

**KEY ISSUES IN BRITISH COLUMBIA, BEST PRACTICES &  
RECOMMENDATIONS FOR CANADA'S NATIONAL  
ACTION PLAN TO END GENDER-BASED VIOLENCE**

**Prepared by Ending Violence Association of BC**

**MARCH 2021**

Funded by:



Women and Gender  
Equality Canada

Femmes et Égalité  
des genres Canada

## Table of Contents

ABOUT THIS REPORT .....	3
INTRODUCTION.....	4
1. SUPPORT FOR VICTIMS AND SURVIVORS OF GENDER-BASED VIOLENCE.....	5
2. ADDRESSING SEXUAL ASSAULT .....	6
3. ADDRESSING GAPS IN SERVICES FOR INDIVIDUALS MARGINALIZED IN SOCIETY .....	7
4. TREATMENT FOR ASSAULTIVE MEN .....	8
5. ANTI-VIOLENCE WORKER SAFETY .....	9
6. COORDINATION AND INFORMATION SHARING .....	9
7. EFFECTIVE REFERRALS TO COMMUNITY-BASED ANTI-VIOLENCE PROGRAMS.....	12
8. BARRIERS TO PARTICIPATION IN THE CRIMINAL JUSTICE SYSTEM .....	13
9. PROTECTION ORDERS.....	16
10. DOMESTIC VIOLENCE DEATH REVIEW .....	16
11. TRAINING ON GENDER-BASED VIOLENCE .....	17
12. DISASTER PREPAREDNESS AND SUPPORT.....	18
13. PREVENTION.....	19
CONCLUSION and RECOMMENDATIONS FOR NAP IMPLEMENTATION .....	22
REFERENCES.....	23

## ABOUT THIS REPORT

Ending Violence Association of BC (EVA BC) has been pleased to be a part of the Community Engagement Initiative on the National Action Plan to End Gender-based Violence coordinated by the YWCA Canada and funded by Women and Gender Equality Canada.

EVA BC is a dynamic, solutions-based provincial association based in Vancouver, Canada. We launched in 1992 as the BC Association of Specialized Victim Assistance and Counselling Programs, then changed our name to EVA BC in 2009. We train and support more than 300 anti-violence programs and cross-sector initiatives across the province that respond to sexual and domestic violence, child abuse, and criminal and sexual harassment. The primary programs we support across BC are: 1) Community-Based Victim Assistance; 2) Stopping the Violence Counselling and Outreach; 3) Multi-Cultural Outreach; 4) Sexual Assault/Woman Assault programs.

The purpose of this report is to provide input into the National Action Plan which captures regional experiences and priorities in British Columbia. During February-March of 2021, EVA BC conducted consultation involving discussion of key issues with our members at our 2021 Annual Training Forum attended by over 500 people from across the province, held a targeted focus group attended by 24 people, conducted discussions with EVA BC leadership and staff, and collected 76 survey responses from our members. This report highlights the key issues raised by our members and grounds them in our existing policy work.

This report is organized by issue areas that are matched with the pillars outlined in the National Action Plan Framework, as indicated on the bar underneath each section.



1. Support for survivors and their families
2. Prevention
3. Promotion of responsive legal and justice systems
4. Support for Indigenous-led approaches and informed responses
5. Social infrastructure and enabling environment
6. The Foundation (coordination & collaboration)

We want to thank everyone who participated in the consultation process and took the time to share their knowledge and perspectives. We are also grateful to everyone who provided administrative and technical support for this process and made it possible.

## INTRODUCTION

When considering the full scope of gender-based violence, it is important to highlight two forms that have a high prevalence and yet are often not recognized.

Domestic violence (DV) and sexual assault (SA) are increasing in Canada despite repeated statements in the media about an overall decline in violent crimes reported to police across Canada. Police-report statistics are limited to only those criminal incidents that are reported to police. The General Social Survey (GSS) however conducted by Statistics Canada complement police-reported data from the Uniform Crime Reporting (UCR) Survey by providing information on self-reported incidents of victimization that are both reported and unreported to police. According to the UCR Survey, the police reported violent crime rate declined in 2012, down 3% from 2011, to its lowest level since 1987. However, when DV and SA are disaggregated from police-reported violent crime and compared to self-reported victimization rates and other data, it can be seen that these crimes remain at consistently high levels or are actually increasing.

Sexual assault in particular is the most under-reported violent crime in Canada, disproportionately perpetrated against women, girls, and LGBT2SQ+ people. In 2014, an estimated 633,000 women were sexually assaulted, yet we know that only 5% of these crimes are reported<sup>1</sup> and that only about 1 in 10 (12%) sexual assaults reported by police have led to a criminal conviction.<sup>2</sup> Nationally, rates of self-reported SA have increased from just over half a million in 1999 (or 2.1% of the adult population) to 677,000 incidents (or 2.4% of the adult population) in 2009.<sup>3</sup>

---

<sup>1</sup> S. Conroy and A. Cotter (2017) *Self-reported sexual assault in Canada, 2014*. Ottawa: Statistics Canada.

<sup>2</sup> C. Rotenberg (2017) *From arrest to conviction: Court outcomes of police-reported sexual assaults in Canada, 2009 to 2014*. Ottawa: Statistics Canada.

<sup>3</sup> C. McInturff McInturff (2013) *The Gap in the Gender Gap - Violence Against Women in Canada*. Ottawa: Canadian Centre for Policy Alternatives.

# 1. SUPPORT FOR VICTIMS AND SURVIVORS OF GENDER-BASED VIOLENCE

1

2

3

4

5

The Foundation

## Key Issues

Services responding to gender-based violence in BC reported to us they are experiencing increasing caseloads, seeing increasing levels of violence being perpetrated, increasing complexity of client needs, increasing waitlists and other stressors on programs and staff. This in turn increases victims/survivors vulnerability. Levels of funding must be increased across Canada so that victims/survivors can get immediate help.

Services are uneven, and clustered in urban centres. For those provinces and territories who have funded services, many haven't received funding increases in over 20 years. Most rural and reserve communities have no specialized GBV services at all - this is a pressing gap. Other gaps include Specialized Counselling services for young women who are victims of sexual assault, services for marginalized and particularly vulnerable women such as Indigenous women (particularly those living on reserves), immigrant and refugee women, Trans women, young women, women living with disabilities, and women with substance use and mental health issues; specialized hospital-based responses in partnership with community-based programs.

*"More services are vital, the need is so great in every age group and every area."*

*EVA BC Survey Respondent*

## Needs

- Recognize domestic violence and sexual assault as forms of gender-based violence.
- Address the disparity in specialized services to address gender-based violence.
- Ensure culturally and linguistically appropriate services are present wherever survivors are – including reserve communities, post-secondary institutions, friendship centres.
- Ensure settlement and English language programs, and services accessible to those with a range of disabilities through adapting and expanding existing community based antiviolence services to provide service in these settings.
- Ensure adequate legal aid for victims/survivors of gender-based violence – including sufficient coverage for legal representation for both family law and immigration matters.
- Resource, support and promote system accountability – including systematic data collection, public access to data, and nation-wide monitoring.
- Create wraparound supports and services that address complex needs of victims/survivors in a holistic manner.
- Add more system navigators that can support victims/survivors and their families in accessing and navigating health, legal, and other systems and services.

## 2. ADDRESSING SEXUAL ASSAULT

1

2

3

4

5

The Foundation

### Key Issues

Given the prevalence of sexual assault, the extremely low reporting rates, long-term impacts on survivors and those close to them, and the high social and economic costs of this crime, it is crucial that the justice, social service, and health systems place a high priority on developing effective responses to sexual assault, including policy, increased specialization, counselling and support services, training, and prevention. The needs of sexual assault victims/survivors are not being sufficiently met by sexual assault services in Canada because these services don't exist (they are primarily concentrated in urban areas), and where they do exist they are constrained by small budgets.

An overall lack of attention to sexual assault over many years has created gaps in service for survivors, gaps in knowledge, gaps in training and best practices for responders that persists to this day. For survivors who need medical attention, there is a lack of hospital infrastructure and training. *She Matters* led a 12-month study into sexual assault evidence kit accessibility in Canada and found that only 41% of Canadian Hospitals and 30% of BC hospitals did not have kits, relied on the RCMP to bring kits or refused to disclose whether their facility had kits. Many hospitals do not have nurses or physicians trained in conducting a SAEK examination or proper storage facilities for sexual assault kits.<sup>4</sup>

For survivors who wish to seek support, there is a lack of access to safe, accessible, trauma-informed responses. Research has stressed that addressing sexual violence requires solutions, approaches and practices that are victim-centred, trauma-informed, strength-based, culturally safe and culturally grounded. Understanding the needs of transgender, gender-diverse, and non-binary people and those who experience systemic inequities including Indigenous peoples, racialized individuals, sex workers, and/or those living with disabilities is key.

### Needs

- Ensure there is adequate funding for supports for survivors in the community, including access to trauma-specific therapeutic counselling.
- Ensure the education around sexual assault and consent is provided not just in post-secondary institutions, but also in all schools.
- Resource, support and promote trauma-informed training on how to respond to disclosures of sexual assault for all responders.
- Resource, support and promote the development of programs and policies that specifically address the needs of those marginalized populations that are most affected by sexual assault.

<sup>4</sup> *She Matters (2020) Silenced: Canada's Sexual Assault Evidence Kit Accessibility Crisis.*

- Populate rural and Indigenous communities with pilot projects that respond to sexual violence, to begin correcting for the lack of sexual assault services in these areas.
- Support all provinces and territories in implementing a policy that would allow adult survivors of sexual assault to make Third Party Reports to the police via community advocates, and make provisions including training. Make available options for anonymous reporting of sexual assault at post-secondary institutions, similar to the Third Party Reporting policy in the province of BC.
- Increase sexual assault prevention efforts, such as bystander education, targeted to groups that are most at risk of sexual violence, as well as the general public.
- Instruct the RCMP to improve efforts to increase understanding regarding the links between sexual assault and women who go missing and are murdered.
- Facilitate research regarding the efficacy of lenient sentences for “first-time” sex offenders, to ensure that the practices for “first offence” sentencing are evidence-based.

### 3. ADDRESSING GAPS IN SERVICES FOR INDIVIDUALS MARGINALIZED IN SOCIETY

1

2

3

4

5

The Foundation

#### Key Issues

There are significant gaps in the network of support services for individuals marginalized by society who are victims of violence because of their gender, including women, trans, Two-Spirit, non-binary, and queer folks. In order to keep these individuals safe, a concerted and intentional effort must be made to address these gaps on an urgent basis. Too many of the people killed or seriously injured in the context of domestic or sexual violence are members of communities facing particular barriers that make it more difficult for them to access critical support systems.

An intersectional gender-based analysis and a diversity analysis are key to priority setting, funding decisions and for the development and implementation for all legislation, policy and government-funded programs addressing the needs of abused marginalized women.

#### Needs

- Immediately fund and/or explore cost-sharing to fund gender-based violence response and support services for Indigenous women and families living on reserve.
- Include consultation with individuals who are particularly discriminated against.
- Work with the provinces and territories to forgive spousal sponsorship debts if the couple's separation is due to violence.

- Ensure the new Temporary Resident Permits provided to immigrant and refugee women who are being sponsored by a Canadian spouse and whose relationship has broken down due to violence is known as a support provision by all responders.
- Repeal the 2014 Protection of Communities and Exploited Persons Act (PCEPA), which criminalizes the buying, but not the selling, of sex that continue to criminalize street-based sex workers, who are among the most marginalized and at risk in the industry.

## 4. TREATMENT FOR ASSAULTIVE MEN

1

2

3

4

5

The Foundation

Treatment for assaultive men is one of the essential elements in an effective, coordinated response to gender-based violence. There are challenges that need to be addressed in the funding and delivery of treatment for those who have assaulted their intimate partners, including treatment for non-court-mandated men.

### Key Issues

Coordination with local community services for survivors, the lack of culturally specific treatment options, the need for an understanding of the power dynamics of violence against women, and creating evaluations to determine the effectiveness of treatment approaches are all issues that need to be addressed.

### Needs

- Call for provinces and territories to continue to develop and expand programs for abusive partners that reflect evidence-based practice. There is a need for rigorous research and evaluation to help determine the elements of an effective response.
- Program implementation should address the following considerations:
  - Accountability and monitoring mechanisms to address the impact on offenders.
  - Access to sufficient counselling services for abusive men, including men who voluntarily self-disclose perpetuating gender-based violence.
  - Participation in such community-based programs should be mandated as part of treatment for perpetrators.
  - On-going evaluation of all support or treatment groups for men who batter to determine the effect on ending gender-based violence.



## 5. ANTI-VIOLENCE WORKER SAFETY

1

2

3

4

5

The Foundation

### Key issues

Every province and territory has legislation obligating employers to ensure worker safety, but the work-related threats to the well-being of anti-violence workers are often overlooked. For example, the very nature of their work puts anti-violence workers at heightened risk of workplace violence – police consider responding to domestic violence calls one of the most dangerous situations they face on the job.

### Needs

- Ensure that there are grants and supports in place for agencies to ensure they have policies to facilitate anti-violence worker safety and to support their workers.
- Support development of concrete, detailed written policy about workplace-related violence and anti-violence workers.
- When developing a response to workplace violence, determine the most serious gaps in employees' knowledge that need to be addressed, and ensure delivery of the relevant training. Include provisions to respond to and support traumatized workers in incidents of workplace violence and/or incidents like the domestic homicide of a client.
- All agencies providing anti-violence programs should be mandated to provide structural support for self-care plans, and to encourage their workers to engage in self-care and access professional support when needed to help them cope with ongoing vicarious traumatization.
- Ensure that psychological injuries such as PTSD that stem from this work are covered by workers compensation programs in all provinces and territories.
- Ensure that wages, benefits, and pensions are on par with the value and importance of this work.

## 6. COORDINATION AND INFORMATION SHARING

1

2

3

4

5

The Foundation

### Key issues

The response to gender-based violence is necessarily multi-disciplinary, involving police, federal and provincial justice, health and social service ministries, child protection ministries and community-based anti-violence agencies. Within each of these bodies complex legislation, policy, procedures, practices, standards and accountability mechanisms guide interventions. In order to facilitate an optimum response to best ensure safety for women and their children and

justice and accountability for offenders, all players need to know the roles, responsibilities and constraints of the others, and be prepared to work collaboratively.

Coordination, collaboration and information-sharing are key to the safety of women and their children at every stage of the process, including risk assessment, risk management, and safety planning. Particularly in high-risk cases, it is important that service providers who have contact No one system knows the complete picture of past violence, but when all responders work together and share information, a much more robust picture of risks and threats comes to light allowing for a more comprehensive risk assessment to be completed, a more effective victim safety plan to be created, and a more practical offender management plan put into place.

Legislation in BC sets out the roles and responsibilities of service providers across the justice and child welfare system that respond to domestic violence cases including Police, Crown Counsel, Corrections, Victim Services, Ministry of Children and Family Development, Court Services, Family Justice Services, and the Family Maintenance Enforcement Program.<sup>5</sup> It mandates a coordinated, cross-sectoral response that prioritizes both individual safety and change across systems. The goal of coordination is to minimize the risk of violence, heighten survivor safety and ensure appropriate offender management and accountability.

The essential nature of coordination and consistent, timely information sharing in these cases has been emphasized in countless coroner's reports, death enquiries, and research reports in BC and across Canada over the past several decades.<sup>6</sup> In BC, the Community Coordination for Women's Safety (CCWS) Program of the Ending Violence Association of BC (EVA BC) serves a crucial coordinating, problem-solving and training role for those responding to domestic and sexual violence provincewide. A unique function of CCWS is its key role in bringing together senior representatives from police, ministries and community-based agencies on its Provincial Working Group to identify and negotiate solutions to systemic issues and challenges facing gender-based violence interveners. Such a program could serve as a model of promising practices for other provinces and territories and at the national level.

Another BC initiative that could serve as a model for other provinces and territories is the Domestic Violence Interagency Case Assessment Teams (ICATs). ICATs are partnership groups that include criminal justice, child welfare, health and anti-violence workers, with a goal of keeping domestic violence victims and their children safer. BC has 50 Interagency Case Assessment Teams (ICAT) across the province that foster a coordinated response to highest risk domestic violence. To date, there has not been a domestic homicide for any survivor involved in a formalized ICAT.<sup>7</sup> While coordination initiatives exist in over 50 communities across BC, many of them in rural and isolated areas supported by EVA BC's Community Coordination for Women's Safety (CCWS) program. Only seven of these initiatives are funded.

---

<sup>5</sup> Department of Justice Canada (2016) *Making the Links in Family Violence Cases: Collaboration among the Family, Child Protection and Criminal Justice Systems*. Ottawa: Department of Justice: Protocols section, Para.1.

<sup>6</sup> The report *Violence Against Women and Their Children in BC. 33 Years of Recommendations* highlights a continuing focus on the need for a coordinated response to gender-based violence over the period 1979-2012.

<sup>7</sup> EVA BC (2019b) *The Importance of Coordination Initiatives as Foundations for Collaboration to Address Gender Based Violence*. Vancouver: EVA BC. P. 3.

Several Sexual Assault coordination initiatives exist across BC as well. Some communities have Sexual Assault Response Teams (SART). EVA BC's Community Coordination for Women's Safety (CCWS) supports communities to develop local interagency protocols and to implement and maintain the Third-Party Reporting (TPR) protocol. Sexual assault coordination initiatives in communities across the province provide response and other services post-sexual assault as well as working toward better coordination and collaborative response within the systems and communities. However, these coordination initiatives lack dedicated funding.

*"We need better inter-agency information sharing protocols. Less barriers to effective communication between and amongst all sectors working with victims of GBV."*

*EVA BC Survey Respondent*

## Needs

- Provide leadership at the national level aimed at developing a comprehensive, effective, and coordinated response to gender-based violence across Canada.
- Wherever appropriate, develop and promote national policy that will ensure an effective, coordinated response to gender-based violence by all personnel under federal jurisdiction.
- Develop and promote awareness and skills training on cross-sectoral and cross-jurisdictional coordination for those sectors for whom federal departments and organizations have responsibility – including RCMP, judiciary, federal correctional services, immigration and refugee personnel and those under the jurisdiction of Indigenous and Northern Affairs Canada.
- Highlight promising and innovative practices and approaches at the local and provincial/territorial level and develop ways to encourage other jurisdictions to adapt these to their particular circumstances.
- Conduct and/or fund pilot projects and other initiatives to test promising and innovative practices and approaches to gender-based violence, cross sector coordination, including information-sharing protocols for high-risk domestic violence cases.
- Conduct and/or fund research to provide data for evidence-based approaches to responding to gender-based violence. Support appropriate record-keeping and data collection processes at the provincial/territorial and national levels in order to facilitate consistency and accountability of gender-based violence responders across the country.
- Promote and facilitate cross-sectoral and cross-jurisdictional information-sharing and collaboration among provinces and territories through such mechanisms as conferences, workshops, and training.
- Direct/encourage senior management in all appropriate departments and in the RCMP to provide leadership by ensuring staff participation in relevant coordination initiatives on gender-based violence, and to share information with other parts of the response system as a key step in creating a "culture of coordination" at local, provincial/territorial and national levels.

- Provide leadership, expertise, and a clear endorsement of existing initiatives to develop information-sharing protocols in high-risk domestic violence cases.
- Ensure sector-specific and cross-sectoral training about trauma, privacy, victim safety and protocol development for information-sharing in high-risk domestic violence cases, is needed for police, corrections and other system personnel.
- Strike a high-level national committee of senior staff in all relevant federal departments, the RCMP, and provincial and national anti-violence organizations to identify issues within federal jurisdiction pertaining to gender-based violence to seek solutions to problems. Such a national committee could be modelled on the BC Provincial Working Group of CCWS.

## 7. EFFECTIVE REFERRALS TO COMMUNITY-BASED ANTI-VIOLENCE PROGRAMS

1

2

3

4

5

The Foundation

### Key Issues

There is an urgent need to develop effective strategies to ensure that victims/survivors of violence are referred to community-based anti-violence programs. Referral to community-based anti-violence programs is particularly important when victims/survivors are reluctant to report to police or to proceed with charges, given that community-based anti-violence workers are specially trained to support victims/survivors in these situations.

It is critical that all survivors of gender-based violence be linked to the appropriate service as early as possible as these services don't just conduct critical risk assessment, they do safety planning, provide emotional support and offer victim navigation through all the complex social services that make up our social safety net in Canada.

In BC, all police departments/detachments and all police-based victim services have contractual obligations to refer victims/survivors of power-based crimes to community-based anti-violence programs "in an appropriate and timely manner," where they exist. Detachment commanders must meet with their local police-based and community-based anti-violence programs to ensure that referral protocols are in place and policy is being followed. This policy came about in response to many domestic violence related deaths and coroner recommendations.

The Ending Violence Association of BC's Community Coordination for Women's Safety Program, funded by the Ministry of Public Safety and Solicitor General, is currently working in partnership with the RCMP "E" Division Operations Policy Unit and the Provincial Office of Domestic Violence training communities to work collaboratively, to share information so that more robust risk assessment and safety planning can be done in cases of highest risk domestic violence.

## Needs

- Ensure accountability measures are developed and implemented in order that the rights enshrined under The Canadian Victims Bill of Rights to information about available services and programs, including community-based anti-violence programs, are guaranteed for all victims/survivors of gender-based violence.
- Provide support for current efforts to have RCMP operational policy amended to mandate proactive referrals by RCMP directly to community-based anti-violence programs and take appropriate steps to mandate appropriate referrals to community-based anti-violence programs specializing in sexual and domestic violence, including from Crown.
- Ensure federal public service workers are trained on risk factors and that any federally resources training and education for police-based and community-based anti-violence programs, police and Crown emphasizes the nature and importance of effective, proactive referrals to and coordination with community-based anti-violence programs, and accurate interpretation of relevant privacy legislation.

## 8. BARRIERS TO PARTICIPATION IN THE CRIMINAL JUSTICE SYSTEM

1

2

3

4

5

The Foundation

Policies, programs, practices and training regarding gender-based violence must focus on barriers to women's participation in the justice system and on understanding and addressing women's/survivors' "reluctance" to report to police or to proceed with prosecution. Survivor reluctance has consistently been a key challenge for justice personnel responding to gender-based violence, and is often put forward as justification for a less proactive justice system response to domestic and sexual violence.

*"We need increased sensitivity in the judicial system, ongoing training for judges and justice system personnel. Survivors continue to feel that they are on trial."*

*EVA BC Survey Respondent*

Survivors' journey through the criminal justice system is often fraught with lack of understanding by police who have minimal training in sexual assault dynamics and investigations, and trial and adjudication processes that can undermine survivors' integrity and result in poor outcomes. Less than half (41%) of sexual assaults reported to and substantiated as a crime in Canada result in a criminal charge.<sup>8</sup>

Barriers to participation in the justice system often exist within the justice system itself or within the health and social service systems, or may be related to a lack of access to support services. Victims/survivors need more rather than less support, including proactive referral to specialized support and counselling.

<sup>8</sup> Department of Justice Canada (2019) *Just Facts: Sexual Assault*. Ottawa: Department of Justice.

Sexual assault survivors have outlined many barriers that stop them from reporting to police including socio-cultural attitudes that normalize sexual violence and lead to internalization of shame and guilt, fear of personal repercussions, or the survivors' belief that the matter was too minor to report or their feeling that it was a personal and private matter.<sup>9</sup>

Additionally, many survivors, especially those from marginalized populations, have concerns about the justice system process and the conduct of justice system personnel such as police, lawyers and judges.<sup>10</sup>

As St. John's Status of Women's Council<sup>11</sup> notes:

*"...the vast majority of survivors who report sexual violence find their experiences throughout all levels of the criminal justice system to be harmful and unjust."*

There is a need for those who investigate sexual assaults to have the necessary skills in investigative methods. There is a further need for survivors to be believed, have choices about reporting, and if they choose to report, to be kept informed. Finally, it is essential that cases move through the criminal justice system and be adjudicated in a respectful and timely manner.

## Needs

- RCMP, the judiciary, and all others who respond to the needs of victims of gender-based violence should be specially trained on:
  - Reasons why abused and assaulted individuals might be reluctant to proceed with reporting and prosecution, including understanding reluctance as a trauma response.
  - The particular barriers faced by many marginalized women such as racialized, immigrant, Indigenous and women with disabilities, as well as trans, Two-Spirit, non-binary, and queer individuals.

---

<sup>9</sup> A. Prochuk (2018) *We are here: Women's experiences of the barriers to reporting sexual assault*. Vancouver, BC: West Coast LEAF.

<sup>10</sup> Prochuk, 2018; S.C. Taylor and L. Gassner (2010) "Stemming the Flow: Challenges for Policing Adult Sexual Assault with Regard to Attrition Rates and Under-reporting of Sexual Offences." *Police Practice and Research*, 11(3): 240-255.

<sup>11</sup> St. John's Status of Women's Council (2020) *Survivors of Sexual Violence and the Criminal Justice System*. St. John's: St. John's Status of Women's Council. P. 2.

- Appropriate responses to women who are reluctant, including intensive support, proactive referral to community-based support and counselling, practical assistance, information provision and proactive coordination
- Innovative investigation strategies, including use of KGB statements to enable prosecution of cases even where the victim is reluctant.
- Review all relevant federal policy and procedures to ensure they are adequate to encourage and support victim safety and prosecution even when victims are reluctant.
- Adequate funding should be made available to ensure that RCMP can provide the intensive support and risk assessment necessary to keep women and their children safe and encourage at-risk women to use the criminal justice system.

*“The legal system needs a large overhaul in order to provide services and a system that does not prolong suffering, trauma, and holds the abusers accountable in a timely manner.”*

EVA BC Survey Respondent

### Clare's Law

In BC, Bill M217, the *Interpersonal Violence Disclosure Act* (Clare's Law) was introduced in May, 2019 by a private member of British Columbia legislature. In its analysis of this Bill, EVA BC considered whether Clare's Law and other similar legislation can reduce death or enhance safety related to intimate partner violence. The analysis concludes that:

*“Clare's law will not reduce harm or decrease intimate partner violence. It replicates the existing laws, policies and effective procedural strategies. Clare's law also has unintended negative consequences: placing an undue onus on the victims and potential victims. The law does not address the recognized core issues that lead to the deaths as a result of intimate partner violence.”*

EVA BC considers cross-sectoral responses and policies, collaboration and trauma-informed training more useful, citing other measures have been taken in BC to ensure the safety of potential victims of intimate partner violence. These include but are not limited to: BC Court Services Online, Community Based Victim Assistance Programs, Inter-Agency Case Assessment Teams and Domestic Violence Units. Finally, the analysis notes that we have created programs and protocols in collaboration with police, community-based victim services and others throughout the province in order to address gender-based violence in BC such as Interagency Case Assessment Teams (ICATS) in response to the high potential for lethal violence in high-risk cases of relationship violence. BC has policy and practice directives to RCMP to share criminal histories as a safety measure that align with provincial and federal privacy legislation.

EVA BC (2019a) Bill M217: *The Interpersonal Violence Disclosure Act British Columbia Clare's Law*. Vancouver: EVA BC.

## 9. PROTECTION ORDERS

1

2

3

4

5

The Foundation

### Key Issues

The availability, accessibility, monitoring and enforcement of Protection orders are an essential part of an effective, coordinated approach to the safety of Canadian women, their children and the community and for the intervention and accountability of perpetrators. In domestic and sexual violence cases, a high degree of risk is associated with actual or potential breaches of court-ordered protective conditions such as no-contact. Research indicates that in domestic violence cases, the rate of non-compliance with protective conditions is high.

### Needs

- The federal government should provide strong leadership and develop a coordinated, cross-sectoral Canada-wide strategy involving the justice, health, social services (including anti-violence), housing and education systems to ensure effective utilization and enforcement of justice and child welfare protection orders.

## 10. DOMESTIC VIOLENCE DEATH REVIEW

1

2

3

4

5

The Foundation

### Key issues

It is critical that we learn from the increasingly long list of tragic deaths related to domestic and sexual violence in Canada, not through laying blame, but through constructive analysis that can result in system-wide changes that could save lives. Any approach must take demographic factors into account, including particular factors affecting marginalized groups, and must document trends.

A Domestic Violence Death Review Committee is needed in every province and territory, and should be linked to a national Domestic Violence Death Review Initiative. Models of Domestic Violence Death Review Committees (DVDRCs) exist in Ontario, Alberta, Manitoba, and New Brunswick.

### Needs



- Mandate and support the establishment of a Domestic Violence Death Review Committee in every province and territory, based on one of the models already in use in Canada. These committees should also be mandated to review deaths associated with sexual violence.
- Establish a national Domestic Violence Death Review Initiative based on findings from provincial/territorial Domestic Violence Death Review Committees.
- Recommendations from provincial/territorial Domestic Violence Death Review Committees should be binding, and Coroners' services should be granted greater authority with respect to findings from their inquests related to domestic homicides and missing and murdered women.
- Fund all provinces and territories to establish death review committees for domestic violence homicides. The results should be rolled into a federal death review initiative.
- Establish a national domestic violence prevention group with representatives from all provinces and territories to carry out the recommendations of the domestic violence death review committees, and develop best practices.

## 11. TRAINING ON GENDER-BASED VIOLENCE

1

2

3

4

5

The Foundation

### Key issues

Effective training on gender-based violence for justice, health and social service personnel, including community-based anti-violence programs should be built into basic and professional training, as well as into ongoing in-service training budgets. Training should (a) be both discipline-specific and cross-sectoral, (b) be delivered by or with representatives of front-line, community-based organizations, (c) cover the range of topics essential for effective trauma-informed intervention with all victims/survivors of gender-based violence, and (d) be supported by federal project funding grants.

*“Give us adequate funding and staff. Train police officers so that victims are not traumatized by their questioning and lack of insight.”*

*EVA BC Survey Respondent*

### Needs

- All sectors – including police, Crown, corrections, court services, the judiciary, community and system based anti-violence services, child protection, and health care – should take formal steps to ensure that training on gender-based violence:
  - Is adequately supported through federal project funding grants for both system-based staff and contracted organizations, including core training for new community-based anti-violence workers;

- Is delivered in basic training and in the colleges, universities and professional schools that train future service providers and responders to gender-based violence, as well as in-service training;
- Is developed and delivered cross-sectorally, wherever appropriate;
- Is trauma-informed and acknowledges the short- and long-term impacts of gender-based violence, the implications of re-victimization, and the risk of vicarious trauma for first responders;
- Stresses the importance of proactive coordinated responses, collaborative working relationships as a key safety issue, and identification of risk factors for domestic violence lethality;
- Includes a gender analysis and an analysis of power-based crime, incorporates an intersectional analysis, and involves representatives of diverse groups.

## 12. DISASTER PREPAREDNESS AND SUPPORT

1

2

3

4

5

The Foundation

### Key issues

Gender-based violence often increases during or following a disaster, with women and girls at greater risk of sexual and domestic violence, both in the immediate aftermath and long-term recovery period after the disaster has occurred. Disasters can create a difficult set of circumstances for survivors of sexual and/or domestic violence, often result in destabilization within families.

### Needs

- Ensure that gender-based violence awareness efforts inform the general public about the increase of gender-based violence in the aftermath of disasters.
- Explicitly address the issue of gender-based violence within disaster legislation, policies, and planning.
- Facilitate collaboration between community-based anti-violence programs and emergency management systems prior to a disaster.
- Ensure that disaster response funds specify allocations for community-based antiviolence programs. Inform communities how victims/survivors of sexual and domestic violence can receive help and support.
- Educate government policy-makers, communities, and relevant organizations about the social impact of disasters, including the increased risk of gender-based violence.
- Provide training on gender-based violence and safety planning for emergency managers and first responders. Emergency social services and emergency managers should connect with antiviolence organizations before disaster strikes.

## 13. PREVENTION

1

2

3

4

5

The Foundation

In addressing gender-based violence, prevention and intervention are intricately linked. It is important to recognize the integral role that community-based anti-violence programs play in both intervention and prevention, including social awareness campaigns, bystander intervention initiatives, and preventing further violence via support services provided to victims/survivors and their families.

Prevention of gender-based violence is a broad field of work that can be conceptualized differently depending on the type of violence and associated risk and protective factors it is aimed at addressing. Using a public health perspective, prevention efforts can be placed on a continuum that spans three levels based on the timing of intervention: before violence has occurred, during or immediately after and in the long term.<sup>12</sup> This model of primary, secondary, and tertiary prevention offers a holistic perspective on prevention work that recognizes the integral nature of response efforts.

Evidence suggests that integrated strategies that address all forms of gender-based violence, including sexual violence and intimate partner violence, are a more effective system of prevention, especially where primary prevention is a central component.<sup>13</sup>

It is important to acknowledge that creating safe environment and supporting protective factors is fundamental to primary prevention: individuals at risk of gender-based violence, especially with intersecting factors, such as Indigeneity, being racialized, living in poverty, experiencing homelessness, mental health issues and a variety of others. From surveying our members and other sources, we know that it includes safe and affordable housing and transportation, income supports, and access to culturally appropriate and trauma-informed community-based services focused not just on risk reduction but on promoting individual and collective wellness, as well.<sup>14</sup>

*“We have an immediate short term counseling program for people at high risk of IPV, suicide, or experiencing exploitation and it is incredibly preventative to have someone available right away to provide that support when someone is in imminent crisis.”*

*EVA BC Survey Respondent*

<sup>12</sup> Ministry of Women's Affairs (2003) *Current Thinking on Primary Prevention of Violence Against Women*. The Government of New Zealand.

<sup>13</sup> Ibid. P. 7.

<sup>14</sup> BC Association of Aboriginal Friendship Centers (2020) *Urban Indigenous Wellness Report*.

## Engaging Men and Boys – EVA BC's By More Than a Bystander Program

In 2011, the Ending Violence Association of BC (EVA BC), working in partnership with the BC Lions Football Club, embarked on a ground-breaking initiative to "Break the Silence" on violence against women. Since the program's launch, we have trained over 220,000 people, in person in BC, teaching youth and adults alike, how to speak up and break the silence on gender-based violence. The program has also made two new films and numerous videos and PSAs on the subject, won many awards, has reached hundreds of billions of impressions on social and mainstream media, and has been profiled by the United Nations in New York.

Building on our success, versions of the Bystander program have also been customized for the Winnipeg Blue Bombers, Saskatchewan Amateur Football, British Columbia Institute of Technology, Simon Fraser University, Hamilton Junior Hockey, McMaster University, the Hamilton Tiger-Cats, United Steelworkers, ACTRA, and others. In each of these jurisdictions and for each of these entities, EVA BC has developed an intensive three day, train the trainer program for leaders of these groups, developed a custom program complete with scripting for their spokespeople to deliver, and delivered the train the trainer spokesperson training with experienced EVA BC trainers and Bystander trainer spokesmen the BC Lions to prepare leaders to take the program into those sectors/regions.

Additionally, in 2015 the Canadian Football League adopted a national policy on Violence Against Women developed by EVA BC with the CFL. It too is a groundbreaking initiative that has a core objective of prevention of violence against women. It has been designed to ensure that all CFL employees undergo mandatory education and orientation to the policy on an annual basis; it commits the CFL and its teams to respond to reports of violence, assists those harmed by violence, and seeks behavior change on the part of perpetrators. The policy applies to all individuals who work for the CFL and its Member Clubs; including players, coaches, officials, executives, and staff. The personnel behind the BC Bystander program, and all of the above customized Bystander programs, are the same people behind the CFLs.

#MeToo, #Time'sUp and a number of other recent social movements have brought increased focus and insight to the problems associated with gender-based violence, sexual harassment, bullying and inequality in the workplace. It is increasingly critical that people be taught how to speak up to attitudes that allow these behaviors before they escalate as effective tools and programs have been limited.

Drawing on decades of research and frontline expertise, EVA BC's internationally recognized Bystander program delivers a ground-breaking, culture shifting approach to creating safe, respectful communities and workplaces. Focused on providing practical tools to empower people to "stand up instead of standing by," this program allows learners to address the complex and challenging subject of gender-based violence and sexual harassment by:

- Recognizing that the vast majority of men and women in the community and in workplaces want to do the right thing and value a fair, respectful environment;
- Providing their people with the practical tools and information to recognize the range of behaviours that contribute to a negative, even dangerous culture where sexual and other forms of gender-based violence occur;
- Equipping leaders at all levels of communities and within workplaces with concrete skills to appropriately address these issues and create the respectful culture everyone wants.

## Needs

- Ensure all federal anti-violence awareness campaigns are led by and/or partner with organizations that represent front-line community-based gender-based violence programs.
- In consideration of the harmful effect of victim blaming on individuals, families and communities, it is imperative that gender-based violence prevention programs be targeted towards first responders, friends and family, perpetrators or potential perpetrators and not towards survivors or potential survivors.
- Provide support for provinces and territories seeking to implement or expand existing bystander intervention programs (e.g., the Ending Violence Association of BC and BC Lions Be More Than a Bystander program), which prevent gender-based violence through targeting the social conditions that allow this violence to occur in the first place.
- Support the development of corporate policy addressing gender-based violence that incorporates violence prevention training.
- Implement recommendations from the Truth and Reconciliation Committee and the National Inquiry into Missing and Murdered Indigenous Women and Girls.

## CONCLUSION and RECOMMENDATIONS FOR NAP IMPLEMENTATION

EVA BC's research and consultations in British Columbia have highlighted the need for adequate levels of services and training to enhance knowledge and skills of responders throughout the system of response, and the need to ensure that the justice system is equipped to respond and adjudicate in matters of gender-based violence. We also stress the critical importance of cross sector coordination in responding to gender-based violence, and the involvement and combined efforts and energy of government, support and service organizations, and survivors and their families.

The importance of a National Action Plan cannot be overstated in terms of establishing national standards and strengthening the systems that respond to gender-based violence. However, at the same time, a key element of success will be ongoing engagement, collaboration and knowledge sharing with regions and communities, to reflect the diversity of needs, challenges and efforts across the nation. To do this, it will be important to link with and build on the work and expertise of existing provincial not-for-profit organizations in engaging and supporting local communities and in developing provincial-level strategies.

In line with the Guiding Principles outlined in A High-Level Framework for Joint Action and endorsed by the Federal, Provincial, and Territorial Ministers responsible for the Status of Women during their 38th Conference, we are calling on the establishment of formal relationships between WAGE and provincial and territorial non-profit organizations. As key partners within the multi-sectoral approach, these organizations need to be resourced to lead the implementation of the relevant components of the Plan and distribute the funding to smaller community-based organizations and programs through granting that addresses local priorities and needs. Such umbrella organizations are best positioned to ensure the successful implementation of the Plan according to its Guiding Principles in the most impactful and cost-effective way by leveraging their existing networks, relationships, knowledge and expertise.

Finally, in order to implement system-wide level solutions that are urgently needed, there needs to be an effective mechanism for resourcing this work. We recommend that the federal government consider Transfer Payments, specifically the Canada Social Transfer, as a mechanism to provide funding to provinces for supporting gender-based violence initiatives. If this solution is to be pursued, Transfer Payments would have to contain a clear set of accountabilities tied back to the National Action Plan, which will also allow for monitoring the progress towards its implementation.

## REFERENCES

BC Association of Aboriginal Friendship Centers (2020) Urban Indigenous Wellness Report. Retrieved from <https://bcaafc.com/wp-content/uploads/2020/11/BCAAFC-Urban-Indigenous-Wellness-Report.pdf>

Conroy, S. and Cotter, A. (2017) Self-reported sexual assault in Canada, 2014. Ottawa: Statistics Canada. Retrieved from <https://www150.statcan.gc.ca/n1/pub/85-002-x/2017001/article/14842-eng.pdf>

Department of Justice Canada (2019) Just Facts: Sexual Assault. Ottawa: Department of Justice. Retrieved from: <https://www.justice.gc.ca/eng/rp-pr/jr/jf-pf/2019/apr01.html>. Accessed: March 15, 2021.

Department of Justice Canada (2016) Making the Links in Family Violence Cases: Collaboration among the Family, Child Protection and Criminal Justice Systems. Ottawa: Department of Justice. Protocols section, Para.1. Retrieved from: <https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/mlfvc-elcvf/vol2/p6.html#sec6>. Accessed: March 10, 2020.

Ending Violence Association of BC (March, 2020) Service Provider Survey.

Ending Violence Association of BC (2019a) Bill M217: The Interpersonal Violence Disclosure Act British Columbia Clare's Law. Vancouver: EVA BC.

Ending Violence Association of BC (2019b) The Importance of Coordination Initiatives as Foundations for Collaboration to Address Gender Based Violence. Vancouver: EVA BC.

Ending Violence Association of BC (2012) Violence Against Women and Children in BC: 33 Years of Recommendations. Vancouver: EVA BC.

Ending Violence Association of Canada (2016a) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Prevention of Gender-based Violence. Retrieved from: <https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed: March 10, 2020.

Ending Violence Association of Canada (2016b) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Critical Elements of an Effective Response to Gender-Based Violence. Retrieved from: <https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed: March 10, 2020.

Ending Violence Association of Canada (2016c) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE:

Disaster Preparedness and Support. Retrieved from:  
<https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed:  
March 10, 2020.

Ending Violence Association of Canada (2016d) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Anti-Violence Worker Safety and Well-Being. Retrieved from:  
<https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed:  
March 10, 2020.

Ending Violence Association of Canada (2016e) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Training on Gender-Based Violence. Retrieved from:  
<https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed:  
March 10, 2020.

Ending Violence Association of Canada (2016f) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Treatment for Assaultive Men. Retrieved from:  
<https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed:  
March 10, 2020.

Ending Violence Association of Canada (2016g) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Addressing Gaps in Services for Women Marginalized in Society. Retrieved from:  
<https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed:  
March 10, 2020.

Ending Violence Association of Canada (2016h) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Specialized Support for Victims/Survivors of Gender-Based Violence. Retrieved from:  
<https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed:  
March 10, 2020.

Ending Violence Association of Canada (2016i) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Coordination of Responses to Gender-Based Violence and Information-Sharing. Retrieved from:  
<https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed:  
March 10, 2020.

Ending Violence Association of Canada (2016j) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Effective Referrals to Community-Based Anti-Violence Programs. Retrieved from:



<https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed: March 10, 2020.

Ending Violence Association of Canada (2016k) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Addressing Sexual Assault. Retrieved from: <https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed: March 10, 2020.

Ending Violence Association of Canada (2016l) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Barriers to Women's Participation in the Criminal Justice System. ISSUE: Protection Orders to Keep Survivors of Domestic or Sexual Violence Safer. Retrieved from: <https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed: March 10, 2020.

Ending Violence Association of Canada (2016m) Federal Strategy on Gender-based Violence Briefing Notes for Status of Women Canada and the Department of Justice Canada. ISSUE: Mandate and Support Provincial/Territorial Domestic Violence Death Review Committees and a National Death Review Initiative. Retrieved from: <https://endingviolencecanada.org/publications/14-briefing-notes-on-gbv-2016/>. Accessed: March 10, 2020.

Ministry of Women's Affairs (2003) Current Thinking on Primary Prevention of Violence Against Women. The Government of New Zealand. Retrieved from: <https://women.govt.nz/documents/current-thinking-primary-prevention-violence-against-women-2013> Accessed: March 12, 2021.

McInturff, C. (2013) The Gap in the Gender Gap - Violence Against Women in Canada. Ottawa: Canadian Centre for Policy Alternatives.

Perreault, S. (2015) Criminal victimization in Canada, 2014. Ottawa: Statistics Canada. Retrieved from <https://www150.statcan.gc.ca/n1/pub/85-002-x/2015001/article/14241-eng.htm>. Accessed: March 15, 2021.

Prochuk, A. (2018) We are here: Women's experiences of the barriers to reporting sexual assault. Vancouver, BC: West Coast LEAF. Retrieved from <http://www.westcoastleaf.org/wp-content/uploads/2018/10/West-Coast-Leafdismantling-web-final.pdf>.

Rotenberg, C. (2017) From arrest to conviction: Court outcomes of police-reported sexual assaults in Canada, 2009 to 2014. Ottawa: Statistics Canada.

She Matters (2020) Silenced: Canada's Sexual Assault Evidence Kit Accessibility Crisis. Retrieved from: <https://www.shematters.ca/silencedreport>. Accessed March 15, 2021.

St. John's Status of Women's Council (2020) Survivors of Sexual Violence and the Criminal Justice System. St. John's: St. John's Status of Women's Council. Retrieved from: <https://sjwomenscentre.ca/wp-content/uploads/2020/11/Report-Survivors-and-the-Criminal-Justice-System-4.pdf>.

Taylor, S.C. and Gassner, L. (2010) "Stemming the Flow: Challenges for Policing Adult Sexual Assault with Regard to Attrition Rates and Under-reporting of Sexual Offences." *Police Practice and Research*, 11(3): 240-255.