



## Policy Shifts

### Canadian Legislative Change Impacting Violence Against Women July 2021 - March 2022

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***

- When the federal election was called on August 15 2021, the 43<sup>rd</sup> Canadian Parliament was dissolved and all unpassed Bills “died on the floor”, including the Government [firearms regulation Bill C-21](#), the private member’s [Bill C-247 to add coercive control to the Criminal Code](#), and the private [Senate Bill S-213](#) to require gender-based analysis of legislative bills. .
- Near the end of the 43<sup>rd</sup> Parliament, the House of Commons Justice Committee published a report titled [Elder Abuse: Identifying the Issue and Combatting All Types of Abuse](#), with [10 recommendations](#) including amending the Criminal Code to cover endangerment of those in care.
- At the opening of the First Session of the Forty-Fourth Parliament of Canada on November 23 2021, the [Throne Speech](#) included, among other topics, commitments to finalize remaining provincial and territorial agreements of childcare, strengthen controls on assault-style weapons and handguns, move forward on a 10-yr National Action Plan on gender-based violence, .ban conversion therapy, and address Missing and Murdered Indigenous Women, Girls and 2SLGBTQIA+ People.

##### **Government Bills:**

- [Bill C-4, An Act to Amend the Criminal Code \(Conversion Therapy\)](#) was introduced Nov. 29, 2021, received royal assent Dec. 8<sup>th</sup>, 2021, and came into force 30 days later in Jan 2022.

##### **Private Bills:**

- [Bill C-233](#), An Act to amend the Criminal Code and the Judges Act (violence against an intimate partner) passed first reading in the House of Commons on February 7, 2022, sponsored by Anju Dhillon (Lib). The Private Member’s Bill would amend the Criminal Code to increase consideration for the use of electronic monitoring device for accused in cases of domestic abuse, as well as amending the *Judges Act* to provide seminars to judges on intimate partner violence and coercive control.
- In the Senate, [Bill S-205](#) was introduced and passed first reading on November 24 to amend the *Criminal Code* in respect of interim release and other orders related to intimate partner violence and provides for protective recognizance orders. The Bill was in second reading.
- The Senate also saw the re-introduction and successful first reading of the Hon. Sen. McCallum’s Bill C-213 from the previous session repackaged as [Bill S-218](#), which would amend the *Department for Women and Gender Equality Act* to require the Minister for Women and Gender Equality to examine the potential effects of certain bills and amendments on women.
- The Hon. Sen. Boisvenu’s [Bill S-238, AKA the Véronique Barbe Act](#), was introduced and passed first reading in February 2022. This Act would amend the *Criminal Code* and the *Canadian Victims Bill of Rights* to prevent publication of information concerning victims.

## ***Policy engagement between the government and the women's sector***

### **Parliamentary Standing Committee on the Status of Women (FEWO)**

- [Study on Intimate Partner and Domestic Violence in Canada](#)
- This Study will consider recommendations for the Government of Canada on actions to address the causes of intimate partner violence, improve supports, prevention and education and eliminate barriers to women seeking support, and explore models of legislation and public policy tools to eliminate IPV. Women's Shelters Canada and many Provincial Associations, shelters and partner organizations presented written briefs and in-person statements in March 2022. A report with recommendations will be released later in 2022.

### **Parliamentary Standing Committee on Justice and Human Rights (JUST)**

- [Review of the Protection of Communities and Exploited Persons Act](#) (Feb-Mar 2022)
- Government's Obligations to Victims of Crime ([upcoming](#))

## ***National research publications related to VAW/GBV policy***

### **Statistics Canada Stats in Brief:**

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- [Homeless shelter capacity, bed and shelter counts for emergency shelters, transitional housing and violence against women shelters for Canada and provinces](#), March 8, 2022
- [Federally appointed judges by gender](#), January 10, 2022
- [Family and non-family victims of police-reported violent crime and traffic offences causing bodily harm or death, by victim age and gender, detailed relationship of accused to victim, and type of violation](#), as well as [Intimate partner and non-intimate partner victims of police-reported violent crime and traffic offences causing bodily harm or death, by victim age and gender, provinces, territories and census metropolitan areas](#) and related breakdowns, November 4, 2021.
- [Police-reported hate crime, by type of motivation, Canada \(selected police services\)](#) July 27 2021
- [Number of victims of spousal homicide, 1997-2020](#); July 27, 2021

### **Statistics Canada Juristat Reports:**

- [Spousal violence in Canada, 2019](#), October 6 2021
  - [Workers' experiences of inappropriate sexualized behaviours, sexual assault and gender-based discrimination in the Canadian provinces, 2020](#), August 12 2021
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## **British Columbia**

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

- [Bill 11](#): Miscellaneous Statutes Amendment Act was a government bill passed in June 2021 and came into effect in July 2021. It updated the Family Law Act and Residential Tenancies Act, among others, to ensure that the definition of family violence does not hinge upon the abuser's personal intent to cause harm or not.
- [Bill M-204 2021](#) – the Sexual Orientation and Gender Identity Protection Act was introduced on October 28 2021 to end conversion therapy. As a private member's bill it is unlikely to be passed.



## 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](#), has been in effect since April 1, 2021 but between then and mid-January 2022, a [CBC investigation](#) found that only 42% of the applications were granted information.

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

- The [Review of the Police Act](#) continues into 2022, having collected online survey responses in December 2021 in addition to community consultations since fall 2020.
- [Elder abuse prevention engagement](#) gathered stakeholder and public input to develop a new provincial definition of elder abuse.

### ***Research publications related to provincial VAW/GBV policy***

- [Mapping Domestic Violence Law and Policy in Alberta: Intersections and Access to Justice](#) by Jennifer Koshan was published in the Alberta Law Review, vol 58 no 3, 2021. It analyses laws, policies and systems and recommends reforms to address gaps in access to justice.



## Saskatchewan

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

- [Bill 60, the Saskatchewan Employment Amendment Act, 2021](#) was introduced and passed and received royal assent in November 2021. It clarifies that any unwelcome action of a sexual nature constitutes harassment and expands the provisions to cover independent contractors, students and volunteers.
- [Bill 51, The Privacy \(Intimate Images – Additional Remedies\) Amendment Act, 2021](#) was introduced in November 2021 and is on third reading as of March 2022. It builds on existing privacy legislation to provide victims of the non-consensual sharing of intimate images with the power to reclaim their images and have them removed from the internet.



## Manitoba

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

- [Bill 3, the Family Maintenance Amendment Act](#), broadens the legal definitions of parents to reflect assisted reproduction. This definition affects several elements of family law including *The Domestic Violence and Stalking Act*. It was passed and came into effect December 2 2021.
- [Bill 17, The Family Law Act, The Family Support Enforcement Act and The Inter-Jurisdictional Support Orders Amendment Act](#), which update family definitions and clarify the need to consider only the best interests of the child in making parenting, contact or guardianship orders, was passed



## Ontario

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

- [Private Member's Bill 60, Safe and Healthy Communities Act \(Addressing Gun Violence\), 2022](#) was introduced in December 2021 and referred to the Standing Committee on Justice in March 2022. In the unlikely event that it is passed, it would include coverage and supports for survivors of gun violence under the Health Insurance and Health Protection and Promotion Acts.



## 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](#), came into force on October 13, 2021.
- [Bill 2, An Act respecting family law reform with regard to filiation and amending the Civil Code in relation to personality rights and civil status](#) is a long-awaited update to family law based on a consultation committee report from 2015, and community briefs in 2019 including from all three women's shelter associations in Quebec. The Bill addressed surrogacy, genetic origins and name-change laws but came under fire from human rights groups for not taking the step of recognizing multi-parent families and particularly for initially requiring sterilizing gender-affirming surgery in order for transgender people to qualify for the correction of the sex field on birth certificates. This surgical requirement was later removed. Protection of the best interests of the child was centred in cases of domestic violence. [Legal experts were relieved at some changes](#) but lamented the lost opportunity to catch up with advances made in other provinces.



## New Brunswick

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

- The Government [introduced Bill 69: Intimate Images Unlawful Distribution Act](#) in November 2021



## Nova Scotia

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

- The private member's [Bill 15, the Gender-based Analysis Plus Implementation Act](#), was introduced on October 14 2021. If passed, it would require GBA+ analysis of all policy and legislative submissions.

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

- The Mass Casualty Commission has been ongoing since 2021 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*

- None known for this time period



## 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 \(Clare's Law\)](#), despite receiving assent in 2019, has still not come into effect and appears to remain delayed in talks with the [Royal Newfoundland Constabulary and RCMP](#) about how to enact the law.



## Yukon Territory

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

- [Bill 11, an Act to Amend the Child and Family Services Act \(2022\)](#) was introduced on March 9 2022 to address the recommendations of the independent Child and Family Services Act Advisory Committee in their report, [Embracing the Children of Yesterday, Today and Tomorrow](#).



## Northwest Territories

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

- The Standing Committee on Social Development is [reviewing the Child and Family Services Act](#), as required every five years. In addition to the [YWCA NWT presentation](#) to the Committee on April 20 2021, [virtual public meetings were held in November and December 2021](#). The Committee is now in the final stages of their review.



## Nunavut

### *Research publications related to VAW policy in Nunavut*

- The [Final Report](#) on the [Research and Awareness Campaign](#) for the [Family Abuse Intervention Act \(FAIA\)](#) was published on March 8 2022 as part of the Access to Justice partnership between [Pauktuutit Inuit Women of Canada](#) and the [Law Society of Nunavut](#).