



**INDEPENDENT SYSTEMIC REVIEW:**

**The British Columbia Legal System's  
Treatment of Intimate Partner Violence  
and Sexual Violence**

ISSUES PAPER

KIM STANTON, INDEPENDENT REVIEWER

NOVEMBER 2024

## Where to Get Help

If you or someone you know is in need of support, resources are available [here](#).

## Contents

**Glossary of Terms / 4**

**About the Review / 5**

**Review Process / 6**

**ABOUT THIS ISSUES PAPER**

**A Note about Language**

*Women*

*Intersectionality*

*Survivors*

**FOCUS GROUPS**

**SURVIVOR SURVEY**

**FINAL REPORT**

**Introduction / 10**

**Facts about Gender-Based Violence**

*Sexual Assault*

*Intimate Partner Violence (IPV)*

**BARRIERS FOR SURVIVORS**

**Focus Areas / 14**

**1. Implementation and Evaluation / 15**

**BARRIERS TO IMPLEMENTATION**

The Cost of Gender-Based Violence

*Discussion Questions*

**EVALUATION**

*Discussion Questions*

**DEATH REVIEW COMMITTEES**

*Discussion Questions*

## **2. Data and Decision-Making / 21**

### **STANDARDIZATION**

*Discussion Questions*

## **3. Policy / 24**

### **VIOLENCE AGAINST WOMEN IN RELATIONSHIPS (VAWIR) POLICY**

#### **GENDER-BASED VIOLENCE ACTION PLAN**

#### **INDIGENOUS WOMEN'S JUSTICE PLAN**

#### **PROVINCIAL SEXUAL ASSAULT POLICY**

*Discussion Questions*

#### **GENDER-BASED VIOLENCE AS A HEALTH ISSUE**

*Discussion Questions*

## **4. Collaboration and Communication / 29**

### **FORMS OF CROSS-SECTORAL COLLABORATION AND COORDINATION**

VAWIR Committees/Tables

ICATs

Domestic Violence Units

Situation Tables

Intervention Circles

*Discussion Questions*

### **MODELS FOR IMPROVING TRANSPARENCY IN POLICE SEXUAL ASSAULT INVESTIGATIONS**

Case Reviews

Case Conferences

Comparing Models

*Discussion Questions*

## **5. Specialization / 34**

*Discussion Questions*

## **6. Prevention / 36**

### **TRAINING**

*Discussion Questions*

### **SERVICES FOR MEN**

*Discussion Questions*

### **BYSTANDER INTERVENTION**

*Discussion Questions*

## **7. Family Law and Gender-Based Violence / 40**

*Discussion Questions*

## **8. Alternative Processes / 43**

### **EARLY RESOLUTION MODEL (PROVINCIAL COURT FAMILY RULES)**

*Discussion Questions*

### **COMPENSATION SCHEMES**

Crime Victim Assistance Program

*Discussion Questions*

### **RESTORATIVE PROCESSES**

*Discussion Questions*

## **Conclusion / 48**

## **References / 49**



# Glossary of Terms

<b>2SLGBTQI+</b>	Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex, and additional sexually and gender-diverse people
<b>BC</b>	British Columbia
<b>BCCS</b>	British Columbia Coroners Service
<b>BCFNJC</b>	British Columbia First Nations Justice Council
<b>BCPC</b>	Provincial Court of British Columbia
<b>CCSS</b>	Community Coordination for Survivor Safety
<b>CVAP</b>	Crime Victim Assistance Program
<b>FLA</b>	Family Law Act
<b>FRA</b>	Family Relations Act
<b>GBV</b>	Gender-based violence
<b>GEO</b>	Gender Equity Office
<b>ICAT</b>	Interagency Case Assessment Team
<b>IDV</b>	Integrated domestic violence
<b>IPV</b>	Intimate partner violence
<b>LEAF</b>	Women’s Legal Education and Action Fund
<b>MMIWG</b>	Missing and murdered Indigenous women and girls
<b>PODV</b>	Provincial Office of Domestic Violence
<b>PSSG</b>	Ministry of Public Safety and Solicitor General
<b>PTSD</b>	Post-traumatic stress disorder
<b>TIP</b>	Trauma-informed practice
<b>VACR</b>	Violence Against Women Advocate Case Review
<b>VAWIR</b>	Violence Against Women in Relationships Policy

## About the Review

- 1 In May 2024, the British Columbia government appointed [Dr. Kim Stanton](#) to conduct a systemic review of the treatment of intimate partner violence and sexual violence in the BC legal system.
- 2 Sexual violence and intimate partner violence take an enormous toll on survivors, families, and communities, yet these forms of violence are vastly underreported. Many past inquiries, inquests, and other processes (such as the [National Inquiry into Missing and Murdered Indigenous Women and Girls \(MMIWG\)](#) and the joint federal/provincial public inquiry into the April 2020 mass casualty in Nova Scotia (the "[Mass Casualty Commission](#)") have made recommendations to address this reality, but challenges persist.
- 3 This independent, systemic review is building on what survivors and other experts have already said about existing barriers and what to do about them. It employs an intersectional lens to investigate the interplay of legal structures, including criminal, family, and Indigenous law, to identify obstacles to implementing past recommendations. The Review is seeking to provide pragmatic, actionable solutions to chart a path toward accountability and systemic change for survivors, families, and communities.
- 4 The independent reviewer, Dr. Stanton, acknowledges with respect that the Review is being conducted from the territories of the Wyomilth (Esquimalt), Lkwungen (Songhees), and WSÁNEĆ (Saanich) peoples. She also wishes to gratefully acknowledge the contributions of Kirsten Mercer, Emma Ronsley, Lisa Gourd, Sarah Orford, and several anonymous readers to this paper. Any errors are the reviewer's alone.

# Review Process

## About This Issues Paper

- 5 The purpose of this issues paper is to prompt a process of dialogue and engagement with various stakeholders and legal system actors about some of the themes that are emerging in the Review. This involves asking questions and exploring the issues with a view to understanding what the roadblocks to further progress might be and to eventually making practical recommendations about how these obstacles can be overcome in the Review's final report.
- 6 This issues paper sets out eight themes or focus areas for addressing sexual violence and intimate partner violence in the province, based on an environmental scan of past recommendations and stakeholder feedback received to date. The paper provides a summary of each theme, along with discussion questions, to inform a series of focus groups with actors from across the system. It is hoped that the paper and the ensuing conversations will provide an opportunity to better understand how to move forward the implementation of recommendations for change and to improve the system for survivors and the wider community.
- 7 While the intention is to elicit reflections from stakeholders at focus group sessions in late 2024, it may not be possible for the reviewer to meet with all entities with relevant information to share. If your organization is not able to meet with the reviewer but wishes to respond to the questions raised in this issues paper, written responses to any of the questions may be emailed to [info@ipvsvreview.ca](mailto:info@ipvsvreview.ca), and (unless you indicate otherwise) these submissions will be considered to be public comment on the issues canvassed. Please provide any such submissions by January 6, 2025.
- 8 This issues paper is intended to be accessible to a wide audience and has very few citations for this reason. A list of selected references used in compiling the paper can be found at the end of the document.

## A Note about Language

### **WOMEN**

Sexual violence and intimate partner violence are forms of gender-based violence (GBV), a type of harm that is mainly perpetrated by men, with a disproportionate impact on women and gender-diverse people. Throughout this issues paper, the terms “women” and “women and gender-diverse people” are used to represent a complex diversity of women, girls, and Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex, and additional sexually and gender-diverse (2SLGBTQI+) people in British Columbia. The Review recognizes the distinct and differentiated experiences of those whose identities include other intersecting characteristics, as well as the systemic gender-based oppression experienced by all women and gender-diverse people.

### **INTERSECTIONALITY**

Women are not a homogenous group but rather individuals who are shaped by multiple factors such as race, ethnicity, religion, gender, class, and disability. While all women, girls, and 2SLGBTQI+ people are subject to gender discrimination arising from a confluence of structural and systemic factors, those with intersecting identities are disproportionately affected by violence and by other forms of discrimination that emanate from histories of colonialism, systemic racism, ableism, ageism, homophobia, transphobia, and the feminization of poverty.

In Canada, Indigenous women and girls, Black and racialized women, immigrant and refugee women, 2SLGBTQI+ people, women with disabilities, and women living in northern, rural, and remote communities are disproportionately subjected to violence. In addition, the consequences of reporting violence can deepen the inequality they experience. The disparate effects of violence on already marginalized and differentially affected groups inform this Review.

Readers are encouraged to be mindful of the complexity and diversity of experiences of gender-based violence wherever this report refers to “women”.

## **SURVIVORS**

The language used when referring to someone who has been subjected to sexual violence or intimate partner violence matters, and the terms “survivor” and “victim” (and others) are the subject of much debate.

Some aspects of the system, particularly those associated with the criminal law, tend to use of the word “victim”. In other contexts, the word “survivor” has been adopted in order to shift the focus onto the agency of the individuals who have experienced violence, emphasizing their resilience. As noted above, because violence is a gendered phenomenon, in that it is mainly perpetrated by men and has a disproportionate impact on women, the Review uses the term “women” to refer to survivors of gender-based violence. In addition, even though sexual violence and intimate partner violence are mainly perpetrated by men, not all who experience such violence identify as women. Therefore, the Review also uses the term “survivor” to refer to individuals who have experienced or are experiencing sexual violence and/or intimate partner violence. It must also be acknowledged that not all those who have experienced these forms of violence do survive. Some are killed, die by suicide, or die in some other manner as a direct or indirect result of the long-term effects of the violence they have experienced.





## Focus Groups

- 9 As noted above, the purpose of this issues paper is to inform a series of focus groups with stakeholders and legal system actors whose work addresses sexual violence and intimate partner violence. The focus groups are intended to shed light on the decision-making processes that relate to the implementation and evaluation of recommendations to address gender-based violence. The goal of this exercise is to explore in depth some of the topics covered in the issues paper. The sessions are planned to take place in December 2024.

## Survivor Survey

- 10 The knowledge and experience of survivors must inform any process intended to improve the legal system's treatment of sexual violence and intimate partner violence. Survivors have generously shared their experiences many times in past consultation processes, often at great personal cost, and there is no need for anyone to be subjected to further trauma for this Review. However, if you are a victim/survivor and *wish* to share with the Review something about your experience with the legal system, there will be an anonymous and confidential process to receive your input. A survey will be available later this year on the Review [website](#).

## Final Report

- 11 The Review will conclude with the delivery of a Final Report in May 2025. The Final Report will be publicly available on the Review's [website](#).

# Introduction

## Facts about Gender-Based Violence

The recent BC [Gender-Based Violence Action Plan](#) (2023) notes that gender-based violence can be “verbal, physical, sexual, emotional, psychological, financial, online—or a combination of any of these—and includes violence committed by a spouse or intimate partner, family members, acquaintances or strangers.” It is rooted in gender inequality and patriarchal political, social, and economic systems. Sexual assault and intimate partner violence are forms of gender-based violence.

### SEXUAL ASSAULT

Sexual assault includes all unwanted sexual activity. The most recent self-reported sexual assault data in Canada is from the 2019 General Social Survey, which defined sexual assault as “[f]orced sexual activity, attempted forced sexual activity, unwanted sexual touching, grabbing, kissing or fondling, or sexual relations without being able to give consent”. The survey found that women were five times more likely than men to be victims of sexual assault (50 versus 9 per 1,000), and 37% of women in British Columbia reported being sexually assaulted since age 15. This is the highest for all provinces in Canada.

Notably, according to the Survey of Safety in Public and Private Spaces, only 5% of women who experience sexual assault report to the police, and only 9% consult services that are designed to support victims/survivors (often called victim services), such as crisis centres, help lines, counsellors, psychologists, social workers, shelters, or transition houses.

### INTIMATE PARTNER VIOLENCE (IPV)

According to the World Health Organization, the term “intimate partner violence” (IPV) refers to behaviours by an intimate partner or ex-partner that cause physical, sexual, or psychological harm. As noted by the [Mass Casualty Commission](#) in 2023, intimate partner violence includes physical aggression, psychological abuse, sexual coercion, and coercive control. Intimate partner violence can occur in any intimate relationship, regardless of whether the partners live together, the length of the relationship, and whether the relationship is exclusive. Intimate partner violence can happen in heterosexual or same-sex relationships and does not require sexual intimacy.

Based on data from the Survey of Public and Private Spaces, in 2018, 44% of women in Canada reported experiencing some form of intimate partner violence after the age of 15. According to the Incident-based Uniform Crime Reporting Survey, in 2022, there were 117,093 victims of police-reported IPV, 78% of which were women and girls. The Canadian Association of Chiefs of Police estimates that about 25% of all calls to police are connected to IPV. Yet it is estimated that 80% of women who experience spousal violence do not report to police (based on the General Social Survey on Canadians' Safety). In British Columbia, the rate of police-reported IPV in 2022 was 292 people per 100,000 population (based on data from the Incident-Based Uniform Crime Reporting Survey).

According to the Canadian Femicide Observatory for Accountability and Justice, at least one woman or girl is killed by violence every two days across Canada.

- 12 Despite years of reports and recommendations made in response to egregious incidents of gender-based violence that come to public attention, the prevalence and intransigence of sexual violence and intimate partner violence persist.
- 13 In light of the many past initiatives providing advice on how to address sexual violence and intimate partner violence, this Review began with an environmental scan of past reports, recommendations, and consultations, as well as a survey of recent initiatives (including British Columbia's [Gender-Based Violence Action Plan](#) and the [National Action Plan to End Gender-Based Violence](#)). This scan allowed for a consideration of past recommendations made in areas relevant to the mandate and implementation efforts already undertaken by government, the legal system, and community partners. **Many of the same recommendations remain relevant despite decades of work to address the ever-present violence.**

**Have past and repeated recommendations been implemented? If so, who has assessed the effect of implementation and how has that assessment occurred? If not, have we taken steps to understand why recommendations have been rejected?**

- 14 While many areas of government are involved in work that relates to the Review's mandate, there does not appear to be a clear picture of the various ministries, units, branches, departments, and programs that have responsibility or how they relate to each other. Understanding this matrix at a systems level may assist with reducing silos within government. It is also necessary to identify who has the power and responsibility to decide upon implementing or rejecting recommendations, particularly where responsibility for (or impact of) those recommendations stretches across various departments or institutions.

- 15 An analysis of existing reports and recommendations reveals areas that remain a priority for implementation. If there are places where actionable solutions have been presented but remain unimplemented, we need to understand the reasons for delay and to reflect on how those hurdles can be overcome. Might the challenges be due simply to limited budgets? Or is there resistance to change embedded in institutional cultures? Are the recommendations perceived as unworkable? Is it a combination of these factors, or are there other barriers to addressing these forms of violence?
- 16 Initial conversations with system stakeholders, including anti-violence and community-based organizations, members of the judiciary, Crown counsel, police and victim services workers, and the private law bar (including outreach to lawyers who practice family, civil, and criminal law), indicate that everyone considers these forms of violence to be concerning. There is also a degree of fatigue from having tried for years to address sexual violence and intimate partner violence through improved laws and policies, additional training, funding, programming and other measures, without an appreciable reduction in their prevalence or a meaningful improvement in the response processes. The barriers for survivors to access solutions through the legal system persist.
- 17 The government tasked the Review with looking at the BC legal system's treatment of both sexual violence and intimate partner violence. There are ways in which these forms of violence converge. For example, sexual violence can be a form of intimate partner violence. But there are ways in which they are distinct. For example, those experiencing intimate partner violence may have police involvement following emergency calls due to urgent safety concerns. The survivor may not have initiated the call. Instances of sexual violence, especially outside of intimate partner violence, are almost never reported to police, usually out of a fear of not being believed, and if they are reported, it is often because the survivor wants to prevent the perpetrator from assaulting anyone else.

## Barriers for Survivors

- 18 Survivors of intimate partner and sexual violence experience a range of multiple and sometimes distinct barriers to accessing help. These include, among others:
- risk of reprisal from the abuser
  - financial dependence on the abuser
  - fear of losing one's children
  - fear of not being able to keep one's children safe
  - fear of being blamed
  - fear of harm to pets or farm animals
  - concern that the legal system will not hold the perpetrator accountable
  - shame or embarrassment
  - lack of information about what constitutes sexual assault or intimate partner violence
  - negative past experiences with the legal system (including the experiences of family or friends)
  - ongoing prevalence of myths and stereotypes about women and gender-diverse people in society and specifically among police, the legal profession, and the judiciary
  - mistaken accusations by police of survivors as perpetrators
  - loss of agency and revictimization through the legal process
  - failure by police to recognize forms of nonphysical violence, particularly coercive control
  - delays in the legal system and delays in accessing supports
  - gaps in communication and coordination between legal actors and service providers
- 19 These barriers are significantly exacerbated for women and gender-diverse people who face marginalization and discrimination, including Indigenous, racialized, and immigrant women; women living in poverty; those facing housing insecurity; criminalized women; women living in state care; women with disabilities, addictions, or mental health conditions; elderly women, young women, and girls; and 2SLGBTQ+ people. **In general, the groups that are most likely to experience violence also face the greatest barriers to accessing the legal system.**



# Focus Areas

20 This issues paper sets out eight focus areas for addressing the BC legal system’s treatment of sexual violence and intimate partner violence, based on the Review’s work to date. It is not possible to address every aspect of these longstanding challenges in this paper. (For example, access to affordable housing and structural racism are not listed as separate focus areas here despite being enormous cross-cutting contextual issues.) However, the eight selected areas below have been the subject of repeated recommendations. A series of questions related to each focus area is directed at stakeholders in order to generate discussion about how to move forward and achieve change.

1. Implementation and Evaluation
2. Data and Decision-Making
3. Policy
4. Collaboration and Communication
5. Specialization
6. Prevention
7. Family Law and Gender-Based Violence
8. Alternative Processes



# Focus Area 1: Implementation and Evaluation

21 When a public inquiry, inquest, or death review follows a tragic occurrence, there are two main objectives:

- (1) to determine what happened; and
- (2) to prevent it from happening again.

**If an inquiry process determines that a recurrence is preventable, the critical next step is to honour the memory of the persons killed or forever changed by implementing the recommendations that are made to prevent a recurrence.**

22 The crucial final steps are:

- (1) to monitor progress of implementation; and
- (2) to evaluate the effectiveness of the implementation.

23 Each time that an inquest, inquiry, review, or other process produces relevant analysis and recommendations, the constituencies toward which the recommendations are directed need to review those recommendations and determine whether and how to implement them. **However, recommendations are non-binding.**

24 Across Canada, we invest considerably in the processes that lead to the creation of these expert recommendations, but what do we then invest in knowledge translation, implementation, or evaluation? It is apparent that for the most part, responses to relevant reports, inquests, and inquiries in BC have been *ad hoc*. If a response towards implementation has occurred at all, it may not be transparent or systematic. There may or may not be any later analysis to determine whether recommendations were implemented and, importantly, whether or not that implementation had positive or negative effects, or any at all.

25 Monitoring and evaluation are well-established accountability mechanisms. Yet there is no existing mechanism to ensure that reports are met with a systematized, transparent process to propel recommendation implementation and to evaluate effectiveness. **This lack of monitoring of the implementation of recommendations, along with the lack of transparent evaluation of the results of implementation, may be a key reason as to why the same recommendations are made year after year.**

- 26 Often, in response to a set of recommendations, there will be an initial flurry of public announcements with promises to review and act upon them. Governments may be motivated to show they are considering and possibly accepting the recommendations. However, once some time has passed, unless there is sustained public interest and scrutiny, priorities may shift, or governments may resist making the recommended changes and revert to the status quo. **Since most recommendations are non-binding, some form of accountability must be built in.**
- 27 To improve the likelihood of implementation, recommendations must be realistic, identify the appropriate entities to implement them, and specify their intended outcomes, as well as timeframes for completion. Requesting that government agencies indicate in their responses to recommendations whether the recommendation is accepted, rejected, under consideration, or otherwise addressed would assist with transparency and accountability. Transparency and accountability build trust and assist with improving policy development and practice.

### Barriers to Implementation

- 28 There are a variety of reasons why entities tasked with implementation may suggest that recommendations cannot be implemented. Some of the reasons identified in past analyses in Canada and internationally include inadequate time or resources, resistance to change, or uncertainty about how to effectively implement change. It appears that sometimes entities tasked with implementation consider the recommendations undesirable, impracticable, or incapable of being implemented. Delays in implementation may render some recommendations obsolete, while in other cases, changes to the structure and composition of government agencies over time may prevent implementation.
- 29 Government entities are unlikely to openly outline these barriers in written reports, so identifying and addressing the barriers requires an approach that engages directly with those tasked with implementation. This may be labour intensive and challenging unless a trust relationship is present between the entity tasked with implementation and the body seeking accountability for implementation.

### The Cost of Gender-Based Violence

- 30 One possible reason for the failure to implement the changes that have been clearly and repeatedly recommended is a fear that major system reform will be prohibitively expensive. However, the reality is that **inaction by those tasked with implementation is extremely expensive in both human and economic terms.**

- 31 In addition to the moral imperative of acting on recommendations to prevent future harms, it makes sense from an economic perspective to invest time and money in implementation, since gender-based violence has considerable costs in society. To the degree that it can be reduced or eliminated, savings will be evident in many areas, including policing, courts, health care, child welfare, and social services.
- 32 In many cases, when we fail to invest in effective prevention, we are left with only the most expensive tools in the system to respond to violence that has already escalated and now requires complex and costly responses from the health, family law, social, and criminal systems. In 2009, the federal Department of Justice estimated that the cost of intimate partner violence in that year alone was in excess of \$7.4 billion. This included legal system costs and items such as medical care, lost wages, losses to employers, the value of stolen or damaged property, costs for social services, the negative impact on children exposed to spousal violence, and other government expenditures. This amount is bound to have increased every year.
- 33 Given the serious underreporting of intimate partner and sexual violence, such figures likely undercount the actual costs. **Recognizing just how much the current systemic failures are costing our communities and governments is an important part of unlocking the policy imperative and fiscal capacity to make changes.**

## Discussion Questions

1. How do you become aware that a recommendation that applies to your agency has been made? Are you confident that your agency becomes aware of all such recommendations?
2. When you receive recommendations, do you have a process in place for reviewing the recommendations?
3. Do you have a process for determining which recommendations you will implement and how?
4. Is it possible to create a system for reviewing new recommendations and determining whether and how to implement them? How would such a system work?
5. Which of the barriers to implementation listed above apply for your agency? Are there others?
6. What would be necessary to overcome the barriers?

7. What information would you need in order to assess the costs of acting on recommendations versus the costs of inaction?

## Evaluation

- 34 In order to improve the effectiveness of recommendations, pathways for feedback must be built into a monitoring and evaluation process. Evaluating the impact of an implemented recommendation is key to determining its effectiveness. Usually, an entity tasked with implementation will not be mandated to report upon the impact of implementation. Having an accountability mechanism specifically for monitoring and evaluation will ensure that the money and effort spent on developing the recommendations and on implementing them are worthwhile.
- 35 *A note of caution about monitoring and evaluation:* evaluation of implementation can be used to prevent such change from happening if results are not evident in the short term or if the parameters of an evaluation do not account for all necessary factors. Effective evaluation must account for poorly executed implementation of an otherwise solid recommendation.

**While it may be difficult to evaluate systemic change in the short term, it is important to find out whether there have been positive or negative outcomes of implementation and consider how best to determine what might be positive or negative about those outcomes.**

- 36 Where significant economic funding is required in order to implement a systemic recommendation, it must be treated as an investment. This requires longer-range evaluation so as to strengthen the investment and to avoid money simply being wasted. Measuring systemic change over the long term requires specialized expertise and carefully calibrated tools, which must be developed and used in partnership with those who are closest to the frontline impact of those policies being measured.
- 37 Past reports have recommended the establishment of independent monitoring bodies to assess implementation as an important safeguard against inertia. Proposed implementation bodies usually include a range of stakeholders, including those who are most affected by the situation giving rise to the recommendations. This is intended to ensure that implementation is consistently tracked but also that it occurs in line with the intended outcomes of the body making the recommendations and in service of those most affected. (For more, see [volume six](#) of the Mass Casualty Commission Final Report, which is entirely focused on implementation of the recommendations.)



## Discussion Questions

1. What internal accountability measures do you have for tracking the implementation of recommendations?
2. What would it look like to create a transparent, systematic approach to monitoring implementation?
3. What factors encourage such an approach? What factors work against it?
4. Are there other measures that might improve implementation of recommendations?
5. Monitoring systemic changes resulting from implementation of recommendations is a challenging task. How might it be structured?
6. What internal accountability measures do you have for evaluating the effectiveness of the measures implemented?
7. Is it possible to create a system for analyzing whether implementation is effective for addressing the problem it is intended to solve? How would this work?
8. Are there other measures that might improve evaluation of recommendations' effectiveness?

### Death Review Committees

- 38 A number of past recommendations (at least as far back as those in the 1992 British Columbia Task Force on Family Violence's report "Is Anyone Listening?") call for the establishment of an ongoing death review committee in BC. These calls have emphasized the need to include experts from community-based anti-violence organizations, to take account of factors particularly affecting Indigenous and marginalized groups, including cultural and immigration factors, and to document demographic trends.
- 39 While Ontario has had a Domestic Violence Death Review Committee in place since 2003, BC has not created a standing committee. The BC Coroners Service (BCCS) did convene a Domestic Violence Death Review Panel in May 2010 to examine eleven fatal incidents of domestic violence, selected from over one hundred cases dating back to 1995.

- 40 Its recommendations were in line with many other processes tasked with addressing gender-based violence, including:
- standardization, collaboration, and information-sharing across relevant agencies, ministries, and support networks
  - coordination between Crown counsel, civil courts, and lawyers
  - enhanced public education and awareness
  - training and resources for service providers, including the identification of factors indicative of higher risk
- 41 In June of 2016, the BCCS also held a death review panel on seventy-five fatal incidents of intimate partner violence resulting in one hundred deaths in the period 2010–2015. The review found that fewer than one third of the victims of fatal intimate partner violence incidents during that period had reported violence to police. It identified the following three areas as key to reducing intimate partner violence deaths:
- increased public awareness and education to improve understanding of intimate partner violence and how to respond, as well as to increase the ability for service providers to identify IPV risk factors and risk of lethality and to implement strategies to improve IPV reporting to and from police
  - better IPV safety planning and early collaborative case management
  - enhanced IPV data access, quality, and collaboration
- 42 These panels/committees have been recommended because they represent a method of achieving transparency and accountability, helping to determine where improvements have been or could be made and where processes are still in need of improvement.

## Discussion Questions

1. What would be the advantages/disadvantages of a creating a standing provincial death panel/committee in BC?
2. How would it need to be structured?
3. Past recommendations have highlighted the importance of diverse review team membership for improving the process of death reviews. How could diversity of membership be ensured?

## Focus Area 2: Data and Decision-Making

- 43 Hand in hand with questions about implementation and evaluation must be discussions about data and decision-making.

**On what basis are decisions being made about which measures are effective for addressing sexual violence and intimate partner violence? On what basis are decisions being made about resource allocation?**

- 44 Reliable and accessible data is an important component of evaluating the effectiveness of various measures implemented in response to recommendations. This is certainly true for monitoring and evaluating the implementation of measures addressing sexual and intimate partner violence. Yet data collection and analysis continue to be sources of frustration for many legal system actors and other stakeholders.
- 45 For decades leading up to the National Inquiry on MMIWG, advocates called for the tracking of cases of missing and murdered Indigenous women and girls. At least as far back as the 1992 Law Society of British Columbia Gender Bias Committee's Report on Gender Equality in the Justice System, calls have been made for accurate statistics about the scale of intimate partner violence and sexual violence. The information recommended for collection included police and Crown data on: any referrals to victim services; contact with the victim prior to trial; any charges laid, stayed, or reduced; bail recommendations and conditions ultimately imposed; whether a victim impact statement was prepared and used; the plea bargain; the Crown's position on sentence and the sentence imposed; and any appeal of sentence. Past calls have emphasized the importance of sharing case outcomes by police, Crown, and courts, but this information is still not readily available.
- 46 It appears that publicly shared data collection is very limited, and therefore data analysis is even more limited. While police, Crown, courts and corrections collect data, they do so in inconsistent ways with a lack of similar tools (such as coding, database technology), with varying degrees of antiquation, and a lack of transparency as between them and government, and with the public. In addition, the lack of standardization in data collection hampers reliable data analysis.

- 47 Police statistics may include incidents and arrests, but it is not clear exactly what is being collected across the different jurisdictions in the province, how it might be disaggregated, whether there are standard definitions applied for the purpose of coding, and so on. Nor is it evident whether police have data on outcomes post-charge, such as sentencing.
- 48 Crown statistics include the number of reports to Crown counsel, the number of charges approved, the outcome of files concluded (guilty, not guilty, stayed, peace bond, other). There is currently no way to extract from the Crown database how many pretrial applications have occurred in sexual assault cases, nor the reasons for stays. While the number of peace bonds are tracked, it is difficult to determine how many breaches were pursued in intimate partner violence cases, since breaches of peace bonds, bail orders, and failures to appear are counted together in the administration of justice category in the annual reports.
- 49 Data must be collected in a systematic manner, consistently and transparently. Past recommendations have called for statistical data collection systems across all components of the legal system to be integrated in order to facilitate cross-system tracking and monitoring of gender-based violence cases as they proceed through the legal system and comprehensive evaluation of the legal system response to these cases.
- 50 Beyond questions about whether certain data is tracked at all, system users and stakeholders also describe an inability to obtain data from aged or obsolete data-tracking systems and a lack of capacity to analyze data once it is collected.
- 51 In the absence of government tracking or publicly available data, community-based anti-violence organizations rely upon media reports to tally the number of femicides in the province. Some data is produced only in response to freedom-of-information requests by journalists rather than as a matter of course.
- 52 **There appears to be no centralized location for all relevant statistics that would assist with formulating policy, coordinating responses, budget allocations, or other concrete aspects of an effective gender-based violence action plan.** Without all the relevant statistics, it is challenging to provide an overall picture of gender-based violence in the province.

## Standardization

- 53 Currently, different data systems are used by different actors and jurisdictions. Databases are not uniform, and coding methods and protocols vary. This makes it difficult for actors and stakeholders to share information or even to know whether the information being shared is referring to the same thing. Standardization has therefore been the subject of past recommendations.
- 54 There have been repeated calls for actors across the systems to use common language and metrics to support and enable a more robust data collection regime. Standardization and common language facilitate not only reliable data collection and analysis but also cross-sector collaboration. For example, there could be standard definitions to identify “K” files (intimate partner violence files) for Crown and to identify “higher risk” cases across police jurisdictions. Otherwise, different offices capture different information and flag cases differently, which affects the ability to assess the wider scope of the problem and to evaluate the effectiveness of measures taken to address it.

**Without clear and consistent data, we have no way of knowing if various policy or legislative amendments that were intended to address problems are in fact working.**

## Discussion Questions

1. What would purpose-driven data collection look like in the area of sexual violence and intimate partner violence?
2. What forms of data are routinely kept, tracked, and reported by your organization?
3. Who has access to it?
4. What do you do with it?
5. What data, if it existed, would you use to make decisions and to do your work?
6. What kind/categories of data would you want to have access to?
7. How would data better enable the work you do? And enable better outcomes?
8. What is needed in terms of technology to improve data collection and sharing?
9. Are there examples of integrating data from across systems in other areas of policy? If so, what lessons can be learned from those examples about what is possible within existing systems?



## Focus Area 3: Policy

- 55 The last three decades have seen a number of BC provincial government policy initiatives designed to address intimate partner violence and gender-based violence more broadly. Not all of the initiatives have been adopted or sustained.

### Violence Against Women in Relationships (VAWIR) Policy

- 56 The province developed the Violence Against Women in Relationships (VAWIR) policy in 1993 to revise and expand the Ministry of Attorney General's earlier "Wife Assault Policy." The VAWIR policy has been updated several times (1996, 2000, 2004, and most recently in 2010) to reflect applicable federal and provincial legislative amendments as well as changes to operational policies. The Ministries of Public Safety and Solicitor General, Attorney General, and Children and Family Development created the revised VAWIR policy as part of the province's Domestic Violence Action Plan.
- 57 The VAWIR policy is intended to ensure a coordinated response to intimate partner violence across legal, child welfare, police, and victim services agencies. The current policy includes updated guidelines and operational protocols and outlines the roles and responsibilities of service providers across the legal and child welfare systems that respond to intimate partner violence.
- 58 In 2012, the province established the Provincial Office of Domestic Violence (PODV). PODV was intended to be the permanent government entity responsible and accountable for leading a coordinated response to improving and strengthening the services and supports for families affected by intimate partner violence. Monitoring, evaluating, and reporting on progress were to be key functions of the office. In 2014, the PODV released an action plan entitled *Taking Action on Domestic Violence in British Columbia*. This plan was followed in 2015 by the *Violence-Free BC* strategy.
- 59 In 2018, the PODV was closed, and the coordination and responsibility for addressing domestic violence was moved to the Ministry of Public Safety and Solicitor General (PSSG) Community Safety and Victim Services Branch, which has responsibility for victim services and violence against women programs. Also in 2018, the government appointed a Parliamentary Secretary for Gender Equity and created the Gender Equity Office (GEO), housed under the Ministry of Finance, with the purpose of incorporating gender equity into government budgets, policies, and programs and to

coordinate cross-government action on gender issues. GEO's latest mandate letter (2022) identifies the following shared responsibilities of GEO and PSSG:

With support from the Minister of Public Safety and Solicitor General, lead work to develop an action plan to end gender-based violence, including minimum standards for sexual assault response, more training for police, Crown Counsel and justices, and establishing core funding for sexual assault centres.

### Gender-Based Violence Action Plan

60 On December 10, 2023, the government launched [Safe and Supported: British Columbia's Gender-Based Violence Action Plan](#), a three-year strategy aimed at preventing, addressing, and responding to gender-based violence in BC. The plan's stated key priorities include:

- increasing safety and support for survivors
- lifting up Indigenous-led approaches
- breaking cycles of violence through prevention, healing, and accountability
- learning from and monitoring progress

61 The Parliamentary Secretary for Gender Equity (Gender Equity Office-Ministry of Finance) and the Minister of Public Safety and Solicitor General share a joint mandate commitment for the action plan.

### Indigenous Women's Justice Plan

62 The [Indigenous Women's Justice Plan](#) was developed under the [BC First Nations Justice Strategy](#) (2020), which was jointly developed by the BC First Nations Justice Council (BCFNJC), BC First Nations communities, and the Province of British Columbia. The Strategy includes forty-three actions and two paths, which involve the reformation of the current system as well as the restoration of First Nations' legal traditions and structures.

63 The BCFNJC released the Indigenous Women's Justice Plan in April 2024. The Plan builds from key reports and recommendations, including the National Inquiry into MMIWG [Calls for Justice](#), the [Red Women Rising Report](#), and the [Highway of Tears Symposium Report](#).

64 The Indigenous Women's Justice Plan includes provision for an Indigenous-led team to be responsible for monitoring, oversight, and accountability measures. It also creates an independent, Indigenous-led Task Force to manage oversight regarding ongoing and cold cases of missing and murdered

Indigenous women, girls, Two-Spirit and gender-diverse people. In addition, the *Plan* states an intention to provide for transparency around data collection, the provision and use of funds, and the progress made by the government and BCFNJC in addressing the various recommendations, including the Calls for Justice. The Plan states that this will include regular reporting and assessment of practices by all social, economic, and governmental actors and their progress, or lack thereof, that is easily accessible and transparent. Additionally, a space will be included to report and uphold previous and current work being done by grassroots advocates.

- 65 In addition to these initiatives that engage with the colonial government, there are also numerous Indigenous-led initiatives focused on revitalizing Indigenous legal orders of nations whose territories are located in what is now BC (and further afield). An underlying premise of these initiatives is that the ability of Indigenous peoples to address ongoing colonial harms, including extreme and disproportionate levels of gender-based violence, will be enhanced if their own legal orders are reinvigorated and resourced to thrive.

### Provincial Sexual Assault Policy

- 66 There is currently no overarching policy framework for sexual assault in BC. There are standalone policies for various actors in the legal system (such as a Crown policy manual, policing protocols and policies, and statutory and policy training requirements for actors in the system).
- 67 The establishment of an overarching policy for sexual assault, akin to the VAWIR policy, has been proposed for decades to provide an integrated framework for police, Crown, courts, child welfare, and anti-violence sector agencies to coordinate their work and build accountability into the response to sexual violence. Like the VAWIR policy, it would set out roles and responsibilities and develop minimum practice standards for all system actors. Proponents of this approach argue that a province-wide policy would enable improved coordination and consistency across sectors while also providing oversight and transparency at a systems level. A key element would be the ability to provide consistent support and information to survivors, regardless of their point of entry to the legal system. Another key element would be to ensure stable, core funding for services and supports for survivors, perpetrators, and children.
- 68 A provincial sexual assault policy was drafted under the auspices of the Ministry of Attorney General in the late 1990s and completed in 2000, but it was never implemented.

- 69 Systemic issues of safety and access to justice continue to be of acute concern for survivors of sexual violence in BC and those who work with them. Some progress has been made very recently in response to past recommendations. For example, there are now more survivor support services in BC; and there are improved policies for Crown and more modernized policing standards related to sexual violence. Trauma-informed practice (TIP) training is now mandatory for some system actors, and trauma-informed investigative practices are more present in some policing. Some specialized sexual violence police units are now in place.

## Discussion Questions

1. How does government track implementation of policy initiatives?
2. How is effectiveness of government policy evaluated?
3. How do the structure and location within government of a policy coordination body impact its effectiveness?
4. How will the Gender-Based Violence Action Plan's key priority of learning from and monitoring progress be achieved?

## Gender-Based Violence as a Health Issue

- 70 In addition to being a human rights issue covered by many international instruments to which Canada is a signatory, gender-based violence is also a health issue. While this Review is directed to consider the treatment of sexual violence and intimate partner violence in BC's legal system, it is necessary to understand that women and gender-diverse people experiencing these forms of violence are likely to come into contact with other systems, such as child protection, financial support, housing, immigration, and health care. In fact, since many women and gender-diverse people choose not to report their experiences of violence to the police, the health care system in particular may provide a more complete picture of their experience of violence than that reported in the legal system. In addition, it is necessary to understand the interplay between these systems in order to make systemic improvements.
- 71 Sexual violence and intimate partner violence affect women's and gender-diverse people's physical and mental health, both while they experience it and across their lifetimes and those of their children. Survivors may endure direct injuries and trauma that later manifest with chronic pain, they may experience brain injuries that can go unrecognized and untreated, and they may develop mental health conditions (such as anxiety, depression, PTSD) and unhealthy substance use behaviours. The health impacts of violence can create significant barriers for survivors seeking to

access services, including legal services. For example, research has found that a large majority of the one in three women who experience intimate partner violence will receive at least one brain injury from their violent partner. People with brain injuries may have considerable difficulty accessing and understanding legal processes, particularly if the injuries are not disclosed or diagnosed.

### **The social determinants of public health are also the social determinants of community safety.**

- 72 If women and gender-diverse people leave their relationships due to violence, they may also experience food and housing insecurity, enter into poverty, interact with the child protection system, and/or seek financial and other social supports. Access to affordable housing, access to employment, access to transportation (especially in rural communities), access to health care (including mental health and addictions care), affordable childcare, food security, and poverty remediation—these are all social determinants of community safety. They map onto the social determinants of public health, and they are critical to preventing violence. The more that people are able to access these things, the more they are able to live lives of self-determination and access the tools they need to free themselves from unhealthy and/or violent situations.
- 73 The language of public health is an important tool in addressing violence. Many municipalities have followed the recommendations of past reports and inquests that gender-based violence be declared an epidemic in order that it be treated as a matter of urgent public policy requiring a meaningful, whole-of-society response.

## Discussion Questions

1. How might approaching sexual violence and intimate partner violence through a public health lens yield important insights in how to eradicate and prevent violence?
2. How would declaring gender-based violence an epidemic assist with improving the legal system's treatment of sexual violence and intimate partner violence?
3. What tools does a public health approach make available that are not currently being utilized?
4. What might be overlooked if a public health lens becomes the dominant policy framework?

## Focus Area 4: Collaboration and Communication

- 74 Many past reports on sexual violence and intimate partner violence have emphasized the importance of cross-sector collaboration and communication. For example, the 2003 Ad Hoc Federal-Provincial-Territorial Working Group Reviewing Spousal Abuse Policies and Legislation identified the need for “comprehensive and co-ordinated strategies” to address intimate partner violence as “the key lesson learned” through its process. Coroners’ reports and other reports respecting deaths connected to intimate partner violence have emphasized the importance of information-sharing, coordinated risk-assessment, and safety planning. The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls also identified the need for collaboration across sectors, including between police and other frontline service providers. Indeed, past recommendations note that organizing collaborative networks across sectors and communities has become an essential approach for gender-based violence agencies in rural, remote, and northern communities.
- 75 As noted above, the VAWIR policy in BC has fostered this type of collaboration to positive effect. For example, the [Community Coordination for Survivor Safety \(CCSS\)](#) program helps communities to develop models of cross-sectoral coordination, communication, and collaboration in order to effectively respond to gender-based violence.
- 76 The VAWIR policy also includes a [Highest Risk Protocol](#), which mandates that legal and child welfare personnel provide a coordinated and collaborative case management response in high-risk cases. Once a case has been designated as highest risk, the Protocol comes into effect, which includes “enhanced provisions for information-sharing and case management.”
- 77 In BC, Interagency Case Assessment Teams (ICATs) (discussed further below) can also be set up to respond to suspected high-risk intimate partner violence cases.
- 78 Although such mechanisms and cross-sectoral initiatives can be highly effective, they are currently limited by a lack of system-wide coordination and a lack of stable core funding for community-based feminist survivor support services—a chronic problem that has been highlighted in multiple past reports. Work by people in community-based feminist survivor support services is often done as an uncompensated add-on to their other work. As centres of local expertise in anti-violence work, such support services are a critical part of the community safety net. Yet they typically operate with very limited budgets and must repeatedly apply for term-limited grants. Larger institutional actors in the justice sector often rely on these support services, but the significant contribution of

anti-violence agencies is not reflected in stable funding for them or in fair compensation and benefits for those working in these community-based organizations.

- 79 Within the legal system, there have been past recommendations regarding coordination between family and criminal proceedings and other proceedings such as those under the immigration system. For example, the 2010 report of the Domestic Violence Death Review Panel recommended the development of coordinated legal system approaches including “[a] review of the opportunities for appropriate information sharing between crown counsel and family law practitioners” and “integrated approaches to enforcing protective conditions included in civil and criminal orders”.
- 80 The 2013 *Report of the Federal-Provincial-Territorial Ad Hoc Working Group on Family Violence* identified challenges faced by individuals navigating multiple legal proceedings related to family violence and explored options for coordination and information-sharing across legal proceedings. These options included the implementation of Integrated Domestic Violence (IDV) Courts, which at that time had been piloted in several jurisdictions, including New York, Idaho, Vermont, and Toronto. The report noted concerns respecting fairness and due process had been raised in relation to IDV Courts, and it stated that evaluation of these courts was ongoing.
- 81 The report also explored the potential for direct communication between judges in concurrent and related proceedings. Direct judicial communication has been used in international cases, particularly in the context of international child abduction. The focus of such communication is not to determine the merits of the respective proceedings but rather “to obtain information about matters such as the custody laws of the other jurisdiction, to assist in managing the case in each jurisdiction more efficiently, and to promote return of the child, including by ensuring that mirror orders are made in each jurisdiction.” The Working Group recommended that this model for direct judicial communication could be adapted in the context of concurrent criminal and family law proceedings to improve coordination in some cases.
- 82 The *National Action Plan to End Gender-Based Violence* also identifies “improving coordination between criminal court and family court to better support victims and survivors of family violence, including IPV, and their children” as an area for potential action.



## Forms of Cross-Sectoral Collaboration and Coordination

- 83 So much research has shown that the more that different actors communicate with one another, the better the community safety net. **Coordination and collaboration make us all safer.** Given the wealth of past recommendations that emphasize the importance of cross-sector collaboration in preventing escalated intimate partner violence, it is worth considering in what ways such collaboration is active in the province and whether that cooperation is effective and/or if it can be improved.

### VAWIR Committees/Tables

- 84 VAWIR committees/tables are a forum for service providers and representatives from other actors involved in preventing and responding to violence against women to meet and work together. Across the province, some cross-sector actors come together as VAWIR tables, meeting regularly to share concerns and local knowledge regarding community safety. Other such tables, however, have been sporadic or collapsed altogether.

### ICATs

- 85 An Interagency Case Assessment Team ([ICAT](#)) is a partnership of local responders, including police, anti-violence, child welfare, healthcare and social service workers, and others. These teams respond to suspected highest-risk intimate partner violence cases with a goal of increasing safety for the entire family (and other targets identified).

### Domestic Violence Units

- 86 There are nine Domestic Violence Units in British Columbia. They are comprised of dedicated teams of police officers, victim service workers, and child protection workers. They focus on providing coordinated responses in high-risk cases. Their mandate generally includes investigation, risk assessment, offender management, safety planning, and survivor support.

### Situation Tables

- 87 Situation tables bring together frontline staff from the public safety, health, and social service sectors to identify what the province refers to as “high-risk individuals” and to collaboratively and rapidly connect those persons to services and supports that they need before they experience a negative or traumatic event (e.g., victimization, overdose, incarceration, eviction, etc.). The Ministry of Public Safety and Solicitor General convenes forty situation tables across BC. While these tables address a range of cases and are not focused on gender-based violence, they are sites for cross-

sectoral collaboration and coordination that potentially could be leveraged in setting up VAWIR tables and ICATS where none currently exist.

### Intervention Circles

- 88 Intervention circles are a modified version of situation tables, designed in consultation with and led by First Nations communities in order to deliver culturally safe intervention and supports. There is one active intervention circle (Esk'etemc), and the Ministry of Public Safety and Solicitor General is in discussion with two other communities to pilot additional intervention circles.

**These types of cross-sectoral tables and units have the potential to mitigate barriers at the community level and to improve access to services (and ultimately, to justice) for survivors of sexual violence and intimate partner violence.**

## Discussion Questions

1. How have collaborative mechanisms worked in your experience, your organization, and/or your community?
2. How is their effectiveness measured?
3. When and how have such collaborative mechanisms failed or not met their promise?
4. What elements must be in place for collaborative mechanisms to be most effective?

### Models for Improving Transparency in Police Sexual Assault Investigations

- 89 While collaboration is essential to addressing gender-based violence, it must also include accountability. In recent years, the scrutiny of sexual assault cases that have been determined to be unfounded by police has given rise to two distinct approaches to improving transparency and systemic improvements.

### Case Reviews

- 90 The case review model, often known as the Violence Against Women Advocate Case Review (VACR) model, refers to a form of investigatory oversight designed to be used mainly at the local/municipal level wherein independent frontline sexual violence subject matter experts attend the police station to review sexual assault reports and investigations that were not cleared by charges. Reviewers are selected according to detailed criteria designed to ensure independence, expertise,

and knowledge of the reporting community. The goal is to catch cases that may have been closed prematurely or inappropriately. These reviews can also identify structural and systemic issues affecting police response to sexual violence. Once the initial reviews are conducted, police join the reviewers to discuss the findings. The outcomes are then tracked.

### Case Conferences

- 91 Unlike the VACR model, the case conference model does not review every sexual assault case that does not proceed to charges. Instead, the case conference approach is led by police officers who, with an invited interdisciplinary group, review a sample of sexual assault cases. This model may look for trends, note issues and concerns that need to be addressed, and then make recommendations.

### Comparing Models

- 92 Both models are emerging practices. The case review model has been adopted in several jurisdictions and is recognized by anti-violence advocates to be the best practice for meaningful, accountable collaboration between policing and gender-based violence partners. Case conferences, on the other hand, have been criticized for leaving much of the control over the process in the hands of the police, making them less transparent and ultimately less collaborative.
- 93 While the revised BC policing [standards](#) use the term “case reviews,” the process adopted follows a case conference model. Although the standards state that it is collaborative, the case conferences are headed by the police and required only every twenty-four months. In contrast, the VACR model is based on reviews being conducted by anti-violence sector workers and occurring every three months. Moreover, the VACR model provides an opportunity for cases to be redirected back toward charges being laid, whereas case conferences do not offer real-time operational oversight, instead directing the gaze to future cases.

## Discussion Questions

1. What are the pros and cons of the case review/case conference models for community safety?
2. How can the limitations of the BC case conference model be mitigated to ensure that this mechanism has a meaningful impact?

## Focus Area 5: Specialization

- 94 Past reports have included recommendations for specialized courts, units, or positions. Some have been implemented. For example, the following domestic violence courts have been established in British Columbia:
- Duncan Domestic Violence Court, established in 2009
  - Nanaimo Domestic Violence Court, established in 2013
  - Remand Courtroom for Domestic Violence Charges in Surrey Provincial Court, a pilot project started in 2016
- 95 The general rationale for creating specialized mechanisms such as domestic violence courts is that intimate partner violence cases are distinct from many other criminal matters and require unique responses. According to the BC Ministry of Justice's Framework for Domestic Violence Courts in British Columbia (2014), distinct features of intimate partner violence cases include the likelihood of repeat violence, the perpetrator being known ahead of time, and complex, ongoing ties between the perpetrator and the victim. Specialized court models have arisen in part due to evidence that traditional legal system processes have struggled to effectively respond to these cases and to adequately meet the needs of victims.
- 96 Recommendations calling for specialized courts are premised on the idea that they may facilitate improved decision-making by bringing specialized knowledge, experience, and processes to bear. Specialized courts might also address barriers for victims accessing the legal system, including court delays, revictimization, and safety concerns. The BC Representative for Children and Youth has also reported that specialized courts may yield higher conviction rates because victims are less likely to recant.
- 97 However, past reports have raised the question of whether standalone specialized courts are the right approach to combatting sexual violence and intimate partner violence. These courts may not be viable for rural, remote, or northern communities. Instead, some experts and advocates believe that individual specialists and sexual violence and IPV mechanisms should be spread throughout the system.

## Discussion Questions

1. How has the government monitored and evaluated the specialization initiatives, particularly the domestic violence courts?
2. Is there consensus as to the goals of the specialized courts, in order to understand what is being measured?
3. How are the specialized initiatives evaluated, and what do we know?
4. Would a roster of individuals with specialized knowledge in sexual violence and/or intimate partner violence (for example, from Crown, police, the judiciary) be helpful to your organization or community? What advantages or disadvantages would such a roster have in comparison with specialized institutions such as domestic violence courts?



## Focus Area 6: Prevention

- 98 Many past recommendations have been directed toward preventing gender-based violence. Often the approach is to address root causes, such as by challenging misogyny, building healthy relationships, and providing education around consent, digital literacy, and ethics (how to navigate the internet and how to behave ethically online).
- 99 For many years, attempts have been made to address ongoing myths and stereotypes about sexual violence and intimate partner violence. These attempts have often taken the form of training of police, judiciary, Crown counsel, and other lawyers. However, it is evident that myths and stereotypes persist in our society. Both the Supreme Court of Canada and the BC Court of Appeal have recently noted the perpetuation of myths and stereotypes in the family law context, and the Supreme Court has previously addressed their perpetuation in the criminal law and other contexts.

### Training

- 100 A frequent recommendation to address myths and stereotypes about gender-based violence, to increase the quality of the response, and to reduce barriers for survivors to access services is for legal system and other relevant actors to take training.
- 101 Many courses are now offered and taken by victim services workers, corrections staff, health care providers, educators, police, judges, lawyers, child welfare workers, and others in answer to these past recommendations. **All of this training has likely assisted in shifting some attitudes over time, yet myths and stereotypes persist (whether overtly or through unconscious bias), and gender-based violence continues unabated.**
- 102 Often, where training has been mandated, it is at the outset of a person's career in a given field. Ongoing training might be offered, but it is not currently mandatory. In the time since the person took their initial training, laws and policies may have changed. Evidence-based research may have added new ways of understanding age-old problems.
- 103 Collaboration with anti-violence sector organizations can provide insights and subject matter expertise for training materials to be more effective. Some jointly implemented training programs for various sector participants have yielded positive outcomes.

- 104 Barriers to implementing recommendations about training include other important training requirements competing for limited available training time, as well as perpetual issues with budgetary constraints.
- 105 A frequently cited barrier to compulsory training of judges and Crown counsel (after that which occurs only at the outset of their careers in those roles) is the need to respect judicial independence and prosecutorial discretion. These concepts are cornerstones of the Canadian legal system and serve a crucial role in its operation. But they also may operate to shield some actions from scrutiny and remedial attention.

## Discussion Questions

1. How might the effectiveness of training intended to address these forms of gender-based violence be measured?
2. Are there ways to improve the effectiveness of training?
3. Are there ways to create feedback pathways (short of a public complaints process) for legal system actors?
4. How might transparency be balanced with judicial and prosecutorial independence and discretion?
5. Are there any formal or informal accountability mechanisms that can improve the application of what is learned in gender-based violence training?

## Services for Men

- 106 The ongoing dearth of services for violent/abusive men perpetuates the idea that gender-based violence is “a women’s issue” that does not concern men. While there are some situations where removal of the violent spouse from the home is necessary, often in a situation of intimate partner violence, the parties do not wish to break up the family; they simply want the violence to stop. This cannot be achieved if there is nowhere for the man to access help in order to understand and shift his behaviour. Programs and counselling must be available to teach men to self-regulate, to recognize the likely consequences of their actions, and to learn parenting skills and how to be positive role models to their kids. Everyone in the family needs to be supported to do a better job for their own sake and for that of their children.



- 107 Past recommendations, such as those from the Mass Casualty Commission, have called for “wraparound supports” for men, including interventions that are not punitive or adversarial but rather relational and more supportive. Such services offer people opportunities to learn, to develop skills, and to change. The Commission identified a need to shift away from carceral approaches to violence and toward a public health prevention approach. This approach recognizes that men who have committed violence must often face their own underlying trauma. Moreover, abusers cannot all be treated the same—there is a considerable range in behaviours, some of which can be addressed through support services directed at perpetrators of violence and some of which will require other interventions. Again, evaluation of programs and outcomes is required.
- 108 According to the 2012 BC Domestic Violence Action Plan, concerns were raised that most services for perpetrators were available only after they became involved with the criminal law system. That Action Plan asserted that perpetrator accountability and a range of services for perpetrators would be needed in order to fully address intimate partner violence. The services included support for perpetrators who voluntarily seek help to stop being violent and before they become involved in the legal system. Counselling and rehabilitation that is holistic, long-term, family-oriented (where appropriate), and community-based was highly recommended.
- 109 Crucially, any additional funding for services for men must not be at the expense of support for survivors. Both are necessary and require stable ongoing funding.

## Discussion Questions

The 2012 action plan stated that two actions would be taken:

- the introduction and provision of direct services for perpetrators of domestic violence prior to involvement with the criminal justice system; and
- the implementation of an evaluated, evidence-based program across BC to provide support and intervention to perpetrators to hold them accountable and support change in behaviour and attitude.

1. Were these actions implemented? If so, what services were provided, by which agencies, and what funding was provided for that purpose?
2. Was any evaluation done of the program?
3. What does the evidence tell us about what is needed for programs to be effective?

## Bystander Intervention

- 110 Bystander intervention training can be an effective prevention mechanism. Following recommendations from the Mass Casualty Commission, Nova Scotia implemented bystander intervention training at post-secondary institutions across the province. It has now expanded the training to high schools across the province after feedback from participants at colleges and universities requesting that the training be delivered at an earlier stage of life.
- 111 In BC, the bystander intervention training [Be More than a Bystander](#), initiated in 2011 by EVA-BC in partnership with the BC Lions football team, has encouraged boys and men to speak up instead of remaining silent when they hear negative attitudes or see abusive behaviour. In addition, the grassroots [Moose Hide Campaign](#) similarly focuses on encouraging men and boys to speak up in order to break the silence surrounding gender-based violence.

## Discussion Questions

1. What data could be collected to monitor and evaluate the effect of bystander intervention training (including consent education) across the province?
2. How might bystander intervention training be expanded across BC? Could additional partnerships led by predominantly male organizations be created?



## Focus Area 7: Family Law and Gender-Based Violence

112 The BC legislature passed the [Family Law Act](#) in 2013 after considerable consultation. The Act made fundamental changes to family law in BC, replacing the Family Relations Act (FRA), which had not been comprehensively reviewed since its introduction in 1978.

113 The new Act did the following:

- defined the term “family violence” (in contrast to the earlier FRA, which did not refer to family violence at all)
- provided a duty on all family dispute resolution practitioners, such as lawyers and mediators, to screen for violence in order to determine what processes are appropriate
- provided for the enforcement of protection orders by police through the *Criminal Code*
- included family violence as a factor in the “best interests of the child” test and provided factors to assess the impact of family violence when making decisions about parenting arrangements for a child
- directed judges to consider any criminal or civil proceedings, including child protection, that may affect the child’s safety when considering the best interests of the child

---

\* “Family violence” is defined in section 1 of the Family Law Act as follows:

“Family violence” includes, with or without an intent to harm a family member,

- (a) physical abuse of a family member, including forced confinement or deprivation of the necessities of life, but not including the use of reasonable force to protect oneself or others from harm,
- (b) sexual abuse of a family member,
- (c) attempts to physically or sexually abuse a family member,
- (d) psychological or emotional abuse of a family member, including
  - (i) intimidation, harassment, coercion or threats, including threats respecting other persons, pets or property,
  - (ii) unreasonable restrictions on, or prevention of, a family member’s financial or personal autonomy,
  - (iii) stalking or following of the family member, and
  - (iv) intentional damage to property, and
- (e) in the case of a child, direct or indirect exposure to family violence.

The term “family violence” is used in this paper for consistency with the relevant sources, however, the Review acknowledges the term elides the gendered nature of this violence.

114 Although the Family Law Act contained many positive legal changes, they have not come to fruition after a decade in effect. As reflected across society, actors within the family law system have exhibited a profound failure to recognize the fact that intimate partner violence exists, along with a lack of understanding about the dynamics of this form of violence. Advocates argue that this is evident, for example, in some judges and lawyers continuing to default toward a 50/50 division in parenting time, even in the face of evidence that violence has occurred in the home (including criminal convictions of an abusive spouse for intimate partner violence). This continued presumption is in direct contradiction to an express prohibition in the Act:

40(4) In the making of parenting arrangements, no particular arrangement is presumed to be in the best interests of the child and without limiting that, the following must not be presumed:

- (a) that parental responsibilities should be allocated equally among guardians;
- (b) that parenting time should be shared equally among guardians;
- (c) that decisions among guardians should be made separately or together.

115 Myths and stereotypes persist in the family law system in BC, despite years of training for legal actors. Nonetheless, many intervening processes continue to recommend more education for judges, lawyers, police, psychologists conducting parenting assessments, survivor service providers, and others in order to address this ongoing challenge.

116 From 2017 to 2020, Rise Women’s Legal Centre conducted a comprehensive research project on how the BC legal system, and particularly the family court system, had responded to family violence since the enactment of the Family Law Act. The Centre’s 2021 report states:

[W]omen’s experiences of violence, particularly non-physical violence, are often minimized or completely discounted [and] myths and stereotypes surrounding family violence and biases against women are pervasive in family court. These biases frequently lead judges to view women as vindictive when they raise allegations of family violence. The fundamental lack of knowledge about family violence by all actors within the family law system has led to a culture where family violence is frequently not even raised in court—either because professionals do not have the skills to identify and understand it or due to concerns that alleging family violence may make women look vindictive, not credible, and unreasonable in the eyes of the judge. Women told us that in some cases lawyers advised them not to raise issues of violence even when there was significant evidence including medical records and police reports. Expert interviews, a survey to lawyers and survivors, caselaw research, and a review of secondary sources all point to the need for significant changes in the structure, process, and culture of family law and family courts in the province.

- 117 There continues to be a lack of supports, such as supervised access services for single mothers in the family law process, counselling for victims of intimate partner violence (including children who have witnessed the abuse), and transition housing. In 2024, BC announced an expansion to legal assistance for people experiencing family violence. The expansion is scheduled to launch December 2, 2024 and is anticipated to include two physical locations (Surrey and Victoria) as well as virtual services. The new clinics will have a team model with lawyers, advocates, paralegals, and intake workers. The team approach is intended to provide trauma-informed assistance to connect clients to such needs as housing, counselling, and supports for children, in addition to legal services.
- 118 There is a strong focus on settlement in the family law area (see, for example, the Early Resolution model, discussed below), but the ever-present reality of violence is absent from much of the process discussion. The concern about this focus does not arise for people who are capable of mediating their disputes because they have equal power in the relationship. Rather, the concern is that effective, trauma-informed litigation tools need to be available where there is a power imbalance, and these dynamics need to be better understood.
- 119 Family law is an area of the BC legal system currently under government review. The Family Law Act Modernization project is being conducted in three phases over several years (currently in phase 2). The project is focused on the governing legislation, along with developments in the caselaw.

## Discussion Questions

1. After its enactment, did the government conduct any assessments of the effectiveness of the changes brought in by the Family Law Act? If so, how was progress measured?
2. Once the FLA modernization process is completed and the Family Law Act is revised, how will implementation be monitored? How will it be evaluated?

## Focus Area 8: Alternative Processes

120 Given the multitude of longstanding challenges in the legal system for achieving access to justice, a variety of alternative processes have been developed or proposed. This paper cannot exhaustively review all of the options, but a few are noted here to prompt reflection and dialogue.

### Early Resolution Model (Provincial Court Family Rules)

121 The provincial government and the Provincial Court (BCPC) initiated a pilot [project](#) in Victoria for early resolution of family law matters. A family law matter, as defined by the Provincial Court Family Rules, includes:

- parenting arrangements, including parental responsibilities and parenting time
- child support
- contact with a child
- guardianship of a child
- spousal support, and
- ownership and possession of companion animals

122 There are three early resolution requirements that must be met before filing an application in a family law matter. The BCPC describes them this way:

- an individual needs assessment meeting with a Family Justice Counsellor (which includes a screening for family violence)
- attendance at a Parenting After Separation online course, if applicable
- a consensual dispute resolution session, if appropriate

123 The early resolution process is followed by a Family Management Conference as the first court appearance.

- 124 Anti-violence organizations have raised concerns about the early resolution model beyond the well-documented concerns about the use of mediation in contexts where power imbalances and family violence may be present. For example, they have cited the need for better trauma-informed practices, improved screening for family violence, and concerns regarding gatekeeping by intake counsellors. Additionally, extra steps could further delay an already long legal process.
- 125 There are divergent views as to whether the design of the BCPC early resolution model and training of those working within it are adequate or suitable. The project was first expanded to Surrey and is now being expanded to nine further courthouses (Port Coquitlam, Abbotsford, Chilliwack, New Westminster, North Vancouver, Pemberton, Richmond, Sechelt, and Vancouver (Robson Square)).

## Discussion Questions

1. How will the expanded BCPC early resolution program be monitored and evaluated? How should success be measured?
2. Anti-violence advocates have identified a number of concerns. How are they being mitigated?

## Compensation Schemes

- 126 Advocacy organizations have identified a need to address the immediate housing and financial needs of women and gender-diverse people who are fleeing violence, including accessible transitional housing, crisis grants, short-term income assistance, childcare, and transportation. Some jurisdictions have low-barrier administrative law schemes that provide small amounts of compensation to survivors quickly for immediate costs (such as trauma counselling and childcare that facilitates attendance at counselling). Sometimes, such compensation schemes are state-sponsored, while others are grassroots initiatives. There are two main advantages of such compensation schemes for survivors: (1) the validation of being believed and (2) the ability to cover immediate costs to enhance their own and their children's safety.

### Crime Victim Assistance Program

- 127 The Crime Victim Assistance Act governs the [Crime Victim Assistance Program \(CVAP\)](#), which is administered by the Victim Services and Crime Prevention Division of the Ministry of Public Safety and Solicitor General. The CVAP replaces the former Criminal Injury Compensation Program.



- 128 Under the Crime Victim Assistance Act, an eligible victim may apply for benefits in relation to, among other things, medical, counselling, or vocational services, prescription drugs, disability aids, protective measures services or expenses, childcare, income support, lost earning capacity, and transportation. Immediate family members may also be eligible for the benefits, which are provided on a financial assistance model rather than a compensation model.
- 129 Under the existing regime, benefits may be awarded whether or not any person is prosecuted for an offence in relation to the victim's death or injury. However, benefits may be denied or reduced if the victim did not report the offence to the police. Benefits may also be denied or reduced if a victim has not cooperated with police and Crown counsel in the investigation, apprehension, or prosecution of the accused, subject to certain exceptions.
- 130 The BC Gender-Based Violence Action Plan states that updates to the Crime Victim Assistance Act (implemented in January 2024) will remove eligibility barriers to the CVAP and enable government to address other issues such as the gap between the cost of services and the benefit rates available through the program. According to a news release by the Public Safety and Solicitor General, the updates include:
- new offences that vulnerable victims can receive support for, including victims of gender-based violence, conversion therapy, and online sexual exploitation (for example, voyeurism, publication of an intimate image without consent, and trafficking in persons)
  - significantly increased benefit rates to ensure that key services remain accessible to victims, including funeral expenses, crime scene cleaning, and counselling services

## Discussion Questions:

1. Are the Action Plan's updates to the CVAP being monitored and evaluated?
2. How might delays in the CVAP process be addressed? For example, delay in accessing benefits is a concern with the CVAP. Will the updates improve wait times?
3. How might a CVAP process be expanded outside of the criminal law system?
4. Is an adjudicative element needed, or is referral by a victim support service or other actor encountering the survivor sufficient?

## Restorative Processes

- 131 In recent years there has been a growing view in some quarters that the criminal law system retraumatizes survivors and does not meet their needs for relief or redress. As noted above, the barriers to survivors accessing the legal system remain implacable. In addition, the disproportionate overincarceration of marginalized members of communities is stark. These realities are among the factors that have prompted exploration of restorative or transformative justice approaches. While some feminists continue to reject these approaches outright as inappropriate in gender-based violence cases, others wish to consider the conditions under which these processes may enable survivors to have agency in seeking accountability and redress for the harms they have experienced while avoiding the destructiveness of what is perceived as a broken legal system.
- 132 The Alberta courts introduced a restorative justice pilot project in 2022 called the [Honourable Beverley Browne – Wiyasôw Iskweêw – Restorative Justice Committee Pilot Project](#). The first phase of the project involves only criminal matters, with later phases to expand restorative practices into family and civil matters. Various jurisdictions internationally (such as Vermont, Finland, and the United Kingdom) have restorative processes that explicitly address gender-based violence in proscribed circumstances.
- 133 If managed carefully and correctly, restorative processes have the potential to respond more comprehensively to the needs of both survivors and perpetrators. As noted by a 2023 Women’s Legal Education and Action Fund (LEAF) report, restorative processes, if adequately funded and with feminist anti-violence experts involved, may provide survivors with greater control over their pursuit of justice and offer supports to perpetrators in their healing, growth, and efforts to make amends. Restorative processes are aimed at providing remedies for harm and preventing further violence by addressing underlying causes.
- 134 The LEAF report notes that many survivors seek outcomes that are consistent with restorative processes, but there are significant barriers to accessing such processes, including moratoriums on their use for certain offences and a lack of legal protections for participants and their disclosures. LEAF also found that there are additional nonlegal barriers to accessing restorative processes, including negative attitudes from the public, legal community, and anti-violence advocates; significant resource constraints for organizations that offer restorative processes; and underdeveloped relationships between legal actors and organizations that provide restorative processes. There is a need for considerable capacity-building. Among other concerns, there is a lack of qualified facilitators with a strong understanding of the dynamics of gender-based violence and the necessary judgment to ensure a trauma-informed process.

A number of prerequisites and safeguards must exist before a restorative approach should be contemplated in situations where there is a power imbalance between a survivor and a perpetrator of intimate partner violence.

## Discussion Questions

1. How might restorative approaches to addressing sexual violence and intimate partner violence be used in the BC legal system?
2. How might restorative approaches be used in the family law context?
3. What safeguards need to be in place to realize the benefits of a restorative approach to addressing these forms of violence?
4. Where or when are restorative process not appropriate?



## Conclusion

- 135 This issues paper is intended to serve as a basis for discussion in order to identify pragmatic and effective ways to improve the legal system's treatment of sexual violence and intimate partner violence in British Columbia.
- 136 A key component of this discussion is the moral and economic imperative of implementing recommendations made by public inquiries, inquests, and other processes. The corollary to implementation is evaluation: measures and mechanisms that are meant to address sexual violence and intimate partner violence must be monitored and evaluated. **Action must be paired with accountability.** This means that transparency and oversight are important facets of any action plan.
- 137 The input of stakeholders and those with direct experience of the system is vital to the work of this independent systemic review. Better serving those members of our community who experience sexual violence and intimate partner violence is a shared priority, and we can do better in responding to the needs of survivors, families, and communities. We know that there are complex and sometimes conflicting pressures within our systems that can make implementation of recommendations challenging. But it is only through the good faith participation of those with direct knowledge of the system that we can identify barriers and how best to overcome them. Together it is possible to create improved conditions for everyone to live safely in our communities.

## References

- Alberta Court of Justice. “Honourable Beverley Browne – Wîyasôw Iskweêw – Restorative Justice Committee Pilot Project” (2023), overview brochure, <https://rjalbertacourts.ca/wp-content/uploads/2023/10/RJ-Brochure-EN.pdf>.
- BC Attorney General. “More Help Coming for People Resolving Family Law Matters” (10 July 2024), news release, <https://news.gov.bc.ca/releases/2024AG0036-001079>.
- BC Coroners Service Death Review Panel. “A Review of Intimate Partner Violence Deaths, 2010–2015: Report to the Chief Coroner of British Columbia” (November 2016), <https://cdhpi.ca/sites/cdhpi.ca/files/intimate-partner-violence2010-2015%20BC%20DRP.pdf>.
- BC Coroners Service Domestic Violence Death Review Panel. “Report to the Chief Coroner of British Columbia: Findings and Recommendations of the Domestic Violence Death Review Panel” (May 2010), <https://www2.gov.bc.ca/assets/gov/birth-adoption-death-marriage-and-divorce/deaths/coroners-service/death-review-panel/domestic-violence.pdf>.
- BC First Nations Justice Council. *BC First Nations Justice Strategy* (2020), <https://bcfnjc.com/wp-content/uploads/2024/04/The-BC-First-Nations-Justice-Council-Justice-Strategy-2024.pdf>.
- BC First Nations Justice Council. *Indigenous Women’s Justice Plan: Final Draft* (April 2024), [https://bcfnjc.com/wp-content/uploads/2024/04/BCFNJC-IWJP\\_Final-Draft\\_APR3.pdf](https://bcfnjc.com/wp-content/uploads/2024/04/BCFNJC-IWJP_Final-Draft_APR3.pdf).
- BC Ministry of Justice. “Framework for Domestic Violence Courts in British Columbia” (April 2014), <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/victims-of-crime/vs-info-for-professionals/public/dv-courts-framework.pdf>.
- BC Ministry of Justice. *A Vision for a Violence-Free BC: Addressing Violence Against Women in British Columbia* (“Violence Free BC Strategy”) (2015), <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/bc-criminal-justice-system/if-victim/publications/violence-free-bc.pdf>.

- BC Ministry of Justice. “Specialized Courts Strategy” (March 2016), <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/justice-reform-initiatives/specialized-courts-strategy.pdf>.
- BC Ministry of Public Safety and Solicitor General. “People Affected by Crime Will Soon Have Better Support, Access to Care” (8 December 2023), news release, <https://news.gov.bc.ca/releases/2023PSSG0089-001948>.
- BC Ministry of Public Safety and Solicitor General. *Provincial Policing Standards*, “Subject 5.4.5: Case Reviews for Sexual Assault Investigations” (effective 5 July 2024), <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/policing-in-bc/policing-standards/5-4/5-4-5-case-reviews>.
- BC Ministry of Public Safety and Solicitor General, Ministry of Attorney General, and Ministry of Children and Family Development. *Violence Against Women in Relationships (VAWIR) Policy* (December 2010), <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/victims-of-crime/vs-info-for-professionals/info-resources/vawir.pdf>.
- BC Ministry of Public Safety and Solicitor General, Ministry of Attorney General, and Ministry of Children and Family Development. “Information Bulletin PSSG10-030: Violence Against Women in Relationships (VAWIR) Policy Protocol for Highest Risk Cases” (2010), <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/victims-of-crime/vs-info-for-professionals/info-resources/vscp-info-bulletin-dec2010.pdf>.
- BC Premier. Mandate letter for the Parliamentary Secretary for Gender Equity (7 December 2022), [https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/premier-cabinet-mlas/minister-letter/fin\\_-\\_gender\\_equity\\_-\\_paddon.pdf](https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/premier-cabinet-mlas/minister-letter/fin_-_gender_equity_-_paddon.pdf).
- BC Provincial Office of Domestic Violence. *British Columbia’s Provincial Domestic Violence Action Plan* (February 2014), [https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/domestic-violence/podv/provincial\\_domestic\\_violence\\_plan.pdf](https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/domestic-violence/podv/provincial_domestic_violence_plan.pdf).
- BC Representative for Children and Youth. *Honouring Christian Lee. No Private Matter: Protecting Children Living with Domestic Violence* (2009), [https://rcybc.ca/wp-content/uploads/2019/06/honouring\\_christian\\_lee.pdf](https://rcybc.ca/wp-content/uploads/2019/06/honouring_christian_lee.pdf).

BC Representative for Children and Youth. *Honouring Kaitlyne, Max and Cordon* (2012), [https://rcybc.ca/wp-content/uploads/2019/05/honouring\\_kaitlyne.pdf](https://rcybc.ca/wp-content/uploads/2019/05/honouring_kaitlyne.pdf).

British Columbia, Government of. *Safe and Supported: British Columbia's Gender-Based Violence Action Plan* (2023), <https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/services-policies-for-government/gender-equity/safe-and-supported-gender-based-violence-action-plan-december-2023.pdf>.

Burnett, T. and Gray, M. "Avenues to Justice: Restorative and Transformative Justice for Sexual Violence" (October 2023), Women's Legal Education and Action Fund (LEAF), <https://www.leaf.ca/wp-content/uploads/2023/10/Avenues-to-Justice-Report-LEAF.pdf>.

Canada. *National Action Plan to End Gender-Based Violence* (2022), <https://www.canada.ca/en/women-gender-equality/gender-based-violence/intergovernmental-collaboration/national-action-plan-end-gender-based-violence/first-national-action-plan-end-gender-based-violence.html>.

Canadian Femicide Observatory for Justice and Accountability. "#CallItFemicide: Understanding Sex/Gender-Related Killings of Women and Girls in Canada, 2018–2022" (2023), <https://femicideincanada.ca/callitfemicide2018-2022.pdf>.

Conroy, S. "Spousal Violence in Canada, 2019" (2021), *Juristat*, vol. 41, Statistics Canada Catalogue no. 85-002-X, <https://www150.statcan.gc.ca/n1/en/pub/85-002-x/2021001/article/00016-eng.pdf>.

Cotter, A. "Criminal Victimization in Canada, 2019" (2021), *Juristat*, vol. 41, Statistics Canada Catalogue no. 85-002-X, <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00014-eng.htm>.

Cotter, A. "Intimate Partner Violence in Canada, 2018: An Overview" (2021), *Juristat*, vol. 41, Statistics Canada Catalogue no. 85-002-X, <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00003-eng.htm>.

Cotter, A. and Savage, L. "Gender-Based Violence and Unwanted Sexual Behaviour in Canada, 2018: Initial findings from the Survey of Safety in Public and Private Spaces" (2019), *Juristat*, vol. 39, Statistics Canada Catalogue no. 85-002-X, <https://www150.statcan.gc.ca/n1/pub/85-002-x/2019001/article/00017-eng.htm>.



Cotter, A. and Savage, L. "Table 7: Violent Victimization since Age 15, by Type of Victimization, Gender of Victim, and Province, 2018" (2019), data table from "Gender-Based Violence and Unwanted Sexual Behaviour in Canada, 2018: Initial findings from the Survey of Safety in Public and Private Spaces," <https://www150.statcan.gc.ca/n1/pub/85-002-x/2019001/article/00017/tbl/tbl07-eng.htm>.

Federal-Provincial-Territorial Ad Hoc Working Group on Family Violence. "Making the Links in Family Violence Cases: Collaboration among the Family, Child Protection and Criminal Justice Systems" (November 2013), <https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/mlfvc-elcvf/mlfvc-elcvf.pdf>.

Federal-Provincial-Territorial Ad Hoc Working Group on Reviewing Spousal Abuse Policies and Legislation. "Final Report of the Federal-Provincial Territorial Working Group Reviewing Spousal Abuse Policies and Legislation" (2003), [https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/pol/spo\\_e-con\\_a.pdf](https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/pol/spo_e-con_a.pdf).

House of Commons Standing Committee on Justice and Human Rights. *The Shadow Pandemic: Stopping Coercive and Controlling Behaviour in Intimate Relationships* (April 2021), 43rd Parliament, 2nd session, <https://www.ourcommons.ca/Content/Committee/432/JUST/Reports/RP11257780/justrp09/justrp09-e.pdf>.

Hughes, E.N., "Gender Equality in the Justice System: A Report of the Law Society of British Columbia Gender Bias Committee" (1992).

Lheidli T'enneh First Nation, Carrier Sekani Family Services, Carrier Sekani Tribal Council, Prince George Nechako Aboriginal Employment and Training Association, and the Prince George Native Friendship Center. *Highway of Tears Symposium Recommendations Report* (2006), <https://highwayoftears.org/wp-content/uploads/2022/04/Highway-of-Tears-Symposium-Recommendations-Report-January-2013.pdf>.

Marriner, S. "Platform for Change: Ending Violence Association of Canada Recommendations for the RCMP Sexual Assault Investigations Review Committee Program." (2024), Ending Violence Association of Canada, [https://endingviolencecanada.org/wp-content/uploads/2024/06/EVA-Canada RCMP-PlatformForChange-Report\\_EN.pdf](https://endingviolencecanada.org/wp-content/uploads/2024/06/EVA-Canada RCMP-PlatformForChange-Report_EN.pdf).

Martin, C.M. and Walia, H. *Red Women Rising: Indigenous Women Survivors in Vancouver's Downtown Eastside* (April 2019), report for the Downtown Eastside Women's Centre (DEWC), <https://dewc.ca/dewc-news/red-women-rising>.

Mass Casualty Commission (Joint Federal/Provincial Commission into the April 2020 Nova Scotia Mass Casualty). *Turning the Tide Together: Final Report of the Mass Casualty Commission* (March 2023), "Volume 3: Violence," <https://masscasualtycommission.ca/files/documents/Turning-the-Tide-Together-Volume-3-Violence.pdf>.

Mass Casualty Commission (Joint Federal/Provincial Commission into the April 2020 Nova Scotia Mass Casualty). *Turning the Tide Together: Final Report of the Mass Casualty Commission* (March 2023), "Volume 4: Community," <https://masscasualtycommission.ca/files/documents/Turning-the-Tide-Together-Volume-4-Community.pdf>.

Mass Casualty Commission (Joint Federal/Provincial Commission into the April 2020 Nova Scotia Mass Casualty). *Turning the Tide Together: Final Report of the Mass Casualty Commission* (March 2023), "Volume 6: Implementation," <https://masscasualtycommission.ca/files/documents/Turning-the-Tide-Together-Volume-6-Implementation.pdf>.

National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG). *Final Report: Volumes 1a and 1b* (June 2019), available at <https://www.mmiwg-ffada.ca/final-report/>. See also the National Inquiry's *Calls for Justice*, [https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls\\_for\\_Justice.pdf](https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls_for_Justice.pdf).

Rise Women's Legal Centre. "Why Can't Everyone Just Get Along? How BC's Family Law System Puts Survivors in Danger" (January 2021), <https://static1.squarespace.com/static/64220f300321233050a209ec/t/65de3b22be93725ee19fa396/1709062949128/Why+can%27t+everyone+just+get+along.pdf>.

Statistics Canada. "General Social Survey: An Overview, 2019" (20 February 2019), Catalogue no. 89F0115X-2019001, <https://www150.statcan.gc.ca/n1/en/pub/89f0115x/89f0115x2019001-eng.pdf>.

Statistics Canada. "Table 1: Victims of Police-Reported Family Violence and Intimate Partner Violence, by Type of Violence, Selected Year and Province or Territory, 2014, 2019, 2020, 2021 and 2022" (2023), data table from Statistics Canada, "Trends in Police-Reported Family Violence and Intimate Partner Violence in Canada, 2022," <https://www150.statcan.gc.ca/n1/daily-quotidien/231121/t001b-eng.htm>

World Health Organization (WHO). "Violence Against Women" (last updated 25 March 2024), fact sheet, <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>.

Zhang, T., Hoddenbagh, J., McDonald, S., and Scrim, K. "An Estimation of the Economic Impact of Spousal Violence in Canada, 2009" (25 January 2013), report for the Department of Justice, [https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/rr12\\_7/index.html](https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/rr12_7/index.html).