimate partner violence. What we really need to see is an amendment of the eligibility and prioritization criteria of NHS programs to ensure we're prioritizing those in greatest need. These need to be income-based, not market-based, and we need to be embedding equity targets in the National Housing Strategy that actually reflect the depth of need across the country.

Secondly, a big piece here is we need to advance gender equity in federal spending in homelessness services. As you will all know, many women who are experiencing intimate partner violence end up in the homelessness sector. The most recent available data suggests that 68%

of all shelter beds in Canada are designed for men or are coed, and we know many women will avoid coed shelters due to violence or harassment within them. We're only dedicating about 13% of beds to women in the homelessness sector. As a result, women remain trapped in situations of abuse and violence because they can't get a bed.

In terms of recommendations, we really need a GBA Plus audit of federal investments in the homelessness sector, and we also need to invest more heavily in homelessness prevention—specifically targeting these women-led households that are in poverty and experiencing intimate partner violence. I would suggest to the committee that part of the argument for this is that, if we invest in poor women who are parenting and experiencing IPV, we actually have the greatest chance of preventing chronic homelessness, because we know that those childhood experiences of IPV, parent-child separation, housing precarity are all predictive of chronic homelessness and inter-generational homelessness. We really need to be prioritizing there.

**1550**

The third piece I want to highlight is that we need to invest in programs that improve security of tenure and pathways to home ownership for women and gender-diverse people who are experiencing violence and living in poverty. Last year, my organization did the largest study on women's homelessness in Canada to date, and we asked people what happened, about why they just lost their most recent housing. We had many, many criteria they could endorse, but the top reason was a breakup. It outpaced affordability, health crises, loss of job and a lot of other factors. What this said to us is that in order to remain housed, many women and gender-diverse people have to remain in a romantic or sexual relationship of one kind, and this dependence makes it extremely hard to leave abusive relationships.

There's a great quote from Samantha Grey from the Vancouver Rape Relief and Women's Shelter; she said this well. She said men use housing "as a way to exploit women's economic desperation," and this is particularly true in situations of IPV.

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

**Dr. Kaitlin Schwan:** Thank you. Given this, we really need government investments to improve security of tenure and access to home ownership for women and gender-diverse people who are in poverty and experiencing IPV. We can look at models like women-led land trusts, home ownership programs for low-income women, women-focused co-operative and supportive housing, and supply programs that prevent child-parent separation.

Thank you for the work you're doing and the opportunity to speak. I would really encourage the committee to hold the government of Canada responsible for its obligations to uphold the equal rights to housing for women and gender-diverse people experiencing IPV. And amendments to the National Housing Strategy are where we can really focus some efforts and see some results. Thank you very much.

**The Chair (Mr. Lorne Coe):** Thank you, Professor, for your presentation.

We'll move now to the official opposition. MPP Wong-Tam, please.

**MPP Kristyn Wong-Tam:** Kaitlin, it's wonderful to see you on the screen. I know our paths have crossed numerous times when I was at the city of Toronto.

I want to be able to maybe start my questions—you have brought us to the National Housing Strategy, recognizing that the National Housing Strategy belongs to the government of Canada, but every province and territory is doing their part through the bilateral agreements, and your research and focus has been around the NHS. I think what I'm hearing is there has been talk at the federal level to put a GBA Plus lens over some expenditures, but it seems to me that it's missing from the National Housing Strategy.

If the federal government is not pushing it, despite the fact that Prime Minister Trudeau has claimed to be a feminist ally, a feminist Prime Minister—in some ways he has done extraordinary work; I don't want to take that away from him. But he has never insisted that the provinces or territories carry out the GBA analysis with their federal dollars as it comes down to the provinces and territories. So it would be unlikely that Premiers and governments across Canada who are not as enthusiastic about GBA analysis when it comes to budgeting would take up the call for action if the Prime Minister himself and the federal government are not asking for a GBA implementation of federal dollars provincially and at the territorial level.

That's a long way of saying that we are probably not going to—unless the Prime Minister, who has the power to stipulate conditions when it comes to federal spending—I think some conditions, maybe not all conditions. It's unlikely that we'll see it here in Ontario unless we have the same type of enthusiasm from this provincial government and provinces across the country to take up that call. So in a long way, my question is, what can we do about the National Housing Strategy and putting that gender lens over those housing investments, if we're not doing it here in any way right now?

**Dr. Kaitlin Schwan:** This is a wonderful question—and so wonderful to see you, as well. Thank you for your work in this area.

What I would suggest is, we have the National Housing Strategy Act. This is federal legislation that has established the right to housing and the right of all people to that right irrespective of their identity. The NHS has obligations at all levels of government, so while we're not seeing the GBA Plus lens we want to see in the National Housing Strategy from the federal government, it remains the case that that act creates obligations for the federal government but also all provinces and territories and municipal governments as well to be implementing that.

This should be the point of departure from a legal human rights perspective. The failure to invest in a robust, for example, gender-based audit of where investments are going, whether or not they're actually reaching those who

are in greatest need, is a human rights failure at a policy level across all levels of government.

Your question with respect to political motivation to take up this work at the provincial level is a really good one and such a complicated one. I wish I knew precisely what would inspire governments to take up this work. What I would say is there is a human rights obligation to do so in addition to a policy mandate to do so.

I would also highlight that the Federal Housing Advocate identified the need for a national human rights inquiry into the failure to prevent and end homelessness for women and gender-diverse people. The National Housing Council, in the coming months, will be having a review panel focused on this, and I suspect we're going to see a range of recommendations that come out of that that I'm hoping will assist provincial and territorial governments in addressing this gap in GBA Plus housing policy.

I would leave it at that. Thank you.

**MPP Kristyn Wong-Tam:** Thank you, Kaitlin. We're on day 10 of our study on intimate partner violence, and I think we have heard from witnesses every day about the intersections of poverty, financial insecurity and the inability for women to escape abusive situations because they just don't have the financial means to go forward. So, raising the issue around housing and the ability to address intimate partner violence, GBV, through a housing lens is a very important proposition you've brought to us today.

You've given us three very clear suggestions on how we need to influence the NHS, but we need to be able to convert that into a bit more of a provincial ask. I guess the correlation between IPV and housing instability and chronic homelessness, which we're seeing quite a bit of across Ontario—I think that's where we need to go with what you're proposing. So if we were to ensure that every woman and gender-diverse person has access to housing and shelter space when they need it, do you think that would help us—not quite entirely eradicate IPV and GBV but significantly reduce the harm and allow people the option to leave when they can?

**Dr. Kaitlin Schwan:** Absolutely. I think it is tremendously foundational to the efforts to end IPV: access to safe, adequate, affordable housing that's permanent for all women and gender-diverse people. That is what we hear from survivors. That is what we hear from folks who are living in housing need and homelessness, that in many cases—in the area I work with women experiencing homelessness, they're trying to make choices amongst how many people they're going to experience violence from and what that violence looks like. So we frequently hear, as I suspect you've heard in previous days, that women will “choose” experiencing violence from one man in order to not be exposed to violence from multiple men and others on the street. That's just a horrific situation that people are in. Access to adequate housing and security of tenure is really critical to preventing, reducing and ultimately eliminating IPV.

1600

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

We're now moving to government members. MPP Dixon, please, when you're ready.

**Ms. Jess Dixon:** Thank you so much for being with us. I was going through the government tool kit on the website about the federal, provincial and municipal governments, and I apologize if I brought this up when we spoke last, but I can't remember: It's sort of outside of your research area, but have you seen the report Tyler's Troubled Life? It's one of the Public Safety Canada reports.

**Dr. Kaitlin Schwan:** I haven't, unfortunately—

**Ms. Jess Dixon:** Ordinarily, this is an opportunity for questions, but I'm going to pontificate for a second.

**Dr. Kaitlin Schwan:** Please.

**Ms. Jess Dixon:** When we were talking last time and then listening to you present—I feel like I'm often sort of the person at the committee who comes in and starts offending everybody by talking dollars and cents and results, but that is what using taxpayer money is supposed to be about.

So what Tyler's Troubled Life did, which I love from a crime perspective, is it basically takes somebody from zero to 30. This is, you know, a child born to an unprepared mother, with domestic violence in the family, taking him through into his own series of offending and the cost to the system. And so ultimately, it concludes—and this is in 2015 dollars—that over the course of his 30 years, he costs the taxpayer \$1.4 million. And then it shows three different intervention points: Stop Now and Plan, when he's a young child, which saves \$1.3 million; then the Youth Inclusion Program a little bit later on; and then ultimately multi-dimensional foster care.

What I'm wondering is, is that something that we could do from a housing perspective? If you take a couple of different, sort of, personas, like a woman, a woman with a child, somebody gender-diverse—because I'm sure, with all of your research and data, you're well able to come up with a hypothetical construct of those people. Again, I realize it is a very cold way of doing it, but the cost of that person—homeless, whether it's hidden homeless, being turned away from shelters, even if it's a woman who has tried to flee, is returning home and then theoretically becoming victim to an offence, and then, of course, that offence projecting through the courts—those types of costs. I think it would be very interesting to see this idea of housing as not something that is a cost, necessarily, but something that is actually a savings.

**Dr. Kaitlin Schwan:** Yes. I love this suggestion. I think it's so brilliant.

I'm in the US; I just relocated here a couple months ago. In the homelessness space, there was a study done called Million-Dollar Murray that similarly articulated what is the cost to the system of failing to intervene for someone experiencing chronic homelessness. It is enormously powerful in terms of public perception, in terms of helping move the political dial around this issue, to articulate the cost savings associated with early intervention.

We have patchworks of knowledge, but I think it would be tremendously valuable to really outline what this looks like. Particularly, there is a range of research that,

example, articulates the intersections between child-parent separation, childhood experiences of IPV, housing insecurity, homelessness—it's all truly predictive of adult homelessness and chronic homelessness, and so much of it points to the need for early intervention and the cost savings across generations that—

**Ms. Jess Dixon:** Yes. Because I was trying to help with schizophrenia specifically, with an organization that did—it's a really good group home, but they also do community care. I kept trying to say, "Okay, I know this isn't what you want to talk about, but can you quantify? Like, we all know what your client was experiencing and what was happening to them and how they were happening to people before they were supported," and to demonstrate the difference of cost—the same with addiction recovery beds, for example. Once you're past withdrawal and detox, you're down to maybe a \$75-a-day bed in a residential treatment program—even if you multiply that by three years, in comparison to what that person unsupported in the community can be encountering, creating.

I think that that would be very interesting, because I think that the concept of government-provided, government-supported housing feels like an age-old battle with different perspectives on it. But the idea of taking it down to finances—you don't really have to have an opinion one way or the other about this person, but this is what their life experience unsupported would be like; this is what it costs for us to house them in this fashion, whether it's different levels of housing. Personally, for me, from an advocacy perspective, that would be very interesting to be able to make this point as well.

**Dr. Kaitlin Schwan:** I agree. I think that would be enormously helpful to do.

**Ms. Jess Dixon:** I definitely suggest taking a look at Tyler's Troubled Life. You take that wide-spectrum analysis of the different types of consequences, because obviously we would be seeing a cost to health care, to policing, to courts, to legal aid, to F&CS, to child apprehension, their own health care costs—that type of thing. I think that would be very useful for our purposes.

**Dr. Kaitlin Schwan:** I deeply agree and would be honoured to support in whatever way it would be helpful.

**Ms. Jess Dixon:** I'm not really sure how enormous a thing I'm asking is, but even getting a sketch outline of that—is that something that you or your organization may be able to help with, to help us structure it in that fashion?

**Dr. Kaitlin Schwan:** Absolutely. I think your proposal around creating a range of profiles of individuals and understanding a few different trajectories based on what we know are common pathways into criminal justice—housing need, homelessness, women's shelters; whatever those paths are—would be very helpful. I think there would be some complexities to parts of it, of course, but I think a rough sketch is entirely feasible, and we'd be very honoured to support.

**Ms. Jess Dixon:** Thank you.

**The Chair (Mr. Lorne Coe):** Thank you, MPP Dixon. I'm now with MPP Wong-Tam, please. Thank you.

**MPP Kristyn Wong-Tam:** It's a great reminder, Kaitlin—you mentioned Million-Dollar Murray.

To MPP Dixon's excellent point: Building the business case for housing has never really been that much of a problem. I think that the housing advocates and the researchers out there from the homelessness observatory, the national housing—it's all there, including the folks who have done some really extraordinary easy-to-understand infographics at Chez Soi. It's all available.

But we've never been able to really convince government of recent years that investments in deeply affordable housing, especially supportive housing, especially as we're seeing the overdose crisis in Canada—there really is very little to no support for that population. And that is a group of individuals that you specifically highlighted in your deputation, that the National Housing Strategy is failing them. In the province of Ontario, we have a housing strategy as well, a commitment to build 1.5 million homes. But unfortunately, it doesn't really get to the continuum of housing and the range of housing that's required.

If a gender lens was placed over our housing strategy—even the provincial housing strategy—and a gender-based-analysis lens was placed over the budget, we would be able to address intimate partner violence, or at least significantly reduce it, by going at it that way, would we not?

**Dr. Kaitlin Schwan:** Precisely. Absolutely. The intersections between these issues are so profound that interventions around housing are IPV prevention and reduction and elimination. They're one and the same in terms of what we understand from research and policy analysis.

**MPP Kristyn Wong-Tam:** So it's really a matter of the social safety net not being there. As we continue to defund and underfund the critical resources, this problem around IPV is only going to deepen, and that's why we've seen those surging rates over the past few years. Is that correct?

1610

**Dr. Kaitlin Schwan:** Precisely. And I think something that we have endeavoured to articulate through the Women's National Housing and Homelessness Network is that the housing crisis is a gendered crisis, and it needs to be understood as such. It's an intersectionally gendered crisis. There hasn't been that lens brought to housing policy, and housing policy hasn't necessarily been very legible to people who have been engaged in gender justice work—

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

We're now going to move to MPP Dixon, please.

**Ms. Jess Dixon:** I'm just looking at the Housing First studies. I'm curious because I'm still not sure that it's exactly getting at what I am talking about, because the core of what I'm talking about is that the focus—like, say, when you look at Tyler's Troubled Life, which I just emailed you, it isn't talking about the costs to the individual or the impact on the individual. It's the individual as an actor in society. And so, while this may be unpalatable to some as a communication means, I would say that Tyler's Troubled Life takes an advocacy approach by

saying—it's looking at the taxpayer in many ways. It's looking at the state and saying, "Okay, this is the impact of this person, this sort of agent, and what they have wrought on the state," in a way. It's not really focused so much on the—the study doesn't actually talk about the benefits to Tyler. It doesn't talk about the idea that, obviously, if we diverted Tyler at 10 with Stop Now and Plan and then he goes on to become a functioning, contributing member of society, then he contributes significantly more. But it's really just about the cost to society.

I'm not as familiar with some of the Housing First models, but I wonder if that's sort of a different angle.

**Dr. Kaitlin Schwan:** Yes, agreed; absolutely. I think you can talk about the cost of lost opportunities as well as the cost to the system for individuals.

What you're also articulating, though, is how we put a price on what it costs you as an individual to lose custody of your child, for example. There are pieces to this that defy monetization or financialization. But at an advocacy level, I deeply agree that it would be enormously beneficial to talk about cost to system and cost to individual.

I would also perhaps layer onto—I'm thinking about the Indigenous definition of homelessness and how that intersects here, because the uniqueness of how Indigenous homelessness is thought of and understood by Indigenous peoples across the country—

**Ms. Jess Dixon:** Yes, definitely take a look at Tyler, because to me the difference is it doesn't give you, "For every \$10 invested you get \$25 back." It's the cumulation of his issues over time and how they compound to that final cost. It's just a different way of presenting, in many ways, the same thing, but it has a very impactful thing for people who are focusing on taxpayer dollars.

But anyway, thank you so much for coming and presenting to us.

**The Chair (Mr. Lorne Coe):** Thank you, Professor. That concludes your presentation time. Please have a good weekend.

#### MINISTRY OF THE ATTORNEY GENERAL

**The Chair (Mr. Lorne Coe):** I will now call on the Ministry of the Attorney General, please, to attend one of these chairs here so I can see you while you're making your presentation. Thank you for being so patient and we're pleased that you're here this afternoon.

You've heard my instruction to other presenters: 10 minutes for your presentation. I'll let you know when you have one minute left, just to remind you to start summarizing. And that will be followed with 20 minutes of questions from the committee members.

For the record and Hansard, please, your name and the ministry.

**Ms. Teresa Donnelly:** My name is Teresa Donnelly. I've been a prosecutor with the Ministry of the Attorney General, focusing on violence against women and children, being intimate partner and sexual violence, since 1994. I'm the west region sexual violence prosecutor with the Sexual Violence Advisory Group at the ministry.

Intimate partner violence is a serious, prevalent criminal act that has far-ranging and harmful effects. By the time an intimate partner violence case comes to the criminal justice system, the alleged offence has occurred, and the police have laid a charge. The police are responsible for the laying of charges and the investigation of offences. As prosecutors, we take them to court. We're not the victim's lawyer. We work closely with the Victim/Witness Assistance Program, the victim's lawyer if they have one and community organizations to try to ensure that the victim is provided with information and supports throughout the process.

The offences most likely to be charged in an IPV case include mischief; threats to cause bodily harm or death; criminal harassment; forcible confinement; distributing intimate images; assault and sexual assault; assault caused bodily harm and sexual assault caused bodily harm; aggravated and aggravated sexual assault; manslaughter; and murder.

Once the charge is laid, the prosecutor makes decisions throughout the process: bail, screening, disclosure, requests for further police investigation, applications to admit evidence, resolution discussions and sentencing. Throughout the process, we continually evaluate two things: Is there a reasonable prospect of conviction, and is it in the public interest to prosecute?

While we have discretion in individual prosecutions, we are directed by the crown policies and the Crown Prosecution Manual. We have included an excerpt from the intimate partner violence directive. That directive is supported by other directives, for example on serious violent crime; sexual offences; bail; victims; high-risk, dangerous and long-term offenders; and firearms. The directives are meant to be read as a whole and are interconnected.

In addition, we are guided through confidential advice, continually educated on topics relevant to our work and provided with support through intimate partner violence prosecutors in each office.

When I think about intimate partner violence, I think not only of the extent of it but of the deep-rooted factors that contribute to it. In 2017, the federal Standing Committee on the Status of Women issued a report titled *Taking Action to End Violence Against Young Women and Girls in Canada*. While not specific to intimate partner violence, it sheds light on four factors that contribute to gender-based violence: (1) sexism, patriarchy and gender stereotypes; (2) rape culture and victim-blaming; (3) hyper-sexualization and violent and degrading sexually explicit material in pornography and other media; (4) intergenerational patterns of violence.

Sexism, patriarchy, gender stereotypes, rape culture and victim-blaming were embedded in our criminal law, and we continue to see these factors in society and in the criminal justice system. Historically, the criminal law sanctioned and condoned intimate partner violence. Over 30 years ago, in the seminal decision of *Lavallee*, Justice Wilson of the Supreme Court of Canada recognized the

tragedy of intimate partner violence, its prevalence and horrific impact on women and children.

Justice Wilson spoke about the history of how criminal law treated intimate partner violence: "Far from protecting women from it the law historically sanctioned the abuse of women within marriage as an aspect of the husband's ownership of his wife and his 'right' to chastise her. One need only recall the centuries old law that a man is entitled to beat his wife with a stick 'no thicker than his thumb.'

"Laws do not spring out of a social vacuum. The notion that a man has a right to 'discipline' his wife is deeply rooted in the history of our society. The woman's duty was to serve her husband and to stay in the marriage at all costs 'till death do us part' and to accept as her due any 'punishment' that was meted out for failing to please her husband. One consequence of this attitude was that 'wife battering' was rarely spoken of, rarely reported, rarely prosecuted, and even more rarely punished. Long after society abandoned its formal approval of spousal abuse tolerance of it continued and continues in some circles to this day."

#### 1620

More recently, Supreme Court Justice Sheilah Martin, in the 2024 *Kruk* decision, noted that the criminal law also provided that before 1983 a husband could not be charged with raping his wife "because she was deemed, by her status as a wife, to have forfeited her legal capacity to refuse unwanted sexual activity with her husband."

We continue to see the impact of these discriminatory historical laws in intimate partner violence cases, in society and in the criminal justice system. In 10 minutes, I cannot address all of the factors impacting on the criminal justice system.

In the time I have left, I want to share, briefly, four strategies from a crown perspective that I believe can make a difference in confronting intimate partner violence in the criminal justice system, recognizing that you've heard from many experts who've provided a variety of solutions involving education, prevention and social supports before and after the matter gets to court, and that no one solution is going to eradicate intimate partner violence in Ontario. My perspective comes as a prosecutor working in the urban centre of Waterloo and the rural Huron county, which houses nine municipalities, five towns, five villages and over 60 hamlets.

The first is a proactive, coordinated, multi-sectoral approach that involves collaboration of prosecutors with justice and community partners. As you have heard, intimate partner violence is ideally prevented and addressed early, before there's any need for police involvement and before the case ends up in criminal court. One way to do that is to actively collaborate with service providers in the IPV field. In both Waterloo and Huron, I chaired domestic violence committees. Variations of these committees exist across the province as coordinating committees, domestic assault review teams or domestic violence court advisory committees. These committees recognize that IPV is not just a criminal justice issue. They encourage justice and community partners to work togeth-

er to provide supports and to develop solutions. We have to break down silos, co-operate, collaborate and coordinate with a view to proactively keeping women and children safe.

The second is a coordinated approach when the matter is going to enter the justice system. You've heard about Safe Centre of Peel. I was a member, in 2006, of a team that brought the Family Violence Project to Waterloo region, which was the first of its kind in Canada based on the San Diego model of family violence.

The third relates to the importance of programs for offenders. I believe that it's important to have vibrant programming for offenders who are at different stages of offending behaviour and at varying levels of risk, and that is available at different points in time: before charges are laid, on referral by the community, and after- and post-sentencing.

The fourth is the important work of high-risk committees. I was also involved in these in both Huron and Waterloo. They're very important to keep victims safe, to provide supports to the offender in an attempt to reduce risk, and in holding offenders accountable.

I conclude by echoing the words of Justice Moldaver in the seminal case of Barton. While he was referring to sexual violence, and particularly against Indigenous women and sex workers, I believe his words are apt to intimate partner violence: "While serious efforts are being made by a range of actors to address and remedy these failings both within the criminal justice system and throughout Canadian society more broadly, this case attests to the fact that more needs to be done. Put simply, we can—and must—do better."

Thank you for inviting me to participate.

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

We're going to move to MPP Wong-Tam from the official opposition for questions, please and thank you.

**MPP Kristyn Wong-Tam:** Thank you so much, Teresa Donnelly, for coming today. I recognized that you had also sat through several hours of other deputations, so I really appreciate your keen interest.

Yesterday, we heard from the Auditor General, as well as the Ontario Crown Attorneys' Association, who both had a very similar message around the fact that the judicial system is in crisis. We're seeing too many cases, including GBV, IPV and sexual violence charges, being dropped or cases being stayed.

So I'm curious to know, because you're really leading a very unique conversation within the crown and within the province; you're putting forward some proposals that also echo many of the other witnesses that have appeared before us, except that you've categorized them in sort of broad strokes. But I'm really curious if you have brought these recommendations before to the Ministry of the Attorney General, or perhaps to anybody who can actually do anything about it within the province. Or is this the very first time you've brought this out?

**Ms. Teresa Donnelly:** These are things that exist. When we talk about the first one, which is the coordina-

tion, in Waterloo I was on one of the founding committees with respect to the DART committee. In Huron, they were really a leader in intimate partner violence and established one of the first DART committees in Ontario. But these committees exist across the province; they exist with different names. It's the same with the high-risk committees that exist in each court jurisdiction.

The coordinated approach we started in 2006 is still going. Peel was one that started after that. But I never saw what I would have liked to have seen myself in terms of that sectoral approach of the Safe Centre of Peel or the Family Violence Project expanding. I guess I would say that I've been involved in this, but to say that I formally took it anywhere—I can't say that I've gone to do that. But it's part of our work and a really important part of our work.

**MPP Kristyn Wong-Tam:** And thank you for doing that work.

Yesterday's deputants also spoke about the lack of resources, meaning the under-investment in the courts and not having an adequate number of crowns. I know that in the media, they may have focused on not having enough judges appointed in a timely fashion, but really, what we heard from both the Auditor General as well as the crown association was that the crux of the problem is also the fact that there just are not enough crown attorneys. And because there's not enough of them, they have very high caseloads, and because of the high caseloads, they're not able to give the proper care to prepare those cases or even properly assess risk if they're in bail court. Would you agree with their observations?

**Ms. Teresa Donnelly:** I think more resources are always better, and more resources make our jobs easier in terms of being prosecutors.

As a prosecutor myself who has handled intense caseloads, I would not agree that that challenged my ability to protect victims. In my work, constantly at the forefront of what I did and how I dealt with my cases was really active work to protect victims, and working in these community organizations to ensure that offenders are being held accountable and that they're receiving programs that are going to reduce their risk as well.

**MPP Kristyn Wong-Tam:** Forgive me; let me perhaps rephrase that, because I didn't want to necessarily project any blame on any individual crown, because it was very clearly established yesterday that everybody is doing the very best that they can. They are highly experienced. They've got the ability, passion and the drive to get the good outcomes for the public, as well as for those who have been harmed. But really, at the end of the day, there are just only so many hours that one can apply to a case when they have too many cases.

**1630**

So I just wanted to make sure you knew that I wasn't necessarily saying that crowns aren't doing their jobs. What I'm saying is what we heard yesterday was that crowns are trying to do their job with the limited resources that they have, but they're also seeing high numbers of qualified, very experienced crown attorneys leaving the

sector early, and the new crowns that are being brought in are not necessarily going to have the courtroom experience or the experience on the files, and so you're going to see a disproportionate spottiness of performance. Would you agree with that?

**Ms. Teresa Donnelly:** Yes, I would agree that the crowns are remarkably hard-working. I agree that more resources make our jobs easier. I agree that my ability to deal with a file after 30 years is a lot different than someone who's brand new coming into the system and their abilities to deal with the file in terms of strategies and resolutions and just the knowledge.

**MPP Kristyn Wong-Tam:** We've seen, over the past few months, a number of survivors who have come forward to this committee, to this House, and they've been advocating for changes in the justice system. They are talking about meeting the Jordan principle in a timely fashion. They have put forward recommendations that require the government to invest in the courts properly, to staff at the right level so we rightsize everything, including the court support staff, and to ensure a level of accountability and to make sure the recommendations of the Auditor General's report from 2019 are properly implemented. Right now, we don't have a commitment from the government to properly implement the Auditor General's recommendations.

So is it a matter of the fact that we simply need the government to take the problem—and they've used the word “crisis”—seriously, to invest the money so we can rightsize the staffing level and the court infrastructure, so we can make sure that the administration of justice is done in a prompt manner? Is that what it's going to take?

**Ms. Teresa Donnelly:** You're asking me to comment on, or to take a political position, and I'm here as a prosecutor. I work at the Ministry of the Attorney General. I certainly don't speak on behalf of the Ministry of the Attorney General. I can't comment on how they choose, or the government allocates, the funds.

**MPP Kristyn Wong-Tam:** Let me rephrase that: Did you read the 2019 AG report?

**Ms. Teresa Donnelly:** Yes, but not before I came here today.

**MPP Kristyn Wong-Tam:** That's okay. When you read it, did you agree with it?

**Ms. Teresa Donnelly:** The issue that we're here to discuss isn't whether or not I agree with the steps that the government is taking. But my input is what my experience is as an intimate partner violence prosecutor and as a sexual violence prosecutor, and from my perspective, what I think that we can do that's going to make a difference in keeping women and children safe in Ontario.

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

I'll turn now to the members of the government, and I have MPP Saunderson. When you're ready, sir.

**Mr. Brian Saunderson:** Thank you, Teresa, for coming today and sharing your experience. I am the parliamentary assistant to the Ministry of the Attorney General. This is our 10th day of hearings and I think you

bring to us a perspective that we haven't heard yet, which is a front-line prosecutor in this very difficult process and one that needs fixing, at least to expedite and to make sure that it's being done in a way that focuses on harm reduction, protecting the victims and also trying to break this cycle. It's a very complex problem and certainly there have been some difficult moments in this.

So I would like to take you back to your four recommendations and I'd like to get a sense of how you would implement those and what they mean. We've talked about safe Peel and we've talked about the Family Violence Project in Waterloo and we've heard about the good results that are coming out of that. But if I can just take you through your four recommendations and the proactive, coordinated collective approach between prosecutors and local service providers to handle sexual assault cases. What do you envision? How would that look like on the ground?

**Ms. Teresa Donnelly:** I'll give you an example and I'll use the Huron county DART, domestic assault review team, which we've really built into this collaborative committee meeting. When the pandemic happened, everything was shutting down and we ramped up. We had meetings every week. We were organized in telling people about where they could access resources—accused and victims. We had education at the table, health, child welfare organizations, child support organizations, offender organizations, crowns, a rep from the ministry, myself, police. We didn't wait for things to come to us. We were out there thinking, I was thinking, “Women are at home, women who are in abusive relationships. They have no ability to leave their home, no ability to access services. How do we help them?” So we were really proactive in thinking, “What's going on out there?” and just leveraging that committee. We had such great relationships. When I said, “We're meeting once a week,” they said, “Okay,” because we had those relationships where we were saying, “Yes, we're going to get the job done.” So it's really the crown and the justice partners—police and probation—being part of the community. We can't have silos. We can't have the crown not talking to the sex assault support centre. We can't have the crown not talking to other organizations. I don't think that happens. I think we are involved. We just really need to ensure that we're leveraging that and getting the best use out of it.

The second one almost follows through that—the coordinated approach. The first one is, you can use these committees before things even come to court. But after they come to court, you can still use them. We have Family Violence Project. We have safe Peel. The ministry also has the Integrated Domestic Violence Court, which is one family, one judge, with a single judge who hears both family and criminal cases. So there are ways that we can use this collaboration and this coordination to hopefully stop them from coming in the system, deal with them more effectively and efficiently once they do come into the system—and then I don't know if you want me to go to the other. The high-risk committee is really a follow-up of



that. You can follow people before charges are laid, you can follow them while their charges are laid, and you can follow them after. It's really about imposing strategies, and how are we going to manage the offender? How are we going to keep the victim safe, but how are we going to manage the offender's risk? Refer him for programs. Give him the help he needs so that he's not turning to his partner and blaming her for everything that's going wrong in his life and then lashing out.

Tied into that is the third one, which is programming. We need programming in all aspects: before they ever get to the criminal justice system, while they're in the criminal justice system, and after they're in the criminal justice system. They need to be accessible on referral by the community. They need to be accessible on referral by the crowns and police, and referrable after. We really need to provide as much support as we can.

**Mr. Brian Saunderson:** We've had conversations here, and I'm sure you're aware of the justice centre projects that are going on across the province, the most recent one being in Kenora and focusing largely on Indigenous issues.

Is there a model incorporating a justice centre for sexual assault and IPV to try to give those wraparound services and referrals that you're talking about in this coordinated, collective way? Is there a place for that?

**Ms. Teresa Donnelly:** Yes, for sure. I think we look at the Family Violence Project and we look at safe Peel and we say, "Build this out." It's a very complex problem we're talking about. You know from 10 days—and you work really long days, I might say—that this a very complex problem. There's no easy fix. Not one thing is going to fix everything. It takes expertise. If you focus the expertise and you bring everybody to the table who has the expertise, you start to leverage it in a coordinated way for best outcomes and best results. That makes all kinds of sense—that you harness it all and work it all together.

**Mr. Brian Saunderson:** We've had some discussion here as well about the restorative model and looking at the ban under section 717, I think, of the Criminal Code, to allow a restorative model of justice, not just a criminal prosecution, as like a parallel or diversion system. Do you see a role in that type of approach, where the victim and the crowns think that that's an appropriate way to go?

**Ms. Teresa Donnelly:** I'm a huge advocate of restorative justice. I was on the board of Community Justice Initiatives a long time ago. I worked in Kitchener-Waterloo, and I made tons of referrals. But I have to say, as a prosecutor for 30 years, who spent her life fighting for rights for victims and keeping victims and children safe, I have a hesitation in restorative justice in intimate partner violence cases and sexual violence cases. I don't say that should never happen, but it's a very complex problem. We heard Carmen Gill talk about coercive control. The dynamics of intimate partner violence are about power and control and aggression and coercive control. So I think, for someone who is being demeaned, isolated, humiliated, maybe spit on, maybe strangled, sexually penetrated with-

out their will, these are really complicated and complex relationships.

**1640**

Right now, we don't have the infrastructure for it. We might have community justice initiatives that are doing some parts of it, but even she said we need to have people who are trained. We need trained people. We need to be making decisions about, if there's going to be restorative justice, at what parts of the justice system? Is it before, is it during, is it after pleading guilty or being found guilty and prior to sentencing? Who's going to do the work? How are we going to train these people so that we're addressing this very complex issue?

I don't say there's no role, but I think this is one where we have to really get it right because ultimately, it has to be something that is voluntary. Victims in intimate partner violence are under so much pressure—financial, housing, children—and their willingness to enter into this has to be voluntary. There are so many pressures on them to accept and to get back together. We just have to make sure we're doing it right.

**The Chair (Mr. Lorne Coe):** Thank you very much. I appreciate that.

We'll move now to MPP Wong-Tam.

**MPP Kristyn Wong-Tam:** I think previous speakers, when they spoke about restorative justice, it was an option if it was agreed upon by the survivor, the person who was harmed, and those who have been committing the harm. I don't think there was ever any suggestion that it would be imposed, but it should be offered. Right now, it's not even offered to survivors.

I want to just come back to the resourcing of the courts, because I think that's a pretty important piece of the conversation with respect to survivors looking for justice through the justice system. With respect to the practice of stacking, which is something that was raised yesterday by the Ontario Crown Attorneys' Association, in your opinion, has stacking produced good results, meaning that you've gotten the trials through as quickly as possible? Is it a good use of time of our courtrooms, or has it created uncertainty and destabilized the system because no one knows which cases are going forward, and everyone is waiting around? And most importantly, is it a trauma-informed approach for the survivor who's there as well?

**Ms. Teresa Donnelly:** There are a lot of competing pressures in the justice system. We have Jordan, which relates to the accused's right to have a trial within a reasonable time. Then, we have many, many cases that talk about victims' rights, and victims have charter rights as well. So we have these pressures to try these cases within a set period of time as set by the Supreme Court of Canada in Jordan. We want justice; as prosecutors, that's what we want. We want the cases that should be heard to be heard and to be heard on their merits. But the reality is that there are pressures, and there are only limited resources and limited amounts of time to get these cases done, so we're strategizing all the time.

I'm a member of the Sexual Violence Advisory Group. We're writing memos; we're telling crowns suggestions

on how to get your cases to proceed more quickly through, steps to take at every way through the prosecution, because we don't want to get to the door of the courtroom and have cases stacked on each other. As soon as the case comes into the criminal justice system, we want to be trying to move that case forward to completion because that's how we want the case to be heard.

**MPP Kristyn Wong-Tam:** Because the Jordan principle has factored in—

**The Chair (Mr. Lorne Coe):** Your time has concluded. Thank you.

We're back to the government members. I have MPP Dixon, please, when you're ready.

**Ms. Jess Dixon:** Thank you so much for presenting. When we talk about the idea of stacking, I wonder if you might be willing to comment a little bit about—when we see people, in many cases, proceeding through the bail process fairly quickly, like the multiple releases and then the breach from contact and attendance and that type of thing, when we're looking at doing our counsel pre-trials, when you're dealing with an accused person that's accumulated a large number of files of separate actual incidents, what impact are you seeing as far as the ability to protect the victim and engage in victim safety planning when the process from arrest to release is going so quickly and repetitively?

**Ms. Teresa Donnelly:** Well, we can ask in the bail stage, under section 516 of the Criminal Code, for the offender to be kept in custody for certain reasons, right?

**Ms. Jess Dixon:** That's hard.

**Ms. Teresa Donnelly:** But it's an option, and it's an option we can't forget about, because we can't sacrifice victim safety for expediency to get the case through the system. Bail decisions, especially in intimate partner cases, are all about assessing risk and whether the person can safely be released in the community on conditions with or without a surety. Assessing the risk to women and children is paramount in bail. We need to be making decisions that protect those without being under pressure to make a poor decision.

We learned so much from all the inquests. I grew up in the crown system with the May-Iles inquest, which was an intimate partner violence inquest; with the murder of Gillian Hadley and that inquest into her death. We learned very, very valuable lessons about the importance of bail, especially in protecting intimate partner victims and their children.

**Ms. Jess Dixon:** What about the utility of bail review? I was just talking to somebody recently about a decision out of Ottawa, and it was after the bail set not met, where the justice of the peace did an in-chamber surety release to somebody that was actually the woman's pimp, frankly, and had been on a peace bond to not contact her—that idea of, if it is going too fast, being able to use a bail review to say, "Okay, we're looking at a systemic issue."

**Ms. Teresa Donnelly:** For sure, bail reviews review the decision of the justice of the peace in terms of release or detention, yes.

I also know from reading the transcripts that you're interested in estreat proceedings. Those are also proceedings as well when there's a breach or a failure to appear to estreat the bail that's posted. But those are reactive, right? Those are after bail. If it's while he's in the community that he's at risk of harm, while they're good, we also want to be making decisions like we are mandated to do to protect the victim at the bail stage and women and children as well.

**The Chair (Mr. Lorne Coe):** Thank you very much for your response and your presentation. We very much appreciate the information you provided today.

**Ms. Teresa Donnelly:** Thank you. And all I have to say is, you all are very, very hard-working. I've been sitting here since 2 o'clock this afternoon and have just admired how each of you are so dedicated and taking this issue so seriously and all the work you've put into it. Thank you very much.

**The Chair (Mr. Lorne Coe):** Well, thank you. Please have a good weekend.

Members, that concludes our session of presenters today. I wanted to thank each of you for your contributions over the last couple of days. To my Clerk, who has done excellent work, thank you, and to the legislative research and Hansard staff who have supported us. It's been an extraordinary two days. I really appreciate everyone's effort.

The committee will now adjourn until Wednesday—mark your calendars—September 11, 2024, for the consideration of the estimates of the Ministry of Public and Business Service Delivery. Please ask your staff to put them in your calendars before you leave today. Once again, my thanks for all of your hard work.

This committee is adjourned until September 11, 2024, in the Legislative Assembly of Ontario.

*The committee adjourned at 1649.*



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