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**Standing Committee on
Justice Policy**

Intimate partner violence

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43rd Parliament

Thursday 28 November 2024

**Comité permanent
de la justice**

Violence entre
partenaires intimes

1^{re} session
43^e législature

Jeudi 28 novembre 2024

Chair: Lorne Coe
Clerk: Thushitha Kobikrishna

Président : Lorne Coe
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

**COMITÉ PERMANENT
DE LA JUSTICE**

Thursday 28 November 2024

Jeudi 28 novembre 2024

The committee met at 1300 in committee room 2.

INTIMATE PARTNER VIOLENCE

The Chair (Mr. Lorne Coe): Good afternoon, members. Thank you for joining us this afternoon. I call this meeting of the Standing Committee on Justice Policy to order. We're meeting today to resume phase 2 of the committee's study on intimate partner violence. Are there any questions before we begin—

Failure of sound system.

The Chair (Mr. Lorne Coe): We're going to have to recess for two minutes, please, so everyone can hear what's being said. We're going to turn that mike off. We're going to make sure all the mikes are working, including—

Hon. Michael S. Kerzner: This doesn't work.

The Chair (Mr. Lorne Coe): Minister, we're just going to recess for two minutes and make sure that all the mikes are working.

The committee recessed from 1302 to 1304.

The Chair (Mr. Lorne Coe): We're going to resume the meeting of the Standing Committee on Justice Policy. I have MPP Fife, please, when you're ready.

Ms. Catherine Fife: Thank you very much, Chair, and thanks for clearing this up.

Just a question for the committee, and through you as the Chair: On May 14, Lydia's Law, Bill 189, was referred to this committee. The government at that point in time said that they would be expediting the bill. I was curious as to whether or not you as the Chair or the Clerk's office have received any communication from the government about moving Lydia's Law forward.

The Chair (Mr. Lorne Coe): I'm just waiting for my Clerk to complete a note to me.

Ms. Catherine Fife: Thank you.

Interjection.

The Chair (Mr. Lorne Coe): No, the committee hasn't made any decisions, MPP Fife.

Ms. Catherine Fife: So you haven't received any direction? The bill still sits here at—

The Chair (Mr. Lorne Coe): No, I don't.

Ms. Catherine Fife: Okay. Thank you very much for the clarification.

The Chair (Mr. Lorne Coe): Not hearing any further questions, the committee has invited ministers to appear before the committee and provide their oral submissions.

Each minister who's appearing today, reflected on our agenda, will have 20 minutes for their presentation, followed by 10 minutes for questions from members of the committee. The time for questions will be broken down into one round of five minutes for the government members and one round of five minutes for the members of the official opposition.

MINISTRY OF THE SOLICITOR GENERAL

The Chair (Mr. Lorne Coe): I will now call on the Solicitor General of Ontario, the Honourable Michael Kerzner, to make his opening remarks.

Solicitor General, you just heard me indicate that the completion of your presentation will be followed by five minutes of questions from the members of the official opposition and five minutes of questions from the government.

Please begin, sir.

Hon. Michael S. Kerzner: Thank you. Good afternoon. Bon après-midi. It's an honour to once again join the Standing Committee on Justice Policy to speak specifically to the subcommittee on intimate partner violence. Joining me here today is a familiar face to this committee, our assistant deputy minister Sarah Caldwell.

To begin, I'd like to thank the subcommittee for your diligent and comprehensive work on the study of intimate partner violence.

As many of you have heard me say, public safety is and will always remain a top priority for our government, led by Premier Ford. Over the last two years, we've made extraordinary investments that have been strategically developed to keep the people of Ontario safe—this includes protecting individuals from domestic and intimate partner violence. No one in Ontario should ever fear or be subject to the tragic emotional and physical repercussions that come with these incidents. That is something I am confident that everyone here today will agree on. And that's why we've taken a strong stance: that we're acting and we're standing up for the victims.

My ministry recognizes that domestic violence and intimate partner violence require a multi-faceted response. That's why we have worked and continue to work across the government, through partners such as the Ministry of Children, Community and Social Services, and the Ministry of the Attorney General, to find additional ways to support victims of abuse and prevent it from happening

by addressing the behaviour of the abuser. And while my ministry is often the second step in an instance of intimate partner violence, we remain determined to support in our role of ensuring police services have the tools and training to investigate and, when necessary, act on these horrific crimes.

I'd like to remind everyone—and everyone watching this today—that if you are subject to violence in your home, please, please report it. Ontario's police services are some of the best in the world, and they will ensure that you receive the help that you need. For anyone looking for assistance, please reach out to the assaulted women's hotline, at 1-866-863-0511.

I'd like to present a number of ways that my ministry, the Ministry of the Solicitor General, is making strides to support the people of Ontario in this space.

As you know, the Ministry of the Solicitor General provides hundreds of millions of dollars each year in grant funding. Many of these grants are primarily available to police services and take a specific focus on domestic and intimate partner violence, in collaboration with community partners for initiatives focused on community safety and well-being.

For example, just last year, we invested more than \$4 million through the victim support grant, which provided funding for over 45 projects across the province. These projects were tailored to specifically help support victims and survivors of domestic and intimate partner violence, human trafficking and child exploitation. This grant enables police services, in collaboration with community-based agencies, organizations, or Indigenous communities, to develop new or enhance existing community initiatives. Of these projects, 19 were focused on intimate partner violence and domestic violence, for a total investment of over \$1.6 million. A new call for application was recently launched for the next cycle of victim support grant, which will include changes to the program allowing for police services to submit an unlimited number of applications. This change will create an opportunity for police services to partner with more than one organization to submit additional applications, and I'm proud to say that proposals are currently under review. This is very good.

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We also have the Community Safety and Policing Grant, which provides funding to eligible police service boards to implement initiatives that address policing priorities related to public safety and well-being. And as part of the 2022-25 grant cycle, approximately \$38.5 million of this funding is being provided to support 12 local projects that address intimate partner violence and domestic violence. This funding is helping police and community groups to strengthen supports and services for victims and survivors. This includes creating lived experience support programming; adding full-time victim service workers to the police response; addressing identified gaps in a local police services capacity to support victims and survivors of intimate partner violence; expanding police training; building community awareness; creating safe spaces for victims and survivors to disclose their experiences and so much more.

An example of a successful project is Peel region's Safe Centre Response Team or SCRT. The SCRT is a trail-blazing project that results from partnership between Peel Regional Police and the Safe Centre of Peel, a collaboration of 23 partner agencies that offer support and compassionate care to hundreds of families and individuals affected by intimate partner violence. The SCRT teams consist of a police officer and a mobile client navigator who respond to verbal-only domestic conflict calls. Teams refer individuals to resources at the Safe Centre and other community services.

Preliminary results from a March 2024 mid-term evaluation indicate the intervention succeeding. The project is doing its job, and individuals and families are gaining access to referrals and services they need. They're also reporting having positive experiences when they engage with the Safe Centre Response Team. Partnerships between front-line police and community partners are working. The SCRT has also shown a crossover effect and is a model for improving police/public interactions with other groups facing discrimination or barriers within the community. This programming is having a positive effect in Peel region, where they're seeing increased trust in police creating safe spaces for victims to come forward and report these horrific crimes.

I'd like to give a shout-out to Peel Regional Police, now in their 50th plus year, for their efforts on being such a flagship police service, but also this specific project, and to all police services across the province who give this matter the serious attention it deserves.

I'd like to talk about intimate partner violence training at the Ontario Police College, IPV training. As such, they are often the first to set the tone of response to a victim's experience. That's why it's imperative that police officers receive training to ensure that they're calm, understanding, neutral and professional. And we recognize for many individuals, primarily women and children, who are affected by domestic and intimate partner violence, it is nothing less than an awful experience.

That's why we've made substantial progress to overhaul the police training process, to ensure that the needs of the victims during a police investigation are respected and understood. Every individual looking to become a police officer in Ontario, as we know, must go through the Ontario Police College, or OPC, and take the basic constable training. As part of the Ontario Police College curriculum, it provides domestic violence training for recruits, front-line supervisors and domestic violence investigators. And for any police officer in the province of Ontario whose assigned responsibilities include conducting investigations of familial or intimate partner violence incidents, this training is mandatory. I want to say it again: This training is mandatory.

Further to this, the training materials at the Ontario Police College are routinely reviewed to ensure recruits and police officers doing additional training understand the current trends or issues that are being faced in their communities. It is the current trends, the real-time lessons learned, that I think are very important for the training.

This includes reduced victimization and how to respond in a trauma-informed, compassionate and appropriate way to survivors of domestic violence and sexual assault.

The basic constable training program includes victim-focused and sensitivity components. All recruits—this is very important—all recruits receive six 90-minute sessions on intimate partner violence—nine hours in total. And this is just at the Ontario Police College. Recruits are trained on the dynamics of intimate partner violence; identification of victim and offender's responses; case law significant to domestic violence investigations; methods to determine the dominant aggressor; victim and inquest case studies to identify the risks of domestic violence and profiles of the victim and offenders; domestic violence investigations and challenges, including how to identify safety-planning challenges; rights of victims; and strategies for conducting interviews and observing injuries. Recruits also receive training on the effective response to victims of a crime in a trauma-informed, victim-centred approach, as well as the training on the identification and response to vulnerable groups.

It's important to note that once a recruit leaves the Ontario Police College, they return to their home police service, where they receive additional community-focused training. It doesn't end in Aylmer. It doesn't end at the Ontario Police College. They will receive additional training and situational awareness training at their respective police services.

Additionally, the Ontario Police College has a specific domestic violence investigation course available for experienced police investigators. We're not just depending on teaching the people who are becoming our newest police officers. Again, I think this is an important point.

Since 2018, 258 police officers have been trained as domestic violence investigators. Furthermore, if a police service has a team primarily responsible for conducting familial or intimate-partner-violence investigations, at least one member of the team must have successfully completed the mandated IPV investigatory training.

We also have taken action to ensure that domestic and intimate partner violence cases are treated with the serious consideration they deserve. For instance, we, through a memo to all chiefs across the province, have advised police services and police service boards of the process for requesting an emergency alert through the Ontario Provincial Police operations centre. This regulation establishes to whom the circumstances under which personal information may be disclosed. This includes disclosure for the purpose of keeping victims of crime and the public informed.

We've also developed and introduced an investigations regulation under the Community Safety and Policing Act, 2019, that establishes standards for police investigation into a number of matters, including investigations into missing persons and Criminal Code offences. This legislation establishes to whom and the circumstances under which that personal information may be disclosed. This includes disclosure for the purpose of keeping victims of crime and the public informed.

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We also introduced an investigations regulation under the CSPA that established police investigative standards, including investigations into missing persons.

The Ministry of the Solicitor General also oversees adult correctional institutions and community correctional services, which focus on the supervision of offenders in custody and in the community.

Before I get too far in this section, I'd like to give a shout-out to all the amazing correctional officers, probation and parole officers. It is a privilege as Solicitor General to visit them where they work, and this is something that I have taken to heart and I take very seriously.

On any given day, a police officer may encounter 3% of the criminals, but correctional officers are truly champions, spending almost all of their time with offenders. They—those amazing correctional officers, probation and parole officers—are an essential part of our public safety system. This includes the rehabilitation, community reintegration and the probation and parole.

Community correctional services seek to promote safer communities by delivering correctional and offender-based rehabilitation intervention, with a goal of educating offenders to help break the cycle of criminality. Community correctional services continue to support ongoing enhancements to service delivery and to the supervision and rehabilitation of domestic violence offenders with a goal of promoting the safety of domestic violence and intimate partner violence. In recent years, domestic violence and case-management-related training have undergone regular updates to ensure that probation and parole officers have the knowledge, skills and ability to complete applicable risk assessment and deliver effective interventions.

The ministry will also continue to enhance programs offered as part of the province's adult correctional system, both in institutions and within the community, as well as to examine ways to strengthen alignment with the Partner Assault Response Program, or PAR, led by the Ministry of the Attorney General. PAR is a group counselling program for those who have been court-ordered to attend in response to a criminal charge involving intimate partner violence.

Furthermore, we've recruited and trained 50 probation and parole officers to enhance supervisions of offenders. As mentioned, we also have updated domestic violence and case-management-related training for probation and parole officers, to ensure that when an offender breaks their condition, we have updated policies related to domestic violence and enforcement to strengthen how probation and parole officers work with offenders and victims. This includes accelerated enforcement decisions and actions for offenders assessed as high risk.

I want to speak about the impact on Indigenous women and girls. Ontario proudly includes a diverse Indigenous population. A tragedy we have seen are intimate partner violence cases primarily affecting Indigenous women and communities in northern Ontario. As part of the National

Inquiry into Missing and Murdered Indigenous Women and Girls final report, Ontario created the Pathways to Safety strategy in response to the inquiry's call for justice. As part of the strategy, the MMIWG fund was created, and the province committed more than \$15 million over the course of three years, from 2021 to 2024. This funding was allocated to First Nations police services for specialized investigative support services and to assist victims with accessing social support services. I'm pleased to share that this fund has been extended for an additional three years, from 2024 to 2026-27, and funds are flowing. This funding is critical in responding to incidents of domestic violence and intimate partner violence and further victimization that put women and girls and those in the 2SLGBTQIA+ at risk of abuse and exploitation.

Before I finish today, I'd like to highlight a few points that remain ongoing within my ministry to support this effort. We regularly review the domestic violence occurrences guideline to ensure ministry guidance to Ontario's police services are up to date, in alignment with the new Community Safety and Policing Act, 2019. We ensure that we're using validated risk assessment tools for probation and parole officers to better assess the risk of domestic violence offenders so they can make informed decisions that support effective supervision of offenders and enforcement of conditions, as appropriate.

We will continue to enhance the Ontario Police College training and resources for domestic violence investigation courses to ensure recruit police services are receiving the most up-to-date information possible. We'll continue to monitor and track completion of intimate-partner-violence training for police recruits to ensure we're making data-informed decisions.

Finally, we'll continue to strive for cohesive integration between systems across criminal justice partners as part of the province's Criminal Justice Digital Design Initiative. The Criminal Justice Digital Design Initiative is a joint effort between the Ministry of the Solicitor General and the Ministry of the Attorney General that allows critical information, documentation and events to be available to trusted justice partners.

To conclude—

The Chair (Mr. Lorne Coe): Thank you, Minister. Your presentation time has finished.

We're now going to begin our round of questions with the official opposition when you're ready. MPP Fife, please.

Ms. Catherine Fife: Thank you, Minister, for being here today. The work before this committee is to determine whether or not intimate partner violence is an epidemic. We've heard very heart-wrenching cases or stories throughout the summer, and I'm sure that this will be a recurring theme.

Your ministry is responsible for public security, law enforcement, policing, corrections. In your comments this afternoon, you encouraged survivors who are seeking justice to report the violence that they've experienced, and then you've also asked them to use the 1-866 number.

What I want to get to with you today is: Why would women report violence against them when the court system does not respond in a responsible way? In fact, we have new data that shows that 56% of criminal cases are being dismissed or withdrawn in Ontario. The reason that I'm trying to draw that connection is because, of course, you and I both want women to report violence. This is a key part of interrupting the cycle of intimate partner violence. However, we have so much data now around these cases being dismissed.

Just last week, when I met with the Police Association of Ontario and I was talking to officers who do the investigative work—and this is hard work. You mentioned the emotional labour of it. Sometimes these cases of violence are beyond disgusting, and they're meant to be demoralizing.

Every six days in Canada, women are murdered by an intimate partner or someone who knows them. When you look at the data: 1,326 sexual assault cases that were dismissed in 2022-23; 1,991 last year. The data continues to tell a different story about what our justice system looks like, or one that you aspire to connect with.

I want to say, Billie Jo Barrett yesterday—this is a CBC article from Thunder Bay. Her partner was charged three times with assault and strangulation. He essentially tried to murder her. This court case was dismissed because the courtroom was overbooked. "There were not enough judges. There were blackouts, so I thought my case was de-prioritized." This is what the victim said. She goes on to say, "For myself, knowing how difficult it was to come forward, it concerns me that other women will be afraid to come forward as well, knowing that in most situations, these cases don't usually end up in court..."

Actually, this is what we heard from police officers as well. I'm sure you hear this from those who work on the front line. They do their due diligence; they gather the evidence; they file the reports. Then they go to appear and depute in support of the case, and the case gets thrown out of court.

This is a sentiment that many women across Ontario are starting to feel. They feel like the justice system is not treating women's safety and well-being as a policy priority.

1330

What would you say to women who want to report, but they know that the court system is going to let them down—in fact, release the very people who assaulted them, where they will reoffend? How will we ever interrupt the cycle of intimate partner violence when we keep releasing the very people who are causing the violence?

The Chair (Mr. Lorne Coe): To the question, Minister, please. Thank you.

Hon. Michael S. Kerzner: We're here because this is a serious matter. We're here and we have a former crown prosecutor leading the charge. Thank you to the member from Kitchener South—Hespeler. What I can say is this—

Ms. Catherine Fife: Will you at least acknowledge, Minister, that there's a connection here? That's really all. I just need you, as the minister who has this responsibility

for public safety, to acknowledge that when the justice and court system fails women, they will fail to report. Can you please at least acknowledge that this is a reality in Ontario?

Hon. Michael S. Kerzner: What I'm going to acknowledge is that everyone has a right to feel safe in their own homes and communities—

Ms. Catherine Fife: But women don't. That's the problem. Women do not feel safe, nor do they feel safe to report. I mean, there's definitely a connection here. The Auditor General, in 2019, recommended that we get a better sense as to why these cases are being dismissed. Your government has refused to do so. All I want from you is just an acknowledgement that there's a connection between reporting levels and confidence in the justice system.

The Chair (Mr. Lorne Coe): Your time for questions has concluded.

Back over to the government. MPP Dixon, please, when you're ready.

Ms. Jess Dixon: Through you, Chair: Minister, thank you so much for attending today. We have heard a lot through the course of the committee about the importance of listening to survivors and to front-line organizations when it comes to making sure that the policies and programs that we implement regarding intimate partner violence are effective and actually have an impact. I wonder if you can expand a little bit, from the perspective of the purview of your ministry, on what that looks like from a government working with those front-line organizations.

Hon. Michael S. Kerzner: Through you, Mr. Chair, I want to thank the member. Again, all forms of violence and abuse—and I believe there's total unanimity on this—are completely unacceptable. That's why we've taken a very multi-faceted approach of working with different ministries.

But specifically, we work with different police services and OPP detachments across the province. We've invested over \$4 million to 45 projects to help support victims and survivors, and what it looks like is when you partner with these organizations, the help on the ground in that local community makes a difference. I've seen it for myself. I've met with so many of these projects as I've travelled the province, and I know how closely they work with local police services. It does make a difference.

But at the end of the day, we understand that all forms of violence and abuse are completely unacceptable. That's why we're going to continue to work with projects across the province to support victims and survivors of intimate partner violence. We're going to continue to do that, and we're going to continue to learn from them: the stories and lessons that they bring forward, from the people that have been so viciously and heinously abused.

Ms. Jess Dixon: Thank you, Minister. Again, through you, Chair; the response to intimate partner violence and sexual violence is so multi-faceted across many ministries that even for advocates and front-line workers, it can sometimes be difficult to track the changes. I know you mentioned a couple initiatives, but are there any sort of recent legislative or policy or funding announcements that

are really connected, from the perspective of your ministry, to preventing or investigating intimate partner violence or supporting survivors?

Hon. Michael S. Kerzner: Well, I gave as part of my remarks that we're moving forward. We're going to continue with the grants and continue to invest in support. But just as an example, and I found this interesting: with the Ottawa Police Service, the trauma and violence informed policing program—\$100,000. Let's talk about what that's going to do there. This will help community service providers to develop supports to respond to victim-survivors during the criminal justice system process, because the process is something that they still need the supports for. This project will help enhance the capacity and provide a safe environment for victim-survivors to come forward and recognize victims' rights and needs.

The partners that we partnered with—45 projects—every one tells a story about why that project made a difference. It's not only to the victims; it's the families; it's all those affected in the orbit of the victim. So these projects are very important.

Ms. Jess Dixon: Thank you, Minister. In our last just-under-a-minute, I know you tour around and go to a lot of police attachments and speak with many of our officers. What are you hearing from the front-line officers about their experiences in investigating and responding to this?

Hon. Michael S. Kerzner: Listen, we're human beings. When they encounter it, I find that they are certainly sensitized to the training that they have received and understanding the situational awareness that they find themselves in.

The Basic Constable Training Program, as an example, for the newest officers going through the Ontario Police College and the hours that they get in training is to make them aware that this is serious, that the government takes it seriously. In the Ministry of the Solicitor General, I know that at the Ontario Police College—

The Chair (Mr. Lorne Coe): Thank you, Minister, for that response. The time for your presentation and answers to the questions is completed. Thank you for spending the time with this committee this afternoon.

MINISTRY OF THE ATTORNEY GENERAL

The Chair (Mr. Lorne Coe): Members, I will now call on the Attorney General of Ontario, the Honourable Doug Downey, to come forward to the table, sir, to make your opening remarks. Following your 20-minute statement, there will be five minutes of questions from the official opposition and five minutes from the government.

Attorney General, the floor is yours. Please begin, sir.

Hon. Doug Downey: Thank you, Mr. Chair. I'm just going to set my clock so that I can make sure that I get everything in that I want to say.

The Chair (Mr. Lorne Coe): Our timekeeper for this committee is the Clerk.

Hon. Doug Downey: Fair enough. You, sir, are correct—of course you are.

Thank you, Mr. Chair. I really do appreciate coming here and engaging in this extremely important topic. I

understand this is phase 2 of the study on intimate partner violence.

As you know, our government is working to address and stop intimate partner violence. It's a serious, serious issue, and it has far-reaching effects, well beyond the incidents that happened. It affects children, affects other family members. It's something that we need to do in a coordinated way, across government; that's exactly what we're doing.

I'll speak to my initiatives, my ministry's initiatives, as opposed to the across government that I'm sure you're hearing about. I was listening intently to Minister Kerzner about things happening in his ministry. But in my ministry alone, we have multiple initiatives in place to help address intimate partner violence and provide services to victims. I want to spend a few minutes talking about them, of course.

I'm going to start with the Domestic Violence Court Program. It's a special program that handles intimate partner violence cases in the criminal justice system. The Domestic Violence Court Program focuses on the prosecution of intimate partner violence cases, provides more support to victims, increases offender responsibility and allows for early intervention where it's appropriate. The Domestic Violence Court Program is available in all court locations throughout Ontario. It involves police, crown prosecutors, probation and parole officers, Victim/Witness Assistance Program staff and other community-based organizations. Working together in a coordinated way, they support victims and hold offenders accountable.

When they're handling intimate partner violence cases, prosecutors are guided by the intimate-partner-violence directive in the crown prosecution manual. That's a directive from my office on how to move forward. It instructs them that the safety of the victims and their families is paramount, and they must be considered at all stages of the prosecution. I'm talking about from charge screening, to bail, to resolution and sentencing. The directive also recognizes that given the danger of intimate partner violence, it will usually be in the public interest to proceed with these prosecutions—one of the tests that a prosecutor has to turn their mind to.

1340

I also want to mention the Domestic Violence High-Risk Committees that provide another layer of case management and monitoring of high-risk intimate partner violence cases. They're made up of local representatives, such as a crown prosecutor, a Victim/Witness Assistance Program manager, police representatives, and probation and parole officers who work to enhance the safety of victims, their families and the community around them.

I just spoke about the Victim/Witness Assistance Program, or VWAP as it's called, as part of the Domestic Violence Court Program. VWAP addresses the specific requirements of victims who have experienced intimate partner violence, throughout the criminal court process. Highly trained VWAP staff help to reassure both the victims and the witnesses. They provide them with information about the cases, their rights and the court

process. They'll often walk them through what is likely to happen, to take the intimidation out of being in a strange space for a traumatic event. They also offer victims emotional support throughout the court procedure and connect victims and witnesses with police and community-based agencies to discuss any safety concerns and access other supports. It is a crucial service and it's a free service for victims and witnesses. That starts once police have laid charges, and it continues until the court case is over.

Going to court, as we all would expect, can be a very stressful experience. In addition to the emotional distress and uncertainty, being any part of a criminal court process can lead to inconveniences and unforeseen expenses. That's why we've made sure that victims can also apply for funding through the victims and vulnerable persons fund for things like travel to court dates, language interpretation and any basic necessities they might need during the court process.

The Victim/Witness Assistance Program also offers the Early Victim Contact initiative, where VWAP staff members try to establish contact with victims of intimate partner violence before the accused person's appearance in bail court. This way, victims can provide their input prior to bail considerations, they have quicker access to supports, and they are better protected from harm.

Sexual assault can also be part of intimate partner violence, and we know it takes a lot of courage for a victim of sexual assault to start the legal process. You might want to talk to a lawyer, but where do you find one? What does it cost? What is the process going to be like if you're going forward? These are all questions that would be at the forefront for somebody who is a victim.

If you're a victim of sexual assault who is 16 or older and living in Ontario, you may be eligible for up to four hours of free legal advice by phone or video chat through the Independent Legal Advice for Survivors of Sexual Assault Program. It's a confidential service, which is very, very important. It's available any time after a sexual assault has occurred, so there's no pressure to take action before you are ready. The independent legal advice program is a real lifeline for many victims. It gives them critical information about their legal options and empowers them to make informed decisions about their next steps. That's why we're investing an additional \$250,000 annually for three years to sustain and enhance client service delivery for the program. It helps survivors of sexual assault move forward with more knowledge and greater confidence.

When we're talking about court-based supports for victims of intimate partner violence, it's important to discuss the bail process. I wasn't here for the beginning part of Minister Kerzner's presentation; he may have covered some of this. As you know, bail brings some unique challenges. Protection of the public, including the victims, is a key consideration in any bail decision. That's another test that the crown must turn their mind to. By its very nature, it's quite complex, and it's based on the specifics of each individual case. There is no cookie-cutter

formula, but special precautions are taken in intimate partner violence cases.

In most court cases involving bail, the onus or the responsibility is on the crown prosecutor to demonstrate why a person should be denied bail. But in cases involving intimate partner violence, where the accused person has been previously convicted or discharged for a similar offence, the onus or responsibility flips onto the accused person. It's called a reverse onus; I think most of us here are familiar with that concept. It means the accused must show the court why they should be granted bail. The process acknowledges the serious threat that intimate partner violence can pose to public safety. As a part of the bail process, a crown prosecutor will carefully review an accused person's criminal convictions and discharges and advise the court of this reverse onus at intimate partner violence bail hearings. Crowns also alert the court to the Criminal Code provision that requires justices to consider the seriousness of intimate partner violence offences when bail is being considered.

The crown might also apply to the court to revoke bail and seek a detention order when an accused person has breached a no-contact condition from the court preventing the accused person from contacting the victim or their family. Just to break down what that is: A no-contact order can be the condition of being released on bail, where you're not to do certain things and you agree to not do certain things, and so making contact with somebody when you've been told you were not allowed to can be a prime reason to revoke that bail since you're not following the rules. It can also be revoked if further violence offences or threats of violence are alleged to have been committed while on bail. This is another way we're showing how serious we take intimate partner violence cases.

Victims of intimate partner violence have told us about the challenges they face getting the courts to understand the risks of this type of violence. We've listened and we've taken action. That's why we made changes to the Courts of Justice Act and the Justices of the Peace Act to support judicial education around gender-based violence. Now, applicants for the judicial or justice of the peace positions must undertake to take mandatory courses about intimate partner violence as required by the Chief Justice of the Ontario Court of Justice and the Associate Chief Justice coordinator of the justices of the peace, and that's more commonly known as Keira's Law, something else that our government passed that MPP Triantafilopoulos brought forward and we enshrined in a statute.

We want to make sure those judges and decision-makers are better informed on the unique challenges of these cases, and we want to ensure that there's maximum course participation. I said an "undertaking," and that's a legal promise that has consequences if it's not followed. So, when somebody is applying to be a judge or a justice of the peace, they're giving that legal promise, and they must follow it.

The court is required to deliver an annual report to me as Attorney General, and the actual numbers of attendees, and that will be shared in due course.

Addressing the root causes of intimate partner violence is a critical part of keeping survivors safe and reducing harm. The PAR Program, or the Partner Assault Response, plays an important role in this. PAR is a court-mandated program delivered in a 12-session group education format for the accused persons charged with intimate partner violence-related offences. The PAR program helps keep survivors safe in two ways: First, it helps clients recognize and take responsibility for their abusive behaviour and builds skills to engage in healthy relationships; second, it provides important information to survivors of intimate partner violence so they can make informed decisions about their safety and their relationships with the accused.

On average, approximately 11,000 people a year are referred to the PAR Program, and over 6,000 survivors receive direct support. We believe that this program is meeting a critical need, but we acknowledge concerns that it's not reaching its full potential. As an immediate step, we've been investing over \$2 million in additional funding annually since December of 2022, to stabilize service delivery and support long-term sustainability. We also continue to work with PAR providers and other stakeholders to explore opportunities to strengthen the program and make it more responsive and effective. We will continue to listen closely to feedback raised by this standing committee. The work you're doing here is critically important to that kind of expansion.

Indigenous communities also require intimate partner violence and prevention programs that are community-led and culturally relevant. That's why my ministry has designated 10 Indigenous communities and organizations to deliver specific intimate partner violence programs as an alternative to the PAR Program. Addressing intimate partner violence in a culturally appropriate manner is an important part of helping keep survivors safe and reducing harm.

I want to switch gears for a moment and talk about trial delay, as I expect this committee is very interested in this, specifically as it relates to intimate partner violence. As I've said earlier, fair and timely access to justice is a core value of this ministry and we're working very hard to address the issues of trial delay and take the prosecution of intimate partner violence very seriously. We are committed to working with all of our justice system partners to explore ways to address delays and to ensure that intimate partner violence cases proceed through the system as efficiently as possible.

I'm pleased to report that we are adding a historic 25 new judges to the Ontario Court of Justice this year, which is more than any time in the history of this province. It's also good to see the federal government is filling its judicial allocations, and they're continuing to do so. My federal counterpart, Minister Virani, I believe, has filled about 135 in his short time as Attorney General. That creates capacity in the system and allows us to do what we need to do. Our investment, though, just provincially, represents a \$29-million investment, which will also be used to hire 190 more crown attorneys, victim support and court staff. And it builds on the \$72 million we announced

in 2021 to improve access to justice for victims and their families. Through investments in the Backlog Reduction Strategy for the courts, we've hired an additional 340 new court employees, including crown prosecutors, court service staff, Victim/Witness Assistance Program staff and bail veters.

1350

Years ago, court clerks were paid on an hourly basis. If court collapsed after three hours, the court clerk went home and got paid three hours, and the next day was another guess. That's no way to run a staff. That's no way to run a qualified workforce. We've offered them all full-time employment with benefits to build that professional workforce to make sure that the courts run smoothly. We've made these resources permanent through an ongoing investment of \$40 million annually.

We also opened a new courthouse last year in Toronto. The new Toronto courthouse amalgamated several criminal courthouse locations, with 63 courtrooms and 10 conference or settlement rooms. Since September 2023, there have been no courtroom closures or disruptions due to staffing shortages in that Ontario Court of Justice Toronto courthouse.

We continue to recruit for both on-call and permanent, full-time staff, supported by almost \$6 million in additional annual funding, because supporting access to justice remains a key priority.

One of our key efforts to improve access to justice is our courts digital transformation and embracing technology expectations of those that interact with the justice system. We're collaborating with the Superior Court of Justice, the Ontario Court of Justice and Thomson Reuters to deliver an efficient and user-friendly digital platform that allows court users to file documents, pay fees, access hearings and receive decisions electronically. This courts digital transformation is the result of a \$166-million investment to make it easier for individuals and small businesses to access the justice system any time, anywhere.

The first phase is scheduled to launch in Toronto next spring in 2025. It will include family, civil, small claims and Divisional Court practice areas in the Superior Court of Justice, as well as family proceedings in the Ontario Court of Justice—another element of increasing access to justice. It's ensuring people and survivors can participate in the justice system no matter where they are in the province.

Virtual and hybrid hearings were critical services during the pandemic and continue to be vital today. Since 2022, we've committed \$65 million to making these hearings possible, and we've have had over five million so far, in 130 specially equipped courtrooms. People can now access justice services without taking time off work, leaving home or making child care or travel arrangements. These hearings are saving all Ontarians time and money, whether they're in a big city, a small town, or a northern or Indigenous community.

In addition, as part of our efforts to modernize the court system and make it easier for Ontarians to access services, we've expanded filing services so that nearly 800 types of

court forms can be filed online through Justice Services Online.

Of course, people can only use online services if they have reliable and affordable Internet access. As announced last week, our government is making the single largest investment in high-speed Internet in any province by any government in Canadian history. We are partnering with Starlink to launch the new Ontario Satellite Internet Program. It will connect 15,000 more eligible unserved and underserved homes and businesses to bring high-speed Internet, beginning in June 2025. This recent investment will bring Ontario closer to achieving the goal of bringing high-speed Internet access to every community across the province by the end of 2025.

This builds on the investment that we made through Starlink even earlier, and it's already being deployed in all 29 fly-in reserves. We've installed Starlink or are in the process of installing Starlink, in partnership with the First Nations, to make sure that people don't have to leave their community, to make sure that we're disrupting as little as possible individuals who are coming either as victims or witnesses or accused in contact with the law.

I can tell you—I've mentioned it to other committees, but it was such a staggering reality to me when I first became the Attorney General and I was talking to some northern communities, Sioux Lookout in particular, that individuals would be flown in a six-seater airplane from a reserve to Sioux Lookout, and they would all sit on that same plane: the victim, the witness, the accused, maybe an administrator, and, of course, the pilot. It's staggering to me that that would be happening. That does not need to happen with technology, and so we're moving forward, again in partnership with the individual communities and with justice partners, to minimize that type of reality.

I'm watching my clock—and I know my clock doesn't count, but the Clerk's clock does. But I just want to say that intimate partner violence is something that this committee is delving into and it's critically important. I really wish previous governments had taken the time to do this. We may not be where we are in society with intimate partner violence—because it is something that we can deal with, we can put resources in.

Mr. Chair, I grew up in an environment—my mother was a crisis councillor. I did high school projects on men's shelters, on women's shelters. I've seen, in that milieu, the reality of what's going on out there, not through rose-coloured glasses. So I'm really passionate about finding a way, any way, that we can tackle these issues, put the weight of government behind it and support the most vulnerable. Thank you, merci, meegwetch, and I will stop there for questions.

The Chair (Mr. Lorne Coe): Thank you, Attorney General. You left a minute and 24 seconds on the clock.

But that being said, we're going now to proceed with our round of questions with the official opposition, please.

Ms. Catherine Fife: Doesn't it go to them?

The Chair (Mr. Lorne Coe): Pardon me?

Ms. Catherine Fife: Doesn't it go to them?

The Chair (Mr. Lorne Coe): I'm sorry?

Interjections.

The Chair (Mr. Lorne Coe): MPP Fife, please.

Ms. Catherine Fife: I just want to say, usually we will take—

The Chair (Mr. Lorne Coe): No, no. We don't.

Ms. Catherine Fife: Okay. Thank you.

Thank you so much, Minister, for being here today. I found out earlier in this session that Lydia's Law, which was sent to this committee without debate on May 14, has not been called to this committee for action, even though the government said that they would expedite the law. So I want to first publicly declare how disappointed I am, because Lydia's Law was brought forward because of a young woman in my riding, Lydia, who had been sexually assaulted, whose court experience was horrific. It took over two years.

She has five friends who have told her they have also been assaulted sexually. They will not report these crimes, because they saw what Lydia went through in Ontario's court system. That was why Bill 189 was so important. It was also built on the Auditor General's recommendations from 2019, which recommended that the province start tracking why criminal cases and charges are withdrawn or stayed. This recommendation was because they recognize that the ministry needed help to reduce cost and ensure cases make it through the system efficiently amid backlogs.

To date, your ministry has refused to be transparent about these cases, and while I agree with you that in northern Ontario, an offender and a victim should not be in the same plane in 2024—it's astounding that that is still happening—what is also shocking in Ontario's system is that in 2022-23, 56% of criminal cases ended up being stayed, dismissed or discharged. I would think you would want to know, as the Attorney General, why this is happening, because then, in turn, you could use the resources that you have at your disposal through the Treasury Board to address those gaps and systems. Because I'm sure—I have to believe this—you don't think 56% of criminal cases being dispensed or discharged or thrown out is something that will keep Ontarians safe, quite honestly.

I just want to read you one more quote before I give you a chance to answer. The reason we're here is that we are supposed to be discussing whether or not intimate partner violence is an epidemic, right? Every six days, a Canadian woman is murdered. This declaration was part of the Renfrew county inquest. It was the first recommendation of the Renfrew county coroner's inquest, and yet the government has refused to declare intimate partner violence as an epidemic.

Advocates have said that besides being symbolic, this declaration—how important this would be to declaring intimate partner violence as an epidemic would result in more resources being allocated to front-line service providers like women's centres, victim services and the courts.

When criminal cases involving domestic violence, which you spoke of at length, are stayed, the evidence of that violence disappears. The court system is very pivotal

and key to interrupting these cycles of violence in our society. So I want to genuinely ask you a question: Why will you not agree to track the data, as the Auditor General had recommended, for greater transparency and for strategic investment, I would argue? How will we ever address the epidemic of intimate partner violence when the court system in Ontario is so broken?

1400

The Chair (Mr. Lorne Coe): Attorney General, to the question, please.

Hon. Doug Downey: Thank you, Mr. Chair. I'll be as brief as I can in case there are follow-up questions.

We do, in fact, track data. Managers can see why certain things happen—

Ms. Catherine Fife: I just want to say, it's not very public. The Auditor General recommended that you bring this to us as legislators so we can all be part of the solution. Then it would actually come here to the justice committee for further discussion, and then we would have a better idea of why so many cases are being dispensed.

Hon. Doug Downey: The ability to track data is something that we can do and we are doing. The ability to release data is a more complicated conversation with the judiciary. So that is a conversation that we have, but—

Ms. Catherine Fife: Who are you protecting, there, though?

Hon. Doug Downey: No, no, let me give you an answer. When you throw out the 50-plus per cent number of cases—

Ms. Catherine Fife: Yes, 56%.

Hon. Doug Downey: That's to presume that everybody that's charged is guilty, and I know you don't believe that. So let's start with that.

Ms. Catherine Fife: But I do know that some people who were sexually assaulted—the case yesterday from Thunder Bay: three times charged, and with strangulation, and this guy is out now.

The Chair (Mr. Lorne Coe): That concludes the time you have for questions.

To the government: MPP Dixon, please.

Ms. Jess Dixon: Thank you, Chair, and through you: Minister, can you actually finish your answer to MPP Fife?

Hon. Doug Downey: Yes. Here are some actual numbers. In 2022 and 2023 each, less than one tenth of 1% of cases were stayed for 11(b) delay—just a sense of scope. That's a long ways from 56%.

If you don't mind, I just want to touch on as well—Renfrew was mentioned. I was at the Renfrew dedication of the memorial. I've heard the stories. I've met the families. I've met the victim workers that are there. That was a really important and defining moment in bringing this kind of conversation forward. So I want to reflect on that for a moment and reinforce how important that terrible, terrible situation was and how this is something good that's come of it.

Ms. Jess Dixon: Thank you, Minister. Again, through you, Chair: Part of the role of this committee is, we're examining, essentially, every facet that I can think of of

intimate partner violence and sexual violence across the entire spectrum, from prevention to ultimate court treatment. There are a lot of areas that the public, frankly, may not understand the complexity or the impact of. I obviously worked in the court system, and I know how antiquated we were as far as we still wrote down everything in pen and paper. And I was present through COVID, and I was present through a lot of your work with digitization.

I wonder if you can explain a little bit more, for people that don't understand it, what the courts were like pre-digitization and what impact that had, because I certainly saw it in practice.

Hon. Doug Downey: The evolution of what we've had to do with the court system that, quite frankly, didn't have resources put into it for decades and decades—it's something you can get your head around. It's not the biggest change we did, but up until recently, you could serve documents by telegram but not by email—just to capture how far behind we were. We were running multiple systems to do case management. If there's family law at Superior Court, it was a different system than family law at the provincial court level. Same with criminal, superior or not—different systems.

So we, in coordination with the justice partners, are doing this court digital transformation: \$166 million to create one system for all lines of work that is cutting edge. And we have people around the world watching what we're doing.

What that translates into for individuals who are encountering the system: It creates a simplicity, and it frees up resources to help people instead of manage back-office systems.

I could go on for an hour about all the things that we've changed, but those changes help the everyday people of Ontario because it makes the system go faster, it makes it more predictable and it lets the resources fall in better spaces.

Ms. Jess Dixon: You have two minutes. I actually would like you to go on a little bit, because I remember trying to find something out of Family Court—we're in the same court, and it was like throwing a paper airplane into the abyss. I'd like to hear a little bit more about that impact it had.

Hon. Doug Downey: We were a paper-based system entirely—well over 85% paper-based. You would probably remember—because I was a court clerk. I was a counter clerk for a couple of summers, and then I was a court room clerk before I went to law school. I spent a lot of time looking for a piece of paper that had fallen under a fax machine. Criminal information, witness summons, warrants, all these things were all paper-based and they were scattered all over the place. That's not for lack of trying; it was volume. We do hundreds of thousands of criminal cases—hundreds of thousands—every year, let alone estates and civil litigation and all that stuff.

That's the work that we've done to make the system function properly. You can now get e-warrants. You can now get warrants through electronic means of the justice

of the peace instead of a police officer having to get in the car, drive two hours if you're up north, get to the GP, get it signed and drive two hours back.

I had one police officer say, "I hate your reforms. I used to like my time in the car." That just makes it better for everybody who comes in contact with the system. I have to give a shout out to the crowns in particular who have moved at lightning speed and adapted to all of this change so fast. But the new crowns we're bringing on, the hundreds of new crowns that are coming in, don't know what you went through. So, hopefully they get a chance to learn from the more learned ones and be able to understand—

The Chair (Mr. Lorne Coe): Thank you, Attorney General. That concludes the time you have to respond to questions.

I have MPP Fife, please. Thank you.

Ms. Catherine Fife: A question and a follow-up for research: The Attorney General has just cited a number of stats as it related to the 56% of criminal cases that were dispensed. I'd really appreciate if research could provide the committee with a clearer sense of what that breakdown is, based on the new stats that the Attorney General just delivered.

The Chair (Mr. Lorne Coe): Thank you. Madam Clerk, through research, please.

Ms. Heather Conklin: In this moment, that's not possible, but if the committee would like that information, we can certainly take that away.

The Chair (Mr. Lorne Coe): MPP Dixon, please.

Ms. Jess Dixon: MPP Fife, I'm not going to be in support of that. What I would ask is if you could put that in writing for me, for me personally. I have done a number of follow-ups with legislative research. I would like to look a little bit more at that before I personally would support it going to legislative research, but I would be very happy to see that in a little bit more detail.

The Chair (Mr. Lorne Coe): MPP Fife.

Ms. Catherine Fife: Well, that's definitely possible, but it is more red tape, I guess, if you're interested. I mean, the Attorney General cited his stat in his briefing binder, which countered the 56% of criminal cases that have been dispensed or thrown out of court. I would think the entire committee would want to understand that number that he cited and how, in the discrepancy between the 56% that's being reported. I don't know why I would have to provide that in writing to a member of the committee when it is—every member in this committee has the right to ask questions of research, especially when they are connected to the mandate of the committee, which is to determine whether or not intimate partner violence is an epidemic.

The Chair (Mr. Lorne Coe): All right, Madam Clerk, please, on the request. Go ahead.

Interjection.

The Chair (Mr. Lorne Coe): Yes, from research, please.

Ms. Heather Conklin: Sorry, if I could just clarify, in order for the question to be a committee question, officially it has to be supported by the committee, but of

course, MPP Fife, any member individually can also pose questions to legislative research, so that certainly an option available to you.

Ms. Catherine Fife: Thank you.

The Chair (Mr. Lorne Coe): Thank you. Is there any additional committee business? I hear none. The committee is now adjourned. Thank you very much for all your help.
The committee adjourned at 1409.

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