



Policy Shifts

Canadian Legislative Change Impacting Violence Against Women

December 2020-June 2021

Également disponible en français sous le titre « Actualités politiques »

National

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- After being delayed by the COVID-19 pandemic, the [Divorce Act amendments came into force on March 1, 2021](#). This update includes updated [considerations for family violence in custody arrangements](#).
- [Bill C-15: An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples](#), received Royal Assent on June 21st 2021.
- [The firearms regulation Bill C-21](#) was [introduced by the Government on February 16, 2021](#). It is in second reading. If passed, the Bill would enable courts to order immediate removal of firearms from people who pose a credible threat, notably in situations of domestic violence.
- [S-213: An Act to amend the Department for Women and Gender Equality Act](#), a Senate Bill to require a GBA analysis of legislative bills was introduced by Independent Senator Dr. Mary Jane McCallum and is in its second reading. This is a replacement of Bill S-209 from the 1st session.
- The [House of Commons Justice Committee recommended a national task force to look into adding coercive control to the Criminal Code](#) and report back to the justice minister within a year. This is in reaction to the movement of the Private Member's [Bill C-247](#) through Parliament since it was introduced in late 2020.
- When Canada's first provincial Clare's Law came force in Saskatchewan in 2020, the [RCMP initially refused to cooperate](#), citing privacy restrictions. [Public Safety Canada and the RCMP collaborated to amend the privacy policy within the RCMP Regulations, 2014](#) on March 29, 2021 to be compatible with participation in Clare's Law work in any of the provinces in which it is enacted (currently Saskatchewan, Alberta, and Newfoundland & Labrador).
- Note that if a fall election is called, all bills that have not been passed will "die".

Policy engagement between the government and the women's shelter sector

- Women's Shelters Canada (WSC) was funded by the federal department of Women and Gender Equality (WAGE) to develop a strategic engagement process through Working Groups with 40 anti-violence leaders across Canada to inform the development of a National Action Plan to End Violence against Women and Gender-Based Violence (NAP). On April 30, 2021, the final report from this collaborative process was released, entitled [Roadmap for the National Action Plan on Violence Against Women and Gender-Based Violence](#).

National research publications related to VAW/GBV policy

- [Resetting Normal: Systemic Gender-Based Violence and the Pandemic](#) was released on December 20, 2020 by the Canadian Women's Foundation, co-authored by Women's Shelters Canada (Krys Maki), Pauktuutit Inuit Women of Canada, Anita Olsen Harper (NACAFV), and Jihan Abbas (DAWN-RAFH Canada).



- [“Gender-Based Violence” Sexual and physical assault in Canada’s territories, 2018](#) was released by Statistics Canada’s Canadian Centre for Justice and Community Safety Statistics on December 2, 2020.
- [Family violence in Canada: A statistical profile, 2019](#) was released by Statistics Canada on March 2, 2021.
- [Intimate Partner Violence in Canada, 2018: An overview](#) was released by Statistics Canada on April 26, 2021. The Overview is the overall Canadian population report within a series of short reports from the 2018 Survey of Safety in Public and Private Spaces. The other reports break down the experiences of [Indigenous women](#), [sexual minority women](#) and [men, women with disabilities, young women](#), and [visible minority women](#).
- [Trafficking in Persons in Canada, 2019](#) was released by Statistics Canada on May 4, 2021

British Columbia

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- The [Firearm Violence Prevention Act was introduced as Bill 4 on March 3, 2021](#), received Royal Assent on March 25 2021, and is anticipated to be brought into force in 2022. This [Act addresses jurisdiction gaps in federal gun-control legislation around imitation and low-velocity firearms](#), as well as providing guidance and protection for authorized professionals around reporting gun threats.
- [Bill 11: Miscellaneous Statutes Amendment Act](#) was introduced on May 12, 2021 to update the Family Law Act and Residential Tenancies Act, among others. It would ensure that the definition of family violence does not hinge upon the abuser’s personal intent to cause harm or not.

Alberta

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- Alberta’s version of Clare’s Law, [The Disclosure to Protect Against Domestic Violence Act](#), came into effect on April 1, 2021, including a [Protocol document outlining operational policy](#).

Key policy changes that directly impact VAW shelters and transition houses

- The Government of Alberta released their [Annual Report on Community and Social Services](#) in which they present updates of their key highlights for COVID-19, as well as progress on their commitments to facilitate remote/telecommunication Emergency Protection Order applications, reduce women’s shelters reporting burdens, and begin the shift from single-year to multi-year funding for women’s shelters, which has been much delayed by the pandemic.

Policy engagement between the government and the women’s shelter sector

- Alberta Council of Women’s Shelters (ACWS) participated in the [Review of the Police Act](#), which continues into 2021.

Saskatchewan

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- As of March 31, 2021, the [RCMP will now participate in Clare’s Law disclosures in rural Saskatchewan](#), now that the national RCMP Regulation has been updated to ensure compatibility.

- The [Residential Tenancies Amendment Act, 2020](#) was introduced in [December 2020 and received royal assent on May 13, 2021](#). This amendment builds on the April 2017 amendments that protect victims of domestic violence from penalties for ending a long-term lease early, offering [protection to sexual violence victims](#) as well.



Manitoba

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- Private Member's [Bill 215, The Provincial Court Amendment Act \(Gender-Based Violence Education Requirements\)](#), introduced Nov. 18, 2020, would amend The Provincial Court Act to require judges to complete education in sexual assault and domestic violence law. As of July 2021 it has not had a second reading in that same session.



Ontario

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- [Private Member Bill 274, An Act respecting the disclosure of information related to intimate partner violence](#), was introduced on April 1, 2021 [to be Ontario's Clare's Law](#). A motion for a second reading was [defeated by a deferred vote of 34 nays to 15 ayes on April 14 2021](#).
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Quebec

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- [Bill 84, An Act to assist persons who are victims of criminal offences and to facilitate their recovery](#), was introduced on December 10, 2020, received assent on May 13, 2021, and will enter into force by October 13, 2021.
- Quebec's [Family Law Act continues to wait for a long-planned update](#).

Policy engagement between the government and the women's shelter sector

- In December 2020, the final report from the Consultation on the judicial system by the Expert committee on support for victims of sexual assault and domestic violence was released.
- The [final report on Reflections on the realities of policing](#) was released on May 25, 2021 following [Public Forums](#), [public hearings](#) and [a survey on the realities of policing](#) in fall 2020.
- The final report of [Quebec's Laurent Commission on the Rights of the Child and Youth Protection](#), "[Building A Caring Society For Our Children And Youth](#)" was released in April 2021, with [key recommendations to create a commissioner responsible for children's welfare and rights](#), and a Quebec charter for children's rights.
- A [coroner's final report following the murder of a young child](#) by her mother who was fleeing abuse was released on February 24 2021, following a public inquiry in December 2020 in which several women's shelters participated. The report recommends stronger protocols and links of communication between the Department of Child Protection and the women's shelter, as well as the shelter associations, to ensure better support during transfer of care.

New Brunswick

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- [Bill 6: Concerning the Family Law Act](#) was introduced November 18th 2020, received Royal Assent on December 18, 2020 and came into force on March 1 2021. This update harmonizes custody considerations in the NB Family Law Act with the updated Federal Divorce Act, including specific considerations around [family violence](#).

Nova Scotia

Policy engagement between the government and the women's shelter sector

- The Mass Casualty Commission has been formed to investigate the fatal shootings of April 2020. Among the [60 selected participants](#), Women's Shelters Canada has been grouped into a coalition along with the Transition House Association of Nova Scotia (THANS) and the Be the Peace Institute. Information will be gathered throughout 2021 and 2022 and [a final report will be delivered in November 2022](#).

Prince Edward Island

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- [Bill 57, the Children's Law Act](#), was introduced on November 26, 2020, received Royal Assent on December 4, 2020, and same into force on March 1, 2021. It will codify the best interests of the child in the case of custody disputes, including the important factor of family violence. FVPS participated in drafting future regulations.

Newfoundland and Labrador

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- [Bill 6: An Act Respecting Disclosure of Information Under an Interpersonal Violence Disclosure Protocol \(Clare's Law\)](#) was tabled Nov. 4, 2019 and received assent December 6 2019. A year and a half later, it has not yet come into effect, and on [June 14, 2021, the provincial Department of Justice said it is still in talks with the Royal Newfoundland Constabulary and RCMP](#) about how to enact the law. Meanwhile, violence prevention advocates including women's shelters are not being updated or included in consultation.

Yukon Territory

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- [Bill 10 to amend the Employment Standards Act](#) to support leave for victims of domestic violence was passed in November 2020. All ten provinces and all territories except Nunavut now have domestic violence leave on the lawbooks.

Northwest Territories

Policy engagement between the government and the women's shelter sector

- The Department of Health and Social Services is [reviewing the Child and Family Services Act](#), and the YWCA NWT gave a presentation to the Committee about changes needed.

Research publications related to VAW policy in NWT

- A report on [The Nature of Emergency Protection Orders \(EPOs\) in the Northwest Territories, Canada: A Case Study](#) was released in January 2021.

Nunavut

Bills or acts coming into force that are of direct interest to VAW shelters and transition houses

- [Bill 49: An Act to Amend the Labour Standards Act](#). This government Bill was introduced September 21, 2020 and received royal assent on September 28, 2020. It amends the Labour Standards Act to provide for public emergency leave and family abuse leave.

Research publications related to VAW policy in Nunavut

- In early 2021, Pauktuutit Inuit Women of Canada and the Law Society of Nunavut released a final [Validation of Findings Report](#) on the results and recommendations of their multi-year Access to Justice For Family Violence in Nunavut project. On March 8 2021, the project launched a [public awareness campaign](#) about how to access domestic violence justice and to promote the recommendations from the research work.