



Motion Memorandum

SUBJECT: Bill C-233, “Keira’s Law”
TO: Mayor and Members of Council
FROM: Councillor Shawna Stolte, Ward 4
Date to Committee: N/A
Date to Council: April 19, 2022

Motion for Council to Consider:

Whereas violence against women is a Canadian public health crisis that demands urgent action; and

Whereas one in four women experience domestic violence in their lifetime. One woman or girl is killed every other day, on average, somewhere in our country; and

Whereas the most dangerous time for a victim of abuse is when she separates from her partner. According to research from the US Centre for Disease Control and Prevention, when there is a history of coercive control, violence and a recent separation, a woman’s risk of domestic homicide goes up 900 times; and

Whereas, the current Canadian court system is not equipped to protect women. According to the National Judicial Institute, there is no mandatory education for Judges on domestic violence. Judges need education on what constitutes domestic violence or coercive control. A formal education program would ensure another line of defense for victims, as well as preventing violence and abuse before it happens; and

Whereas, the COVID-19 pandemic has only exacerbated the domestic violence crisis. Women’s shelters and crisis centres have reported a marked increase in requests for services this year. The concerns for children are significant. According to recent research from The Children’s Hospital of Eastern Ontario, doctors have seen more than double the number of babies with serious injuries as this time last year. These include head injuries, broken bones or in some cases death. Institutions across the country are reporting a similar trend; and

Whereas, Halton Regional Police Service (HPRS) is raising the alarm bells about domestic assaults after a jump in intimate partner violence-related charges by more than 140 percent last month compared to a year ago. HPRS estimates officers

responded to more than 4,000 intimate partner violence calls in 2021, and average 10 calls per day; and

Whereas, Halton Women's Place shelters were frequently at or above capacity. Abuse is the attempt by one person to control another using fear, violence or intimidation. Abuse is not just physical but emotional, sexual, financial and psychological; and

Whereas, according to Article 19 of the UN Convention on the Rights of the Child, children must be protected from "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child." Our current family justice system often fails our children in this regard; and

Whereas, in worst case scenarios, children are killed by a violent parent. As reported by the Canadian Domestic Homicide Prevention Initiative, recent separation and domestic violence are the two biggest risk factors for domestic violence related child homicides; and

Whereas, custody disputes are an additional risk factor. Each year in Canada, about 30 children are killed by a parent. Mothers are responsible about 40 per cent of the time, often due to postpartum depression or mental illness. In the 60 per cent of cases where fathers are the murderers, anger, jealousy or post-separation retaliatory revenge are the usual motivations; and

Whereas, Keira's Law is named after four-year-old Keira Kagan, who was killed while in the custody of her father, in 2020; and

Whereas many cases of domestic violence are inappropriately labelled as "high conflict" in the family court system. According to research by Rachel Birnbaum, a Social Work Professor at the University of Western Ontario who specializes in child custody, approximately one third of cases called "high conflict" by the court had substantiated evidence of valid concerns about domestic violence. These cases must be recognized and treated differently by judges; and

Whereas, voting in favour of "Keira's Law", contained in Private Member's Bill C-233, will not only protect victims of violence and children, it will save lives by amending the Judges Act to establish seminars for judges on intimate partner violence and coercive control, and

Whereas, citizens from across Canada, including Burlington, have signed a petition calling upon the House of Commons to support Bill C-233; and

Now therefore be it resolved that, Burlington City Council calls upon the House of Commons to support Member of Parliament Anju Dhillon's Private Member's Bill C-233,

that will raise the level of education on domestic violence and coercive control for federally appointed Judges; and

Further that a copy of this resolution be sent to:

- The Right Honourable Justin Trudeau, Prime Minister of Canada,
- The Honourable Karina Gould, MP, Minister of Families, Children and Social Development,
- The Honourable Candice Bergen, Interim Leader of the Conservative Party of Canada,
- Yves-Francois Blanchet, MP, Leader of the Bloc Quebecois,
- Jagmeet Singh, MP, Leader of the New Democratic Party,
- MP Pam Damoff, and MP Adam van Koeverdan.

Reason:

The Canadian court system is currently not equipped to protect women and children from domestic violence.

Outcome Sought:

The House of Commons will support Member of Parliament Anju Dhillon's Private Member's Bill C-233, "Keira's Law", that will raise the level of education on domestic violence and coercive control for federally appointed judges. This formal education program would help ensure another line of defense for victims, as well as preventing violence and abuse before it happens.

Vision to Focus Alignment:

(check those that apply)

- Increase economic prosperity and community responsive city growth
- Improve integrated city mobility
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture
- Deliver customer centric services with a focus on efficiency and technology transformation

Motion Seconded by: Councillor Lisa Kearns, Ward 2
Share with Senior Staff

Approved as per form by the City Clerk,

Reviewed by the City Manager - In accordance with the Code of Good Governance, Council-Staff Relations Policy and an assessment of the internal capacity within the City to complete the work based on a specific target date (quarter/year).

Comments:

City Clerk: none

City Manager: none