



Canadian Association of Chiefs of Police

Supporting police professionals through innovative and inclusive police leadership
to advance the safety and security of all Canadians.

Presentation to the Standing Committee on Justice and Human Rights

Bill C-247 - An Act to amend the Criminal Code (controlling or coercive conduct)

Remarks by:

Directeur Francis Lanouette (Co-chair of the CACP's Crime
Prevention, Community Safety and Well-being Committee) and
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Representing:

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Good afternoon and thank you for the opportunity to address this committee.

My presentation today will be delivered in two parts. The first will present the Canadian Association of Chiefs of Police's position on the proposed legislative amendment. The second will support the CACP's position by demonstrating the limitations currently imposed by the *Criminal Code* when it comes to intervening in cases of intimate partner violence.

Chief Greenwood will address the prevalence of intimate partner violence in Canada and how the addition of a coercive control law could interrupt violent assaults, therefore protecting our victims sooner, before physical or visible harm comes to them.

Let me begin by stating that the CACP supports the creation of a new *Criminal Code* offence for coercive control between intimate partners. With this action, Canada reaffirms its commitment to do everything possible to make gender equality a reality.

As we focus on the new offence being proposed by Bill C-247, we would like to draw your attention to recommendations 1 to 4, found on page 10, of a brief prepared by the University of New Brunswick:

- 1- support for the creation of a new criminal offence of coercive control;
- 2- ensure the inclusion of former intimate partners regardless of living arrangements;
- 3- a comprehensive description of coercive control behaviours;
- 4- the implementation of a risk assessment tool for police officers so they can clearly identify the elements that constitute coercive control behaviours.

The University of New Brunswick conducted a workshop in Quebec last November, with the active participation of the CACP, as part of a research project on coercive control behaviours. I would like to share an excerpt of the testimony of a female police officer, a team sergeant, that clearly demonstrates the current limitations for police intervention:

"The problem I see at our level is when there is no criminal offence. For example, there is no assault, no threat, no harassment, just to name a few, but there are clearly coercive control behaviours. We find ourselves in a kind of fog. We do not have concrete tools at our disposal, nor do we have many possible intervention options. This means that we often go back to the station with a case of family dispute or of assistance to the public when we know full well that something unhealthy was going on. However, our authority under the *Criminal Code* of Canada did not provide us with a legislative option to intervene. Unfortunately, it is not uncommon for us to tell ourselves that we will be back to that address, with the hope that, at that time, there might be a legal reason to take concrete action and that it is not too late."

As you can see, our police officers have the victims' best interests at heart, but in the absence of a clearly established criminal offence for coercive behaviour between intimate partners, they cannot intervene adequately. This testimony clearly outlines the current limitations of the *Criminal Code* and the importance of implementing legislation in this area.

I now turn the presentation over to my colleague Chief Kimberley Greenwood.

Good afternoon.

In Canada, it is reported that intimate partner violence accounts for one quarter of all police-reported violent crimes. Equally concerning is the fact that, on average, 70 victims are murdered each year by their intimate partners. These victims are usually women and it is estimated that as few as one in five victims report their abuse to the police.

As police officers, we know that by the time a domestic violence charge is warranted, it is likely that the victim has been experiencing some form of violence or controlling behaviors at the hands of their partner for a significant amount of time. Those that are charged with domestic violence usually engage in a variety of negative behaviours designed to exert control over their victims.

We are advocating for the inclusion of coercive conduct as a criminal offence because we have seen firsthand what happens to those who experience this type of sustained behaviour.

Victims may not understand that their partner's actions can lead to aggressive and assaultive behaviour and may seem withdrawn when police respond to their homes. It is imperative that we provide officers with the tools and the training to recognize coercion and control tactics to support and assist victims.

While this type of behaviour is seen as unacceptable, there is not a wide awareness of what constitutes coercive control, what the warning signs are, and what options victims have available to them.

Coercive control is not a single event that can be witnessed or documented with photographs and medical tests. It is a variety of tactics carried out over a period of time, and designed to deprive, humiliate, isolate, and dominate.

It is the kind of behaviour that chips away at a victim and makes them more and more susceptible as it continues. A risk assessment tool for police officers would help to ensure that all aspects of coercive control are recognized and acknowledged.

We are also advocating to ensure that former intimate partners, regardless of living arrangements, fall within the scope of this offence. For many victims, the proliferation of technology and social media means that even if they have taken steps to end a relationship, they may not be free from the controlling behaviour of their ex-partner.

When victims stay quiet because they do not believe there is anything police can do, they also lose out on the opportunity to access support agencies, resources, and opportunities to change their situation.

There is no worse feeling than leaving a residence knowing that harm is imminent. There are no worse words than "there is nothing I can do." This cannot be our answer any longer.

We are not the only jurisdiction to recognize the need for provisions to our current legislation. Australia, England, Scotland, Wales, Northern Ireland, and France have all adopted some form of legislation that recognizes and encapsulates all aspects of coercive control.

On behalf of the Canadian Association of Chiefs of Police, thank you for this opportunity.