



**Submission to the House of Commons Standing
Committee on Justice and Human Rights on the Study
of Controlling or Coercive Conduct within Intimate
Relationships**

**Submitted by: Ms. Aline Vlasceanu, Executive Director,
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1 - The CRCVC

My name is Aline Vlasceanu, Executive Director of the Canadian Resource Centre for Victims of Crime (CRCVC). We are pleased to be able to provide a written brief in support of *Bill C-247, An Act to amend the Criminal Code (controlling or coercive conduct)*.

Our organization, the CRCVC, has been providing support, research, and education to survivors of serious crime in Canada for the past 28 years. We tirelessly advocate for victims' rights, and firmly believe that victims of crime must be supported and empowered in order to regain control over their lives. We believe we can offer our expertise in this area and hope that the government will take our recommendations seriously as they come as a direct result of the needs expressed to us by the crime victims we work with on a daily basis across this country.

2- Background and opinion

We would like to support the submissions and testimonies of expert witnesses including the Federal Ombudsman for Victims of Crime in the context of the proposed Bill C-247. The CRCVC provides support to and advocates on behalf of victims and survivors of serious crimes in Canada. Our tireless and long history as a non-profit victims' advocacy group gives us a unique angle on the question of coercive control in intimate relationships. We believe that Canada needs to address the pressing issue of what amounts to an epidemic of domestic abuse, and, viewed more broadly, coercive control.

Let us start by stating the problem: the supports for victims of intimate partner abuse and coercive control in Canada are insufficient. This includes access to counselling, protection afforded by the authorities/police, and support navigating the criminal justice system when victims make the difficult choice to report. In large part, these failings are due to an antiquated view of intimate partner abuse. As sociologist Evan Stark writes:

“[Society’s] focus on physical violence, born of its effectiveness in drawing attention and resources, has taken us away from women’s true experience of which bodily injury is only one piece.”

Stark further argues:

“We need to focus law, policy, research, and intervention on coercive control instead of physical violence”.

Simply stated: **the lack of physical harm to victims does not mean there is no abuse, or that the abuse is not severe**; and physical violence is but one element used by the abuser in coercive control situations. Intimate partner violence should be reframed to examine coercive control in a holistic fashion: abusers rely on countless tactics that run the gamut in terms of severity, use, and type of abusive behaviour, which should all be looked at when attempting to assess a domestic abuse situation. Such a broad definition of abuse is challenging in that it does not

facilitate a convenient framework, but it reflects the reality of the abuse that takes place between the four walls of one's "sanctuary".

Further, the lack of physical acts of violence in an intimate partner abuse situation and/or the fact that victims "stayed" with their abuser often results in the discreditation of victims, amounting to a revictimization by the very system designed to protect them.

The CRCVC would like to support Bill C-247 seeking to criminalize coercive control, but in order for this crucial step to be successful, we strongly recommend the Bill be passed in tandem with an overhaul of the training provided on issues pertaining to intimate partner abuse so that all those interacting with victims can decipher and holistically understand these complex situations. We would also mention the need for better and more consistent funding of victim services, which fluctuates wildly with budget changes resulting in inconsistent and insufficient staffing and programs.

3- Coercive control

Coercive control is a broad concept which may involve many elements including controlling behaviors, verbal abuse, humiliation, jealousy, "gaslighting", stalking, forced isolation, threats, intimidation, and physical and sexual violence. While the methods of abusers are wide-ranging and used in unique combinations resulting in no "standard" abusive relationship, several characteristics of coercive control are undeniable:

1-coercive control is used by the abuser to break down his/her victim, thereby removing their sense of self, of worthiness, and of confidence in their own abilities.

2-coercive control is repeated, relentless and often escalates, but difficult to identify and even more difficult to extricate oneself from.

3-there is no instance of domestic or intimate partner abuse where elements of coercive control were not utilized by the abuser.

4-victims of coercive control are overwhelmingly female in heterosexual relationships. This should not diminish the plight of male victims of coercive control, or those in non-heterosexual relationships.

4 - Report from the frontline

Our tireless commitment to victims of crime over the past 28 years has given us unique insight into the plight of victims of coercive control and we would like to focus our submission on this.

Of note, the CRCVC is often the "last resort" for victims of crime. Victims turn to the CRCVC because they have not been able to recover compensation, because they have reported a crime

but their abuser has managed to evade prosecution, or because they do not feel they would receive adequate protection from law enforcement or the criminal justice system and fear retribution from partners.

CRCVC's observations

Domestic or intimate partner abuse, domestic violence and coercive control are recurring themes in our interactions with victims. Over the past five years, over a third of our caseload is related to gender-based violence and abuse, which always includes elements of coercive control. The plight of these victims is particularly insidious and they often find no protection, justice, or comfort from police, the court systems and traditional victim assistance programs. The reasons for this are manifold:

-coercive control methods are designed to break down a victim including the ability to think and function for oneself. As such, the awareness of one's present situation and "presence of mind" and organizational abilities to seek help are often reduced to naught.

-there is a perception that abuse without a physical component is "not that serious". Women who report coercive control are always asked about the use of force; if there is no physical violence, the level of engagement from police or other reporting bodies decreases meaningfully and credibility can be lost.

-coercive control is "effective" when it is repeated and used often over long periods of time. As such, reporting an event of coercive control may seem innocuous when reported at a given point in time, whereas the repetition of such behaviour is extremely detrimental over the long term.

-a victim's journey through the criminal justice system and victim services is thorny and convoluted at best. When the crime is broadly misunderstood and not "overt" such as an act of physical violence, a victim's attempt at accessing the necessary help and compensation is all the more torturous and almost always doomed to fail. Add to this a pervasive tendency to discredit women who report domestic or intimate partner abuse, and this amounts to serious and severe revictimization.

5- Examples

Rather than continue to theorize, we would like to now draw on our many years of experience helping victims of coercive control in an intimate partner abuse context and describe the psychological torture endured by victims, often within the confines of their own home. Note that the pandemic has exacerbated the plight of these women manifold and that intimate partner abuse is at an all-time high.

Examples include:

Modern day slave-like conditions: one victim described having to cater to her partner's every need, including towelling him off after his showers and dressing him, frequently having to start over if he did not "like his outfit".

Financial abuse: victims have reported the theft of Child Benefit payments and of pecuniary gifts bestowed upon children for birthdays and other occasions. One victim described her partner as having complete control over her finances, which included him forbidding her to spend any money on essentials and to pay her own rent resulting in being summoned to court over unpaid rent. A victim was forced to take out "pay day" loans at exorbitantly high interest rates under her own name. One victim reported her partner severely impairing her credit score to the point she was in financial "ruin". In cases of financial control, a partner can exercise a tremendously strong hold on victims via access to bank accounts (joint accounts, or knowledge of passwords) and monitoring of spending.

Undermining one's autonomy and ability to make decisions for oneself: one victim spoke of not explicitly being denied the right to work, but of a partner constantly undermining her efforts to obtain work which included constant belittling to the point of the victim "giving up".

Stalking behavior during/after a relationship: a victim described how her partner would break into her home which he was not to enter by court order and make small changes such as rearrange the furniture or open cupboards to signal he had been there. Another victim would receive strange and threatening messages from her ex-partner, sometimes to or via her children, at other times directly to her (in particular she mentioned a haunting "laughing" voice message from an unknown number). Several victims noted partners would show up unannounced at workplaces, schools, homes or other locations to "check in" (essentially making sure the victim was where she said she would be).

Threats of violence and intimidation: one victim described how her partner would lunge, fists closed, at her in a bid to physically harm her but never actually hit her.

These are just a handful of examples to hopefully give you a sense for the abuse victims go through in the context of coercive control situations. The effects of coercive control, if and when women manage to extricate themselves, are long-term and wide-ranging and concern both the direct victims as well as collateral victims (mainly children). Coercive control is also prevalent post-separation, especially in the case of couples with children.

6 - Recommendations

Mindful that there is no "quick fix" and that the ability to prosecute coercive control could have unintended consequences, we would urge the Committee to consider the following:

-drawing from the experience of countries that have criminalized these behaviours, we would suggest adopting a simple yet powerful "test" or checklist of abusive behaviours. The Home

Office (U.K.) list of seventeen behaviours is a great start. We suggest local consultations with experts to include a Canadian focus linked to its specific demographic, ethnic and socio-economic circumstances. A scale should be established for this checklist, linked to severity, consistency and momentum (i.e. recognizing patterns of escalation) over time. A resultant score should be used to establish the basis for access to support, protection and prosecution.

-as per proposed Bill C-247, criminalizing repeated and insidious patterns of psychological abuse and control, thereby moving away from the incident-based approach to domestic and intimate partner abuse. This includes the need to clearly define and describe the offense of coercive control.

-providing in-depth training to all stakeholders, including police, social services, victim services, court officials and lawyers, on coercive control and on all issues pertaining to domestic and intimate partner abuse.

-more consistent and better funding for victim services: budgets can change drastically from year to year, especially if there is a change of government. As such, victim services are inconsistently funded and lack continuity in terms of personnel and implementation.

We would be pleased to provide more information or participate in any consultations on the important issue of coercive control. If you would like to find out more about our organization, please visit our website at www.crcvc.ca.