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# Standing Committee on the Status of Women

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Chair: Marilyn Gladu





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• (1630)

[English]

**The Chair (Marilyn Gladu (Sarnia—Lambton—Bkejwanong, CPC)):** I call this meeting to order.

Welcome to meeting number 15 of the House of Commons Standing Committee on the Status of Women.

Today's meeting is taking place in a hybrid format pursuant to the Standing Orders, and members are attending in person in the room and remotely using the Zoom application.

I'd like to make a few comments for the benefit of members and witnesses here today.

Please wait until I recognize you by name before speaking. If you're participating by Zoom, you can click on the microphone icon to activate your mic, and then please mute yourself when you're not speaking.

For interpretation on Zoom, you can select the appropriate channel at the bottom of your screen: English, French or the floor audio, and for those in the room, you can use your earpieces. You all know how to do it to protect our interpreters.

If you wish to speak, raise your hand, and, for those on Zoom, please use the “raise hand” function if you want to speak.

All comments should be addressed through the chair.

Thank you for your co-operation.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Monday, September 15, the committee will resume its study of section 810 of the Criminal Code and women's safety.

Before we welcome our witnesses, I would like to provide a trigger warning. We'll be discussing violence against women, and this may be triggering to viewers with similar experiences. If any participants feel distressed or need help, please advise the clerk. For all witnesses and all members of Parliament, it's important to recognize that these are difficult discussions, so let's be compassionate in all of our interactions.

I'd now like to welcome our witnesses by video conference.

[Translation]

First, from the Fédération des maisons d'hébergement pour femmes, we have Manon Monastesse, executive director, and Julie St-Pierre Gaudreault, adviser, policy issues.

[English]

We have another witness on her way.

[Translation]

We'll begin with opening remarks.

I will now give the floor to the representatives of the Fédération des maisons d'hébergement pour femmes. You have five minutes.

**Julie St-Pierre Gaudreault (Advisor, Policy Issues, Fédération des maisons d'hébergement pour femmes):** Good morning.

I will briefly introduce the Fédération des maisons d'hébergement pour femmes. We're a provincial association of 37 member organizations that represent both first and second-stage shelters, that is to say emergency shelters and transition houses.

The unique feature of member shelters is that they really have an intersectional feminist approach. This means that they support women who have experienced all forms of violence on the continuum of violence, that is, intimate partner violence, domestic violence, sexual exploitation or human trafficking.

For your information, in 2024, member homes supported 2,500 women and approximately 1,500 children, which represents approximately 40,000 telephone calls 24 hours a day, seven days a week.

Today we want to look into the issue of section 810 of the Criminal Code, namely the peace bond issue.

On the ground, the homes that accompany women have particularly noticed problems related to non-compliance with conditions, and therefore violation of section 811 of the Criminal Code, which is not at all treated in the same way as most criminal offences.

In our opinion, this is one of the most problematic issues. There's been a concerning increase in breaches of conditions, particularly in Quebec, where there were 11,877 cases related to breach of conditions in 2024.

I'm only talking about cases related to failure to comply with the listed conditions. So this is the tip of the iceberg. It's everything that's been recognized by police officers and been the subject of a report. However, a number of police officers won't take into account cases related to non-compliance with conditions, violations of section 811. If we compare this 11,000 figure to a 2018 figure, according to which approximately 4,000 cases related to non-compliance with conditions were documented, we can see that the numbers have gone up substantially in recent years.

On the ground, we especially note that police services sometimes refuse to take reports of breaches of conditions. This trend varies depending on the region where the police services are located. These refusals therefore depend not only on the regions, but also on the resources available within the police services themselves. That's one of the issues.

Several shelters have also told us about a practice whereby police officers encourage women who are victims of violence and fear for their safety to take the steps themselves to obtain a recognizance under section 810, instead of letting the police do it themselves.

It's important to understand that when police officers take the steps themselves, they assess the case and determine whether there is a safety issue for female victims. The process is much simpler and more judicially recognized. So it has repercussions on the victim's journey. In addition, it helps relieve the woman of the administrative burden of filing a legal challenge under section 810.

That concludes my part.

Ms. Monastesse, I will let you finish the presentation.

• (1635)

**Manon Monastesse (Executive Director, Fédération des maisons d'hébergement pour femmes):** I'm going to pick up on what Ms. St-Pierre Gaudreault said about non-compliance with conditions set out in section 810. When the conditions set out in section 810 are not met, which is already a criminal offence in itself, section 811 should automatically be applied. However, we can see that it's hardly ever applied.

The latest dangerousness assessment report by police officers and the Quebec coroner's office report tell us that all the cases we studied had a history of spousal violence against the current partner, whether or not they were prosecuted. It also states that in more than a third of the situations, a violation of the orders had already been registered, reported and acted upon.

The procedure for breaching conditions is a major problem in police practices. In the context of domestic violence and violence against women, it's really critical. For example, a woman was killed by her spouse after he had failed to comply with the conditions 16 times over 20 years. So there really is a major problem when it comes to police practices.

We need to apply the tools already in place, such as section 811. Failure to comply with conditions should automatically constitute a criminal offence resulting in the offender's detention.

**The Chair:** Thank you.

We will now proceed to the question period.

Dominique, you have the floor for six minutes.

**Dominique Vien (Bellechasse—Les Etchemins—Lévis, CPC):** Ms. Monastesse, I'll give you a few seconds to finish what you were saying.

**Manon Monastesse:** Failure to comply with conditions and why they are not being managed both need to be reassessed. The police response is automatic.

On the ground, we see that they often consider that the individual simply wanted to send a message or that they simply followed the woman victim, when, in fact, they are really breaking the law.

Among other things, it should come up in the police practices guide. That's currently not the case.

• (1640)

**Dominique Vien:** Thank you very much, Ms. Monastesse.

Thank you both for being with us this afternoon and for making yourselves available.

Ms. Monastesse, I'm going to pick up on the very specific information you gave us about the failure to comply with conditions.

Not so long ago, on QUB Radio, you said that you've been doing this job supporting abused women for 30 years. You see breaches of conditions on a regular basis.

That said, we have the impression that the number of cases is exponential and that management has been lax. It seems that these cases are the norm and that it's somewhat trivialized. You gave the example of a situation where there were 93 breaches of the conditions set out in section 810.

At what point do you think the law needs to step in?

What should be done in that case?

How did we get to a situation where there are 93 instances of breach of conditions?

Someone, somewhere, isn't doing their job properly.

**Manon Monastesse:** It's just a matter of enforcing the law. A breach of conditions should automatically fall under section 811 and lead to incarceration. That should be an offence under section 811.

Even if, for example, there is a prosecution for a threat or an assault, a section 811 offence will be treated as another case. It's very underused.

**Julie St-Pierre Gaudreault:** Dominique, you mentioned 93 instances of breach of conditions, but it's 16 instances. We were talking about the November femicide of Gabie Renaud.

**Dominique Vien:** In Ms. Renaud's case, there were 16 instances of non-compliance. However, on QUB Radio, Ms. Monastesse was referring to a specific case. I think it was related to a situation that occurred on October 29.

Is that correct?

**Manon Monastesse:** Yes, that's right.

I was talking about another situation involving 93 instances of breach of conditions—

**Dominique Vien:** I'm sorry to interrupt you, Ms. Monastesse, but I have very little speaking time.

I know that you're very well informed and that you've read the legislation that came out of Bill C-5 and Bill C-75.

Do you think that these two bills coming into force have led to a somewhat lax approach, particularly when it comes to granting parole to men in general and in cases of violence against women, and letting them out of prison when they shouldn't be?

In addition to what you're observing with respect to section 810, don't these measures jeopardize the safety that women should be able to rely on?

**Manon Monastesse:** We still have some reservations about the application of these bills. I believe that it's essentially a matter of doing a dangerousness assessment, in spite of the legislation. A dangerousness assessment can be done at the time of release. There are assessments available, but the offender has the right to refuse that assessment.

When it comes to domestic violence and violence against women, people should have the right to request that an assessment be done, one way or another, so that they don't have to endure many instances of breach of conditions.

**Dominique Vien:** The principle of restraint that's currently in place puts dangerous individuals out on the street. It's incredibly sad.

You mentioned the case of Ms. Renaud, but we could also talk about Ms. McCourt.

**Manon Monastesse:** Yes, we could talk about that.

**Dominique Vien:** It's frightening.

The Minister of Justice says the crime severity index has increased, but he continues to support this principle of restraint.

We Conservatives are saying that we should be supporting victims and supporting a principle of public safety instead of a principle of restraint.

Wouldn't that be more useful when we see guys being released, violating parole 16 times in 20 years, and then killing a woman?

Don't you think we should try something else?

• (1645)

**Manon Monastesse:** Above all, we should provide better support for these individuals. The law has limits.

What happens while they're detained? Ms. Renaud's murderer went to jail. What happened—

**The Chair:** Ms. St-Pierre Gaudreault would like to add something, so I will let her comment. Then I'll give more time to the Liberals.

**Julie St-Pierre Gaudreault:** Ms. Monastesse could have finished her answer. What I wanted to mention is that after Bill C-5 and Bill C-75 were passed, we saw how people reacted on the ground. They didn't necessarily assess the impact of these bills in a

positive way. It's easy to group certain elements together or make connections, but they're based on very little data.

As Ms. Monastesse said, it's a matter of using the tools already available. It was mentioned that the provisions of section 811 of the Criminal Code are not properly enforced. However, they are available and they should—

**Dominique Vien:** Is—

[*English*]

**The Chair:** I'm sorry. That's the end of your time.

We're going now to Ms. Khalid for six and a half minutes.

**Iqra Khalid (Mississauga—Erin Mills, Lib.):** Thank you very much, Madam Chair.

[*Translation*]

Thank you to the witnesses for being here.

[*English*]

I want to talk a bit about something that you've both touched on. It's the difference between creating laws and regulations like Bill C-5 and others, and then the enforcement thereof.

I want you to perhaps guide us through what is important and how important it is for us to collaborate with all levels of government to ensure it's not just writing laws but also about their enforcement.

[*Translation*]

**Manon Monastesse:** The way legislation has to be implemented and updated is always the crux of the matter.

In the context of violence against women, training is essential. If police officers had better training and a better understanding of the fact that offenders are going to use coercive control in any way they can, they would be less reluctant to enforce section 811.

The coroner's report makes it clear that when a breach of conditions occurs, a red flag must go up. The police need to step in. The law must be enforced to maintain the safety net. Therefore, it's a matter of training.

It's also a matter of how to intervene with offenders. As we mentioned, a number of them have already been in prison and continue not to comply with the conditions. The conditions set out in section 810 of the Criminal Code must be extremely specific so that section 811 can automatically be applied if the conditions are breached. The term is important. Applying section 811 should automatically be the norm.

**Iqra Khalid:** Thank you.

[*English*]

Ms. Gaudreault, do you want to add something?

[Translation]

**Julie St-Pierre Gaudreault:** As for concrete measures, it would be a good idea to add a section to the Criminal Code specific to family and domestic violence. To reiterate what Ms. Monastesse said, the idea is to tie specific conditions to contexts of violence to better frame the application of section 811.

In addition, the risk and dangerousness assessment should be done systematically.

In our opinion, there's still a challenge in terms of data transparency that frames not only the application of section 811, but especially cases of non-compliance with conditions set out in section 810. It's documenting the gaps in the enforcement of the peace bond when breaches occur.

[English]

**Iqra Khalid:** Thank you very much for that.

In your experience, where do you think the administration of the laws is lacking right now? Especially when it comes to section 810 and when it comes to making sure that repeat offenders are kept away from their victims, where do you think the administration of justice is lacking? Are we talking about not enough space in prisons? Are we talking about judges and their lack of training, perhaps?

I would really appreciate your insight.

• (1650)

[Translation]

**Manon Monastesse:** Section 810 is an order to keep the peace. Therefore, it doesn't result in a criminal record. That means that if section 811 is not applied, it serves absolutely no purpose, because you have to start over. We've seen women repeatedly invoke section 810 without taking into account the breach of conditions and without applying section 811.

Basically, section 810 should be applied sparingly. We're talking about extremely serious situations, often attempted murder, death threats. Why apply section 810?

We see it here, in Quebec, where, in some regions, prosecutors and police officers work well together. We see section 810 being applied very little in the context of domestic violence, because the charges are very serious. The authorities should be taking more cases to court instead of applying section 810.

In our opinion, applying section 810 is extremely dangerous, because it creates false security. It gives victims a false sense of security. We also have to consider the whole issue of training and, in police practices, taking into account red flags that go up in a given situation. That also applies to prosecutors, because they're the ones who decide whether they will—

[English]

**Iqra Khalid:** Thank you. I'm sorry. I have only 20 seconds left.

[Translation]

**Manon Monastesse:** Okay.

[English]

**Iqra Khalid:** Ms. Gaudreault, do you want to add anything to that?

[Translation]

**Julie St-Pierre Gaudreault:** Ms. Monastesse could have finished her answer. We have more or less the same arguments.

I have nothing further to add.

**The Chair:** That's excellent.

I'm going to pass it over to Andréanne for six and a half minutes.

**Andréanne Larouche (Shefford, BQ):** Thank you very much, Madam Chair.

Before moving on, Ms. Monastesse, I want to circle back to something you mentioned. We understand very well that you're in favour of applying section 811. In your opinion, section 810 should be used sparingly, because it gives a false sense of security.

First of all, thank you very much for being with us today, Ms. St-Pierre Gaudreault and Ms. Monastesse.

You said that we need to properly enforce the law and provide more tools. I'll summarize. However, you also talked about the issue of coercive control. Our study today is on section 810, but we're also looking at ways to provide more tools so that we can be more effective when it comes to victims.

How would criminalizing coercive control give stakeholders more tools so that they can act more quickly and effectively?

**Manon Monastesse:** It would expand the range of offences that can be used. We know that coercive control is often a factor in domestic violence and violence against women. Coercive control involves very little physical violence, which is an offence punishable by law. Criminalizing coercive control will make it possible to criminalize lesser forms of control as well as other types of control, such as psychological or financial. It encompasses all forms of control.

It will also give police officers tools and enable them to use the offence of coercive control. Currently, the offences that get punished are primarily those involving physical violence, but what happens when the violence is not physical?

I will let Ms. St-Pierre Gaudreault tell you more about that.

• (1655)

**The Chair:** Ms. St-Pierre Gaudreault, you have the floor.

**Julie St-Pierre Gaudreault:** Thank you.

To fully understand the reasons why section 810 of the Criminal Code is often used and why it is now used so frequently, we need to understand that it's sometimes an alternative to having to resort to the justice system. At this time, victims don't feel supported when they're involved in the justice system.

We definitely need measures in place to better understand the cycle of violence, the dynamics of coercive control and the factors that make certain women more vulnerable. They may come from marginalized communities, such as immigrant women, indigenous women and racialized women. We need everyone to understand what these women experience in the justice system.

Criminalizing coercive control can make it possible to better understand specific behaviours, where violence takes the form of multiple and repeated acts. There are also numerous measures that would better protect victims and ensure that the justice system is more adapted to the needs of all women who are victims of violence.

The reason we're seeing more use of section 810 of the Criminal Code now is that many women don't believe they're heard in the justice system.

**Andréanne Larouche:** You also talked about training alongside the criminalization of coercive control.

I'd like to shift to talking about other solutions. We want to know how we can restore victims' confidence.

We introduced a bill to set out criteria for the Jordan decision. Victims find it discouraging that trials are being aborted because of delays and an inefficient justice system.

Today, I started reading the report entitled "Rethinking Justice for Survivors of Sexual Violence: A Systemic Investigation", published by the Office of the Federal Ombudsperson for Victims of Crime.

Among the topics touched on in the investigation report, the second states the following regarding the Jordan decision:

"I don't think there is anything worse for a victim than to have a trial suspended."

*R v. Jordan* created a regime with specific time frames that protect the right of an accused to a trial within a reasonable time. It has had unintended devastating consequences for survivors and their families. Serious sexual assault charges, even against children, are being stayed, sometimes after survivors have already endured painful cross examinations or disclosure of private records.

The current approach to *R v. Jordan* is compromising access to justice, violating the rights of victims of crime, and undermining public confidence in the judicial system in Canada.

What do you think of the idea of setting out criteria for the Jordan decision?

Could that restore the system's efficiency and, most importantly, restore victims' confidence?

**Manon Monastesse:** One solution to the Jordan issue is to create specialized teams within the justice system itself.

Quebec is setting up specialized courts made up of specialized teams that include police officers, prosecutors, clerks and judges. It's not perfect yet, but it's getting better.

I believe that specialized teams are needed within the justice system itself to ensure that victims are properly heard. Since these specialized teams would deal only with this type of case every day, the judicial process should be expedited, in theory. This is how it works in Australia, where cases are brought before the courts within just five weeks.

We know that delays are very long in Canada. The Jordan decision was meant to solve that problem, but it doesn't seem to be working very well. Some victims have been extremely disappointed, and their safety has been jeopardized.

In a Quebec case, the Jordan decision was invoked, and the offender threatened his ex-spouse with a firearm a few weeks later. That decision did indeed have significant consequences.

• (1700)

**The Chair:** Thank you. I'm sorry to interrupt.

[English]

We will go to Frank Caputo for five minutes.

**Frank Caputo (Kamloops—Thompson—Nicola, CPC):** Thank you, Madam Chair.

Thank you all for welcoming me to this committee.

I was a Crown prosecutor prior to coming to Parliament. I know section 810 incredibly well. In fact, I'm going to say a couple of things about it. Section 810 no longer protects women. It no longer protects victims of intimate partner violence, in my view. Section 810, for those who aren't aware, is not a criminal offence. It's an allegation that somebody fears someone else, and it has to go through the court like any other charge. That means that there are disclosure, cross-examination and all these things.

In British Columbia, we have a provision under the Family Law Act. That permits anybody who is fearful on reasonable grounds to apply to a court in what's called an *ex parte* manner. That means without notice. The victim can literally appear in court tomorrow and say why they're afraid, and then the person they're afraid of is served a copy of that order. They can challenge the order. It is a criminal offence to breach that order. That takes one day to get.

A section 810 peace bond can take up to a year to obtain, and then it is good only for a year. Sometimes people will say, "Well, I've been good for a year. Why are you even imposing this?" I think that's something we should be speaking about. I know a lot about this because of my background, but also because my wife is a lawyer. My wife helps women who have been victims of intimate partner violence. She echoes exactly what you've said.

I'm sorry for talking so much, but I do want to get this out. Breaches are no longer even responded to. There was a time when a breach of a contact order in an intimate partner violence setting was the most serious breach of bail. That is no longer the case. You have people who are victimized by breaches, and resources are so minimal that the police can't show up or don't show up, and victims are left in the dark.

I have a lot more to say about intimate partner violence and Bailey's law, but I'll stop there and get your thoughts, please.

Thank you.

[*Translation*]

**Manon Monastesse:** Thank you very much for explaining those problems.

That's actually why we have a lot of concerns about section 810 of the Criminal Code. As you said, it's a peace bond. What we need is the kind of provision British Columbia has, which is more effective. Thank you for mentioning that.

The problem is always failure to comply with conditions, meaning that, if the Criminal Code is not enforced, this section does absolutely nothing for women's safety. When women who are victims of violence are told about section 810, they feel safe. They believe it's a safety net. They believe there will be consequences for non-compliance. As you said, that's absolutely not the case, and it's getting worse, not better.

The approach taken by police officers who assess cases of non-compliance with conditions, rather than enforcing the law and applying section 811, is also highly questionable. They say they should arrest all offenders, because most of them, and the ones we see as well, do not automatically comply with peace bonds or conditions set out under section 810.

It is the nature of these offenders not to comply with these conditions, not to accept these rules, because they want absolute control over their ex-spouse. They don't agree to the conditions, so they don't abide by them. It's practically a given.

We need much more robust measures than section 810. In our opinion, this provision should not be used in a domestic violence context. Prosecutors should proceed with charges, because these are often serious offences.

As I understand it, and you explained it even better, section 810 should not be used for serious offences.

• (1705)

[*English*]

**The Chair:** Now we go to Ms. Nguyen for five minutes.

**Chi Nguyen (Spadina—Harbourfront, Lib.):** Thank you, Madam Chair.

[*Translation*]

Thank you very much to the witnesses for being with us today. I thank them for advising us on these important issues.

I'm sorry. I'm going to speak in English, because my French is not very good.

**Dominique Vien:** It's very good.

**Chi Nguyen:** Thank you, Mrs. Vien.

[*English*]

Madame St-Pierre Gaudreault, you talked about the need for more data, and said that we don't really have some of the content and understanding of the landscape of how it's working. Could you

talk about how that would help to better inform us on the kinds of reforms and policy interventions that would make sense for us?

[*Translation*]

**Julie St-Pierre Gaudreault:** In our view, the main challenges are transparency and access to data. We even made an access to information request to find out how many cases of non-compliance with conditions set out under section 811 were documented this past year in Quebec. We weren't even able to get an answer. If we're going to improve police procedures, we need to know when and why police officers respond to reports of non-compliance with conditions. There's a real problem there.

This goes back to what Ms. Monastesse and Mr. Caputo were saying earlier. For example, if a female victim calls the police several times in a year to report instances of non-compliance with conditions imposed under section 810, but the police response is never appropriate, that information must be documented.

This data would help improve and harmonize police procedures across the country. It would also allow us to see where the gaps are in terms of assessing dangerousness in cases of non-compliance with conditions.

We feel that we need access to this data so we can clearly document what is happening on the ground, identify gaps and improve accountability for the way non-compliance with conditions is handled.

[*English*]

**Chi Nguyen:** Thank you very much. I mean, we all recognize how challenging and systemic the levels of violence are for many women in our communities.

One piece that you both touched on a bit was around section 810 versus section 811. Could you talk about—if we were doing this right or if the system were working well—what it would mean if we were using 811 in appropriate ways and what would be required in terms of the police using that tool? You talked a bit about the training pieces, but I'd be curious to see what that could mean in the ideal scenario or look like in practice.

[*Translation*]

**Manon Monastesse:** Section 811 of the Criminal Code means an automatic arrest. The offender will be incarcerated and brought to justice, not only for the core offences, such as attempted murder, but also for non-compliance with conditions. This is an effective way to provide a safety net for victims and their children. We mustn't forget them either.

We find it deeply troubling that the post-mortem study of homicides involving domestic violence, which was based on coroners' reports and police service records, indicated a history of domestic violence in all cases. In addition, we see cases where an order had been made under section 810. How could these women and children have been murdered when a section 810 order was in force? This really is a major problem.

For starters, was section 810 really more effective than laying charges for other, typically very serious, offences? Everything depends on the assessment that leads to the decision to use section 810. Prosecutors will often say that it's better to use section 810 because the victim no longer wants to testify.

Could there have been other solutions? Section 810 should be used sparingly. If it is used, section 811 must be systematically applied so that legal action can be taken.

• (1710)

**The Chair:** Thank you.

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

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

Once again, thank you very much, ladies, for being here today. Your testimony is very enlightening.

We understand that the false sense of security created by section 810 is a concern and that we need to look at other solutions. You talked about section 811, but you also talked about transparency and data collection. That's in the ombud's report too.

On data and accountability, the ombud's report says at point 10, "Data collection needs to be improved, and we need to collect data consistently. It is hard to identify gaps without reliable data." That's very important.

What can you add to that?

**Julie St-Pierre Gaudreault:** I'll offer a brief answer and then turn it over to my colleague.

Our member shelters systematically report that a number of police officers refuse to do anything about non-compliance with section 810 conditions.

It's important to know those figures as well to understand the scope of the situation. Not only do we need accurate data about instances of non-compliance in family and domestic violence cases, but we also need data on the police response when there are notices of non-compliance, reports, requests for protection and peace bonds.

**Manon Monastesse:** In our practice, we see women who have to deal with frequent occurrences of non-compliance with section 810 peace bonds. They call the police numerous times, trying to convince them to take action. They shouldn't have to do that. What we're seeing on the ground is that section 811 is often not enforced. What is the point of section 810 if section 811 is not enforced?

Unfortunately, we rarely see the enforcement of section 811 because we don't have access to the data. This is hellish for women, because non-compliance with conditions can go on for years. We

also know that section 810 recognizance expires after two years. Women are then continually harassed.

[*English*]

**The Chair:** Thank you so much.

We're going now to Ms. Cody, for five minutes.

**Connie Cody (Cambridge, CPC):** I want to thank everyone for coming out today and talking to us. I know this is a really critical situation, as we've seen situations and crimes actually increase and the harm to women.

Madame St-Pierre Gaudreault, last November, at the Standing Committee on the Status of Women, you made some powerful statements. You said that violence perpetrated online can lead to physical violence or even femicide and that we must therefore find a way to intervene at the source.

As we know, breaches are no longer responded to, nor does section 810 work. I would like to hear about your observations from the field.

• (1715)

[*Translation*]

**Julie St-Pierre Gaudreault:** We've certainly seen an increase in violence. I imagine you've seen the latest cases of femicide that took place in Quebec. In 2024, there were 25 femicides, and I believe there have been 16 so far this year. In the latest cases, the perpetrators had a lengthy criminal history.

The main reason we're here today is to talk about assessing how dangerous these offenders are and about how police services and all professionals who come into contact with victims of violence handle these cases. That is one of our major concerns. We believe there is a problem with the dangerousness assessment.

In the report we submitted to you before our appearance, in addition to the offender dangerousness assessment, we recommend the use of GPS ankle bracelets. This should be standard in high-risk cases. This practice is used in Quebec. It's not a panacea, and it can indeed create a false sense of security, but high-risk cases need to be better assessed. In addition, concrete measures must be put in place to protect female victims and better monitor perpetrators.

Ms. Monastesse, over to you.

**Manon Monastesse:** That's why the dangerousness assessment is crucial. We know that the biggest red flag in the assessment is domestic violence in previous relationships. That's often the case.

When it is the case and it's clearly indicated in the Quebec coroner's report, the possibility of femicide is extremely high. That's what we see in the situations we've studied. We're concerned about the dangerousness assessment because, unfortunately, the offender can accept it or reject it in court.

I don't know whether, legally, it's possible to say that a particular case involving domestic violence or sexual assault would justify the use of this assessment, if the offender is considered too dangerous. The assessment is a crucial part of the release process.

[*English*]

**Connie Cody:** Thank you.

We're running out of time, so I'd like to share the rest of my time with my member colleague, Frank Caputo.

**Frank Caputo:** Thank you.

I was particularly interested when you spoke about risk assessments, because I have a private member's bill called "Bailey's law", Bill C-225.

I see you nodding your head. Are you familiar with it?

**A voice:** Yes.

**Frank Caputo:** It responds to the killing of Bailey McCourt. I was very disappointed by the Liberals' tone when it was in the House of Commons, because Bill C-225 builds within it a risk assessment at any stage of the proceedings. Right now, a person can be brought before the court only when they breach. Bill C-225 would allow a victim to apply for a risk assessment at any time in the proceedings. In other words, the person hasn't broken the law, but the red flags are there.

Again, I see that we have four Liberals in the room. I urge them to speak to their colleagues about this most fallacious position that they have put forward.

I would like to put to you this idea of having a risk assessment and how important it is. I would love your feedback on Bill C-225.

Thank you.

[*Translation*]

**Manon Monastesse:** We fully agree that a risk assessment is a crucial part of the process and should not depend on an offender's willingness to say yes or no. It should be done automatically and on an ongoing basis as part of the process, as you said.

[*English*]

**The Chair:** That's the end of your time.

We will now go Madame Ménard for five minutes.

• (1720)

[*Translation*]

**Marie-Gabrielle Ménard (Hochelaga—Rosemont-Est, Lib.):** Thank you, Madam Chair.

Thank you, Ms. St-Pierre Gaudreault and Ms. Monastesse. Unfortunately, our colleague Mr. Caputo will have to listen back to your answer, Ms. Monastesse, because he was having what he

found to be a fascinating conversation with someone else and wasn't listening to your answer.

We need your expertise because, in the fight to end violence against women, all three levels of government have to pull their weight. At the federal level, we can obviously take action with respect to the Criminal Code.

Both of you have mentioned a number of times that the problem lies with enforcement.

What role do you think the federal government could play?

You both said that the law is there. It may be imperfect—it's up to you to tell us—but the tools are there. It sounds like maybe they aren't being used to their full potential.

I'll start with you, Ms. St-Pierre Gaudreault. I'll then invite you to comment further, Ms. Monastesse.

**Julie St-Pierre Gaudreault:** Of course, we knew that we were coming here to discuss section 810 and its enforcement. Most of the challenges have to do with enforcement by the police. We know that this is a provincial problem, but the fact remains that there are concrete measures that the federal government can take to amend certain conditions related to section 810.

As I said a bit earlier, that could involve providing for specific sections related to domestic and family violence. That's doable on the federal side. Providing for specific conditions also means naming them in a concrete way. It could be a no-contact order or a weapons prohibition, for example. Direct possession of a gun or even access to a firearm at home is a known factor that makes it possible to identify a situation with a high risk of femicide.

That means that certain conditions can be established to better protect female victims and to better define the level of danger. Once those conditions are put in place and clearly linked to a specific context of family violence, intimate partner violence or violence against women in the general sense, it will be much easier for police forces to ensure compliance in the event of conditions being breached.

It will definitely be necessary to coordinate those measures with the provinces and territories and provide training to ensure that the measures are applied consistently across the country.

That's a first step, and it's up to the federal government to implement it.

**Manon Monastesse:** Since the Criminal Code falls under federal jurisdiction, its enforcement has to be better aligned with the provinces and territories. We ourselves and our colleagues at shelters across Canada can see that the enforcement of the Criminal Code varies greatly from coast to coast to coast.

For example, there are things being done in Quebec but not elsewhere. I'm thinking specifically of risk assessment, which is possible in some provinces but not necessarily in Quebec. That's a major problem.

We've often called on the federal government to take a leadership role. It should have much more sustained discussions with the provinces and territories on how they enforce the Criminal Code. That way, victims can rely on a certain degree of harmonization in police practices.

We strongly support the proposal that the federal government take a leadership role and that bilateral discussions be held on the enforcement of the Criminal Code.

As Ms. St-Pierre Gaudreault said so well, we also want a follow-up on documentation. Statistics have to be accessible. That's a problem. For the justice system to improve, the enforcement of the Criminal Code has to improve. That's a central, even crucial, measure.

**Marie-Gabrielle Ménard:** I have about 30 seconds left. I'll let you continue, Ms. St-Pierre Gaudreault.

We'll change the topic in the next round of questions.

**Julie St-Pierre Gaudreault:** I'll try to be brief.

I'd like to add that, for us, the solution doesn't necessarily involve strengthening the Criminal Code or always having stricter criminal measures. Rather, it involves applying concerted, complementary measures. I'm talking about better assessments, better training and the use of tools that already exist.

That means it isn't necessary to keep strengthening the Criminal Code to provide for harsher penalties. That isn't the priority on the ground.

• (1725)

**The Chair:** Thank you very much.

[*English*]

That concludes our first panel for today.

I'd like to thank our witnesses for their time and their testimony. We're going to suspend briefly while we bring in the next panel of witnesses and come right back.

Thanks so much.

• (1725)

(Pause)

• (1725)

**The Chair:** I'd like now to welcome our witnesses for the second panel.

We have, from the National Family and Survivors Circle, Hilda Anderson-Pyrz. I hope I'm pronouncing that correctly.

We also have, from the National Police Federation, Brian Sauvé, who is the president. With us by video conference we have Rebâtir, with Marie-Claude Richer, counsel and director, and Catherine Ahélo, counsel.

For those who are on Zoom, if you want to choose your interpretation language at the bottom of your screen, you can pick English, French or the floor audio, which gives you both. Please wait until I acknowledge you by name before you speak, and when you're not speaking, if you can please be on mute that would be terrific.

Those in the room, you know what you're doing.

We're going to begin with the opening statements for five minutes. I'm going to be ever so helpful. When you have one minute left, you'll see the one-minute card, and when you have 30 seconds left, you will get the red card, just like in soccer. I will be ever so gentle at the end of your time, to move us along so that we can begin the rounds of questions.

We will start with Hilda Anderson-Pyrz for five minutes.

**Hilda Anderson-Pyrz (President, National Family and Survivors Circle Inc.):** Thank you, Madam Chair and members of the committee.

My name is Hilda Anderson-Pyrz. I'm the president of National Family and Survivors Circle Inc., an indigenous-led and distinctions-based organization representing families of missing and murdered indigenous women, girls, two-spirit and gender-diverse people and survivors of gender- and race-based violence.

I honour all indigenous women, girls and 2SLGBTQIA+ people who are missing or whose lives have been taken far too soon and those who have experienced violence.

I speak to the lived realities of indigenous women and gender-diverse people across this country, realities shaped by systemic racism, colonial violence and chronic failures across policing, corrections and the courts.

These failures are heightened in rural, remote and northern communities, but they are present everywhere. The national inquiry into missing and murdered indigenous women and girls made this clear. The violence indigenous women face is not accidental or isolated. It is structural. This is the foundation of calls for justice 1.1, 1.7 and 1.10, which outline the core obligations of governments to create safety. These foundational calls guide all the reforms I will speak to today.

Section 810 orders are intended to protect, but for many survivors they are protection only on paper. Survivors describe being dismissed by police, minimized in court or spoken to with racist and victim-blaming assumptions. These experiences violate the principles laid out in call for justice 5.4, which requires trauma-informed, culturally safe and bias-free policing and justice responses.

Even when a peace bond is issued, its effectiveness depends entirely on enforcement. The Office of the Correctional Investigator has documented chronic communication failures, inadequate release and planning, and a lack of survivor notification. These gaps are why call for justice 9.1 requires timely, reliable and survivor-centred information sharing. Without functioning systems behind them, peace bonds become symbolic, rather than protective.

The Shawn Lamb case was a clear warning. The recent statutory release of Shawn Lamb, who pleaded guilty to killing two indigenous women in Winnipeg, demonstrates what happens when systems rely on conditions on paper but lack meaningful enforcement and oversight. Despite being assessed as a high risk for intimate partner violence and sexual reoffending, Lamb was released into the community. Survivors and families expressed fear and rage, and rightfully so.

The case underscores critical gaps in enforcement of conditions, communication between justice bodies, survivor notification and community preparedness. These are precisely the issues highlighted in call for justice 16.27, which demands real accountability across policing, corrections and the courts, and call for justice 1.10, which calls for transparent coordinated systems that protect survivors and do not endanger them.

Survivors have told us time and time again what real safety requires. Each of these needs connects directly to the specific calls for justice. They tell us that safety begins with indigenous-led, distinctions-based, wraparound supports, which is exactly what call for justice 5.1 directs governments to provide. They tell us that they need culturally safe, trauma-informed policing and justice responses, so that racism, stereotyping and dismissive attitudes do not put them at further risk. This aligns directly with call for justice 5.4.

Survivors also need reliable, timely, survivor-centred information sharing, especially around releases, breaches and changes in conditions. That is a core requirement for call for justice 9.1. They need real accountability across policing, corrections and the courts, so that no system and no institution can continue failing them without consequence. This comes directly from call for justice 16.27. They remind us that safety must also include healing and rehabilitation for those who cause harm, something clearly laid out in calls for justice 7.1 and 7.3.

All these needs rest on the foundational human rights principles described in calls for justice 1.1, 1.7 and 1.10.

I propose five priorities.

The first is to recognize coercive control and patterns of harm. Expand section 810 to cover coercive control, stalking, technology-enabled abuse and escalation that has not yet produced physical assault.

• (1730)

The second is to improve enforcement and policing capacity by creating specialized intimate partner violence units serving indigenous communities, setting minimum staffing benchmarks for remote detachments, and mandating training on coercive control and colonial violence.

The third is to fix information sharing and survivor notification by establishing real-time integrated information sharing among police, courts, corrections, parole, indigenous governments and service providers, with automatic survivor notifications for releases, breaches and conditions changes.

The fourth is to reduce the burden on survivors by allowing trusted third party applications for orders, funding indigenous court navigators and survivor advocates, and providing legal aid and ensuring transportation and accessibility supports in remote regions.

The fifth is to have indigenous-led data and oversight by collecting distinctions-based data on orders, breaches and outcomes led by indigenous organizations under OCAP principles, and using the data to set national standards and require accountability.

In closing, this is not simply about amending one section of the Criminal Code. It is about transforming the systems that continue to fail indigenous women, girls and 2SLGBTQQIA+ people. Peace bonds alone do not create safety. Indigenous-led, rights-based, community-grounded systems create safety.

• (1735)

**The Chair:** Thank you.

**Hilda Anderson-Pyrz:** The calls for justice tell us this. Survivors tell us this. Families tell us this. If section 18 is to hold meaning, it must be strengthened through the structural reforms grounded in the inherent rights of indigenous women and girls.

Thank you.

**The Chair:** Thank you.

Your five-minute period is far over. You can get the rest in when we go to the questions.

I'll turn now to Brian Sauvé for five minutes.

**Brian Sauvé (President, National Police Federation):** Thank you, Madam Chair.

Thank you, members of the committee, for the invitation.

I am Brian Sauvé, a sergeant in the RCMP and president of the National Police Federation, the union representing about 20,000 of our members across Canada.

Women's safety, particularly from intimate partner violence, remains one of the most pressing and persistent challenges facing our country. Despite ongoing efforts and public awareness, too many women continue to live in fear or lose their lives at the hands of a partner or a former partner.

According to Statistics Canada, in 2022 there were more than 117,000 victims of police-reported intimate partner violence. Nearly eight in 10 were women and girls. Women disproportionately experienced the most severe forms of this violence, at rates three times higher than men.

Section 810 of the Criminal Code plays a vital role. It allows law enforcement and courts to act before harm occurs by imposing conditions such as no-contact orders or geographic conditions and restrictions. These peace bonds can literally save lives, especially when supported by consistent follow-up and enforcement.

However, as our members see every day, legislation alone cannot protect victims. The effectiveness of section 810 and related reforms such as Bill C-75 and Bill C-5 depends on adequate resources, timely communication and coordinated enforcement. Without those, even the best laws risk falling short. We welcome the government's commitment to bringing forward legislation this year to better address intimate partner violence, and we encourage that process to include meaningful consultation with law enforcement and survivors to ensure that the legislation's intent translates into real-world protections.

Based on our members' experience, there are three areas where we see that improvements could be made.

The first is investments in effective monitoring and compliance systems. While section 810 provides courts with the tools to set conditions, its success depends on how well those conditions are tracked and enforced. Currently, there is no single national database tracking section 810 peace bonds or the related conditions. Provinces and territories need to invest in modern monitoring systems that allow police to track compliance in real time.

Ontario's bail compliance dashboard is an excellent example. It gives officers quick access to an individual's bail status and conditions, and it is intended that it be expanded to include intimate partner violence offenders. This type of system supports accountability and faster responses to breaches. Other provinces should look to Ontario's model as a best practice, incorporating electronic monitoring as enabled by Bill S-205. Integrating these systems nationally would strengthen enforcement and protect victims across jurisdictional lines.

The second area is modernizing privacy laws to enable information sharing. Effective monitoring and enforcement require more than just technology; they require the ability to share data securely and consistently.

Currently, Canada's privacy laws limit how information about offenders can be shared across police services and jurisdictions. To truly protect women and children, governments should review and update their privacy frameworks to ensure that critical information about high-risk individuals can move with them between provinces and territories. This can and must be done while maintaining strong protections for personal information.

Modern interoperable systems and updated privacy legislation will allow section 810 to achieve its preventive purpose, ensuring that no matter where an offender moves, police and victims remain informed and protected.

The third is resources and capacity. RCMP members work to enforce peace bonds, conduct compliance checks and respond to breaches. Our members' workloads are heavy, particularly in rural and remote areas where one detachment with as few as two members may cover hundreds of kilometres. When a breach occurs and response is delayed because there are simply not enough police officers available, the sense of safety for victims erodes quickly.

Although Canada's homicide rate declined in 2024, the number of women killed by intimate partners increased. Additionally, the proportion of women whose deaths were caused by a spouse or intimate partner rose from 32% in 2023 to 42% in 2024, about seven times higher than for men.

• (1740)

These are not just numbers. They are a stark reminder that without sustained investment in resources and victim support, Canadian women and children will continue to pay the price.

Thank you. I welcome any questions you might have.

**The Chair:** Thank you so much.

[*Translation*]

I will now give the floor to the representatives of Rebâtir.

Ladies, you have five minutes for your opening remarks.

**Marie-Claude Richer (Lawyer and Director, Rebâtir):** Thank you.

My name is Marie-Claude Richer. I'm a lawyer and director of Rebâtir. For 47 years, I was a friend of Lisette Corbeil, who was a victim of femicide in 2021. While this fatal act was the first instance of physical violence against her, she had been a victim of coercive control for a number of years. She had told police that she was fearing for her safety a few weeks before her murder. At no point was she given the option of making an application under section 810 of the Criminal Code.

With me is Catherine Ahélo, a criminal lawyer at Rebâtir. We're the only criminal law firm in Quebec that advises only victims.

Rebâtir was created on September 21, 2021. Our mandate is to offer four hours of free legal advice to all victims of domestic and sexual violence, anywhere in Quebec and in all areas of law.

The position that we're expressing today is based on our experience helping more than 22,000 victims and providing more than 93,000 legal consultations.

Of those victims, 93% are women. We know the needs of victims when it comes to the necessity for better protection under federal legislation. That's why we'd like to reiterate that, in Canada, there's an urgent need to recognize coercive control as a criminal act.

In addition to being a deterrent, that recognition would enable police officers and prosecutors to present that continuum of freedom-depriving acts as evidence in court. Judges would then have a more accurate picture of the situation, and they could make informed decisions. They can't do that right now, since all they have is one snapshot of a film that has often been going on for a long time.

**Catherine Ahélo (Lawyer, Rebâtir):** Orders under section 810 and the following provisions serve a preventive purpose.

In practice, though, when it comes to domestic violence, this type of order is almost always used to settle a case in which charges have already been laid. The accused will be acquitted of the criminal offence in exchange for that kind of commitment.

In reality, a victim who wants to use section 810 as a preventive measure will encounter major obstacles, making it practically impossible or ineffective to use that measure.

Victims who approach police officers to use section 810 will too often be told that if the facts of the case don't include a criminal offence, the victim can't submit an application under section 810 to the director of criminal and penal prosecutions, or DPCP, despite there being risk factors for homicide.

In that case, they will have to make their application on their own, directly at the courthouse. They could be represented by a lawyer, but that service isn't covered by legal aid. The vast majority of victims can't afford to pay for a lawyer. Having to represent oneself against the perpetrator of the violence is a major barrier to this type of preventive measure.

In addition, when the perpetrator of the violence is served with a section 810 application, no safety net will be put in place during the legal proceedings. Several weeks, if not months, can elapse be-

tween when the proceedings are served and when the section 810 application is heard. Since receiving legal proceedings can increase the risk of homicide, this lack of conditions during the proceedings and this long delay constitute another major barrier to the safety of victims.

The 12-month maximum duration for a section 810 order isn't long enough to adequately protect victims in a domestic context.

Some of the amendments proposed in Bill C-225 seem very promising to us. It's indeed essential that all murders of intimate partners, including femicides, be treated as first-degree murder, as are murders of police officers in the line of duty.

We also believe that it's essential to regulate the police discretion to release individuals. We support the proposal to add clause 499.1 to the Criminal Code, but we believe that the list of offences against an intimate partner is too limited. The current proposal leaves out a number of offences that are common in the context of domestic violence.

Furthermore, restricting the application of clause 499.1 in cases where, just before the arrest, the person was at large on a release order seems problematic to us. The use of the term "immediately" is vague and imprecise, and it doesn't cover situations where conditions may be breached long after such conditions were imposed. It's also essential for this measure to also apply when the person is subject to conditions as part of a police undertaking.

Finally, we can only agree with the proposal to give the court the power to order a risk-of-reoffending assessment at any stage of the proceedings. In Quebec, we currently have the option to conduct a danger assessment at the bail hearings stage, but that requires the consent of the accused. That greatly limits the effectiveness of such a measure.

● (1745)

**The Chair:** Thank you very much, Ms. Ahélo.

[English]

We will now begin our first round of questions.

Madame Vien, we'll start with you. You have six minutes.

[Translation]

**Dominique Vien:** Thank you very much, Madam Chair.

I'd like to thank all the witnesses for making themselves available today.

We've heard many things, and that gives us food for thought. Things were moving quickly, so we may come back to certain issues. I felt that, for the witnesses, it was a bit of a race against the clock.

I just want to reassure you, Ms. Ahélo. Our colleague Frank Caputo is a former Crown attorney. He was here for the first hour of the meeting. He's the one who introduced Bill C-225. My colleagues can correct me if I'm wrong, but there are two things to note in the bill. First, an assessment can be requested and required at any time. The judge will have that power. Second, it would make intimate partner crime a first degree crime. That's the news for today.

Ms. Richer, this week we heard from Karine Gagnon, from the Crime Victims Assistance Centres Network, or CAVAC. In the first hour of this meeting, our two guests were quite harsh about section 810 and breaches of conditions. They said they were fed up with the fact that conditions were being breached and that it wasn't being resolved. They were also a bit harsh on the police. In fact, I'll come back to that when I turn to Mr. Sauvé.

The witnesses said that people use section 810 for lack of anything better. It's clear that there are delays, that there are staff shortages and that there can at least be some immediate action. However, according to the witnesses from the Fédération des maisons d'hébergement pour femmes, this section isn't adapted to the reality on the ground and isn't the right measure to use.

Today, these witnesses have provided us with plenty of perspectives on the violence women experience on a daily basis. We also inherited Bill C-5 and Bill C-75. We think that has had repercussions that have led to an increase in violence. We stand by that fact.

Do you share Karine Gagnon's view that people are turning to section 810 when it isn't the right tool? She believes that it isn't what people should normally turn to. This provision is getting used because there isn't enough time to use other ones.

**Marie-Claude Richer:** According to section 810, as Ms. Ahélo and the other witnesses said, even when victims want the protection that the section provides for, the police don't file a report if no crime has been committed. It's the victim who has to go to court themselves and make that application. I will give the floor to Ms. Ahélo, if necessary. She's really our criminal law specialist.

Section 810 doesn't exist, strictly speaking. I mean that it isn't applied in its actual form. Section 810 is applied when a crime has been committed and the victim, for a variety of reasons, doesn't want to go to trial. It's also applied when the Crown doesn't think its evidence is sufficient or strong enough. Once section 810 is applied in cases where conditions have been breached, the police have to intervene. However, that isn't happening on the ground. That's the problem.

**Dominique Vien:** Thank you very much, Ms. Richer.

Mr. Sauvé, what do you have to say in your defence? What do you have to say to the women who just testified on this issue?

I agree that modern resources and mechanisms are needed. However, as described to us by witnesses who work with abused wom-

en, the reality on the ground is that the police don't seem to want to intervene.

I'm not putting all the blame on your shoulders. That's not it. Maybe you don't have enough resources. You may not be intervening quickly enough.

As a member of the Royal Canadian Mounted Police, what do you say to these witnesses?

• (1750)

[*English*]

**Brian Sauvé:** I agree with everything I've heard thus far. I will sit back and say that section 810 is lacking—definitely lacking. As a police officer, it does not provide adequate protections. We do have police officers out there who will not take those applications, mainly because there's not enough time.

At the same time, I'll sit back and say that this is not just the police. We're talking about federal, provincial and territorial resources here. We're talking about the number of Crown counsels, the number of court spaces available and the number of judges available who may not hear, may not entertain or may not want to entertain an application from a police officer on a file to apply for a peace bond. A whole bunch of issues are blocking the effective use of section 810.

[*Translation*]

**Dominique Vien:** Thank you very much, Mr. Sauvé.

You touched on Bill C-5 and Bill C-75 earlier. You briefly touched on Bill C-14, which was introduced in this new Parliament. In our opinion, this is a step in the right direction, but it's clearly insufficient.

What do you have to say about Bill C-5 and Bill C-75?

Those bills have a lot of critics. That may have made things much more difficult on the ground when it comes to women's safety.

[*English*]

**Brian Sauvé:** I mentioned Bill C-5 and Bill C-75. I'm cautiously optimistic that Bill C-14 speaks to reverse onus bail provisions for domestic and intimate partner violence, so I'm looking forward to seeing how the future looks with respect to bail reform.

Granted, that is post offence, and we're talking here about how we can divert and make it safer pre offence.

[*Translation*]

**Dominique Vien:** Thank you, Mr. Sauvé.

Ladies, you've heard about the Renaud and McCourt cases. In both cases, the families are calling for the creation of a registry of violent men.

If memory serves, there is a sex offender registry, but a registry should also be created to record cases of domestic or intimate partner violence.

What do you think? Would that be a good idea?

Mr. Sauv , you talked about the need to be able to share information. That's along the same lines.

**Marie-Claude Richer:** Yes, there is already a registry for sex offenders. I think that having a registry for perpetrators of domestic violence would indeed provide more protection for victims. We would know that these people are problematic. When a victim contacts us at Reb tir, the first thing we do is consult the minutes book to find information about that perpetrator. We try to determine whether he has a criminal record. We want to know who we're dealing with.

You will understand that the advice we give to victims will be based on what we have been able to find in the minutes book.

**Dominique Vien:** It's hard to get access to the minutes book—

[English]

**The Chair:** I'm so sorry. That's the end of your time. This is the hard part of the job.

We're going now to Ms. Nathan for six minutes.

**Juanita Nathan (Pickering—Brooklin, Lib.):** I want to ask Hilda the following question.

Indigenous women, girls and 2SLGBTQ people face a disproportionately high rate of violence and systemic barriers when seeking protection. You mentioned that in your opening speech as well.

How should the federal reforms to bail and peace bonds be adapted to reflect indigenous rights, cultural safety and lived realities?

**Hilda Anderson-Pyrz:** I think it's really critical that they engage with indigenous women, girls, and two-spirit and gender-diverse people. Have them present, have equity in decision-making and have resources at the table for their full participation, to determine what this can look like through their lens.

Also, more so, fund indigenous initiatives, whether they be education.... Many indigenous women are not informed of what their rights are within the justice system. Often, they're not respected when they're trying to utilize these mechanisms and instruments.

It's addressing the systemic and structural racism that exists within these different mechanisms, whether it be policing or the justice system. Have policy and legislation developed around that, and fully embed the specific calls for justice related to addressing these matters.

• (1755)

**Juanita Nathan:** Thank you for that.

I'll go to the two people on the screen, Catherine and Marie-Claude.

You know the government has introduced Bill C-14 to strengthen bail and protect victims of intimate partner violence. From your experience in supporting survivors through your organization, how do you see these proposed changes improving safety on the ground for women and gender-diverse individuals fleeing violence?

Comment specifically on Bill C-14 and how you see it applying.

[Translation]

**Marie-Claude Richer:** Ms. Ah lo, would you like to answer the question?

**Catherine Ah lo:** Okay.

In fact, what victims on the ground really need is arrests and detentions to take place when they report a breach of conditions. That would eventually make it possible to apply the measures that exist when individuals appear as detainees. This is a key point in ensuring the safety of victims.

Right now, female victims summon up their courage to report criminal offences. Conditions are imposed on the perpetrator of the violence. These conditions aren't respected, and when they subsequently file a complaint, they aren't listened to. The case is submitted by summons, and there is no restraining order against the perpetrator of the violence, the accused.

Victims are losing faith in the justice system. It discourages them, and they are reluctant to move forward.

In addition, the fact that they may have to testify on the main issue demotivates them. In my opinion, this is the main problem for victims right now.

[English]

**Juanita Nathan:** This is for Catherine and Marie-Claude.

Your organization has emphasized the need for a cluster list for high-risk behaviour, to prevent femicide. What key indicators should be included and how would a national legislative framework help frontline organizations intervene sooner?

[Translation]

**Catherine Ah lo:** If I understand the question correctly, you're referring to femicide. We believe that the murder of any intimate partner should be included in the definition of first-degree murder. We don't want there to be a distinction between men and women.

It is also essential to add "including femicide" and a definition of femicide. This would recognize the existence of this scourge across Canada.

[English]

**Juanita Nathan:** I have one question I could probably ask Brian.

The police are often first responders for racialized Black and indigenous women, who have historically faced deep mistrust in justice institutions. What training or structural changes would help to ensure that bail and peace bond enforcement would better protect the communities?

**Brian Sauv :** It was interesting. I was listening to Hilda, and I went back to when the previous government started a study on the first nations indigenous policing program. It has stalled. As part of that, we were consulted and asked to put in what we might recommend.

Exactly as Hilda was saying, there were a whole bunch of our recommendations to improve the first nations indigenous policing program. One of them was to have culturally sensitive training for our police officers, perhaps with cultural liaisons within those indigenous communities as police officers come in. There could be longer postings. It could be the ability to have refresher courses or the ability to really know community bylaws and have consistency in that.

What we have seen and what our members have told us is that, with constant transfers in and out, with the change of personnel and with no consistency in knowledge of the heritage, the bylaws or what the community is like—and everybody's different in Canada, which is one of the lovely things about this community we have—you end up with inconsistent application and lack of trust, because you don't have consistent people there. That is probably what I would recommend.

• (1800)

**The Chair:** Thank you so much. That is the end of your time.

Madame Larouche, please go ahead for six minutes.

[*Translation*]

**Andr anne Larouche:** Thank you, Madam Chair.

Thank you very much to the four witnesses, who represent three associations, for participating in this study today. This is extremely enlightening. This is happening in a week when we're hearing a lot about crimes committed in a domestic context.

I would have liked to put a question earlier to the representatives of the *F d ration des maisons d'h bergement pour femmes*, but I ran out of time. I'll turn to the representatives from *Reb tir*.

Like other witnesses, you talked about the importance of criminalizing coercive control in broadening our vision of gender-based violence. This week, I heard about the *Institut  cho*, which offers training in various settings to enlighten people about coercive control and help them recognize the signs.

Have you heard of that?

It's fine to criminalize coercive control, but how could providing training help victims?

In this study, we're talking about the justice system and section 810. We were told that it was more or less effective.

How could addressing coercive control help address the ineffectiveness of section 810?

**Marie-Claude Richer:** *Institut  cho* is an initiative of the *Regroupement des maisons pour femmes victimes de violence conjugale au Qu bec*.

It has already trained more than 20,000 legal actors in Quebec on coercive control. Obviously, we want coercive control to be criminalized, but we know that, to be able to detect it properly, we have to understand what it is.

That's why this institute was set up. It's a complementary tool. Its purpose is to inform people from various backgrounds, whether it be in the judicial field, the health and social services field, the community field or the police field.

Training can help them fully understand what coercive control is. When this type of behaviour is criminalized, all of these people will be able to detect it. They will be able to build a proper case so that the Crown prosecutor is able to start a prosecution, and we can get to court. That's the role of *Institut  cho*.

**Catherine Ah lo:** I have personally seen the positive impact of the training given to police forces by the *Regroupement*. This is my area of law. I saw a change in the way police officers treated victims, in the way they put together their files and in the comments provided by victims.

When I arrived at *Reb tir* in 2021, perceptions of police work were very negative. Now, it's the exception when things don't go so well within the police force. Training is essential, and it's necessary to take it.

**Andr anne Larouche:** During the parliamentary recess, I met with a member of Parliament who worked on the report on rebuilding trust, *Reb tir la confiance*, in Quebec City. She told me that a lot could be done. What complicates the situation is that the Criminal Code falls under federal jurisdiction, and the application of justice falls under Quebec City. We also hear a lot about what is being done in Ontario and British Columbia.

It's important to remember that this report led to the implementation of specialized courts and tracking bracelets. It has also led to innovations.

When it comes to criminalizing coercive control, this member told me that there was nothing more she could do on this issue and that the ball was in our court. She didn't understand why the federal government is still dragging its feet on this. I reminded her, among other things, that Bill C-332 died on the Order Paper when the last election was called.

She is asking us to take up the torch again and to look again at the criminalization of coercive control to complement the report and the work being done in Quebec City.

You also talked about support for victims. Today, the Office of the Federal Ombudsman for Victims of Crime released a report entitled, “Rethinking Justice for Survivors of Sexual Violence: A Systemic Investigation”.

This is an interesting report. As I was looking through it, I stopped at point 6 under the heading “Purposes of our Investigative Report”, under the heading “Victim impact statements, corrections and parole”. It says, “[s]urvivors often have little information about their rights during and after sentencing. They don't know that they have to register with Correctional Service Canada...or the Parole Board of Canada...to get information about federal offenders.”

We heard from the previous panel about the importance of information sharing and transfer.

What do you think of that statement in the report?

• (1805)

**Catherine Ahélo:** Being informed changes everything for victims. At Rebâtir, that's one of our key roles. We're trying to make up for that lack of communication. We try to be their conduit with police officers, Crown prosecutors, parole boards at the provincial and federal levels, as well as with all other actors in the field of law.

We take the time to explain things to the victims so that they fully understand the situation. It can really lower their anxiety levels and maintain their confidence in the justice system. That simple communication can make all the difference for victims in their processes.

**Andréanne Larouche:** Mr. Sauvé, do you have any other comments on the importance of transferring information to victims?

[*English*]

**Brian Sauvé:** It's unfortunate that non-government organizations are the ones that are actually doing that. We should have governmental organizations that take it seriously and actually share information and protect victims and prosecute offenders when need be.

**The Chair:** Thank you very much.

Now we go to Ms. Cody for five minutes.

**Connie Cody:** Again, I'd like to thank the witnesses for coming here today. It's a very important conversation.

Mr. Sauvé, I want to quote you. During one of your appearances before the justice committee in September, you said that they also see the human consequences of “a system that often functions like a revolving door”. They repeatedly arrest the same people, often for crimes committed while they were already on judicial interim release. This is both “dangerous and demoralizing”. It also “drains police resources” that could be more usefully deployed in crime prevention. As well, for his part, the Crown prosecutor in Quebec, Maitre Alexis Dinelle, also shared his consternation regarding the judicial system. He sharply criticized Bill C-5, insisting on the obligation to be accountable to victims of sexual assault.

Faced with this record of failure, what are your thoughts on the importance of the federal government's eliminating the principle of restraint in the bail release regime?

**Brian Sauvé:** Bail reform is an interesting topic, and I'm glad it is getting the valuable attention it so deserves and that Canadians have been asking for.

One of the challenges we have seen from federal and a multi-jurisdictional police perspective is that it is not just a federal responsibility. The federal government can legislate changes to the Criminal Code, but that code is governed and administered provincially and territorially. We have been trying to scream from the rooftops that all governments need to be working in tandem to do their part.

The principle of restraint is there. I really have no opinion on it. However, appropriately funded, appropriately resourced, appropriately educated and standardized training for all levels of the justice system across Canada, I think, is desperately needed, and we all have to do our part.

**Connie Cody:** Okay.

Mr. Sauvé, we had a witness previously here, Debbie Henderson, whose niece was allegedly killed hours after her ex-partner's release from prison. She recently told the committee that she is supportive of potential changes to the Criminal Code to make murder of an intimate partner first-degree murder. This would happen through Bill C-225, which was just recently introduced.

What are your thoughts on her recommendations to support Bill C-225 to reclassify intimate partner violence as first-degree murder?

**Brian Sauvé:** It's hard to get charge approval for a first-degree murder offence.

I'm interested to read the bill, become more educated about it and—should that bill make it to committee—perhaps make a submission on it, but there are a lot of challenges with getting a charge approval for that offence.

• (1810)

**Connie Cody:** Would you say that our police possess all the necessary resources to enforce the conditions of section 810 and ensure close monitoring of the transgressors?

What are your experience and thoughts on electronic monitoring and GPS tracking devices with regard to intimate partner violence?

**Brian Sauvé:** In answer to your first question, no, we definitely don't have the resources. I don't think our courthouses, sheriffs, probation departments and parole boards have the resources to adequately enforce any of those offences.

As far as section 810 goes and GPS monitoring devices, I think we need to embrace technology. I think we really need to figure out how we can do better, whether it's on judicial interim release, bail, post-parole or a section 810 that's entered into by consent, and how we ensure that probable or actual offenders are complying with those conditions so that we don't end up in that revolving door where you are arresting the same person.

Perhaps, if you have jurisdictional information sharing of those who have breached, a judge in Calgary will know that an offender in Vancouver violated their conditions numerous times, and entered into a stay of proceedings for those violations to plead guilty to the substantive charge. Right now, they don't know that, because they don't share that information. It's maintained within the courthouse database.

**Connie Cody:** I'm going to change my questions a little—

**The Chair:** That's the end of your time. I'm sorry.

We're going now to Ms. Khalid for five minutes.

**Iqra Khalid:** Thank you very much, and thank you to the witnesses for appearing today.

Mr. Sauv , in your opening remarks, you talked about the importance of modernizing privacy laws.

Can you expand on that a little? Why do we need to modernize our privacy laws?

**Brian Sauv :** It's been my experience, for example, that a victim of domestic violence may want to distance themselves from their offender. How do we ensure their protection? How do we ensure that they are protected in the location they moved to—from Vancouver to Calgary, Regina to Saskatoon, Montreal to Quebec City or Toronto to Huntsville? Whether that is through the ultimate court proceeding or.... We're vetting or redacting. We're ensuring that locations data and all that stuff about victims is protected, so that information on offenders, court registries and so on is available only to a very select few knowledgeable people. That helps to protect the victim.

Social media has become a challenge. The shrinkage of the world from that has become a challenge. How do we maintain protection for victims who choose to get out of a city, a location, or wherever to get away from their offender? There are family members as well who need to be supported, whether they're children, sisters, brothers, mothers or fathers.

**Iqra Khalid:** Thank you for that.

You touched on this a bit in earlier questioning, but with respect to sharing information between jurisdictions, why do you think that's necessary, and where do privacy laws play into it?

**Brian Sauv :** This has a lot to do with bail reform.

For example, if the RCMP, as a national organization, is dealing with someone who's been charged with domestic violence, whether it's assault or assault causing bodily harm doesn't matter: They're placed on conditions. If they violate their recognizance five, eight, 10 or 12 times before things go to trial, our experience has been that a plea or a guilty verdict for the substantive charge of assault or assault causing bodily harm will probably result in all of those

breaches or those violations of a recognizance going away to a stay of proceedings.

Now, your offender is going to do their time or serve their sentence: probation in the community, a provincial custodial sentence, or sometimes federally, depending how serious it is. When they get out, should they reoffend in a different jurisdiction—for example, if the first one was in Calgary, the second one might be in Regina—the fact that they violated the recognizance on the first offence is not known to the prosecutors or the justices in the second offence, because it's maintained in that provincial court database, which is not shared with the other province.

That information could be very important to a police officer who is preparing a Crown package for bail, but it could also be very important to a JJP or a judge who is hearing that bail hearing and a Crown counsel who is making the argument. Not having that information leaves them blind.

• (1815)

**Iqra Khalid:** Thank you very much.

Lastly, I'll ask you about this. You spoke about prosecution, the lack of resources and the shared responsibility among all levels of government in ensuring the safety of women and the enforcement of the law.

In your opinion, then, what do you think we can do at the federal level to make sure that provinces are better supported? Also, can you touch on the whole concept of prevention versus prosecution and where it would be most effective to spend our dollars?

**Brian Sauv :** I'm really looking forward to learning more about this ECHO project. I have it in my notes here to go and look at it some more. Is that an initiative we can undertake and convince the RCMP to do some training on? I think that would be fantastic. I'm always looking. I'm the union guy, and more training is always good.

As for a leadership role from the federal government, I think it's to garner all provinces and territories on board, to sit back and say we have a problem here and to ask how we can get together to work together to improve section 810. Whether it's reporting requirements, GPS, monitoring, staffing levels or whatever, let's figure out how we can work together on this one, because it's a shared responsibility.

**Iqra Khalid:** Thank you very much. I really appreciate that.

That's all, Chair.

**The Chair:** That's excellent.

[*Translation*]

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

**Andr anne Larouche:** Thank you very much, Madam Chair.

Ms. Anderson-Pyrz, in your opening remarks, you clearly explained the problems that affect indigenous women and girls in particular. You talked about the importance of the calls for justice.

This is alluded to, in a way, in the ombud's report that was released today. In point 1, under "Reporting and investigations", it says, "Survivors in rural, remote and northern communities described additional barriers to reporting. Similarly, Indigenous, Black, 2SLGBTQIA+ survivors, and survivors with disabilities experience additional and intersectional barriers to reporting."

What is your reaction to that?

[English]

**Hilda Anderson-Pyrz:** First and foremost, we know that when we're looking at remote, isolated areas, they do not have the infrastructure to support technology. That's very problematic, because if they had the infrastructure to support the technology, we could ultimately save lives.

When you're looking at the revolving door of policing and also at a lot of inexperienced officers going into remote, isolated communities, you see that if women are trying to obtain protection orders or even if there is.... You know, often there are no RCMP in the community to enforce that protection order, so that ultimately puts indigenous women at further risk of continuing to experience violence or dying as a result of a homicide.

Therefore, it's really critical that we look at this and really look at.... There's a lot of dialogue about jurisdictional boundaries as well, and that's critical, because when you're looking at first nations communities, they're federally regulated, right? They're also embedded within the province, so it's quite complex when you're looking at it. I think we really need to look at the resources and how indigenous women are being failed in these communities repeatedly. I think it's critical that we really align with the specific calls for justice to really protect them and keep them alive, ultimately, and safe.

**The Chair:** Thank you so much.

Mr. Steinley, you have five minutes.

**Warren Steinley (Regina—Lewvan, CPC):** Thank you very much, Madam Chair.

Thank you to the witnesses for being here.

I am proud to have Depot in my riding in Regina-Lewvan, so I am the MP of the home of the RCMP and training. Coincidentally, we met with the National Police Federation, some of your colleagues, a couple of weeks ago.

We've talked about resources a lot in this meeting, and the resources needed. There has been a commitment to hiring 1,000 new officers, which would help on the streets and help keep people safe. I wonder about this: In your books, it says that's going to cost \$200 million. Is that budgeted in your current RCMP budget?

• (1820)

**Brian Sauvé:** Well, it's not my budget—

**Voices:** Oh, oh!

**Brian Sauvé:** —and I won't speak for the commissioner as to how he spends his money. However, it's my understanding that the

extra 1,000 over the next four years that the government has committed to in the budget is part of that \$1.8-billion investment into the RCMP, including an increase to the cadet training allowance to make the RCMP a more attractive employer during their training time.

**Warren Steinley:** Thank you.

Another request from your budget submission was \$62.5 million to add 500 RCMP special constables by 2028. Do you know how much headway, if any, has been made on that to add resources for keeping our communities across the country safer?

**Brian Sauvé:** From the federal perspective, I'm not sure if we've succeeded on that yet. However, I do know that different jurisdictions such as Nova Scotia and British Columbia, which are committing to renewing their contracts beyond 2032, are fascinated by the idea of the utilization of a special constable category whereby.... For those who aren't familiar, in the RCMP, you have the "gun- and badge-toting" constable, the "badge-toting" special constable and then the "neither of the above" civilian support staff. The special constable category, for example, could be more used in a band by-law situation or in a major event situation, where you just walk and don't walk—you're standing here for security versus having a completely armed police officer. We've been advocating for that for the RCMP, and I know that there is an appetite in the RCMP for revisiting and looking at how it classifies its positions. Hence, we've been pushing the federal government to revisit that and invest in it.

**Warren Steinley:** Thank you very much for that.

I am very interested in the data-sharing aspect of this. I think it's a huge gap in our policing—the fact that we can't share across interprovincial borders. What if a crime has been committed by someone in a different province?

What would be...? I know you have a \$1-billion ask in here for public-private partners to...for public safety and to create a broad-band network. That's a very big ask, but I think the timing is.... How long would it take to get something up and running, so that you could share that data interprovincially? Is there anything that you could add on to right now, or would you have to basically start a project like that from scratch?

**Brian Sauvé:** If I take the easy way, I would say that you could probably do it fairly quickly, because the Canadian Police Information Centre already exists. All police services have access to it. The RCMP obviously maintains it. However, it does need modernization. Maybe we change the parameters of how CPIC works and what can be included in CPIC. Right now, if I query someone on CPIC, all I'm getting is their convictions and charges outstanding, not necessarily what was stayed.

**Warren Steinley:** That was my question. I have my PAL, so I get run through CPIC daily, I think, to make sure I haven't committed a crime and my possession and acquisition licence stays valid. How would you be able to add past crimes to that? Could that be used, then, for police forces to check up on whether people have committed crimes in their jurisdictions?

**Brian Sauvé:** That's probably where the privacy lawyers are going to get involved. They'll give you some recommendations on how you can get around that hurdle. I can say only that it's a records database. We can probably improve that records database, which is accessible to all police across all jurisdictions.

**Warren Steinley:** Thank you. I appreciate the job you guys do.

**The Chair:** Very good.

Our last round of questions will go to you, Madame Ménard, and whoever you care to share your time with.

[*Translation*]

**Marie-Gabrielle Ménard:** Thank you, Madam Chair.

I hope I have time for my four questions.

For the benefit of the committee and from the perspective of multiple points of view, I'd like to go back to what you said, Ms. Richer and Ms. Ahélo. You've been very clear. You said you support a charge of first-degree murder for any intimate partner murder.

Concerns have been raised about this at this committee. This could mean that, in a self-defence scenario, a woman could be charged with first-degree murder. That's what we note in Bill C-225. The Liberals are uncomfortable with this proposal.

I'd be very curious to hear your comments on that, Ms. Anderson-Pyrz.

• (1825)

[*English*]

**Hilda Anderson-Pyrz:** I think it could be dangerous, especially if a woman is protecting herself during intimate partner violence. As indigenous women, we know that we experience a lot of injustice in the justice system. Often, when we're expressing our lived experiences and our realities, we're ignored. We're dismissed. Especially if our partner is non-indigenous, they tend to believe him or her over us as indigenous women, because of the systemic and structural racism that's deeply embedded in policing and the justice system, so there's a big risk factor for us there.

Thank you.

[*Translation*]

**Marie-Gabrielle Ménard:** Do you see a blind spot when it comes to laying such a charge in all cases, automatically?

**Catherine Ahélo:** The person could be charged, but self-defence could still be invoked. This person was defending herself, and she killed her spouse with no intention of doing so. So it's not because a murder occurs during an event that a person will automatically receive a 25-year prison sentence. All the defences that already exist will be able to be invoked in such a case.

**Marie-Gabrielle Ménard:** Mr. Sauvé, what are your comments on that?

[*English*]

**Brian Sauvé:** I would agree. I mean, a crime is a crime is a crime, whether it's in self-defence or not. From a policing perspective, we would still have to investigate, and, should something

come of it, obviously make a recommendation. Then it's in the hands of the court.

[*Translation*]

**Marie-Gabrielle Ménard:** Thank you.

On a number of occasions, Mr. Sauvé, as other witnesses have done today, you mentioned that the federal government could play a leadership role. We understand that term, but we seem to have trouble making it concrete.

What do you have in mind in terms of the leadership role that the government could play?

**Brian Sauvé:** I've raised this issue with Minister Fraser.

[*English*]

Whether it's bail reform or whether it's intimate partner violence—

**A voice:** [*Inaudible—Editor*]

[*Translation*]

**Brian Sauvé:** I'm sorry to switch to English, but it will be easier for me to answer you.

[*English*]

In terms of leadership, let's convene a meeting of all the attorneys general. Let's convene a meeting of judges. Let's get a consistent training manual for Crown counsels. Let's get consistent training for judicial justices of the peace, so that the application of the Criminal Code in a jurisdiction for the intent of the offence or the reverse onus provision or the bail provision is actually consistent across Canada.

That's what I mean by taking a leadership perspective. Somebody has to take the ball and start running.

[*Translation*]

**Marie-Gabrielle Ménard:** Mr. Sauvé, what are the most obvious effects that training has on police forces when it comes to supporting women who are victims of domestic violence or other acts of violence?

[*English*]

**Brian Sauvé:** It's always a better result, whether we're talking about training about mental health or about.... There was a topic a little while ago, when CEWs first came out, about "excited delirium". There was training about that, learning about that and being aware of that. There's training about domestic and intimate partner violence.

The more training and the more education that your police officers get, the better. The trauma-informed approach is now fairly informed now. It's getting better.

The more we can do to inform our frontline paramedics, firefighters, police officers and those who deal with people in the first instance, the better the service delivery will become.

**The Chair:** Thank you so much. That's a great place to conclude our meeting today.

I want to thank the witnesses for appearing. Your contributions are much appreciated and very helpful to us. • (1830)

For the committee, I'll just let you know that we're getting together on Monday. Only one of the witnesses whom we've called is willing to come, so we're actually going to put that witness on the Wednesday panel. We'll start with committee business on Monday.

I think there are a couple of motions that we've given notice on, and there's the scheduling of the ministers who have agreed to come.

**Iqra Khalid:** Will it be in camera then?

**The Chair:** Yes.

Perfect. We'll see you on Monday.

The meeting is adjourned.

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