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# Standing Committee on the Status of Women

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Chair: Marilyn Gladu





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• (1610)

[*English*]

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

Welcome to meeting number 25 of the House of Commons Standing Committee on the Status of Women. Pursuant to the order adopted by the House on Wednesday, January 28, 2026, the committee is commencing its study of Bill C-225, an act to amend the Criminal Code.

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

I have a few comments for the benefit of members and witnesses.

Please wait until I recognize you before speaking. For those here by video conference, you can select your language of choice at the bottom. For those in the room, you can do the same on your machines. All comments should be addressed through the chair.

I will signal everyone with a yellow card when there is one minute left and with a red card when there are 30 seconds left. Then I will ever so gently cut you off.

Before we begin, I want to provide a trigger warning. We will be discussing experiences related to intimate partner violence. 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, let's recognize that these are very difficult discussions. Let's try to be compassionate in our conversations.

For the first hour, I want to welcome Frank Caputo, member of Parliament for Kamloops—Thompson—Nicola and the sponsor of Bill C-225. It's appropriate that this bill is coming to this committee, since we are the ones who asked for legislation of this kind.

Welcome. I will yield the floor to you for your opening statement of five minutes, and then we'll proceed to rounds of questions.

Please go ahead.

[*Translation*]

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

First of all, thank you to my colleagues.

[*English*]

Thank you all for having this bill come to the status of women committee. For those watching, or for those who may not be aware, it was initially referred to the justice committee.

It is my honour to be here with you.

There are a few people I want to recognize today, some of whom are present. I want to start with some prominent members of Bailey McCourt's family, who inspired parts of this bill: her mom Karen, her dad Shane, her stepmom Trish and her aunt Debbie, who is present here today.

There is also the other victim, who survived but with significant injuries, Carrie. I told Carrie that we would be doing this today. She and I were exchanging text messages, so to Carrie, we wish you an ongoing recovery. I can't imagine the trauma you are enduring. Sometimes there are victims beyond the intimate partners, whether it be a bystander, a friend, as in this case, or even the community children who have to see the repercussions that reverberate both physically and emotionally.

I also want to introduce Flo Bellman and Paul Henderson, who are here today and who shared their story with me. I believe I was in a Kal Tire getting my tires changed. It was a Saturday, and I had to step into the corridor because I was going to shed some tears.

Countless others have told me their stories. I can't name them all, sometimes due to confidentiality and privacy. Due to time constraints, I can't tell the committee, Madam Chair and others, how many people have contacted me to say thank you, and this isn't just to me; this is to us.

There is one anecdote that I will relate. Intimate partner violence often centres on women; it's an offence that impacts predominantly women. I spoke earlier about the reverberation. I recently had a young man, probably 19 years old, literally start crying on my shoulder because of what his mom had gone through.

This is a highly relevant bipartisan bill, in my view, and I thank everyone who has helped us get it here. I thank Kelly Favro, one person who comes to mind. We come from different sides of the political spectrum, yet she has been unrelenting in her advocacy. She is somebody whose advocacy moves mountains, who is not afraid to call us all out and say, "You need to do this", and who is a survivor of sexual violence, as she has shared with us as parliamentarians.

Thank you, Kelly, and all those with you who have helped.

I want to remember Angel Fehr. That name probably doesn't ring a bell to most people, but that is the last homicide I prosecuted where the victim was killed as a result of intimate partner violence. I believe Angel was in her early thirties. Her intimate partner killed her and literally put her in a barrel of cement. It was an undercover police operation that yielded that, and I thank the police officers for it. My heart goes out to Angel. Her abuser, her killer, is now on parole.

I meant to go into the history of the bill, and I'll do that very quickly.

This bill is a bill I wrote in the 44th Parliament that I didn't table. Over the summer, there was the tragic killing of Bailey McCourt. The substance of the bill was present, but I updated it to include a provision that says there should be a presumption of first-degree murder when somebody kills their intimate partner. The time has come for this type of provision.

For far too long, as with many sex offences against children, intimate partner violence has percolated below the surface, with society being seemingly afraid to talk about it. We're not afraid anymore; now is the time. Let's do it.

Thank you.

**The Chair:** Thank you so much, Mr. Caputo.

Now we'll go into our first round of questions.

We will begin with Madame Vien for six minutes.

[*Translation*]

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

Mr. Caputo, thank you for joining us today.

We are very pleased that you chose to have our committee consider your Bill C-225, because our committee is very reactive and does a lot of studies on issues related to women's safety. We are trying to understand the socio-economic and political contexts that explain why women most often find themselves in very difficult situations, and sometimes with no way out, as is the case for women in Canada who are murdered.

We don't have the exact number, but if I'm not mistaken, about 200 were murdered in Canada in 2025. A woman is murdered every 48 hours: That's what I read on the Government of Canada website. In Quebec, six women have been murdered since the beginning of the year. These may be cases of femicide. Right now, things are not going very well for women's safety in this country.

Did that context guide you in developing this bill? Will Bill C-225 truly improve women's safety?

• (1615)

**Frank Caputo:** Thank you for that very important question.

[*English*]

What I said in my opening remarks is that this issue has been below the surface. My former career, which you've probably all heard

far too often, was as a prosecutor, but I was also a parole officer before then, and I dealt with federal offenders who were serving sentences of two years or more. I can tell you that intimate partner violence, when it was present on a file, was so different from other parts of violence.

You say it's the context that motivates this. There's something about intimate partner violence, because there is a dependence. People typically sleep next to the person. They are often intimate with the person. They share bank accounts. They know all of their fragilities. Anybody here who's been in a long-term relationship knows that their partner will know exactly what is difficult and what pushes their buttons. These types of offences are therefore marked, oftentimes, when they are abusive, with significant manipulation, dependence and things of that nature.

When I was a prosecutor, we would have, oftentimes, one victim a day come to our counter at the Crown counsel office and say, "I want to drop charges."

It's okay to want justice. That's what we have to say to victims. This is something that, as context, I've just seen far too much, and frankly, I've had enough of standing on the sidelines as a legislator to let this offence go by without further discussion.

[*Translation*]

**Dominique Vien:** That's a great credit to you and a great credit to Parliament, because I think all parliamentarians will endorse this bill.

I have a more technical question for you as a former prosecutor.

Some people may be concerned that, if the murder of an intimate partner were now considered first-degree murder, it would remove an entire possible defence for the other party. What do you say to those people? For example, a woman could kill her partner in self-defence and it would be considered first-degree murder.

Will there be room for nuance? How should we understand that? We're not legal experts here.

**Frank Caputo:** Thank you for the question, Mrs. Vien.

[*English*]

There will certainly be room for nuances, but this is what I'll say. Putting aside the pretrial, criminal cases have two elements generally—well, three, I suppose. You have the pretrial, which is disclosure and things like that. You receive the documents and any applications. Then you have the trial. That is where you decide innocence or guilt.

You talk about first-degree murder for somebody who's innocent. Well, if you're innocent, you will not be convicted of first-degree murder.

The issue of whether or not it is a second-degree murder happens when you are convicted of murder. It's either first or second, and right now it would be second. That is an issue of sentencing; it is not an issue of conviction. We are strictly here saying that when you kill an intimate partner, the sentencing that kicks in, not at the trial level, would be with respect to first-degree murder.

I understand that there are concerns around this. My view is that we should address those concerns.

If innocent people, innocent women, are going to jail, I don't think it's right that they go to jail under second-degree murder, as it is right now. I think every single person in this room should be outraged if that is the case. We have to address that if it is a concern.

● (1620)

**The Chair:** Thank you.

We'll go to Ms. Nathan for six minutes.

**Juanita Nathan (Pickering—Brooklin, Lib.):** Thank you, Madam Chair.

I thank Mr. Caputo for bringing forward this important legislation and working closely with families and survivors. Regardless of what party we represent, there are issues that should not divide us, and I'm glad we agree on this. That's why we're all here today. This is an important bill. This bill would automatically classify all murders of an intimate partner as first-degree murder.

Mr. Caputo, we've heard concerns from several experts and frontline organizations—including shelters supporting women fleeing domestic violence, the Barbra Schlifer Commemorative Clinic and the Women's Legal Education and Action Fund—that this approach could unintentionally capture situations where a woman kills her abusive partner while acting in self-defence.

Would you be open to amending the bill so that first-degree murder would apply specifically in cases where the accused engaged in a pattern of coercive and controlling behaviour towards their partner? As we know, victims don't engage that way. This could help ensure that the law targets abusers while protecting survivors. Some women's advocacy organizations have called for this.

**Frank Caputo:** Madam Chair, I speak through you when I answer these questions.

Thank you, MP Nathan, for your question.

I'll go back to what I said earlier and answer the crux of the question. Yes, I am more than open to amendments, and I'll be very candid: These amendments have been discussed with the Minister of Justice first-hand. He and I have had face-to-face conversations about this.

People outside the parliamentary bubble might only see, on TV, question period, when we're really going at it. To anybody watching at home, we actually generally get along. A lot of the time, we have to put our differences aside on major issues, and this is an issue that unifies us.

I've spoken at length with the Minister of Justice. I thank him for speaking with me, and I thank his staff. I think those amendments will come, and they will come to this committee.

With respect to the issue of unintentional incarceration, I do not want to see a battered spouse, out of self-defence, serve a day in jail if they are not guilty. I cannot be much clearer than that.

Let's say this bill never passes. Under the current regime, people are still liable for murder if they are unintentionally captured. Does that make sense? It's just second-degree murder. Second-degree murder holds a life sentence. If the issue is that we are unintentionally capturing people for first-degree murder—I put this to the committee—are we okay with unintentionally capturing people for second-degree murder when a person is innocent? This has been expressed to me, and it's something I lose sleep over, frankly. If somebody is innocent, they shouldn't be found guilty of second-degree murder.

When I went through law school, I was taught a case called Lavallee. It's the very prominent case of an intimate partner who was acquitted based on her psychological...based on what had occurred and her perception of a threat. Even if somebody might say that the threat wasn't immediate, it's about the cycle of violence that we so often see.

That would be my answer to both of the elements you asked about.

**Juanita Nathan:** I'm sure you know it's widely understood that proving self-defence can be very challenging in court, particularly in intimate partner violence situations, where survivors often do not report abuse because of manipulation from their partners. Can you speak a bit about that? I know you have experience working in the courts.

● (1625)

**Frank Caputo:** Self-defence is a defence the Crown must disprove. Sometimes the accused has to raise a defence. I'm not talking about self-defence there; I'm sorry to be confusing. If self-defence appears on the facts, the Crown has to disprove it.

What I think we need to do is create a culture in which people are not afraid to come forward and are not afraid to avail themselves of the victim services that are available and whatever support is present.

I'll say it for the third time: Somebody who has a valid defence in the form of self-defence is not legally guilty. They should not be legally found guilty if they acted in self-defence.

I hope I'm being very clear on this, because I don't want to conflate first-degree murder with an acquittal. If somebody acts in self-defence, legally they are entitled, generally, to an acquittal.

I'm trying to think of it... This is for people who, at the trial level, have not been found to have acted in self-defence and have murdered their intimate partner.

[*Translation*]

**The Chair:** Ms. Larouche, you have the floor for six minutes.

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

Thank you, Mr. Caputo.

It's unusual to also have family members of victims here at committee today.

We know how difficult it is. We offer you our deepest condolences. I can see how emotional you are. Our hearts go out to you.

This is an extremely sensitive topic. We can see it from the emotion in this room. We are here, and we play our role by asking questions. That's our role in this democracy. We are here, in committee, to see how we can improve the bill. That's part of the process.

Mr. Caputo, I'm going to ask you my questions in a very constructive spirit and with all due respect for your work. Let's do it that way. I will jump right in.

For example, I could ask you a bit more about the steps that led you to introduce the bill.

In the course of your consultations, did you consult Quebec groups specialized in domestic violence? Did you have the opportunity to speak with people from shelters and courts specializing in sexual and domestic violence? In Quebec, there are now actually specialized courts, further to the report on rebuilding trust. That report was actually prepared by a non-partisan committee, or a multi-party committee, if you prefer.

Have you had the opportunity to use this approach to understand a few small models in Quebec?

**Frank Caputo:** First of all, thank you for your comments and your thoughts.

[*English*]

I really appreciate what you had to say at the beginning. I believe that we are here, Madame Larouche, in a constructive environment to make what may be a good bill better and to make what may be a very good bill the best. Thank you for your comments.

I will be very candid. Being from British Columbia and having practised common law rather than civil law, I'm not as familiar with the tribunals you mentioned. I would love to do this, perhaps with you or someone else. It would be a very good use of my time to take some of those resources—perhaps with Madame Vien—and go to Quebec, so I can see these things first-hand.

I believe you asked what the inspiration was for this bill. We've been focusing on the murder element, but one of the things that really bothered me is that right now with the offence of assault, if you assault an intimate partner, it is the exact same charge as punching somebody at a bar. The law right now doesn't distinguish assaulting somebody who is in a relationship of trust, dependence and shared finances.

I believe that's wrong. I believe, frankly, that if a person beats their spouse, that's how their criminal record should read.

That was a primary inspiration. It's from conversations I've had with lawyers, and some judges even. That was something I hadn't touched on.

I'm sorry if I went on too long there.

• (1630)

[*Translation*]

**Andréanne Larouche:** That's fine. That gives me more information about the research and impact assessment you relied on in proposing these amendments to the Criminal Code. I understand a little more.

Would you be willing to add an explicit provision to protect women who are victims of prolonged domestic violence, in order to prevent any potential unintended consequences of Bill C-225?

[*English*]

**Frank Caputo:** I am open to any amendments that will make this bill better. I spoke earlier about the fact that there are amendments in principle. That's no secret. I don't think I'm letting the cat out of the bag there. There's a general agreement as to those amendments that I would support with the government.

My plan would be to sit down with you, Madame Larouche, and go through those amendments. Hopefully we can have unanimity on those amendments, and perhaps you have amendments that we haven't yet considered that we can take to the government and look at.

As I said, we want to get this bill done, but I want the best possible bill to come from the committee.

[*Translation*]

**Andréanne Larouche:** Experts say that longer sentences have not served as a deterrent in domestic violence cases.

Why focus on punishment rather than prevention and services? What would you say to those experts?

**Frank Caputo:** That's a good question.

[*English*]

If you look at sentencing in the Criminal Code, you see that a sentence is based on a number of factors. Denunciation and deterrence are two of those factors. To denounce is to say that we don't agree with this conduct. To deter is to tell other people not to do it.

Frankly, this has gone on far too long, and a lot of people have made that argument. I taught a sentencing class at our local law school. I know I'm short on time, but I think this is an important question.

A lot of people have made the argument that the length of sentences doesn't necessarily deter crime, but when someone takes the life of an intimate partner, I think we have to recognize how much of a problem this is. One of the ways we do that as parliamentarians, who are the ones responsible for setting sentencing, is to say that this offence is so repugnant in the eyes of parliamentarians that we will denounce it by saying someone will spend longer in jail. It's that simple.

**The Chair:** Thank you.

Now we'll go to our second round of questions.

We will go to Ms. Cody for five minutes.

**Connie Cody (Cambridge, CPC):** Thank you, Mr. Caputo, for coming today. I want to say thank you for everything you've done with this bill. I know you've invested a great deal of work and personal commitment to it.

In your view, what provision within this bill will have the greatest impact and why?

**Frank Caputo:** Thank you, Ms. Cody. I appreciate the question.

That remains to be seen. One thing that doesn't get discussed about this bill is the provision that you would have to go before a judge if convicted of a crime against an intimate partner within the preceding five years. In my experience—and somebody else might have a different experience—normally what happens is that if a person commits an offence and the police are called, they're arrested for that offence. They're put in handcuffs. They might be taken to the detachment or they might just sit in the back of a police car. They're then released by the police officer on conditions. They're literally released from custody. Handcuffs are removed and they're told, "Go on your way. Here's your court date. Here are your conditions." That happens almost always.

What I would like to do, and part of the reason that we're renaming this "assault of intimate partners", is to reflect that you have previously abused an intimate partner. You have previously harassed an intimate partner. Somebody looking at your criminal record can say, "Do you know what? Rather than just saying this person is an assaulter, no, they are somebody who abuses their partners."

The fact that an alleged abuser would have to go before a judge to be released is considered much more serious than being released by a police officer. In fact, peace officers cannot impose the same conditions on release that judges can. It's very important to recognize that. Police appreciate this too, because the system isn't built to bring a lot of people into custody.

We've talked a lot about Bill C-75, and there is common law as well that says a person should be released at the earliest opportunity on the least onerous conditions. If you've previously abused your spouse, I disagree. You should go before a judge, and the judge should make that call.

A lot of police officers appreciate that, because they might say that the law isn't necessarily on their side. The law on bail says a person must be released right away, but this law would give us a backdrop of safety through the bail provision that says you have to

go before a judge. I think that's a very important provision in this bill that has not made the headlines, so to speak.

• (1635)

**Connie Cody:** As we've heard here, intimate partner violence has really grown. A woman is killed every 48 hours.

You mentioned that there are some things that keep you up at night. What does Bill C-225 mean to you, and what more would you like to add to the record about it?

**Frank Caputo:** Walking on the green carpet of the House of Commons has been one of the greatest honours of my life. It's right up there with getting married and having children. It's beneath those, but it's up there.

The ability to not only do that, but pass Bill C-291—which I authored last Parliament and was passed under the name of MP Arnold—to change the name of child pornography and sexual abuse material to child sexual abuse and exploitation material... That's something I'll never forget. That is something I stood on doorsteps and said I would change.

The honour to sit here is one thing, but I can't put words on the ability to exercise that honour and pass meaningful changes. When I get stopped on the street by people I've never met, they say, "You look like Frank Caputo." When I say, "Yes, I'm Frank", they say, "I just want to thank you." They're people I've passed before but never said hi to, and they say, "Do you know what? I was a victim of intimate partner violence, and I just want to say thanks. Have a good day."

Giving voices to the voiceless, names to the nameless and faces to the faceless is something we should all do. The fact that I have the ability to put my name on a piece of legislation that does that will stay with me beyond my parliamentary career, and I am so proud of it.

**The Chair:** Thank you.

Now we'll go to Ms. Nguyen for five minutes.

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

It's nice to see the great folks at the status of women committee today. I apologize for having to dial in virtually. I want to thank everyone for joining this really important conversation.

MP Caputo, thanks for your leadership, truly. We all know how pervasive the challenges around gender violence have been and continue to be. Feminists have been talking about this for decades. I remember being 13 and being handed a rape whistle. I was told that my job as a woman was to be thinking about my safety.

It is work on behalf of all Canadians to make sure we are sending the right signals that we are reforming our justice system to address the challenges and the epidemic of the violence we see and that many women, girls and families experience. Truly, it's a privilege to get to ask you some questions today about this legislation.

I also want to thank the family members who are here today to bear witness to and be part of this conversation. It's really critical. Thank you for that.

I'm thinking about your legislation alongside Bill C-14 and Bill C-16. There are some elements of it in what we're trying to introduce, if we think about the full suite of changes we may be able to bring forward and advance. In terms of the concept of coercive control, we're trying to make sure we have a space to introduce that through some of the new legislation.

I'm wondering if you could reflect on potentially criminalizing coercive control in order to prevent the homicide of intimate partners, where you think that might fit into the spectrum and how it might support some of the efforts you want to see in terms of changes.

• (1640)

**Frank Caputo:** Thank you very much, MP Nguyen. We've had a chance to speak together, and it's an honour to share this platform with you as well.

Coercive control, I believe, is something that, if memory serves, passed unanimously in the last Parliament. I want to be really clear for anybody who has questions about what coercive control means. In criminalizing conduct, we're not talking about everyday things—disagreements or things like that. Coercive control is so pronounced that it leaves a partner.... I'm not quoting from the code here. Please don't take me as saying that. I'm just giving you my example and my experience. It is so pronounced. It's the control of everything: who you can see, who you can't see, who you can be friends with, what you can eat, what you can wear and where you can spend your money. This isn't just a matter of people having arguments over everyday things. I mean, I don't know a single couple who has never argued or never disagreed. That's commonplace in relationships. Coercive control, if I can define it in a way.... I'm sorry that this is going on a bit of a tangent, but I really want to address this.

When I was a prosecutor, I mostly focused on Internet offences against kids, but I did deal with a great amount of intimate partner violence. Every year, there was one or two cases, and they were different. There was something different about these cases and the nature of the manipulation, the nature of the coercive control. I'm talking about stealing passwords for somebody's social media page and then changing all the passwords and posting all sorts of embarrassing content. It was stuff where people might say, "Well, that's not quite criminal"—I think it is—but there was just something different about it.

To give a message to a partner or former partner that you have control, that is coercive control. That in itself I believe should be criminalized, because I am trying to think of a homicide of an intimate partner that did not involve an element of coercive control.

I think I've been unequivocal in what I've said here about coercive control. It goes hand in hand with intimate partner violence. It

really does, but I don't know that we as legislators have caught up with the research and caught up with the vernacular of how we classify it. It was the same thing when we used the term "child pornography". Just because we've used that term for a long time and just because we've said these things for a long time, that doesn't mean we need to update how we think, and the place where we do that is here in Parliament.

I'm sorry for the long answer.

**The Chair:** Thank you very much. That's your time.

[*Translation*]

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

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

A lot of data on the rise in femicide has been mentioned. In addition, our meeting today comes at a time when Radio-Canada is reporting on its news site an increase in intimate partner violence among teenagers. Increasingly, young people are inflicting sexual and intimate violence on their partners. It's terrible and horrible. Unfortunately, that doesn't help reduce the figures we heard earlier about the number of femicides in Canada last year and the number of femicides in Quebec since the beginning of the year.

I am asking you this in order to reflect with you before our clause-by-clause consideration of your bill. How does the creation of separate harassment offences actually improve protection for victims if that conduct is already criminal? Let me explain. We know there are already a number of offences in the Criminal Code relating to domestic violence. Would the problem therefore not be more the application of those laws, rather than insufficient offences?

• (1645)

**Frank Caputo:** That's another good question.

[*English*]

I would say the issue is twofold. When we introduce a provision, for instance, Madame Larouche, like assault of an intimate partner, as opposed to assault, that doesn't mean there are going to be any fewer assaults. It just means that we're calling it what it is and we are describing to the community what it is. There is a stigma that goes along with it, and frankly there should be. When you assault your intimate partner, it is different from beating somebody up at a bar. It is different from getting into an argument with your neighbour.

The argument, though, when people ask why you need that offence, is quite easily rebutted. We've talked about assaults on health care workers. That's already criminalized. There's actually a provision for assault on a peace officer. We as a society have chosen to delineate that certain types of violence should have a different umbrella to recognize the harm done: harm done to peace officers, harm done to frontline workers, harm done to health care workers, and now harm done to intimate partners.

**The Chair:** We will go to Madame Vien for five minutes.

[*Translation*]

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

We're having some very interesting conversations.

I said earlier that, according to the Government of Canada website, about 200 had been murdered. In 2024, it was 240. That means we have lost a lot of women.

Mr. Caputo, I'd like to make sure I understand the technical details and the philosophy behind the act. For there to be murder, there has to be intent, right? A murder is something that is premeditated, deliberate or planned. As you understand it and depending on how we interpret Bill C-225, is it true that prosecutors are not relieved of the burden of proof?

[*English*]

**Frank Caputo:** Boy, you're making me dust off my legal knowledge, but that is good.

First-degree murder is committed, most people think, one way, and that's what's called "premeditated". That's an American term. In Canada it's called "planned and deliberate". What is "planned and deliberate" is not something I'm going to discuss here, because we're not in an advanced criminal law lecture, but that's what the legal term is.

There are actually two other ways that come to mind that a person is guilty of first-degree murder, which is something that very few people know, as it doesn't get discussed in the public. One is if you kill a peace officer. If you kill a police officer, even if it's not planned and deliberate, it is first-degree murder. The last way that somebody is liable for first-degree murder is if they kill somebody in the course of another offence, sexual assault being one of them.

The first homicide I ever prosecuted was of a young woman named Taylor Van Diest, and my condolences go to her family. It was 2011, and she was walking on railroad tracks in Armstrong, British Columbia, a small town. I'm sure Mr. Anderson remembers that. I don't even know if I ever told him that I prosecuted that case. The offender approached her. We don't know exactly what happened, but he admitted he approached her for sex and she said no. Violence in response to rejection of an offer is itself a sexual assault, so if you kill somebody in that context, it can be first-degree murder if the judge or jury finds that way.

There are a number of ways to get there, but the prosecutor still has to prove that somebody intended to kill, as in they had what we call specific intent. For murder generally—and I won't get into some of the other aspects of murder about recklessness—the difference between murder and manslaughter, which are the two offences with respect to homicides—I guess there's infanticide as well—is

only intent. That's it. In manslaughter, you don't intend to kill; in murder, you do.

[*Translation*]

**Dominique Vien:** Let's say that, in this case, intent has to be proven. We're still in the same situation.

• (1650)

**Frank Caputo:** Yes.

**Dominique Vien:** That's perfect. I think that will also reassure people who are concerned and who think that, automatically, intent would not have to be proven and so on.

Time is going so fast. A few minutes ago, you spoke with Ms. Larouche about deterrence. Are we sure that Bill C-225 will really have a deterrent effect and reduce crime and violence against women in intimate relationships?

[*English*]

**Frank Caputo:** Oh, Madame Vien, I wish I had a crystal ball to make such promises.

If you want to decrease that, you have to change the law, but you also have to change the mentality. Sometimes the two go hand in hand. The reason I say that is that we have to, as a society, wake up to the scourge of intimate partner violence. We have to realize that it happens all over the place and that it happens far more than we might like to think or might like to accept.

By addressing this through law, we are having a conversation to change the mentality and start people talking about it at universities. Madame Larouche talked about young people. Maybe it's time we start talking about this in high school. They didn't when I was in school.

The two parts—changing the law, and deterrence—also have an implication culturally as to how we have to make changes that say, no, you don't beat your intimate partner; you respect them, and if you don't agree, well, there are ways to part ways.

**The Chair:** Excellent.

We have Mr. Chen for five minutes.

**Shaun Chen (Scarborough North, Lib.):** Thank you, Madam Chair.

MP Caputo, thank you for appearing before this committee and for bringing forward Bailey's law.

I would like to draw on your experience as a former Crown prosecutor of cases of sexual assault. Bill C-16, the protecting victims act, would restore all mandatory minimum prison sentences that are currently inoperative because they have been found unconstitutional by the courts. Most of these involve sexual assault and exploitation.

As a parliamentarian, you advocated for the government to add a safety valve to protect these mandatory minimums from charter scrutiny. As recently as last year, you said that mandatory minimums have failed because “all we needed was a safety valve”. You have supported adding a safety valve to mandatory minimum sentences since 2021. Recently, you said this was all that was needed to fix past problems.

MP Caputo, will you support the current part of Bill C-16 that restores mandatory minimum penalties while including a safety valve to ensure that they are charter-compliant?

**Frank Caputo:** I wish we were talking about Bailey's law in that context. We are here to discuss Bill C-225. I'm happy to discuss how Bill C-16 interacts with Bill C-225. Safety valves have nothing to do with Bailey's law, but because you asked, I'm happy to do it.

Let's be clear here. If I were to hold up Bailey's law, there's no safety valve in Bill C-225, to the best of my recollection. You asked the question and I'm not going to run away from it.

At the end of the day, legislation is struck down based on reasonable hypotheticals. Reasonable hypotheticals are things that could happen. A safety valve is meant to address them. Is the safety valve contained in Bill C-16 necessarily the appropriate safety valve? I think it's oversimplifying things to say, “You said that there should be a safety valve.” Yes, I have said that a ton of times. The Liberals mocked me for it—if we want to get into that. I was mocked repeatedly for my beliefs on justice and told, “There is no need for that type of thing.” That was the tenor. Let's also get that on the record.

Does there need to be a safety valve based on what the Supreme Court of Canada says? Yes. What that safety valve should entail, though—MP Brock has made this point—is something that requires greater scrutiny. Again, it doesn't deal with Bailey's law, but I'm happy to answer it.

**Shaun Chen:** I'll ask about clause 7 of your bill, MP Caputo.

There has been significant work done recently on section 490 of the Criminal Code by the Uniform Law Conference of Canada working group, which conducted a two-year study and issued 49 recommendations in July 2024. For example, they recommended extending the detention period from three to six months, rather than the one-year period proposed in this bill. They argued that three to six months strikes a better balance between individual property or privacy rights and the public interest in effective law enforcement.

Would you be open to amending the bill to follow the Uniform Law Conference of Canada working group's recommendations?

• (1655)

**Frank Caputo:** I've said it before and I'll say it again: I am open to any and all amendments.

I would gladly consider a change to six months. Section 490 of the Criminal Code is about the seizure of goods. For people who

don't know, if police seize a cellphone, they have to go to court every three months, if charges aren't laid, in order to renew that seizure.

In rural B.C., I have Blue River in my riding. The police drive from Clearwater. It's about an hour and a half there just to tell the person, “We still have the cellphone we seized from you, and we want to keep it.” Then it's an hour and a half back. The person may not be there. The police have to do it again and again. Then they have to give notice of that application. Then they have to reserve court time. It is the biggest time-waster in British Columbia, according to police officers.

With technical or digital evidence now, charges often aren't laid for a year to a year and a half. Police officers are literally making four trips just to hold onto something. Most of the time, the accused person doesn't take an interest in it, or their lawyer applies for it.

I believe a year is reasonable, but I'm happy to talk about six months.

**The Chair:** Thank you so much, Mr. Caputo.

I'm going to suspend briefly while we switch to our second panel.

• (1655) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1700)

**The Chair:** Welcome back. We are on our second panel.

Welcome to our witnesses. Just to let you know, if you have any trouble with interpretation, just raise your hand and our tech support will be happy to help out.

Let me just introduce everybody we have here.

We have Debbie Henderson here today.

Thank you so much. You've been at committee before and we always appreciate your courage in testifying.

We also have Florence Bellman and Paul Henderson.

We thank all of you for coming. Each of you will have five minutes for your opening remarks, and then we'll go to a round of questions. You may have seen in the last session that when there is one minute left, I'll raise the yellow card, and when it's 30 seconds left, I'll raise the red card and then gently move to the next question round.

We'll start with you, Ms. Henderson, for five minutes.

**Debbie Henderson (As an Individual):** Thank you for giving our family the opportunity to be here to speak today about Bill C-225, Bailey's law. It's going to be a tough one today.

Bailey was murdered in broad daylight in a parking lot with a hammer by her ex-husband. Just three hours earlier, he had been released from custody, pending sentencing after being found guilty of assault and uttering threats against her and her girls. Three hours was all the time that stood between a court finding him guilty and him carrying out violence that took Bailey's life.

No one should have to go through life with the permanent image of what their loved one looked like after they were beaten to death, yet this is the reality our family faces every single day. Bailey was unrecognizable. Her face and her head were so swollen. Her eyes were completely swollen shut and were dark shades of black and blue. Her eyes were swollen to the point where you almost worried they were going to be forced out of her eye sockets, which was not an unreasonable assumption given that her brain had herniated out of her skull where the hammer had penetrated it. There was blood on her face, on her nose and bubbling out of her mouth. Part of her lip appeared to be missing. The only definitive way to tell it was her was the tattoos on her arms.

Our family should never have had to see these images. These are memories that will never fade. Our family was handed a life sentence that day—one without the possibility of parole.

We're not the only family that has been given a life sentence in our province in the last year. Families like Tatjana's in Vernon, Pamela's in Merritt and Laura's in Saanich are also serving a lifetime of grief through no fault of their own. These women mattered. Their lives mattered and their families matter.

The perpetrators who committed these crimes made deliberate choices. They were once trusted partners. They once supported, loved and cared for these women. These women, at one point, trusted and loved them, yet these perpetrators still chose brutality. They chose violence. They chose to take mothers away from their children. Families should not be tormented like this.

The system currently continues to extend the trauma and torment by forcing families to wait and see whether charges will be upgraded to first-degree murder. Our family had four and a half months of stress and anxiety waiting for Bailey's murderer to have his charges upgraded to first degree. No family should have to live with the fear of wondering whether after a conviction they'll be forced, at a parole hearing in 10 years, to face the person who cruelly stole their loved one.

Given the severity and predictability of this type of violence, these murders should be treated as what they truly are—intentional, targeted and devastating acts. Killings in the context of intimate partner violence should be classified as automatic first-degree murders with the opportunity to apply for parole only after 25 years.

We must also begin labelling violence as what it is. Assault against an intimate partner is not the same as a bar fight or an altercation with a stranger; it's part of a pattern that is rooted in control, fear and escalating harm. Assaults should be clearly identified as

intimate partner assaults so that the justice system can properly recognize the heightened risk they carry. Language matters because recognition drives prevention.

There must also be stronger safeguards at the point of release. Repeat offenders, especially those convicted of violence or threats against a partner, should not simply be released back into the community following police involvement. They should be required to appear before a judge and be properly assessed for risk, because when the system underestimates danger, families pay the price. There needs to be real accountability within the system that is meant to protect the vulnerable and prevent foreseeable tragedies.

● (1705)

Bill C-225 represents an opportunity to close the gaps, to recognize the seriousness of intimate partner violence and to prevent other families from experiencing this unimaginable loss. Bailey should still be here. Her children should still have their mother. Our family should not be learning how to live with her permanent absence.

Let Bailey's legacy be one of protection, recognition and action, so that fewer families have to sit where we're sitting today. We cannot change what happened to Bailey, but together you have the power to change what happens next.

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

Now, Ms. Bellman, you have five minutes.

It's fine, Mr. Henderson, if you want to go first. You have five minutes, or six. I'm gracious today.

**Paul Henderson (As an Individual):** I wanted to say something before I read my testimony, if I could.

Our hearts go out to all affected by the violence in B.C. and also what just happened in Quebec. It puts the reason we all gather today at another level of urgency. Change has to come. It doesn't matter what party you're with; everybody should put their heads together to stop it. Thank you.

I'm Paul Henderson, with my wife, Flo Bellman. Our daughter Darian Henderson-Bellman was murdered July 28, 2020. Flo and I would like to thank Frank Caputo for this opportunity to be here to give our testimony on the tragic murder of our daughter.

IPV has affected us in the worst possible way. This is a picture of our daughter Darian Henderson-Bellman three weeks before she died. Darian was 25 years old and still living at home with us. Her murder was so preventable, if the catch-and-release portion of Bill C-75 didn't exist. Bill C-75 should have worked for petty crimes only, not for criminals with serious offences.

It is difficult to sum up our daughter and her murder in five to 10 minutes, but we will do our best. Hopefully, any of the committee's questions will shed more light on our tragedy.

The alleged murderer was out on bail multiple times on charges of illegal handguns, drugs, assault and traffic violations and was released on bail within days, several times with the same surety, each time he breached his terms of bail and reoffending. The last time, in May 2020, he was arrested and was out on bail with an ankle bracelet and home arrest.

On July 28, 2020, at approximately 2 p.m., he lured Darian to his home, and it was decided by the alleged murderer that her life should be over. He shot her five times. He then shot himself and was in a coma for a few months. He came out of the coma and now faces a first-degree murder charge. He applied for bail and was denied and has remained in custody—too little, too late.

After two attempts for a trial to take place—each time it was postponed by the defence—we now have a date set for the first-degree murder charge, for September 21, 2026. That's six and a half years since her murder—six and a half years.

Not only was Darian's life taken that day, but Flo's and mine were taken as well. Our lives will never be the same again. Our broken judicial system is long overdue to be amended. It must happen to protect innocent people and children from becoming victims. It is so unfair that the scales of justice tend to lean towards the rights of the criminals prior to the victims.

I had a conversation with our Crown. I told her that for Flo and me, no matter what the Crown, defence or witnesses say in court, our sentence was over on July 28, 2020, the day our daughter Darian was murdered. We'll never see her again. No words can express how we feel every day without her. We get up, and each day carries an enormous amount of pain at different levels.

To us, Bill C-75's catch-and-release section is just as guilty as her murderer. If the system had done what it truly should have done, and he didn't get bail, Darian would still be with us today. She would still be here.

About two months after Darian's murder, I was diagnosed with PTSD. I'm being treated with counselling and medication. It affects you in many ways I never knew existed.

• (1710)

I would like to share something with all of you. If anyone in here has also been affected in the same way we have, we are sorry and our hearts go out to whoever it is.

I had to sit through a preliminary hearing and listen to graphic detail from the pathology report about what every bullet did to our precious daughter, who we love more than life itself, and the vision I imagine is in my mind every night I try to sleep. No parent should ever be faced with that.

The police forces we deal with, Halton and Peel, are so frustrated about this broken system, which also failed them. Everyone involved should put their heads together and pass Bill C-225 as an amendment to the Criminal Code. It will not bring our daughter Darian back—sadly, she is gone—but it will keep other women and

children from suffering the same fate as Darian did. Flo and I will do everything we possibly can to protect others and make a difference.

Flo and I sit before you all today with massive hope that politics can be put on hold long enough for everyone in the House to work together as elected MPs who have the power to fix this nationwide epidemic of IPV. When you do, lives will be saved.

Thank you.

My wife, Flo, wants to speak.

• (1715)

**The Chair:** Thank you so much for your courage.

Ms. Bellman, you have five minutes.

**Florence Bellman (As an Individual):** I'm Flo Bellman, Paul's wife and Darian Bellman-Henderson's parent.

You have heard from Paul the tragic story of our 25-year-old daughter Darian. Due to the catch-and-release system, Darian and we were deprived of any future together.

Since our daughter was murdered, we have been advocating for change in our broken bail system and illegal gun laws to give some hope to us and others, so other women, children and families do not fall victims to the broken system, as we have.

Thank goodness we have had ongoing support from different sectors of the system, such as Peel police and Halton police, which are both suffering ongoing frustration and less job satisfaction with this catch-and-release system. In spite of the system, they are doing an amazing job, even though their lives are put on the line arresting these criminals and taking them to court, only to see them released on bail to repeat what they were arrested for.

Victim services also suffer the same letdowns and frustrations. Halton Women's Place is suffering, as other supporters are, from the fallout of Bill C-75.

In the past year, we have met and added to our list of help and supporters: Pierre Poilievre, Conservative Party leader; Arpan Khanna, MP of the jail not bail act; Frank Caputo, MP of Bill C-225, Bailey's law, for Bailey McCourt; Larry Brock, MP; and others. It has been amazing to know we are not alone.

Our frustration and disappointment, along with those of many Canadians, are due to the cruelty and loss of lives that were made worse by the catch-and-release system. Due to too many promises, too much talk and not enough action, the system is getting worse. Our extreme pain and sorrow from our daughter's murder and the lives still suffering and still taken are due to the unwillingness to make changes to stop illegal guns and the catch-and-release system.

In regions of Peel covering Brampton and Mississauga, where every day more than one woman is strangled, someone needs to take responsibility for these statistics. As Canadians, we are doing the best we can to protect ourselves and our families in our homes, in our cars, on our streets and in our malls. We personally have bars on our windows and cameras surrounding our house. In one way, we are fortunate that we cannot afford a new car, so no one wants to steal ours. We live in fear. We all live in fear.

We do not want to admit it, but Canada has become a lawless society, more and more like a third world country and less like the country we grew up in. None of us are safe any longer in any of the safe places we thought we had. We know that the world is constantly changing, but our country has become unacceptable. Changes must be made.

Each day that Paul and I wake up, it feels like July 28, 2020. Nothing in the broken system has changed, and the circumstances have become worse. We are now waiting for the trial date of September 21, 2026, six years and two months after the crime was committed. As several times over in the past five years the trial date has been postponed, it is not a given that it will even take place on that date. What kind of system do we have?

Thank you all for the privilege of being able to express our pain, sorrow and frustration. Paul and I live our lives in the hope of making changes to stop some of the suffering.

I would like to close with a verse that Paul found on the Internet, which finally puts into words what we could not find words for. It's called *The Death of a Child*, and it goes something like this:

• (1720)

It's like losing your breath  
and never catching it again.  
It's a forever panic attack  
feeling your heart dying  
as your soul is screaming for them  
and no matter what you try to do  
you continue to lose your mind.

Thank you.

**The Chair:** Thank you.

We're so sorry for your loss.

We're going to begin our first round of questioning.

I'll start with Ms. Cody for six minutes.

**Connie Cody:** Thank you.

I want to say thank you so much for coming here today and joining us. I offer my deepest condolences to you and your family. My heart feels heavy knowing what your family has gone through. It

takes a lot of strength to come here and share the experience you have gone through. It's such a tragedy.

If at any time I ask a question that you don't want to answer, please let me know and I'll move on to the next question. I'll just ask a question; I won't direct it to anyone directly. Give your answer if you feel comfortable.

In what ways can this committee ensure that this bill honours not only Bailey's memory, but that of every woman who has been murdered by her intimate partner, so that it creates a meaningful, lasting protection?

**Florence Bellman:** [*Inaudible—Editor*] and surmising through layman's terms what this means to us. I couldn't give you the section, but it gives us security knowing that these people will not be getting out again and again to reoffend and do the damage they do—and they do it without conscience. It will help towards that and make the change that we're looking for so that other women and children aren't going to suffer, as they have in the past.

**Connie Cody:** In your journey of advocacy in supporting others, what have you learned about the needs of other families that you feel this committee should understand?

**Florence Bellman:** We were in a couple of media meetings and were with other families suffering the same. When we look at them now, six years later, they're in the same pain but have learned other tools to help handle that pain. We look at them and see that they're just raw. They don't know what day it is. They don't know what's going to happen next.

When they come to us, we can't even tell them it's a better world and that they're going to be okay, or if there are going to be changes made. Our visit here is five years in the making. Those people who come to us have the same pain and struggle as Bailey's family and as Debbie does. We can't tell them it's going to get better.

**Connie Cody:** I'll ask Debbie this, then. If you could speak directly to other families currently facing similar fears, what message of hope or support would you share with them?

**Debbie Henderson:** We're going to make change. There will be change. Our voices are not going anywhere until we see that change. We will keep demanding that it's the job of you guys to make change that will actually protect Canadian women and children.

It's unacceptable that this family had to go through that five or six years ago, and now we're sitting here today. Change should have happened a long time ago, and we're demanding that it happen now. We don't want to have to talk to another family. We don't want to have to give another family any advice that we may have. We shouldn't have to do that.

We need to see change. That's why we're here pushing for Bailey's law.

**Connie Cody:** I think it's more important that we hear from you instead of having my questions. I want to give you the floor to share anything with this committee that you feel is important. I'd like to give each one of you an opportunity to say something you can put on the record.

• (1725)

**Debbie Henderson:** I feel pretty confident with this law. I know that we look at the victims specifically. Let's talk about the first-degree murder charges. Yes, we hope for deterrence, but we are also victims as family members. We want justice. Our lives stopped the day this happened. We're handcuffed to the system. As I said in my opening statement, this is a life sentence. There's no parole. The system keeps drawing us in and in, over and over again.

For example, there was a court date today that I learned some information about. Because I'm here, I wasn't there. It was upsetting. There's going to be another court date on March 2. It's constant. Our lives can't go on, and we can't heal, because it's incessant with the court dates alone, let alone everything else you have to deal with.

Bailey had children. That is going to come up constantly over their lives. When we look at the murder charges, ours were upgraded to first-degree, but other families don't get that. We want to see that change, because those family members are victims too.

**Connie Cody:** Mr. Henderson, would you like to add anything?

**Paul Henderson:** Yes.

For me and Flo... I have friends who will say to me, "I don't know how you deal with this", or they ask, "How do you get through the day?" I think a lot of people think that when the murder takes place, it's all over. It's not. It's only the beginning.

We watched Darian suffer because of somebody who got his claws into her, and she didn't know how to get out of it. She would always tell us the truth when the timing was right. I think she was afraid that if she told me the truth immediately, I'd end up in Maplehurst. The police warned me, "We'll look after you. There are a lot of fathers running around in prison who couldn't take what happened."

Here's my answer to the guys who asked me about that. We're in the last stages of our lives. The biggest parts have already gone by, and I'm glad. I'm bloody glad that I don't have to live a long time and feel the way I do right now. I would not want to be 25 years old and, with what's tearing the heart out of my chest, have to live my whole life that way, because it's not going to change—it is what it is.

I've seen the charges against this guy. Out of all the charges, I've never seen the charge of robbery, and he robbed me and Flo of a life with a beautiful girl who cared about people and was a helper.

When we said to her, "We don't think this guy is really great"... In our family, we don't swear, yell, scream or fight. Flo has logic; that's how she deals. We all deal the same way. When we said to Darian, "We're not really sure about this guy", Darian said, "Papa, he's had a tough life. Maybe I can help him." That's the kind of person people like him get their claws into, and she didn't know how to get out of it.

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

Now we're going to Ms. Nathan for six minutes.

**Juanita Nathan:** Thank you, Madam Chair.

Before I begin, I want to say how truly sorry we are for your loss. This is not easy for you. No matter how many years pass, the pain will never go away, and I understand that. We recognize that being here and talking to us today about these issues may be incredibly difficult for you. I thank you for choosing to be here. We are deeply grateful for your strength and willingness to share your perspective today.

As Ms. Cody was saying, please feel free to skip a question at any time, or if you don't feel like answering, we understand.

My question is on Bailey's law, which is Bill C-225. It proposes to create five new specific intimate partner violence offences that mirror existing offences: assault, uttering threats, criminal harassment, assault with a weapon or causing bodily harm, and aggravated assault. These are the five regular charges that this bill is trying to mirror.

Do you feel there are additional offences that should be included in the IPV-specific framework? I'll give you examples. Assault involving choking, suffocating or strangulation; sexual assault; and stalking are some of the things that come to mind. Do you feel that they should also be included in this?

Go ahead, Flo.

• (1730)

**Florence Bellman:** Our lack of knowledge when these things come up, when we read the papers as they are presented, and each time there's something new... We shouldn't assume that this all falls under assault, but I guess that was my assumption.

Our daughter suffered every one of those, but it seemed that when police spoke to her and when things happened... We didn't know until the last month of her life that anything was going on, and it had been going on for three years.

We were suspicious. She was 25 years old. We waited for her to come to us. We left our doors open and we would say, "Is there anything you want to talk about? Is there anything we can help with?" She lived at home. She never lived away from home.

Assault, to me, means all those things. I personally come from a previous abusive background. All those things happened to me, and I was totally convinced by the person who assaulted me that if I hadn't done all the things he told me not to, that wouldn't have happened. I lived my previous life, until I met Paul, under those conditions.

She was under those conditions. As Frank Caputo mentioned, she was coerced by her partner continuously.

**Paul Henderson:** Every crime he just talked about should be dealt with. I'm probably the wrong guy to talk to you about it, because I'm bitter. I'm really bitter, and I've often said that I'd be the wrong guy to pick for a jury for somebody who's done something like that, so don't ask me to do it. I'm just very serious about it. Changes have to come.

I don't have the answer for you, but if a person is going to commit that crime, as in our situation, arresting them on gun charges and releasing them two to three days later makes no sense to me.

Do you ever watch *W5*? They did a story on Darian's death, and our daughter's death five and a half years ago kick-started why we're all here today in Ontario. There was so much interest in the fact that the system had failed and it cost her her life. This is all documented, so I'm not making this up.

In May 2020, about two and a half months before she died, we got a call from someone who said, "We have your daughter here. She's just been hit and run by a car." What? We flew over there. She was all scraped up and cut, and I had no idea.... All she would say was that it was a white car.

It was him. He had breached and left Brampton, and he came and coerced her into the car. When they came around the corner, she said, "Let me out now." He didn't. She punched him in the face as hard as she could hit him, threw the door open and went out while the car was going. He backed up and hit her with it.

We were waiting for police and an ambulance to come. A white car came around the corner, hit the curb, bounced up, went down, turned around and parked. I said to Flo, "I'm going. This is too much of a coincidence." I got probably about three feet from the window, and it was so dark that I could see a figure but not who it was. To be truthful, I was going to kick the window in. As I got closer, I thought, "Boy, if I'm wrong, I'm going to look pretty bad." I backed off. I didn't turn my back, and I went back to Flo.

By that time, the car had left. He was arrested after midnight that night in Brampton. He hit two cars while driving high. When I went to that window, there was a nine-millimetre on the seat. As Flo said, he would have shot me on the spot, probably. When I look back now, I wish I had done it; I might have been able to save her life.

Avery Haines, when *W5* did the story, came to our house for about eight or nine hours. It was quite the thing. They were very thorough. During the *W5* story, she held up a picture of the gun I just told you about. She said that through freedom of information, they were able to obtain a picture of the gun and also obtain the interrogation report from Peel police. When they questioned him on the gun, with the picture of the gun I just told you about, he said, "I'd have no problem using that on you guys." On the Monday, he was out. It sticks with me so badly.

She died on July 28. It wasn't long after that incident. I've always felt that out of everything that's happened, a threat to the people who protect us should have been enough to keep him in, and she'd still be with us. That's why I feel so bitter.

• (1735)

**The Chair:** Thank you, sir.

[*Translation*]

Ms. Larouche, you have the floor for six minutes.

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

Today's meeting is really tough. Your testimony is deeply troubling for me, as the mother of a little girl myself. Despite everything, you have kindly offered your condolences to the loved ones of the victims of the Tumbler Ridge and Kitigan Zibi tragedies. It is indeed all part of the same context. More children that we have lost too soon, like your daughter.

You talked about coercive control, a pattern of behaviour that is repeated, that recurs.

My question is for all three of you.

In your opinion, does the absence of a specific offence involving coercive control weaken the scope of the bill? Should coercive control have been included as an offence in the bill?

Again, feel free to answer or not, as you wish. We're here with you.

[*English*]

**Florence Bellman:** It came to light when Frank Caputo was speaking today.

Again, in our naive thing, we leave a note on the table about something at home. It's an umbrella for a whole situation. We were too naive in the beginning to understand what all the legislation was about. Today, my eyes were opened again when Frank Caputo talked about coercive behaviour.

It is such a strong thing. I am now programmed. I had 18 years of that. I'm programmed; it's in there. Paul and I don't suffer with it because he doesn't test that programming, but if I get off somewhere and somebody is verbally abusive, I find myself shrink and start to believe whatever they're telling me: that I must be at fault. I didn't know that would need a separate mention, but maybe it does. I just don't know that.

I don't think I'm qualified to answer that, but I am qualified to say that it's the major thing about all abuse. The coercive behaviour is how they get you, how they hold you down and how they brain-wash you, and then you become reprogrammed.

• (1740)

**Debbie Henderson:** I think there was a previous bill that is dead in the water because there was an election. I feel that it was a comprehensive bill that should be brought back to adequately deal with coercive control. That's just my opinion.

[*Translation*]

**Andréanne Larouche:** Absolutely. That's why we've taken this up again and hope that there will be measures soon. There are some in another bill, but it is still important, indeed. You're referring to the bill that unfortunately died on the Order Paper when the last election was called.

The events occurred on July 28, 2020. The trial is scheduled for September 2026. It keeps getting postponed.

Do you have any concerns, in light of the Jordan decision, that the accused may not even have a trial or that the trial will be dropped? Should there be provisions for that in the case of serious crimes?

[*English*]

**Paul Henderson:** In our position—and I'm so sorry that I don't know the legal number—the Crown attorney made them sign a waiver. There's a number for it, but I don't know what it is. Frank might know what it is. It says that you cannot come back and say your rights were violated by not getting a speedy trial; it's going to happen no matter what.

He signed two of them. As the prosecution said, it's not their delay. They were ready to go in the first year. They keep going into court and saying they're ready to go and asking what's going on. It's the other side that's stalled. They can't come back and do that.

That's what we worried about as well.

**Florence Bellman:** Under this specific one, they can't, but we understand how that is and how it does happen.

[*Translation*]

**Andréanne Larouche:** So it's important to frame the Jordan decision so that people who commit serious crimes cannot get off and do indeed go to trial. I appreciate that.

You also talked about the Peel police and the frustrations they faced. What have you heard? Apart from the bill, what other measure could help police officers? What resources do they need?

[*English*]

**Paul Henderson:** I just went on a ride-along last Sunday night with Peel police. I went all night, a 12-hour shift. I talked to probably 150 policemen. For every one of them, their word is “frustration”. They feel that they put their rear ends on the line to arrest somebody, and that person is let out. That was one of the main things I got from most of the police.

When this guy had a bail hearing, we got a call from a 30-year veteran of Halton police. She said that if he was granted bail that week, she was quitting her job—she was done—and that she would not work anymore as a policeman. She said that she stood a chance of dying, and they were letting him go. That's how they feel.

**The Chair:** Thank you.

We'll go to our second round of questions.

We'll begin with Madame Vien for five minutes.

[*Translation*]

**Dominique Vien:** Many thanks to all three of you.

Welcome back, Ms. Henderson. This is not your first time at the committee.

Mr. Henderson and Ms. Bellman, thank you for being with us.

It's hard to hear you talk about this. I can't even imagine what it would be like to lose a child or a loved one.

I don't have that many questions, mostly comments.

Ms. Bellman, you quoted a statistic earlier, that someone is strangled every day. You know that strangulation is a sign of things to come. A lot of people have said that here at the committee. It's a warning that something could happen. I'm glad you highlighted all of that.

You also said that we now live in a lawless country. We think it would have been so easy to change things, for example by amending Bill C-5, which sought to eliminate or repeal minimum sentences, or Bill C-75, which you mentioned, about parole being much too lenient.

Mr. Henderson, you said that is understandable in the case of minor crimes, but incomprehensible in the case of serious crimes. I can assure you that the only somewhat partisan comment that I will make today, and every day, is that we denounced this and called for change.

What do you think will happen next? I'm going to leave some time for my colleague, Mr. Caputo, who would also like to say something, but how do you feel about that, as you wait for things to unfold leading up to the trial? Do you still hope that the system will serve you well?

• (1745)

[*English*]

**Paul Henderson:** I think so. The preliminary hearing was for 10 days. I tried to sit through that as a normal person not affected by what happened and listen to all the evidence. There's no doubt about what happened.

I also want to mention that Peel Region, in one year, had 12,400 intimate partner violence calls—in one year. In Halton, where we live, it's been deemed an epidemic.

Everything that happens to the people is so complicated. How do you curb 12,400 calls for intimate partner violence? I don't know how we get the answers for all that. It's too much.

**Frank Caputo:** There are two things I have to say.

We are all parliamentarians at this table, and then we have victims. As parliamentarians, sometimes we get put into and sit in what I would call “ivory towers”. We forget the reality of the laws we pass. We forget that there are real-world consequences.

I'm going to say this comment, and I say it with the greatest of respect: I'm so happy that you have shared what you have shared.

That said, I'm not going to ask you about other bills before Parliament. I'm not going to ask you for your opinion on other bills before Parliament, and I would urge the people across the way not to do so, not to ask about Bill C-16 or anything like that. We're here for Bailey's law. We want to talk about coercive control. We can chat about that and how it is contained in other legislation.

I thank you so much for getting me out of my tower, for sharing what you have to say about Bill C-225 and for bravely coming here.

**The Chair:** Thank you.

Now we have Ms. Nguyen for five minutes.

**Chi Nguyen:** Hi, everyone.

I want to thank each of you for spending some time with us and showing up with such bravery, courage and honesty. This is incredibly hard, and I am so sorry for the loss that you and your families have experienced. It's truly horrific. Your being with us today will allow us, hopefully, to find a good path forward.

One thing I am reflecting on, having heard your experiences and the role that coercive control plays, is that I have seen an instance of it in my own family, when a female family member was given a pager by her boyfriend. She was a teenager at the time. We knew that there was something wrong there, because bad behaviour was about being controlling. He very specifically said to her, "I want to know where you are and you need to be accountable to me."

This is the reality that young women face, and we all need to be attuned to it. A lot of work needs to happen so that we can all protect women and girls from boys and men who are experiencing deep violence and showing up with violence. Coercive control shows up in those ways.

I know that it has felt like a long time since justice has come and that our ability to change systems feels slow, but I do think it is important to think about the broader context. There is work happening in each of the provinces and in many municipalities. You've talked a bit about Peel Region recognizing these challenges as really and truly epidemic.

I would love to have your reflections on what you would like to see us do as a government to step up, beyond working alongside MP Caputo to make sure this legislation can move forward in a good way. I would love to hear your reflections on what it feels like for you to see us doing this work together.

• (1750)

**Debbie Henderson:** At this point, intimate partner violence is such a complicated issue. There are so many facets to it.

Currently, we're looking at Bill C-225. Frank was kind enough to add in the first-degree murder that our family had written about and specifically asked for. I feel that this bill needs to be passed promptly.

Every time I watch the news and see that somebody else was murdered.... I've mentioned some in my province already. We're not doing anything fast enough. We can continue talking all day long, but we need something in place now. I believe Bill C-225 is going to help with that. We're going to specifically identify intimate partner assault.

Let's name it what it is. Let's stop throwing it under the rug and just calling it "an assault". It's assault on an intimate partner. I think once we start using language that recognizes that, the system is going to start catching on. Hopefully, it will see that with assault on an intimate partner, we need to take extra steps.

Bailey was strangled. That's a 750% increase in the likelihood of future homicide. She's dead. We need the system to start recognizing this. We need the judicial system to see that.

I love the idea that if you have a history and you're a police officer, you're passing this on to a judge. We need people making better choices out here and not letting people out.

There's a time and a place to be talking more about what else can be done, specifically around coercive control. I am familiar with that bill that was put forward before. I think it's very important to bring that back around, as well as a number of the other recommendations that came from this committee.

Currently, we need something done. We need something done now and this is the bill.

**Chi Nguyen:** Thank you, Ms. Henderson.

All three of you have alluded to and talked a bit about having seen strangulation and how it's been a bit of an indicator and a sign. I'm wondering if you could talk a bit about how we could address that through legislation. What measures would signal that we are taking this seriously?

Some of the evidence we've heard, too, is that there is work to do to make sure that police forces have the information and education to respond here. I wonder if you have any reflections on both the education piece and the training piece, and what we might do to make sure those signals are recognized as real threats.

**Florence Bellman:** Forty years ago, I was strangled by my ex-husband. I was held up on a wall with his hand around my neck. He said that I'd burned his dinner. Was it a bit overcooked or burned? No. Even if it was, why was that such an awful thing? I'd get him something else. There was no replacing his anger with anything that resembled a calm, collected discussion.

I went to my doctor. I had a very strange voice for about a week. My neck and head were throbbing. He said, "You'll be all right", and I left the doctor's office. When I got home, I never once thought that I didn't deserve that.

That was 40 years ago. Women are still thinking the same thing. When we talk about getting something done and hurrying up, we don't mean we're asking you to hurry from Wednesday to Friday. We've been screaming for this for years. Because nobody started doing anything about it until now, it looks like we want you to rush. That's not how it is. We've been crying for help for years. It just isn't happening.

We're not asking you to go against everything Canada stands for, but we need to make a change and make it stand for something different, because it's now off the scale. That's not fair to anybody young coming up.

As Paul and I said, we're closer to the end than the beginning, but we'll do this until the end comes, because somebody has to fight for all these women and children this is happening for.

• (1755)

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

[*Translation*]

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

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

We're nearing the end of our meeting with you. I don't know if these will be the last questions for you. Actually, I'm going to ask you the only question I might have, and then I'll let you answer it.

Based on your discussions with the Peel police, do you think that, if the bill were passed, they would have the necessary resources to enforce it? Is there anything that might help the police better enforce it? We can pass a bill, but then it has to be implemented. Have you had any discussions with the Peel police about that?

[*English*]

**Florence Bellman:** Last February, we were on a board for the council of Peel to try to get a budget passed for more police. At the rate at which crime has grown in Peel.... The police force, number-wise, was so outdated for years that it fell behind and fell behind. It needed a massive boost. It couldn't handle what was happening. People were dying or waiting at home after being abused, and nobody was going to their doors.

We spoke at council. The Mississauga mayor decided she was going to walk, so we couldn't talk, and they had to redo it. We went there. We did redo it. They got the budget for 300 police officers and the money to build a second IPV unit in Mississauga—the first one is in Brampton. After that happened, we were on the police board talking to them, and that was going to get them the number of police to handle all of this, with the change if the change came, so we were very pleased about that.

What I don't know if anybody understands is that you get the money for 300 more police officers, but with that you don't get the

first 300 coming out of the academy. That's not how it works. You can say that your budget will take 50, that somebody else's budget will take 50, that somebody else needs 20 and that somebody else needs 40. There are 1,500 coming out every year, but they are all over Canada. That's not just for Ontario.

When they come out, they then have to hook up. They're a rookie, so they have to hook up with a non-rookie. They have to be taught. That takes another year. There's nothing speedy about it, just as there isn't for all of you to get any bills passed, but if we don't jump on the bandwagon, there will be no law whatsoever, because these police are out there, drumming down all the criminals.... Particularly in our case, the policeman went in and said, "Do not let this man out. He is a reoffender." He was out on bail on the Monday.

What's worse about that is that they don't have to pay for bail. In 30 years, Chief Nishan Duraiappah of Brampton has never known anybody to pay for bail. If you don't pay for bail, there's no consequence. They'll say, "Sure, I'll put up another \$7,000", because they don't have to pay it anyway. It's become a vicious circle over a long period of time.

• (1800)

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

That's the end of our panel for tonight.

I just want to thank you for your testimony. The committee is moved, and moved to a sense of urgency to get this bill passed. Thank you for speaking out, for being the voice for so many who have been victimized.

• (1805)

**Some hon. members:** Hear, hear!

• (1810)

**The Chair:** With that, I'll adjourn.







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