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Chair: Mrs. Shelby Kramp-Neuman



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• (1630)

[*English*]

The Chair (Mrs. Shelby Kramp-Neuman (Hastings—Lennox and Addington, CPC)): I call this meeting to order.

Welcome to meeting number 132 of the House of Commons Standing Committee on the Status of Women.

I'd like to remind all members of the following points: Please wait until I recognize you by name prior to speaking and please address all comments through the chair.

Thank you all in advance for your co-operation.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Wednesday, September 25, 2024, the committee will continue with its study of gender-based violence and femicide against women, girls and gender-diverse people.

Before we welcome our witnesses, I would like to provide this trigger warning. We will be discussing experiences related to violence and femicide. This may be triggering to some viewers with similar experiences. If at any point any participants feel distressed or need help, please advise the clerk.

For all witnesses and members of Parliament, it's very important to recognize that these are very difficult discussions. Indeed, it is incumbent on all of us to be as compassionate as possible.

For today's panel, I would like to introduce, as an individual, Esther Uhlman.

[*Translation*]

From the Association des familles de personnes assassinées ou disparues, we have the Hon. Pierre-Hugues Boisvenu, administrator and former senator.

[*English*]

From the Ending Violence Association of Canada, we have Valérie Auger-Voyer, advocacy coordinator.

At this point, we will begin our opening statements.

Ms. Uhlman, you have the floor for up to five minutes.

Ms. Esther Uhlman (As an Individual): Thank you.

Good afternoon. My name is Esther Uhlman. Thank you for having me here and for taking the time to listen to my family's story.

I'm here to talk about my aunt and namesake, Esther Jones. Esther went by the name Esthie, so to me she was Aunt Esthie.

Aunt Esthie was number nine of 15 children. Growing up in a large family cultivated Aunt Esthie into a spirited and caring person. As a child, I remember following her around, trying to be just like my aunt, with whom I shared my name. She always had bags of candy on hand to give treats to her students and to her many nieces and nephews. She was passionate about family, faith, animal rights and music. She took her undergrad degree in music and hoped to pursue her master's, but this opportunity was robbed from her.

On August 31, all of Aunt Esthie's hopes, dreams and potential future were stolen from her. My aunt was the victim of a brutal homicide.

Aunt Esthie's final day was spent simply living her life. She hoped to continue doing what she loved: teaching piano lessons. She was keeping things as normal as possible as she coped with the loss of her mother, who had died just a few weeks prior. Aunt Esthie entered her piano studio in the afternoon. This was where she was last seen. Police have confirmed that she was killed on the night of August 31. Her remains have not been recovered. Aunt Esthie's earthly journey ended on the night of August 31, but my family's journey was only beginning.

On September 2, all my family connected, realizing that no one had spoken to Aunt Esthie since Saturday. Aunt Mary filed a missing persons report. On September 4, Aunt Esthie's vehicle was located near the scene of her last known location. The major crime unit took over the investigation, and on September 11, the Southwest Nova RCMP major crime unit charged Dale Allen Toole of Tremont, Annapolis County, with first-degree murder in relation to Aunt Esthie's disappearance.

The heartbreaking emotions experienced by my family and me during the weeks following Aunt Esthie's disappearance are unexplainable. There was a sense of urgency, stress and guilt, and there was also subconscious preparation for the worst-case scenario. From the beginning, many of us had that gut feeling that this would not end well, but we felt a sense of guilt for not maintaining hope. I subconsciously could not maintain hope because I had to prepare myself for what was become my family's reality. Our loved one was the victim of a homicide, and we will live with that forever.

When my family was first informed that Aunt Esthie had been murdered, I pledged to my mom and dad that I would do everything in my power to prevent this from happening to another innocent family. I will do what I can to protect innocent women like my Aunt Esthie.

My aunt's alleged killer was not a first-time offender. Just two years ago, the accused committed, and was convicted of, another unprovoked violent crime against another woman. That time, the victim was his little sister. He was convicted of choking an individual, committing an assault and assault causing bodily harm. He was not jailed as part of the sentence for that crime; he was given a brief conditional sentence with a curfew at night and a short period of probation.

I have seen no evidence that this inadequate sentence reformed or rehabilitated him. Instead, he was free, and has now been charged with killing my aunt.

Aunt Esthie's alleged killer was free because of crime legislation that prioritized Dale over his previous assault victim. Legislation like Bill C-5 removed mandatory minimum sentencing on some violent crimes. As no mandatory minimum sentencing was in place, Dale was not sentenced to jail time nor properly monitored.

Due to our flawed justice system, my aunt is dead. Actions have consequences. The legislators of Bill C-5 may have had the best of intentions, but that did not protect the innocent. My Aunt Esthie died because of this type of pro-offender, anti-victim legislation.

I am here to demand change for past and future victims. I do not need your sympathy. Do not tell me that you're sorry for my loss unless you're prepared to prioritize protecting victims in the future.

Thank you for listening to my family's story. I hope this helps you to improve policies to protect innocent women from the kind of unspeakable violence that my family has experienced.

• (1635)

The Chair: Thank you very much for your testimony.

[*Translation*]

The Hon. Pierre-Hugues Boisvenu now has the floor for five minutes.

Hon. Pierre-Hugues Boisvenu (Administrator, Former Senator, Association des familles de personnes assassinées ou disparues): Thank you for inviting me here today.

The Association des familles de personnes assassinées ou disparues was established in 2004 and now represents 750 families that have each had a member who has been murdered or who has disappeared as a result of a criminal act. Four fathers of murdered daughters created the association so that violence against women would also become a male issue.

Today I am speaking for thousands of women who have been neglected by our justice system. I'm also speaking for thousands of police and correctional officers who no longer view themselves as part of a public safety system that has become lax and bases its decisions on the criminals not the people who work hard to combat violence.

As you know, the safety of all Canadians has been the central focus of my life's mission for more than 22 years, since my daughter Julie was murdered by a repeat offender who had been released from prison. My priority during all those years has been to make elected representatives across Canada aware of this scourge of violence against women and, all too often, against their children. The experience I have acquired in the Senate over the past 14 years has convinced me that this awareness approach is the only way to make legislative changes that will make life safer for women in our communities.

As I said in my parting speech in the Senate this past February, steps have been taken in that direction. They include the adoption of the Canadian Victims Bill of Rights, which recognizes the fundamental rights of victims, particularly the right to protection. Despite that fact, the number of women murdered in Canada rose 60% from 118 in 2019 to 184 in 2022. That's equal to the number of women murdered in France, the population of which is twice that of Canada.

Why, in 2024, do women have to work so hard to be heard, understood and protected? Why was my bill, Bill S-205, under which violent men on release are required to wear an electronic bracelet and to undergo therapy to reduce the incidence of repeat violent acts, butchered here in the House of Commons? That bill was the minimum measure that thousands of women had been demanding from the Parliament of Canada for years. It was unconditionally supported by all provincial justice ministers, first nations groups, the Fédération des maisons d'hébergement pour femmes and by therapists.

I can't understand why, in 2024, when we have effective, modern tools to ensure women's safety, it is still so hard to convince the country's legislators to take action in this matter. For example, I've been working for years with a business and some 100 women in Quebec to guarantee their safety because they have received death threats and threats of assault. This system works: Women feel safe, and some of them have used the alarm to avoid being assaulted. The Quebec government even reimburses them for the costs associated with this security system. What makes no sense is that it won't officially acknowledge the fact, something that would undoubtedly expand its use and guarantee the safety of many more women.

Here's a more recent example of how poorly women are protected in Canada. In Candiac 10 days ago, a 27-year-old woman, a distinguished engineering researcher, was murdered by her spouse. The latter had a history of abuse, was awaiting trial and was back in court because he had threatened to kill his spouse. He was released by the court and murdered his spouse an hour later. However, last year, you passed Bill C-233, which authorized courts to require defendants to wear an electronic bracelet in such cases, something that would have saved that woman's life. Why was the court so passive?

Although we now have these significant legislative changes, I see that they are hard to introduce. When it comes to the safety of female victims, we still act as we did 20 years ago by assuming that merely reporting incidents to the police is enough to ensure women's safety. The reality is quite different, and offenders know it. When the courts order 40% of offenders to serve their sentence at home, the most serious consequence is that police officers disengage.

• (1640)

That disengagement is the worst threat to women's safety because Bill C-5 has trivialized violence against women. Quite a win for them, isn't it?

Consequently, this Parliament, or the next one, must take tougher action if society wants to combat violence against women by amending Bill C-5, for example, which completely counteracts the efforts that most of the provinces have made to prevent every form of violence against women. The Criminal Code must provide for harsher action on femicides. Today, murderers in such cases can be released after four or five years in prison. In the Senate, I have introduced Bill S-255, which would be a step in that direction, and I hope it will be taken up soon.

As you can see, our laws alone won't protect women; our justice system has to enforce them.

Thank you, and I'll be pleased to answer your questions.

The Chair: Thank you very much for your opening remarks.

[*English*]

At this point I would like to welcome Ms. Auger-Voyer.

The floor is yours for five minutes.

Ms. Valérie Auger-Voyer (Advocacy Coordinator, Ending Violence Association of Canada): Thank you.

My name is Valérie Auger-Voyer. I'm the advocacy coordinator at the Ending Violence Association of Canada. We're a national organization that works collaboratively with our members on the ground to provide a unified pan-Canadian voice on the issue of sexual violence. Our members are provincial and territorial networks of sexual assault centres and other gender-based violence organizations.

I'm here to tell you about the significant role that sexual violence plays in femicide and how to begin addressing this.

Femicide discussions have traditionally centred around intimate partner violence, but sexual violence and femicide are deeply interconnected in both intimate partner and non-intimate partner femicides. In fact, sexual violence is recognized as both an indicator and a risk factor for femicide.

Women who experience sexual violence in intimate partner relationships report significantly more risk factors for femicide, as well as death threats. In cases involving non-intimate partner perpetrators and sexual violence, young women and sex workers are at higher risk.

Gaps in data collection limit our ability to fully capture the role of sexual violence and femicide. The Canadian Femicide Observa-

tory for Justice and Accountability has highlighted the need for more data on the prevalence and patterns of sexual violence in femicides.

We know that gender-based violence and femicides stem from the same structural inequities that render certain groups disproportionately vulnerable to sexual violence. In particular, we can think of missing and murdered indigenous women and girls, sex workers, young women, 2SLGBTQIA+ individuals and women with disabilities, who all face higher risks of violence.

Therefore, any policy discussions, data collection and solutions must start with a broad, inclusive definition of femicide, one that captures not only the lethal act but also the power dynamics that are involved, as well as the underlying disparities and conditions that enable it. A definition must also be inclusive and reflective of those most at risk, including gender-diverse individuals.

In terms of responses to sexual violence, we know that carceral responses are not working for most survivors. The fact that only 6% of sexual assaults are reported to the police means that most survivors do not turn to the criminal justice system, and those who do often feel revictimized. Further, the system over-criminalizes marginalized groups, which in turn reinforces the inequities that allow violence to thrive in the first place.

Instead, we echo the calls of the Mass Casualty Commission to shift the focus to community-based responses that centre on survivors' well-being and prevent violence. This includes strengthening social infrastructure to tackle root causes of violence and investing in community-based frontline organizations that provide essential services to survivors.

Although efforts have been made by the federal government in the last few years through the national action plan, significant service gaps remain. We have found that the national action plan funding is not sufficient to stabilize the sector, and it's also not reaching sexual assault centres consistently or adequately across Canada.

Making meaningful progress in addressing sexual violence and femicide will require large-scale, sustained and coordinated efforts across jurisdictions, so we urge the federal government to rely on the expertise of our sector and also to put in place an independent gender-based violence commissioner to help move things forward and provide accountability.

I have four recommendations.

Number one is to establish a comprehensive data collection mechanism for femicides that specifically identifies and tracks sexual violence as a key risk factor and also captures the societal conditions that lead to sexual violence and femicide.

Number two is to urgently implement the 231 calls for justice for missing and murdered indigenous women and girls and to invest in initiatives that support communities that are structurally marginalized, such as indigenous and Black communities, racialized and trans individuals, and women with disabilities.

Third is to ensure the national action plan adequately funds community-based survivor-serving organizations, such as sexual assault centres.

Number four is to establish an independent gender-based violence commissioner.

Thank you. I look forward to your questions.

• (1645)

The Chair: Thanks to all of you for your opening remarks.

At this point, we will begin our first round of questions.

Michelle, you have the floor for six minutes.

Ms. Michelle Ferreri (Peterborough—Kawartha, CPC): Thanks, Madam Chair.

Thank you so much to our witnesses for being here today.

These are very tough conversations, as these are women's lives that we're talking about.

Esther, I want to tell you that your auntie would be so darn proud of you. What a testimony that was. You said everything that needed to be said, and it was very powerful. Thank you.

Senator, it's pretty special to have you sit beside Esther. Losing your daughter Julie and fighting through your entire career to restore justice so that killers aren't walking free.... It was actually one year ago to the day that you were at the Standing Committee on the Status of Women and presenting Bill S-205.

I want to talk about that, but the big thing that I think people need to know that you've done, Senator—among all the things that you've done—is the Canadian Victims Bill of Rights. In 2015, you were able to get two chambers to unanimously support this bill. This was to restore the rights of victims so that victims have more rights in this country than criminals.

It was to be revised in 2020 by the Liberals, but it was never done. I'm curious as to why you believe it was never done and whether you believe that the justice system has failed in its obligation to all of the women who have died since 2020, when it hasn't been revised.

• (1650)

[*Translation*]

Hon. Pierre-Hugues Boisvenu: Thank you for your question.

[*English*]

Can you be more precise about the change? I don't understand very well.

Ms. Michelle Ferreri: The Canadian Victims Bill of Rights that you created and had passed was to be revised in 2020, but it has never been revised. What impact does this have on victims?

[*Translation*]

Hon. Pierre-Hugues Boisvenu: There's the Canadian Charter of Rights and Freedoms, which was passed in 1982. Then you have the Canadian Victims Bill of Rights. A charter is a vehicle with four wheels and an engine. It's up to legislators to put gas in the tank and drive it.

For example, the people who felt their rights weren't being acknowledged went to court, and the court made decisions based on the Canadian Charter of Rights and Freedoms. The Jordan decision, which limits trial delays so they're fair and equitable, is based on the Canadian Charter of Rights and Freedoms.

The Canadian Victims Bill of Rights, or CVBR, was passed in 2015. The Liberal government, which came to power in 2015, was responsible for developing the CVBR based on complaints that victims had filed with the ombud, for example, that they had not been informed, had not participated in review board hearings or had not been protected. However, no one in the government, including the Minister of Justice, who was nevertheless responsible for shaping the CVBR, made any effort to improve it. I've had to introduce bills in the Senate in order to lend substance to the CVBR.

Consider this example. The parents of a girl who had been murdered contacted me at one point because they had just learned that, although their daughter's murderer was in prison, he had access to Facebook and was posting pictures of their daughter. The family contacted Facebook, and it took six months, an article in the newspapers and action from my office for Facebook to shut down that criminal's page. I therefore tabled a bill to define the word "protection" in the CVBR. It doesn't just mean protecting life. It also means protecting the victim's identity and private life.

The CVBR definitions should have been improved since 2015. One way to improve the CVBR would be for it to provide for a complete review process. No provision is made in the Canadian Victims Bill of Rights for a complaint review process, whereas there is in the Canadian Charter of Rights and Freedoms.

Ms. Michelle Ferreri: Thank you very much.

[*English*]

You've said it and articulated it perfectly. The Canadian Victims Bill of Rights is there, but it is not enforceable, at this point, to actually protect the victims.

The timing of having you here today is ironic, when we have Debbie Mahaffy and Donna French, who are the mothers of Leslie and Kristen—who were murdered by Paul Bernardo—and who have been denied appearing at his parole board.

You and I talked about this. This is going to have implications. It could implicate you in your situation with your daughter.

Can you explain what it means when they're not allowed to testify on behalf of their daughter and say their piece to the man who murdered and raped their children?

[*Translation*]

Hon. Pierre-Hugues Boisvenu: You're setting a very good example.

Under the regulations governing the hearings of the Parole Board of Canada, inmates are entitled to reschedule hearings as they wish, and victims and their families are required to abide by and comply with their decisions.

Consider the example of Clifford Olson, a well-known criminal from British Columbia. He was invited to approximately 30 board hearings but never attended one. The victims and their families, on the other hand, prepared to attend, but Olson decided at the last minute not to appear.

In the case of Paul Bernardo, the families stated that they were unable to attend on the date set for the hearing and requested that it be moved to a date on which they could attend, but the board denied their request.

The same was true in the case of my daughter's murderer. The inmate requested a hearing for release next February following 23 years of detention. The board contacted me to say that the hearing would be held in February. I said I would be out of the country at the time and asked them to postpone the hearing until March. The board's answer was no and that, if I was in France at that time, I would have to find an Internet connection and follow the hearing by video conference.

That just goes to show you how victims and criminals don't have the same rights. And yet the Canadian Victims Bill of Rights provides for the right to participate. Participation means that, if the criminal is physically present at the hearing, the victim or relative of the victim should be there as well.

The minister claims in the House that the Parole Board is independent, but I don't agree. The act is the responsibility of Parliament, and the minister has a duty to apply it to the organizations under his authority.

• (1655)

[*English*]

The Chair: Thank you.

Next is MP Damoff. You have the floor for six minutes.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you so much, Chair.

Thank you to all of the witnesses for being here.

I understand that I'm supposed to call you "Mr. Boisvenu" now, not "Senator Boisvenu". Whatever it is, I want to thank you so much for your service to this country and for all the work you've done as a senator.

I want to start by clarifying something.

I'm certainly not here to defend Parole Board decisions, because the Parole Board is independent from the government. However, I have seen that the Parole Board is reconsidering having the families appear in person, which, in my opinion, is a good decision.

That's enough about that.

Ms. Auger-Voyer, I have a few questions for you.

You mentioned the need to make sure that any definitions are inclusive. I remember listening to a podcast by Julie Lalonde during the pandemic. It was about how senior women are always left out of programming. There was a silent pandemic, at the time, of gender-based violence against senior women. They are often more at risk because of finances and being financially dependent on their husbands.

I wonder if you have any comments on that. Is there any research you might be able to share that speaks about seniors? They seem to be left out of a lot of the work we do when it comes to gender-based violence.

Ms. Valérie Auger-Voyer: Thank you for your question.

I think you're absolutely right. Senior women are often left out of conversations on gender-based violence.

In fact, there are fewer services when it comes to that. I mean, services are generally available for women of all ages. It's usually 16-plus, and they don't necessarily specialize in things that are relevant for senior women.

As you mentioned, there is financial dependence. There might be disabilities. There might be isolation. There might be abuse by care attendants, especially sexual abuse in long-term care homes. These are the things we don't talk about enough. I think there is a lack of data on that.

For example, we know there's already a lack of data on sexual femicides. We know sexual femicides target younger women, but there's very little on whether it happens to older women. We tend to pretend that doesn't exist.

Ms. Pam Damoff: Yes. There's also a greater stigma among seniors, given the way they were brought up in their age, in terms of even reaching out for assistance.

I want to talk about the courts for a bit.

I was very proud to work on Keira's law. I was also part of Bill C-3. I think that was it. It was Rona Ambrose's bill on education for judges.

We know we can't mandate judges to get into education. Could you comment on the need for judges to be better educated on issues of coercive control and gender-based violence? Should educating bodies be doing a better job of ensuring judges are up to date on current research on the issue?

• (1700)

Ms. Valérie Auger-Voyer: Is that question for me?

Ms. Pam Damoff: Yes, it is.

Ms. Valérie Auger-Voyer: Yes, judges should be up to date for sure. It's so important for judges to be better educated on gender-based violence and sexual violence in particular.

I would say that we need to go further upstream, as upstream as possible. Start with everyone who's studying to be a lawyer. They should have courses on gender-based violence, domestic violence and sexual violence to really understand these dynamics.

What we're seeing is that in courts—family courts, for example—when there's domestic violence happening, these matters are being called “high conflict”, as if the power dynamics did not exist. We keep hearing decisions from judges that show that they don't understand those dynamics or the issues involved in sexual violence. We hear rhetoric that is victim blaming, stigmatizing and re-victimizing.

Yes, education for judges, lawyers, police officers and every actor involved in the justice system would be really helpful.

Ms. Pam Damoff: Yes, and I'm really proud of Jennifer Kagan, who has really pushed this issue provincially, because the education for police, children's aid societies and a lot of Crown prosecutors rests with provincial governments. We now have it in Ontario and Nova Scotia, and hopefully Manitoba comes on board, but all provinces and territories need to really push this issue.

One of the other things that came up in a previous meeting—and I only have about 30 seconds left—is that survivors of a sexual assault don't have representation in court. The Crown represents the Crown, and defence represents the assailant. Do you think they should have representation in court?

Ms. Valérie Auger-Voyer: Yes, they should, for sure. One of our main recommendations is free legal advice and representation for survivors of sexual assaults.

Ms. Pam Damoff: Thank you.

Thank you, Chair.

The Chair: Thank you, MP Damoff.

Next is MP LaRouche. You have the floor for six minutes.

[*Translation*]

Ms. Andr anne Larouche (Shefford, BQ): Thank you very much, Madam Chair.

Mr. Boisvenu, Ms. Uhlman and Ms. Auger-Voyer, thank you for being here today to testify in honour of all those we've lost.

Mr. Boisvenu, you mentioned the Jordan decision when you answered Ms. Ferreri's question. I want to take this opportunity to say that we have tabled a bill, which we would like to see debated in the House of Commons, to prevent any future cases in which, as a

result of the Jordan decision, criminals are released without trial and can victimize others.

In the course of this study, witnesses have discussed the importance of this bill, which touches on the Jordan decision. What's your opinion of a bill that would prevent guilty perpetrators of violent crimes against women from not being released simply as a result of a legal delay that, based on the Jordan decision, is too long? That's an unacceptable reason.

Hon. Pierre-Hugues Boisvenu: Thank you for your question.

You're absolutely right. To my mind, the error was made at the outset by the Supreme Court, which should have established guidelines for framing the most serious crimes, particularly sexual assault and murder. In Quebec, three individuals were sent home, without being tried, after killing two women and a man.

It's absolutely intolerable in Canadian society to send murderers home without being punished. What's insidious in all this is that those individuals don't show up in the crime statistics. To be included in the statistics, an individual must have been charged and found guilty. However, in Canada, approximately 60,000 criminal cases have been dismissed as a result of the Jordan decision. That's a huge number. Parliament must review this matter because there's nothing worse for the victims of criminal acts than to see criminals returned to their homes without suffering any consequences.

As I said earlier, the number of femicides increased 60% from 2019 to 2022. Sixty per cent of those murders were committed in a domestic violence setting, and nearly 75% of the perpetrators had criminal records. Any failure on our part to take a harder line and solve the problem that has been caused by the Jordan decision, as a result of which perpetrators are sent home, will clearly be a way to trivialize violence against women.

• (1705)

Ms. Andr anne Larouche: As you said, it's really important to deal with this issue of the right to a fair trial addressed in the Jordan decision, and I think this is a factor in the public's loss of trust. There's a connection between the reasonable-delay issue and the loss of public trust in the judicial system. What do you think about that?

Hon. Pierre-Hugues Boisvenu: I've frequently dealt with police and correctional officers in pursuing my mission over the past 20 years, and what I've observed for many years is disengagement. When a police officer arrests someone because he has attacked a woman, and that person winds up at home following the trial, that doesn't do much to motivate the officer. The same is true of correctional officers.

These types of crimes mustn't be trivialized, but sentencing someone to serve time at home does precisely that, at least for the victims, if not for the government. You're right: The foundation of our judicial system in Canada is victims' trust in the justice system.

Ms. Andr anne Larouche: Unfortunately, 2024 got off to a bad start for me when I heard the sad news of the first femicide of the year, which occurred in Granby, in my riding. I met the family of the perpetrator of that femicide this summer.

I'll soon be meeting with a Granby police officer who's responsible for investigating crimes against women and who wants to speak with me. Since you mentioned the disengagement of police officers, can you suggest any points that I could raise to establish a working relationship when I see him?

Hon. Pierre-Hugues Boisvenu: That's not an easy question. It's very hard for police officers to intervene in domestic violence cases, particularly when the arguments and assaults are about the children.

Police officers' two main missions are to intervene in domestic violence cases and mental health issues. Some officers tell me they take up 80% of their duties. They're the toughest cases because the officers deal with couples who are fighting and, in 90% of those cases, the aggressor is the man.

I consider police officers' work admirable.

What I would tell the officer you're going to meet is that he should ensure his work doesn't undermine his mental health. I'm sure that, by the time he goes home at night, he has spent his entire shift with people who fight each other. Encourage him to seek help should he need it and to focus on good mental health because it isn't easy to resume the same work in the same circumstances every morning.

[English]

The Chair: Thank you.

MP Gazan, you have the floor for six minutes.

Ms. Leah Gazan (Winnipeg Centre, NDP): Thank you, and thank you to all the witnesses for coming here today. It's good to see you again, Senator.

Thank you, Esther, for sharing the story of your family, and thank you, Madame Auger-Voyer, for doing the work that you do. It's difficult work.

I just want to point out before I start asking questions that I think we're all here because we want justice. Sometimes we have different opinions on how justice is arrived at, but I think the goal is the same: to get justice. I want to honour difference, but we also have a similar goal in all of this.

I want to start with you, Madame Auger-Voyer.

Your testimony was a little bit different. One of the things you said is that carceral responses do not work. I know from our study of the red dress, particularly pertaining to indigenous women, that a lot of women won't go to the police because we have a history of either being over-policed or under-policed. We also have experiences with systemic racism within the justice system overall, which is what Bill C-5 tried to address. I'm certainly not an expert on it, so

I don't really want to speak to Bill C-5 at all, but I know that was the intention of it.

I want you to speak a little bit about the carceral responses and where that opinion comes from for you.

• (1710)

Ms. Val rie Auger-Voyer: Ninety-four per cent of sexual assaults are not reported to the police, and, for intimate partner violence, only about 20% are reported to the police. We really need to take a step back, I think, and look at where the survivors are and where they are going. They're going to family members and community-based organizations, but not necessarily to the criminal justice system.

We've been focusing for years and years on tweaks to the criminal justice system and how those are going to fix gender-based violence, but they haven't and they don't. It's also a reactive approach, so it happens after the violence has been committed, and it's often a punitive approach.

When you talk to survivors, you find out that generally they want accountability. They want the violence to stop and they want to prevent the violence from happening to someone else; they don't necessarily want punishment.

Ms. Leah Gazan: This is where I'm at. By the time the police are involved or the courts are involved, it's usually too late.

I'll give you an example. I'm ground zero for MMIWG. That's where I come from. I live two blocks away from where the women that we're currently searching for in a landfill were taken by a serial killer. Both women were staying in a shelter, meaning that they didn't have housing. They did not have a livable income.

Prevention, a guaranteed livable basic income and housing.... In Winnipeg, we've never spent so much money on police. We have an extremely high police budget. This is not changing the gender-based violence that is at crisis levels in the community I represent.

You're right that most of the women have a distrust of the justice system. They go to community organizations.

I'm going to ask you a couple of questions.

Why is it critical to properly fund frontline community organizations if we're serious about saving lives?

Ms. Val rie Auger-Voyer: Thank you for bringing that up.

We believe that we need to refocus our efforts upstream on prevention, on services and on rehabilitation. The Mass Casualty Commission report made it very clear that we need to decentre the carceral responses and really shift our efforts to community-based responses.

I can say more on prevention, if you like.

Ms. Leah Gazan: Yes, please.

Ms. Valérie Auger-Voyer: We really need a multipronged approach, and there are three things that would be a good start.

First, fund services for survivors so that they have somewhere to turn when they need support, and they could do safety planning.

Second, change the narrative on gender norms and rape culture, starting in schools with comprehensive sex education that covers consent, healthy relationships and all of those things.

Third, address the economic disparities through things like basic income. These disparities enable violence to thrive in the first place, so look at housing, income, mental health, etc.

Ms. Leah Gazan: Thank you so much.

You also mentioned that the national action plan funding is not sufficient. This is something that I noted when it was put in the budget. It's great to see it in the budget, but it's not sufficient, and it's over a number of years. How is not adequately funding gender-based violence prevention costing lives?

• (1715)

Ms. Valérie Auger-Voyer: I can tell you that there are lots of gaps in the national action plan, although it is a promising mechanism. I want to say that. It was decades in the making, and it's a promising mechanism for the federal government to invest in the work that's happening on the ground. Twenty-five per cent of that money is going to prevention, but it's not nearly enough. We need billions, not millions.

Just as an example of the gaps, there are very few sexual assault centres that even receive funding through the national action plan. Depending on the province and territory, it's a patchwork, again, of who's receiving funding. A lot of them are not, at the moment, and those that are tell us that it's insufficient.

The Chair: Thank you.

Unfortunately, you're out of time, MP Gazan.

At this point, I'd like to welcome MP Roberts. You have the floor for five minutes.

Mrs. Anna Roberts (King—Vaughan, CPC): Thank you, Madam Chair, and thank you to all of the witnesses.

This is a very difficult situation that we face as a country, because not only are we failing the victims, but we're also failing the families by not taking this seriously.

I want to go back to what was said earlier, which was that it's up to the Parole Board to make the decision on whether to allow the French and Mahaffy parents to testify. That's not correct, because under section 6.1 of the Corrections and Conditional Release Act, the minister can intervene to allow the victims to speak at the

parole hearing. I want to make that clear. It is possible that it can be done by the minister.

I say that because my question to you, Esther, is about your aunt. She would be very proud of you. I'm sure she's looking down from heaven and saying, "Thank God for you," because this situation has to stop. We have to get tough on criminals. That's not happening.

If we get rid of Bill C-5, given that this catch and release approach is not working—it's putting women in danger—do you think that this would be a start in protecting women?

Ms. Esther Uhlman: Yes, I do. In my aunt's case, when he was charged previously, the system focused on him. He plea bargained, and he got a really light sentence. He was commended for his rehabilitation. He was in therapy. They said, "He's doing such a great job," and to the victim they basically said, "It sucks to be you."

The issue with everything that I'm hearing right now is that the focus is on rehabilitating the offender and giving him or her—usually him—hope, but what about my family? What hope do we have? What hope does my aunt have? She's dead. She's gone. We can focus all day on rehabilitation and stuff, but had he been in jail, this wouldn't have happened. She wouldn't be dead.

Mrs. Anna Roberts: I agree with you. If you do the crime, you do the time, especially in this world today. We've been studying this situation for many months now. We have to change the law.

Senator, I want to go back to something that just came out, or maybe it's been out for a while.

From 2015 to 2019, police services in Canada reported 115,859 sexual assaults. Of those, 98% were classified as level 1. Nine out of 10 of the victims, 89%, were women and girls.

How can we continue to protect the women and girls in this world, in this country, if we can't make the time fit the crime?

[*Translation*]

Hon. Pierre-Hugues Boisvenu: First of all, there isn't just one way to protect women; there are many, including the electronic bracelet and therapy for men. For 20 years now, the courts have required men with drug and alcohol problems to undergo therapy, especially young men convicted of their first crime, and it works. We have to do the same with violent men: we have to send them to therapy.

The problem is that, for the past 20 years, we've been dealing with the consequences of violence against women. We conceal them and let the men go free, but that has to be reversed, we have to let the women go free. When we conceal the women and fail to punish the men harshly, the women are imprisoned by their fear, at home. The men must be required to undergo therapy, and the women must be given tools to protect themselves. For every man who's released pending trial, there's a woman who's imprisoned by fear. We now have modern tools such as cellphones and electronic bracelets. Judges need only make use of them.

In the case I discussed with you, the Candiac case, the man killed his wife one hour after being released. However, you passed Bill C-233, which incidentally was introduced by a Liberal member, under which a man released pending trial under section 515 of the Criminal Code may be required to wear an electronic bracelet. Our judges are poorly informed about this. I'm trying to understand why they aren't aware that these tools exist and why men who promise to kill their wives are released without being monitored. They must be monitored, and we have the tools to do it.

• (1720)

[*English*]

Mrs. Anna Roberts: Thank you.

The Chair: Thank you.

Lisa, you have the floor for five minutes.

Ms. Lisa Hepfner (Hamilton Mountain, Lib.): Thank you, Chair.

Thank you to all of our witnesses for being here today.

I will say on the record that I too am very concerned that so many court cases are not being heard because the courts can't hear them in time. I covered criminal court as a journalist for more than 20 years. I've done stories about the courthouse in Halton Region and how inappropriate it is. Lawyers don't want to go there. It's full of mould. Judges don't want to hold cases there. The province was supposed to rebuild it, and then decided not to. These problems are ongoing, and I wish there was more investment in that system.

I was also very interested, Ms. Auger-Voyer—I'm not sure if I'm pronouncing your name correctly—in what you said. I'll see how many different things I can get to.

First off, you talk about how data collection is one of your main goals and one of your main recommendations. I know you've been funded through the department I represent, Women and Gender Equality, to do just that, collect data. Would you please tell us more about that project and what you hope to get out of it?

Also, when you said only 6% of survivors report their sexual assault, it occurred to me to ask how we can go about collecting this data when so few women are even coming forward to say that they've been affected.

Ms. Valérie Auger-Voyer: Yes, that's a good point, but I think StatsCan uses self-reporting as well, not just police reporting, because for sure the police data is very skewed.

In terms of data on femicides, at the moment Statistics Canada's homicide survey does not capture data on femicides; it only collects

some variables related to gender and risk factors for femicide, and that is one huge gap. When it does collect data on these things, it can collect whether sexual assault happened at the time of femicide, but it doesn't capture a history of sexual violence, for example, and it also does not capture underlying socio-cultural or systemic factors, only individual factors. We really want more data.

At the moment, the data collected by the Canadian Femicide Observatory for Justice and Accountability is basically collected by death review committees, which are essentially made up of volunteers or people from the sector who are doing this on the side. They're using whatever information is available to them, so it could be media reports. I think we can all agree that those will be incomplete.

They don't have access to autopsy reports, for example. We want data on whether there was sexual violence during, before or after the killing, for example, and what type of violence was present, and then disaggregated data on different populations and the relationship between the sexual violence and the population group—for example, older women, as we said earlier.

• (1725)

Ms. Lisa Hepfner: Thank you for that. It's still a big work in progress, then.

I know you're also funded for another project under Women and Gender Equality. Just for the record, we know there are gaps and that more than half a billion dollars is not enough to support all of the women's centres across the country. We are expecting the provinces to come back with an accounting of how they've spent that money by next month, when it will be one year since those agreements all rolled out.

Your second project has to do with coordinating among organizations, I believe, across the country. Can you tell us a bit more about that?

Ms. Valérie Auger-Voyer: With regard to the national action plan.... I'm sorry; could you clarify your question? What do you mean by “coordinating”? Do you mean just in our work in general?

Ms. Lisa Hepfner: Maybe I misunderstand, but I believe you have a second project funded by WAGE in which you're trying to develop a framework or co-operation among women's organizations. Perhaps I'm mistaken or I misunderstood.

Ms. Valérie Auger-Voyer: It's definitely part of the work that we do. We bring together, for example, sexual assault centre networks—provincial and territorial networks from across the country—to analyze the gaps and the trends and the issues with the national action plan and other things. That's where our data comes from for the gaps—

Ms. Lisa Hepfner: Thank you.

I have one more quick question before I run out of time. You said that comprehensive sex education for children in school will prevent gender-based violence.

Ms. Valérie Auger-Voyer: For sure, it is one of the ways to prevent sexual violence.

It's essential, because kids need to learn about consent, first of all. From a very young age, they can learn about whether they want to give a hug to someone or whether they want their picture taken. That needs to be integrated from the first grades up until high school, where they can start talking about structural racism, misogyny, how to navigate the tech world, their online presence, intimate images, pornography and all of those things. They need to learn about consent, healthy relationships, dating violence, etc.

Ms. Lisa Hefpner: Thank you.

The Chair: Thank you, MP Hefpner.

Next is Andréanne Larouche.

You have the floor for two and a half minutes.

[*Translation*]

Ms. Andréanne Larouche: Thank you very much, Madam Chair.

Ms. Uhlman and Ms. Auger-Voyer, I'll get to you in another round because I'd first like to circle back to what Mr. Boisvenu said.

Mr. Boisvenu, you raised the electronic bracelet issue that I wanted to discuss today.

I'm trying to find a solution here. In Quebec, the electronic bracelet was one of the measures that was recommended in the *Rebâtir la confiance* report. A pilot project is currently under way at various locations in Quebec to determine what works well. That's it, a pilot project: We're analyzing and determining what works well, what doesn't work well and what needs to be improved. I've had a few discussions with the Ministry of Public Safety in Quebec City, and the initial findings are that no one seems to want to take a step backwards.

Bill C-233, under which judges may require offenders to wear an electronic bracelet, has been passed. You said that, despite that fact, it seems to be hard to implement this legislative change. You said that you didn't understand what happened in the femicide case in Candiac and that judges perhaps weren't sufficiently aware of the existence of remote monitoring tools. So we're talking about education.

What are we missing now that this issue has been addressed at the federal level and the bill has been passed? Quebec has its pilot project for crimes committed in Quebec. We agree that this remote monitoring tool won't solve all the problems, but what else could we do to improve its implementation?

Hon. Pierre-Hugues Boisvenu: The Quebec experiment has definitely been conclusive; it's true. Some 350 men wear or have worn an anti-approach bracelet, and there have been no homicides. Only three men have cut their bracelets. In one of those cases, the victim wasn't notified by the police service. In the other two, the victim was notified and officers immediately arrested the man. In

Spain, nearly 800 women have worn a bracelet in recent years, and there have been no homicides. So it's an effective tool.

When a bill is passed in Canada, the Minister of Justice is responsible for informing the judicial councils of it. Once a bill receives royal assent, it comes into force either automatically or by order. It then becomes part of the legal system and the federal government's role is to inform. In my view, that's where the problem lies. We passed a bill, but it feels as though we shelved it, thinking it would manage itself. But that's not the case. That requires an information strategy from the judiciary. There are judicial councils in all the provinces, and this information has to reach them. The first person responsible for this is the federal Minister of Justice. Then it's up to each of the provincial ministers who have an administration-of-justice mandate.

It's as though there was no comprehensive strategy in Canada for information to reach judges in their courts. Judges regularly meet to discuss legislative changes. However, there should be a specific strategy when changes concerning tools as important as the electronic bracelet are made because lives are at stake.

I hope that answers your question.

• (1730)

[*English*]

The Chair: Thank you.

MP Gazan, you have the floor for two and a half minutes.

Ms. Leah Gazan: Thank you, Chair.

I want to give you an opportunity, Senator, because I ran out of time.

[*Translation*]

Hon. Pierre-Hugues Boisvenu: Earlier you mentioned Bill C-5. We know that bill was adopted on the pretext that federal penitentiaries were overpopulated and certain groups, mainly indigenous people, were overrepresented. That's true, particularly in western Canada. Between 17% and 20% of penitentiary inmates are indigenous, whereas indigenous people represent only 7% of the total population.

In its judgment in Gladue, in 1999, the Supreme Court urged judges to find alternatives to incarceration. When it revisited the issue in 2004 and 2012, it told judges that it had ordered them to find alternatives to incarceration but that they hadn't done their work.

Consequently, Bill C-5, which was assented to in 2022, won't reduce the indigenous population in our penitentiaries. Proof of that is that 40% of inmates convicted of sexual assault have been sent home and that of that 40%, only three percentage points were indigenous, while the remaining 37% were from the white community.

The Criminal Code thus already contains provisions for limiting the incarceration of indigenous inmates as far as possible.

[English]

Ms. Leah Gazan: I actually don't disagree with you, Senator. In fact, one of the issues I had with Bill C-5 was that I don't believe it adequately addressed systemic racism within the justice system. You're absolutely correct in your assertion that it was highly criticized for those issues.

I don't disagree. We're on the same page there. I was just mentioning the intent of it, although I don't personally think it was totally successful.

You were talking about overrepresented populations. You spoke about MMIWG, sex workers, 2SLGBTQ+ and the disability community.

We did a whole study around sex work. My bias is that when you make it illegal, you're actually placing sex workers under greater threat, because they can't go to any sort of authority for help, since what they're doing is illegal.

I know that they're calling for the decriminalization of sex work, not the legalization of sex work. Do you agree that decriminalizing sex work would make sex workers safer because there's a high rate of violence and often femicide in the case of sex workers?

The Chair: MP Gazan, unfortunately, you are long past your time.

Ms. Leah Gazan: Can you do it in writing?

The Chair: At any point, if questions are posed that you don't have an opportunity to answer, please feel free to submit your answers via writing, or perhaps you'll have an opportunity to answer in the next round.

[Translation]

Mrs. Vien, you have the floor for five minutes.

Mrs. Dominique Vien (Bellechasse—Les Etchemins—Lévis, CPC): Thank you, Madam Chair.

Good evening to the witnesses.

I'm happy to see you once again, Mr. Boisvenu. It's a real pleasure.

Since I don't have a lot of time, I'll go straight to another topic. There have been some 20 femicides in Quebec so far, haven't there?

Hon. Pierre-Hugues Boisvenu: There have been 24.

Mrs. Dominique Vien: So it is growing exponentially.

Hon. Pierre-Hugues Boisvenu: It's a record year.

Ms. Andr anne Larouche: There have been more than last year. It's a record year.

• (1735)

Hon. Pierre-Hugues Boisvenu: There were 22 femicides in 2021.

Mrs. Dominique Vien: It's terrible.

In your presentation, you said that violence against women should be a men's issue. December 6 is approaching. At the  cole polytechnique de Montr al, women were murdered because they were women.

Right now, a masculinist movement is making rather toxic comments about women. We heard it on *Tout le monde en parle* two weeks ago. Millions of men follow influencers who have chilling views and attitudes about women. For example, they say that women must be submissive, that they have no leadership abilities. An escalation can be detected in that discourse, which seeks to confine women to an environment where they clearly no longer want to be.

We live in a free society where everyone has the right to express themselves, and I agree with that. However, when you hear those kinds of comments, which are quite disturbing, to say the least, from men who are given a microphone, how do you react? When men make such comments on podcasts, radio programs or prime-time television programs, what does that say to you?

Hon. Pierre-Hugues Boisvenu: I think that the media outlet in question failed in its responsibility. I don't agree with broadcasting the photos of serial killers. When a woman is murdered, we shouldn't be apologizing for the murderer, but apologizing for the woman.

It's irresponsible for the media to invite people to debate very controversial issues that can ultimately lead to violence against certain individuals. This isn't the kind of information that should be broadcast, especially on state networks. I would be very careful about giving public exposure to those men. There are already too many people saying such things on social media and we shouldn't give them exposure on state networks.

Mrs. Dominique Vien: You said that the Canadian Victims Bill of Rights, or CVBR, should have evolved, that the current government should have changed it, particularly with regard to the point you raised, that is, consultation with victims' families on whether to release an accused person.

How can the current CVBR be changed to make it more binding? Is the CVBR binding? How does that work in real life?

Hon. Pierre-Hugues Boisvenu: The Canadian Victims Bill of Rights is seriously flawed. As I said earlier, it's like a vehicle with four wheels and an engine. This vehicle can stay in your yard if you don't put fuel in it. If you put some in, but you don't do maintenance, it won't do much mileage. The same applies to a bill, it has to evolve, it needs fuel.

I'll give you an example. The CVBR was passed on the condition that within two years of its adoption, the government would establish a complaints management process. That didn't happen. If a formal complaints process had been adopted, the CVBR would deal with them more effectively today.

Mrs. Dominique Vien: Can you give us an example of what a complaint would be and how it should be addressed?

Hon. Pierre-Hugues Boisvenu: The Correctional Service releases an individual at two thirds of his sentence, which is still dangerous, but the victim isn't informed. The Parole Board holds a hearing for an inmate, but the family isn't invited. The CVBR applies in both cases.

The CVBR is “supra-constitutional”, meaning it stands above all other laws. Agencies and ministers must comply with the CVBR, since it's the law.

That's why I introduced three bills in the Senate to strengthen it. I gave the example earlier of photographs published by an individual. I introduced a bill to amend the Corrections and Conditional Release Act. I also introduced a bill to allow victims to ask questions of criminals who apply for parole because, currently, only counsel can do so. Families aren't represented, whereas the criminal is represented by counsel before the board. So I introduced a bill to put victims and criminals on the same footing when there's a hearing. That isn't the case right now.

• (1740)

The Chair: Thank you.

Hon. Pierre-Hugues Boisvenu: These may be small details to you, but they're a huge deal for families who are the victims and who are forgotten by the system.

[*English*]

The Chair: Thank you.

MP Sidhu, you have the floor for five minutes.

Ms. Sonia Sidhu (Brampton South, Lib.): Thank you, Madam Chair.

Thank you to all of the witnesses for your insightful testimony.

My first question is to Ms. Auger-Voyer.

Ms. Auger-Voyer, one of your team's publications brings up the idea that if we want to prevent gender-based violence, we need to ensure that children grow up in a safe and healthy environment. Could you tell us more about that?

Elaborate on how, if children are in a safe environment, that can be a part of violence prevention.

Ms. Valérie Auger-Voyer: For sure, early intervention is so key. We would like to see supports for parents, for children who witness violence and for children who experience violence, and better supports for youth exiting the child welfare system. Often that is a key recruiting ground for human traffickers, as are group homes, so we need more supports.

As I said, comprehensive sex education in schools is so important, and not the type that you have to opt in for. I would love to see the federal government take some leadership on common standards across the country. I know that's a provincial matter, but we've seen the government take the lead on different matters, and I think it's possible to have at least standards for comprehensive sex education.

We need free mental health supports, healing supports and addiction supports for men and for everyone, and, really, just funding for women's organizations that exist but struggle. They're chronically underfunded. They do good prevention work. They work in

schools, and often that work is not even funded. It's not part of their core funding.

Maybe another piece is addressing the online culture—the “manosphere”. Some of you mentioned this already, but all of the misogyny online is an important piece as well.

I could go on, but....

Ms. Sonia Sidhu: Thank you.

My next question is for Senator Boisvenu.

Senator Boisvenu, you said that we need a national information strategy. I'm an MP from Brampton, Ontario. Most criminal cases in provincially run courts in Ontario are now ending before charges and trials. We even heard from the CBC a couple of weeks ago that criminal cases have been stayed for unreasonable delay in Ontario since the Jordan decision. There's a shortage of court staff, prosecutors and courtrooms to fix the justice system.

What are you saying about this?

[*Translation*]

Hon. Pierre-Hugues Boisvenu: In 2014, the Standing Senate Committee on Legal and Constitutional Affairs did a comprehensive study on court delays. Its report is called the Runciman Report, since the Honourable Bob Runciman chaired that committee at the time. That report made 67 recommendations relating to the courts, but I don't know if even 10 of them were implemented.

Canadian courts face a number of challenges, but the main one is a culture of postponing hearings. In some domestic violence cases, hearings have been postponed 10, 15 or 20 times. Some have even been postponed 37 times—this happened in St-Jérôme, in the case of a sexual assault matter. So there's a widespread culture of postponing hearings and a lack of discipline in Canadian courts, which is what the report mentioned at the time. There's also a labour shortage in Quebec, whether it be for clerks or paralegals, for example. That being said, I think the main challenge for Canadian courts is the culture of postponing hearings. At some point, judges will have to say that enough is enough, for example in cases where a sexual assault trial has been postponed 15 or 20 times.

From what I hear from women who have been victims of domestic violence, there is an abuse of the legal process. The Quebec Minister of Justice clearly said that offenders are using legal procedures to delay trials because 50% of sexual assault victims will drop their complaint along the way. In my opinion, the Minister of Justice of Canada, in co-operation with his provincial colleagues, must make this issue a priority, to change the habits that have developed over the past 10 or 15 years. If the continual postponement of a trial doesn't bother everyone, it does the victims, who abandon the proceedings.

● (1745)

The Chair: Thank you.

[*English*]

MP Ferreri, you have the floor for five minutes.

Ms. Michelle Ferreri: Thank you so much, Madam Chair.

Thank you, again, for all of this.

It's critical that we get to the crux of how we actually implement change. One of the things that—I'll keep calling you “Senator Boisvenu”—the Honourable Senator Boisvenu said really stuck with me.

We've seen an increase in crime in this country—over 100%—and you said to me that for every criminal, for every incident of crime, there is an increase in victims. That really stuck with me, because that increase in crime is an increase in victims.

You came before this committee one year ago to the day. We were studying one of the most powerful bills that you had written, Bill S-205. This was one of the many things you did in honour of your daughter Julie, who was murdered. It was an amazing bill to protect victims and keep women and victims safe. It was passed, and that was good, and it was adopted, but it was extremely disappointing because many parts of the bill that had a lot of meat and potatoes were cut off by the Liberals and the NDP.

The changes to section 515 of the Criminal Code—the provisions concerning intimate partner consultation on security matters and the wearing of electronic bracelets—were removed. With regard to the recognizance order in section 810.03, the initial duration of the order was reduced to one year; it was initially two years. The extension of the order that was set at a maximum of two years was three years initially. With regard to refusal to contract a section 810 prescription, the prison sentence for refusal was reduced to one year; it was initially two years.

As you can see, all of these have been reduced, not increased. Among the other section 810 changes is that imposing a condition of refraining from using social media was also removed.

You said in your opening statement that we need to toughen up on criminals, yet these things were cut out of Bill S-205. Can you please explain how these cuts affect your bill, and what we can do to fix this and help restore safety to victims?

[*Translation*]

Hon. Pierre-Hugues Boisvenu: Thank you very much for the question.

First of all, there's a reason why the application period for orders under sections 515 and 810 of the Criminal Code was extended to two years. That's because, especially for section 515 orders, trials often take from one to three years. If the order is only enforced for one year, attackers will go back to harass their victims and force them to drop their complaint. That's why there were longer time-lines, to make sure that victims were protected at least until the trials.

Why was there a longer sentence for breach of an undertaking made under section 810? That's because the Université de Montréal conducted a study in Quebec on compliance with commitments made under section 810, and it found that 50% of men didn't comply with conditions imposed by the courts. If there are no longer any consequences for men who approach their victims when they're under a no-contact order, aggressors will know about it. We thought it was important that this bill include a minimum number of consequences for individuals who fail to comply with the conditions imposed by the courts.

And then, you also took out the section of the bill that prohibited criminals from using social networks, their main tool for harassing victims, particularly Facebook. You targeted the wrong thing by removing that from the bill, when it allowed victims to feel confident, because we gave them tools.

You also deleted the part of the bill that required that victims be consulted when an order was issued under section 515, to find out what form of protection they wanted. I didn't understand the reasoning behind your decision to remove things that were often meant to deal with the consequence of harassment and intimidation of victims.

● (1750)

[*English*]

Ms. Michelle Ferreri: For clarity, I'll add that it wasn't we who took it out. It was certainly not the Conservatives. We fought very hard to keep that part in the bill, and it was very disheartening to have that.... It was pick your poison. We had to pass that bill, but it was so weakened by what the Liberals and the NDP took out of it, exactly to your point, that it's very hard to comprehend why they would want to do that.

I know that we're probably out of time, but if you ever want to submit to committee as to why you think they did that, I think it would be helpful.

Thank you.

The Chair: MP Damoff, you have the floor for five minutes.

Ms. Pam Damoff: Thank you, Chair.

I'm happy to get some more time with these witnesses.

Before I start with questions, though, I want to echo what my colleague Ms. Hepfner was saying about Jordan. I share her concerns. It makes me absolutely sick that in Ontario, from 2016 to 2023, 580 cases have been stayed, and that 145 were sexual assault cases.

We have a Constitution in Canada and provinces are responsible for the administration of justice. This was a Supreme Court decision, which we actually relitigated, and the courts basically sent us packing, so we've been trying to work with the provinces and territories.

However, for me, in Halton, it's personal, because in 2017 a new courthouse was announced. It was to start construction in 2019 and it would have been finished in 2023. We would have had a year of this new courthouse that featured new technology to make the court run more efficiently. Instead, we're dealing with a courthouse where jurors are being interviewed in the cafeteria and judges refuse to sit because of mould and asbestos.

It is absolutely tragic that when the Province of Ontario put \$29 million into the courts, the president of the Ontario Crown attorneys said that Ontario's investment doesn't even come close to what is needed. I share the concern that the witnesses have expressed about this.

I think we all do, but my question to you, Ms. Voyer, that is we have limited ability. We can't tell the provinces what to do, but would you agree with me that provinces and territories need to step up to make investments in the courts so that they can run efficiently?

Ms. Valérie Auger-Voyer: Well, yes and no.

Yes, I believe that survivors who want to get protection from the court and who want to report to the police should have access to processes that are timely, survivor-centred and trauma-informed. They should also get the free legal advice to navigate that.

However, as I said, I also think we need to take that step back and see the broader picture when we're talking about gender-based violence and not focus only on the courts, so it's yes and no.

Ms. Pam Damoff: I agree with you, except that we had Cait Alexander testify and give us very powerful testimony about her feelings on her case being dismissed because of these issues.

I think those women and men who are brave enough to go into the court system—it's not an easy decision to make in the first place—shouldn't be faced with these decisions because we have a literally rotting courthouse in Halton where they can't get a timely trial. I've had women reach out to me with their cases, both from family court and from criminal court, and it's absolutely tragic.

Just changing direction a bit, Ms. Voyer, you talked about data collection. One of the things we know is that women are more at risk for a femicide if there's a firearm in the home. I'm wondering if you would support additional data collection on the use of firearms in gender-based violence.

• (1755)

Ms. Valérie Auger-Voyer: Yes, for sure. I think the work that you put into Bill C-21 was really important in limiting the use of assault-style firearms. Yes, I think we need accountability around that, because right now there are regulations that are going to be put in place to make sure that the bill is enacted, but we need to make sure that it is done in a way that works for survivors.

I would refer you to the work of NAWL—the National Association of Women and the Law—on this, because they have been working on how to implement the regulations, as well as PolySeSouvient.

Ms. Pam Damoff: Yes. Actually, I worked with NAWL to make sure those amendments did get into Bill C-21 that will see firearms removed from the house within 24 hours of a prohibition order, because right now that's not the case. Even in Bill C-71, firearms owners had to surrender their firearms to the Crown, and that was new. In the past, they could just give them to a buddy or a brother who had a firearms licence.

Would you agree that this is also important legislation that we've put in place?

Ms. Valérie Auger-Voyer: Yes, for sure, without knowing the details of the bill, but yes, it's important for perpetrators to surrender their firearms as soon as possible when there is evidence of domestic or sexual violence.

Ms. Pam Damoff: I had a friend who was in that situation. It was before the bill was passed. Her husband's guns were actually given to his brother because he had a firearms licence. She was terrified that her husband knew where the brother kept his guns. His brother was a was a fine individual, but having them surrendered to the Crown would have given her an awful lot of peace of mind.

Thank you, Chair.

The Chair: Thank you.

MP Larouche, you have the floor for two and a half minutes.

[*Translation*]

Ms. Andréanne Larouche: Thank you, Madam Chair.

In five days, on November 25, the 12 days of action against violence against women campaign will be launched in Quebec, culminating on December 6 with the day commemorating the Polytechnique massacre. I would also like to acknowledge the work of the AFÉAS, a group of feminist women in Quebec, which will launch Operation Reach Out during those days of action.

Ms. Auger-Voyer, you talked about online posting. I no longer know how to reach out in the current context with these masculinist movements, this backtracking, this misogyny that's on the rise everywhere. A lot of it is happening online.

I'll link this to December 6. Why do groups of influencers, particularly those from the "incel" community, praise Marc Lépine and present him as a god today, in 2024? I don't know what to do with that anymore. Frankly, I don't want to interfere with anyone's freedom of expression, but I think that at some point we'll have to look at how far we can go online to determine what we won't tolerate from a criminal standpoint. For example, there are some comments in certain areas of the dark web. At some point, we'll have to look at that. Without wanting to infringe on freedom of expression, because that's not the goal, we need a law to address online hate content, in particular to prevent it from contributing to this toxic masculinity and misogyny.

What do you think? At the federal level, we're increasingly talking about this idea of looking at online hate speech to find out what we should be doing about it.

[English]

Ms. Valérie Auger-Voyer: Thank you for the question.

Yes, you're absolutely right. There's very much a backlash against women and against feminists in particular, too, online. We're hearing young men in the U.S. right now saying "Your body, my choice." They are very much emboldened by the types of narratives that they're hearing, that rape culture narrative and the skewed gender norms.

I think it is important to act on misogyny online, and we would like to see the government actually name that as a type of hate when they are working on bills such as Bill C-63.

● (1800)

The Chair: Thank you.

MP Gazan, you have the floor for two and a half minutes.

Ms. Leah Gazan: Thank you.

I asked about decriminalizing sex work. Could you send that in writing for me?

I wanted you to speak a little about having an independent commissioner to oversee progress on gender-based violence. Call for justice 1.7 of the national inquiry calls for that. The federal government commissioned a study on that, in terms of how to implement it, but has yet to act on it, which is deeply troubling. In terms of action on MMIWG, we know there's been barely any.

Certainly we have solutions to end gender-based violence. We just lack the political will. We're focusing on things after the fact, when it's too late. I know of so many women who were murdered in my community. Sometimes it's like a regular occurrence. We're in a constant state of grief. It is a crisis, but it's too late.

It's not that I don't support forms of justice, but I just feel that we need to focus on prevention. You spoke a lot about prevention. Why is it important to have oversight to ensure that things are being put in place that will save lives?

Ms. Valérie Auger-Voyer: Thank you. That's a great question.

To reiterate, indigenous women's organizations are pointing out that only two of the 231 calls for justice have been completely implemented, which is hugely problematic.

Yes, we want to see accountability. We're happy that there's a national action plan, but we need oversight and we need accountability with input from our sector. Otherwise, it's left to provincial governments to do whatever they want with the money, and it's not necessarily guided by subject matter expertise.

LEAF recently tabled a report called "What It Takes: Establishing a Gender-Based Violence Accountability Mechanism in Canada". I urge you to look at that. I know that a lot of members of the committee were at the launch of the report. It also builds on the Mass Casualty Commission's recommendation to establish a GBV commissioner.

I can tell you what the purpose would be. It would be to harmonize efforts across jurisdictions, to track their progress, to monitor and evaluate, to look at the compliance with international human rights obligations, and to collect data and research. It would also have advisory functions, such as liaising with advocates from marginalized groups. It would increase transparency as well as public awareness and prevention.

This is really a key part of the picture, because right now the national action plan is also dependent on election cycles, and we need more than that. We need something more sustainable for accountability.

Ms. Leah Gazan: In terms of data collection, why is it important to ensure that we collect disaggregated data in the study of GBV?

I know we want to lump everybody together, but why is it important to ensure that we collect disaggregated data?

Ms. Valérie Auger-Voyer: It's important because there are certain groups that are disproportionately affected, such as the ones I mentioned earlier—indigenous women, women with disabilities and trans people.

Today is Trans Day of Remembrance. It's really important to be able to distinguish those different identities and intersecting identities when looking at data. Otherwise, we come up with solutions that fit one group but don't fit others or don't capture the reality of other groups.

Ms. Leah Gazan: I've been cut off. I had five million questions.

The Chair: Thank you.

Anna, you have the floor for five minutes.

Mrs. Anna Roberts: Thank you, Madam Chair.

Esther, I'm going to ask you this. There has been a lot of conversation here today, as we just heard, about rehabilitation. There's been talk about teaching what healthy touch is.

Can I ask you about the man who murdered your aunt? Did he come from an abusive home?

Ms. Esther Uhlman: No.

He's a member of my extended family. He's my dad's ex-brother-in-law. I actually know his parents quite well because my dad was married to his sister for almost 20 years.

• (1805)

Mrs. Anna Roberts: I guess rehabilitation doesn't work, clearly.

What I don't understand.... I'm going to go back to the Jordan law. I think we have to change that.

I can't remember which of my colleagues earlier brought up Cait Alexander, who came to this committee and testified. She was left for dead. Because of the Jordan law, her ex-boyfriend—if you want to call him that—got off. It wasn't the first time. She can't do a thing about it and she can't say anything about it because it never went to court. This man is free to roam the streets and abuse other women.

I'm going to ask both of you this question: Do you agree that we have to look at that Jordan law and revamp it to protect women?

I'll ask both of you if you think that has to be done.

Ms. Esther Uhlman: Yes, absolutely.

Mrs. Anna Roberts: Senator, would you comment?

[*Translation*]

Hon. Pierre-Hugues Boisvenu: I think the notwithstanding clause of the Canadian Charter of Rights and Freedoms should be used to suspend the Supreme Court's decision in specific cases. Civil cases have shorter time frames and often have fewer consequences than criminal cases. For crimes such as murder and sexual assault, Parliament should use the notwithstanding clause to ask the Supreme Court to reconsider its decision.

[*English*]

Mrs. Anna Roberts: I recently spoke with some police officers from York Region in my riding. I asked them why this is happening in the community, in the small hamlet where I live, where crime has gone through the roof.

One of the things that was said to me—which left me shocked, to be totally honest—is that the criminals are saying, “Hey, we can get

away with murder here in Canada because the law is on our side, not on the victim's side.”

Ms. Michelle Ferreri: There are no consequences.

Mrs. Anna Roberts: You're right. There are no consequences.

We need to change the bill of rights to protect women.

Do you agree with that, Esther and Senator?

Ms. Esther Uhlman: Yes.

In the case of my aunt's killer, he was always a bad guy. However, lack of accountability allowed him to get progressively worse. He'd do something, get away with it, do something a little worse, and then do something a little worse, until it came to the point of murder.

The lack of accountability led us to this point. Maybe if he'd had the proper punishment for his previous offences, we wouldn't have come to this.

Mrs. Anna Roberts: Go ahead, Senator.

[*Translation*]

Hon. Pierre-Hugues Boisvenu: I'm thinking of reciprocity between provinces, for example. If you're a woman living in Ontario, if you come to Quebec and are assaulted, you won't be helped by Ontario or Quebec, because there are barriers between the provinces regarding victim assistance, which is a provincial jurisdiction. However, if someone commits a crime in Ontario, he can be incarcerated in Quebec, because the same federal programs apply everywhere in Canada.

One day, there should be minimum standards for victim assistance. It isn't normal for Newfoundland, among others, to have no victim assistance program, while Quebec and Ontario have good programs. The problem is that if you're travelling to a province and are the victim of a crime, you won't be helped by that province or by your province, because the crime must have been committed in your home province.

For years, I've been urging the federal Minister of Justice to hold discussions with his provincial partners to conclude reciprocal agreements with them. For example, if Quebec is prepared to help Quebecers who have been victims in Ontario, Ontario should do the same. In my opinion, the absence of help for victims of crime is a big problem, regardless of the province where the crime happens.

There are so many things to do. But I'd have to go back into politics.

[English]

Mrs. Anna Roberts: I'm going to finish by saying this: If we want to ensure the protection of women, the law must be the same in every single province so that women can walk free and safe, no matter where they are.

Thank you.

The Chair: Thank you.

At this point, MP Serré, you have the floor for five minutes.

[Translation]

Mr. Marc Serré (Nickel Belt, Lib.): Thank you, Madam Chair.

Thank you very much to our witnesses today. They again gave us a lot of information.

It's difficult for victims. We've heard loud and clear that changes are needed. Obviously, the provinces, the federal government and the municipalities have an important role to play in this regard.

Mr. Boisvenu, thank you for your years of service.

You mentioned therapy for men. You could say it's a joke at the moment, because it's a few days here and there with a group of men. You talked about your experience in Quebec. Do you have any examples of what the federal government can do? We have political parties here, we talk about national standards, but discussions with the provinces are always difficult. The witnesses tell us that we should have national standards, but we still have to take into account provincial jurisdictions.

What are your recommendations for us to address this problem of virtually non-existent therapy for men?

• (1810)

Hon. Pierre-Hugues Boisvenu: Thank you for the question. You are quite right.

The federal government should adopt the same approach to funding as it did with shelters for women who are victims of violence. Ontario is quite advanced in this area, as it has six treatment centres for violent men that are successful. Western Canada also has violence treatment centres for indigenous people, which are achieving good results. In Quebec, on the other hand, I believe there are two centres, with a six-month waiting period for access to treatment. If a violent man has to wait six months, there's a good chance he'll re-offend.

So we have to dedicate resources to that area and provide therapy to men. There's no other way: We have to protect women and treat men.

Mr. Marc Serré: Thank you.

[English]

Esther, online harms were mentioned. We know that currently there's an online harms act in Parliament. It's been delayed. It's been held up. I don't know whether it's a free speech issue or not. With TikTok and Instagram.... I'm older, so I just follow Facebook. X is a cesspool of hate, so I don't even look at that.

I want to get your sense of what the federal or provincial governments—any government—can do to deal with the online hate you're seeing, for example.

Ms. Esther Uhlman: In my aunt's case, online hate wasn't really an issue. The perpetrator just liked to commit crimes against women. I don't think anything he saw online encouraged him to do that, because he was like that before social media was really a thing. He's 54 and he's been like this since he was young, although obviously he wasn't committing murders then.

I can't say I'm 100% familiar with what you're referring to, but with regard to my aunt's case, it wouldn't have made a difference.

Mr. Marc Serré: Ms. Auger-Voyer, we've heard a lot of witnesses. When we look at the federal and provincial governments, we see the Premier of Ontario, Mr. Ford, saying it's all a federal issue. Victims are tired of hearing about the federal and provincial aspects because they're complicated. The laws are not necessarily being applied equally across provinces, and there is a lack of resources.

You mentioned some recommendations, but in light of what you've heard today, do you have any other specific recommendations, either federally or provincially? Right now, when we look at the lack of courts, staff and training, it's really a systemic problem from A to Z. There is no support for victims and there are no lawyers assigned to them.

In the time we have left, do you have any other recommendations—maybe three—for the federal or provincial governments? They are sitting together and talking, but it's not necessarily going quickly enough.

Ms. Valérie Auger-Voyer: Are you talking about it in general, or are you talking about the criminal justice system?

Mr. Marc Serré: I'm talking about the criminal justice system.

Ms. Valérie Auger-Voyer: First, make processes that are survivor-centred and trauma-informed, whereby the victims' safety needs are taken into consideration. Make the processes adaptive to their needs, especially for those who are most marginalized.

Next, provide free legal advice and representation for victims. There are pilots of that for sexual assault, and they should be expanded.

Then invest in alternative forms of accountability—again, survivors are looking for accountability—like transformative and restorative justice initiatives.

Invest more in rehabilitation. As we've talked about, it's very much a patchwork right now. For example, in Ontario, PAR—partner assault response programs—used to be 24 sessions. They're now 12 or 16. I think they went to 16 and now they're at 12. During the pandemic, I ran one of them, and it was only six sessions. This is vastly insufficient.

Address the delays in court that we were all talking about, fund frontline services that provide supports to survivors and accompany them throughout their process. Be there regardless of whether they want to report or not.

Maybe lastly, implement the red dress alert. That's a really important one as well that the federal government can work on.

• (1815)

The Chair: Thank you.

Thank you, MP Serré.

At this point, we're going to go to a fourth round. Traditionally, I have room for 25 minutes in a fourth round. We don't have 25 minutes, so I'm going to shorten that. We will have a 13-minute round of four minutes, four minutes, two and a half minutes and two and a half minutes.

We'll move forward to begin our fourth round. We started at 4:31, so we have a minute's grace.

Dominique, you have the floor for four minutes.

[*Translation*]

Mrs. Dominique Vien: Thank you, Madam Chair.

Mr. Boisvenu, I'd like a clarification on therapies for men. We've often discussed this. We have to help men too, and I think everyone agrees on that. We have to give that a boost if we want rehabilitation to work.

Should we force someone to take therapy? Under certain circumstances, are therapies already mandatory?

Hon. Pierre-Hugues Boisvenu: That's a good question.

First, they are 30-day closed therapies.

Based on the experience with indigenous groups in western Canada, a comparison was made of the effects of therapy on men who had been ordered to undergo it by a court and on those who took it on their own. The rate of rehabilitation was the same. Those who are required to take therapy will begin to understand after two or three sessions, and will continue the therapy. People no longer drop out of therapy, whether court-ordered or voluntary.

Mrs. Dominique Vien: You said earlier that you had great respect for police forces and the work they do, and you mentioned the traumatic situations they face. Everyone is well aware of that. However, in the various studies we've done here, women have told us that they don't trust the police.

What advice do you have for us? What steps should we take? What recommendations could be made to improve that relationship of trust?

Hon. Pierre-Hugues Boisvenu: We must have sound technology. When a woman denounces her aggressor, the evidence she sub-

mits to the court should be infallible. The electronic bracelet is one of them. There is also the use of cellphones. With the project we have in Quebec, a woman can record video and audio content from her cellphone, and that content goes directly to a monitoring centre. So it can't be erased. In court, that's irrefutable evidence.

Historically, it was the woman's word against the man's. For example, the man could tell the police that he hadn't been on the street or on the woman's balcony, and they were stuck with that. How do you decide who to believe in such a situation? Today, the evidence from electronic bracelets, cellphones and new technologies is irrefutable and recognized by the courts. In my opinion, those would be good tools for police officers. As a result, they may no longer receive repeated complaints.

Mrs. Dominique Vien: If men wear an electronic bracelet, it's because women have already been believed. We should also look at what is happening upstream.

Hon. Pierre-Hugues Boisvenu: Let's take the example of cell-phones. We don't have to go to court for that. In Quebec, as soon as a woman has been a victim of violence, the Direction générale de l'indemnisation des victimes d'actes criminels pays for the device.

Mrs. Dominique Vien: Mr. Boisvenu, if you want a riding, I'm sure we can find one for you.

What would be the four or five priorities, the milestones for the first hundred days of a future government? What should it do?

Hon. Pierre-Hugues Boisvenu: When a stranger rapes a woman and kills her, it's automatically considered first-degree murder. A man who rapes and murders his spouse or ex-spouse only spends five years in prison. Why is it that a man who sexually assaults his wife and kills her is not treated the same way as a stranger who commits the same crime? In my opinion, this must be a priority. We must tell men that it's unacceptable in our society to murder someone. What's also unacceptable is that the man will only serve a five-year sentence after killing his spouse or ex-spouse.

Moreover, prison isn't the place for violent men, except in extreme cases. Women tell us that when you send a man to prison for six months, he's even more violent when he comes out. So we have to replace prison with rehabilitation, because the cost is the same. Someone in a prison costs \$80,000 a year. If we send him to therapy, it might cost \$20,000 or \$30,000. So we have to substitute rehabilitation for short prison sentences, which achieve absolutely nothing because there's no therapy in provincial prisons.

• (1820)

The Chair: Thank you, Mr. Boisvenu.

Hon. Pierre-Hugues Boisvenu: That's what has to be prioritized. The Minister of Justice should also prioritize reciprocity among the provinces in helping victims.

Mrs. Dominique Vien: I invite you to send the committee those four or five priorities in writing. We'll wait for your document.

[English]

The Chair: Thank you.

At this point, MP Damoff, you have the floor for four minutes.

Oh, I'm sorry. MP Hefner, you have the floor for four minutes.

Ms. Lisa Hefner: I'm sorry to confuse you, Chair.

The Chair: It's all good.

Ms. Lisa Hefner: This has been a very valuable conversation. I want to thank all of you for your insights.

I want to go back to an idea we talked about before at this committee. My colleague MP Damoff brought it up. I think it's one of your recommendations, Valérie: Appoint a lawyer for victims. I want to dig into this a bit more.

How do you envision that working out? I love this idea because, in my court experience, I heard this all the time. Victims don't feel like they're being heard. The Crown is not there for them. They have wonderful people in victim services who work in courts to help guide them through the process, but that person isn't advocating for them before the judge. I would like to see this at family court, as well—a lawyer for the victim who is knowledgeable about gender-based violence, coercive control and things like this.

I don't know if you know. Would this be a Criminal Code change? How do you envision this rolling out?

Ms. Valérie Auger-Voyer: Honestly, that's a very good question.

I don't have a legal background myself, so I know the same as you do: Survivors don't feel like they're heard. At the moment, they're just a witness to the crime against them. They don't feel their needs matter, or that there is someone there to represent them and explain the system to them. The prosecutors can do some of that, but they don't necessarily have to, or they don't have the time.

They need someone with legal expertise who can guide them through the process and advise them.

Ms. Lisa Hefner: I would add that it should be somebody who is given standing to speak at the court case, which the victims don't always have.

However, I want to move into a different area. I know that your organization works with groups that support women on the front lines, organizations that combat gender-based violence. I know from all my conversations with all my stakeholders who work in this field that it's been a really tough time for the frontline workers in this field. What can we do to support them more, to support their mental health, to support them through all that they're going through, so that they can continue their vital work of supporting women who are victims of violence?

Ms. Valérie Auger-Voyer: I'm so glad you asked that.

Actually, our organization has been working on a road map to build supports for the gender-based violence workforce. It's based on serving frontline workers as well as all the research that's been done in Canada on this topic. We've created some priorities, and one of the recommendations is for the federal government to create a national labour force strategy for the gender-based violence workforce, because there are so many common systemic issues that they're facing.

It's not just the trauma that they're experiencing and hearing every day, but the barriers in all the systems that they're working with that are very frustrating on a daily basis—and it's not just that: It's a caring job that's done mostly by women and mostly by women of colour, indigenous women and Black women. Just as in the care economy, those jobs are very much undervalued and underpaid, with no benefits and no pensions. It's really a systemic issue, and it needs to be fixed by a national labour strategy.

Ms. Lisa Hefner: Maybe I'll go back to the project that I was unsure about earlier, when I was asking about it. I think the project is more about forming a network so that everybody's on the same page across the country. Can you talk a little bit about that project in the 10 seconds we have left?

• (1825)

Ms. Valérie Auger-Voyer: I host a national working group on sexual violence, and it's the only place nationally where sexual assault centre representatives can come and talk about the trends and the gaps and the challenges, and that's what then informs our work and our recommendations. We really look at all the gaps across the country, across jurisdictions.

The Chair: That's excellent. Thank you.

MP Larouche, you have the floor for two and a half minutes.

[Translation]

Ms. Andréanne Larouche: Thank you, Madam Chair. I'm obviously running out of time in this last round.

Ms. Uhlman, I would ask you to answer my question in 30 seconds, because I have another one to ask afterwards. You mentioned Bill C-5 in your opening remarks. I've had discussions with my colleague, the justice critic, and he's done everything he could to split that bill. However, he didn't have the government's ear, particularly when it came to removing crimes against women from the bill.

Why might it have been important to work together, at least to remove crimes against women? Would maintaining minimum sentences for crimes against women have helped your aunt? When we say that the government didn't listen to us, it's because it didn't want to split the bill.

[English]

Ms. Esther Uhlman: Theoretically, if there had been some sort of mandatory minimum sentencing for my aunt's killer, he would have been monitored or he would have been in jail or he would have been in some system that was monitoring him so that he could not commit this crime against my aunt and my family.

[Translation]

Ms. Andr anne Larouche: Thank you.

[English]

Ms. Esther Uhlman: Thank you.

[Translation]

Ms. Andr anne Larouche: Mr. Boisvenu, I have a comment first and then a question.

In your Bill S-205, you talked about reducing the good behaviour commitment period from two years to 12 months. We've seen the effects. During that time, criminals can be very vindictive. That's where it can become dangerous, because animosity towards an ex-spouse can persist. So we don't understand why that period was reduced that way in Bill S-205.

You also mentioned that one of the major problems with the justice system is a culture of postponement. Shouldn't we start by setting an example at the federal level? Why are there so many judicial vacancies? When we talk about labour shortages and the importance of giving the justice system tools but the government is dragging its feet on filling those judicial positions, what message does that send with respect to this culture of postponement in the justice system?

Hon. Pierre-Hugues Boisvenu: I think there are currently over 80 judicial vacancies on the Superior Court.

I would like to answer a question that was asked earlier. Quebec provides legal support to victims of sexual assault and domestic violence, but it's only advice. Our justice system should have three components: the defence, the Crown and the victim accompanied by his or her lawyer, as in France.

Both parties should have the same rights. For example, a victim would also have to be able to appeal a decision and question its validity. The French system is very balanced in that regard. There, the victim is represented, in addition to the prosecution and the criminal defence. In the Canadian justice system, victims aren't represented; they are only witnesses.

Ms. Andr anne Larouche: Is that included in Bill S-255, the one you introduced?

Hon. Pierre-Hugues Boisvenu: When a man has a criminal record and commits a femicide, it will be considered first-degree murder. A femicide is always the result of an ongoing violent situation. Femicide must be considered as premeditated murder.

[English]

Ms. Lisa Hepfner: Thank you.

The Chair: That's excellent. Thank you.

Folks, this concludes our panel for—

Oh, Leah, pardon me.

Ms. Leah Gazan: Oh, my goodness. Did you see the daggers?

Some hon. members: Oh, oh!

The Chair: Leah, you have the floor for two and a half minutes. Please proceed.

Ms. Leah Gazan: My final question actually goes to you, Senator.

I was interested in what you said about short sentences, and that in the case of short sentences, we need to look at rehabilitation. I'm thinking about, for example, restorative justice.

Part of the reason I say that is that I was trained on how to train incarcerated persons. I taught in university with students on the outside and with students on the inside at the Grand Valley Institution, which, in fact, has been in the news recently. My observation from that training was that you can't teach pro-social behaviour in an anti-social environment.

Our goal is, of course, to eradicate violence. The whole point of this is to end gender-based violence. I'm wondering if you could share a little bit more of your thoughts on rehabilitation programs potentially being a better option for short sentences.

• (1830)

[Translation]

Hon. Pierre-Hugues Boisvenu: In cases of domestic violence, we have to deal with repeat offenders, that is, offenders who are at their third or fourth victim. We have to go after them.

With respect to domestic violence, as soon as a 22- or 23-year-old appears before a judge, the latter must immediately order him to undergo therapy. Even though this is the first time that this offender has come before the court, he must always be required to take therapy rather than wait for him to attack more victims. In the past, we used to do the same thing for drinking and driving: A man would go before the judge three, four, five times, but we waited for him to get completely drunk and kill someone. In cases of domestic violence, action must be taken immediately, at the first opportunity, because violent behaviour has usually around for a long time.

In Quebec, the average number of prison stays for a criminal is eight. If we don't intervene quickly, that is, as soon as they appear in court, these criminals will clog up our justice system.

[English]

Ms. Leah Gazan: My concern is that there's a push against this. For shorter sentences, what concerns me is if somebody is incarcerated for two years, which have a tendency to increase violent behaviours, they're let out with no therapy and they're more dangerous. Would you agree with that in shorter cases? I'm not talking about repeat offences, but....

[Translation]

Hon. Pierre-Hugues Boisvenu: I was always told that I was tough on crime. I'm being tough on repeat offenders.

Everyone is entitled to a first chance. However, I believe that, when a criminal faces a judge for the first time, that opportunity must come with responsibilities, which isn't currently the case.

The Chair: Okay, thank you.

[English]

Perfect.

I will try this again.

Thank you all very much. That does officially conclude our panel for today.

I'd certainly like to offer a heartfelt thank you to all of the witnesses for their sensitive testimony.

If I could have the members hold on for just a minute, I would also like to remind the witnesses that if you were asked any questions that you didn't have an opportunity to respond to, please feel free to submit any written responses to the clerk.

Lastly, before we adjourn the meeting, I have a minute's worth of housekeeping.

Today is Wednesday, November 20. On Monday the 25th, we will have our sixth meeting on gender-based violence and femicides. We have more witnesses than we have space for, so is it the will of the room to bump the meeting on the 27th? On the Wednesday, we will have half of the meeting with the group of Ukrainian parliamentarians. For the second half, instead of doing drafting instructions, do you want to host the additional witnesses who are willing to...? We would then have had six and a half meetings for the study.

Are we good with that?

Some hon. members: Agreed.

Ms. Pam Damoff: Excuse me, Chair. I had my hand up, but I wasn't sure if you saw me.

The Chair: I'm sorry. Yes, go ahead.

Ms. Pam Damoff: One of the witnesses I'd really like to hear from is the ombudsperson for victims of crime. I had submitted his name as a witness. I'm hoping that if we do an extra meeting, he can be included.

The Chair: I will check back. I know there were definitely several more. Those who submitted names were trying to get as many in as possible. I can confirm who they were, but I know there were two or three that we weren't able to fit into Monday's meeting. Therefore, I think it's the will of the room that we will go ahead with the extra half meeting on Wednesday. That's perfect.

Is there a motion to adjourn?

Some hon. members: Agreed.

The Chair: The meeting is adjourned.

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