



Ongoing Activism

In the two years since the jury released its verdict and recommendations, interest in seeing the recommendations implemented has consistently grown. As of June 2024, almost 100 municipalities have declared IPV to be an epidemic in their communities. Many are now working to expand their community safety and well-being plans to include gender-based violence. Community violence against women coordinating committees are focusing energy on advocating for implementation of recommendations that resonate in their communities.

Interest has moved well beyond the violence against women sector. The Canadian Federation of University Women, the National Farmers Union, the Association of Municipalities of Ontario and the Rural Ontario Municipalities Association, as well as the Ontario Association of Chiefs of Police and many other such organizations have dedicated time to learning about the recommendations and calling for their implementation.

Recommendation 86 called on the parties to the inquest to reconvene "to discuss the progress in implementing these recommendations." Two events took place in Renfrew County on the first anniversary of the jury's verdict; one organized by the coroner's office and one by Luke's Place.

The coroner's office held a private meeting to which the parties to the inquest (EVA Renfrew County, Malcolm Warmerdam, the province), the jurors, all those bodies to which recommendations were directed and some key witnesses) were invited. At this half-day meeting, those to whom recommendations had been directed shared their work on implementation and answered questions from others in attendance. The province appeared virtually; all others appeared in person.

Luke's Place organized a two-day conference for women's anti-violence organizations in Ontario to build their skills and capacity to engage in feminist law reform advocacy and with the media, using the inquest recommendations as the case study. A vigil was held at the women's monument at the end of the first day and, on day two, all those who had an interest in the recommendations (jurors, witnesses, family members, parties, those to whom recommendations were directed, the public and the media) were invited to join the gathering for a discussion about progress on implementation.

The discussion was lively, with many comments directed at the (not present) provincial government. Survivors and frontline workers made powerful comments about the need for action. About 40 members of the community group What Now Lanark County arrived by bus with placards and loud voices calling on the province to take action. Constructive conversations happened with representatives from the federal department of justice, the coroner's office and the office of the information and privacy commissioner, all of whom confirmed their institutions' commitment to meaningful implementation.

Since that anniversary, work at the community level to see key recommendations implemented has continued. The introduction of Bill 173 by the provincial NDP has breathed new life into the campaign to have intimate partner violence declared an epidemic at the provincial level. Community coordinating committees have continued to focus on specific recommendations. The DVDRC has reconstituted itself and broadened its scope (recommendation 74).

Of special note: On May 29, 2024, The Office of the Information and Privacy Commissioner released its plain language resource on privacy legislation and information sharing in the context of intimate partner violence (recommendation 78). This is an excellent resource that will be very helpful to all of us: <https://www.ipc.on.ca/en/IPVguidance>

Federally, the National Action Plan on Violence Against Women/Gender-Based Violence, has signed bilateral agreements with the provinces and territories (recommendation 83). Bill C-332 – an NDP private member’s bill to criminalize coercive control – is moving through the legislative process (recommendation 85).

The impact of the inquest is not over. On June 28, 2024, a gathering will be held at the women’s monument in Barry’s Bay, Renfrew County, which was unveiled on September 22, 2023 – the anniversary of the murders of Carol Culleton, Anastasia Kuzyk and Nathalie Warmerdam. Participants will have the opportunity to be part of a discussion about the work that has already been done to give life to the inquest recommendations and about how we move forward to ensure the work to end intimate partner and gender-based violence continues.

Bill 173 (Intimate Partner Violence Epidemic Act, 2024)

On March 7, 2024, Ontario NDP MPPs Lisa Gretzky, Kristyn Wong-Tam, Jill Andrew, and Peggy Sattler introduced [Bill 173, the Intimate Partner Violence Epidemic Act, 2024](#), which would require the Ontario Government to recognize IPV as a provincial epidemic. The government supported the Bill at second reading and referred it to the Standing Committee on Justice Policy for, as described by MPP Christine Hogarth, “an in-depth study on all aspects with respect to intimate partner violence” so they can make recommendations to the government on how to address the issue. While we are pleased the government supported the Bill, what is needed right now is not an in-depth study by the Committee. We already know what needs to be done, which is to immediately declare IPV an epidemic and implement the other CKW inquest recommendations.

We have engaged in a social media campaign about various CKW inquest recommendations that still need to be implemented by the provincial government. Below are some template messages. We are happy to share the graphics we designed for organizations to us. To gain access, please email kathrynb@lukesplace.ca.

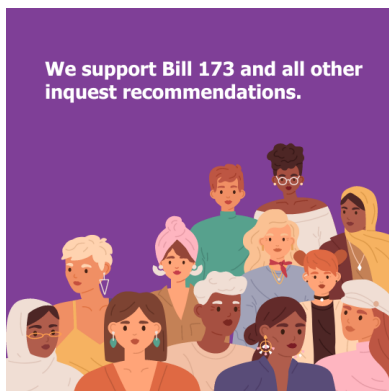
Bill 173 social media campaign templates

Instagram/Facebook/LinkedIn message:

We support the immediate passage of Bill 173 declaring intimate partner violence an epidemic. We also need to focus on implementing the other recommendations from the CKW inquest. In the coming weeks we will be sharing some of these recommendations in hopes of reminding the government that they already have a roadmap on how to address IPV in Ontario.

🔔 Learn more and join us in calling for immediate action: <https://lukesplace.ca/no-more-delay-when-it-comes-to-implementing-the-ckw-inquest-recommendations/> #ONpoli #Bill173 #Ontario

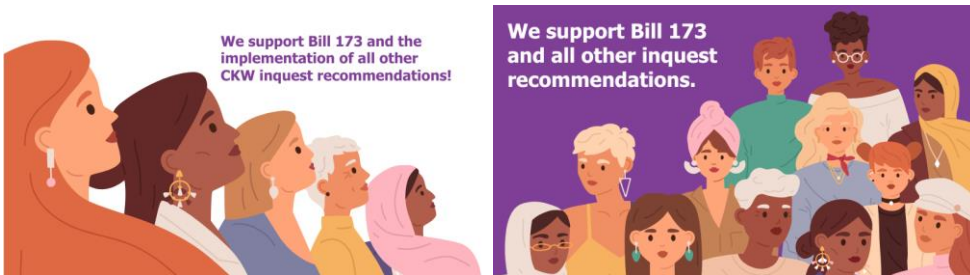
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X message:

We support the immediate passage of #Bill173 declaring #IPV an epidemic & also call for action to implement ALL inquest recommendations. In the coming weeks we'll be highlighting some we think the government should focus on first.

More: <https://lukesplace.ca/no-more-delay-when-it-comes-to-implementing-the-ckw-inquest-recommendations/> #ONpoli #Ontario



Recommendation 4: Create the role of a Survivor Advocate to advocate on behalf of survivors regarding their experience in the justice system.



Instagram/Facebook/LinkedIn message:

We support the immediate passage of Bill 173 declaring intimate partner violence an epidemic in #Ontario.

We also need to focus on implementing the other recommendations from the #CKWinquest, such as recommendation #4 which calls for the creation of a Survivor Advocate role.

The legal systems women are engaged with when they leave an abuser are complicated. Systems often do not communicate or share information with one another, and decisions and orders made in one may conflict with decisions and orders made in the other. Any survivor, but especially those dealing with trauma, can feel overwhelmed by the complexity, lack of clarity and the many decisions they have to make.

A survivor advocate would provide system navigation and could advocate with systems when requested to do so by a survivor, thus reducing her trauma, by making the process smoother. This could lead to better and safer outcomes.

Learn more and join us in calling for immediate action by visiting [LukesPlace.ca](https://lukesplace.ca)

X message:

We support the immediate passage of #Bill173 declaring #IPV a provincial epidemic. We also need to focus on implementing the other #CKWinquest recommendations such as recommendation #4 which calls to create a Survivor Advocate role.

Learn more: <https://lukesplace.ca/no-more-delay-when-it-comes-to-implementing-the-ckw-inquest-recommendations/> #ONpoli



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Recommendation 5: Immediately institute a provincial implementation committee dedicated to ensuring that the recommendations from this Inquest are comprehensively considered, and any responses are fully reported and published. The committee should include senior members of relevant ministries central to IPV and an equal number of community IPV experts. It should be chaired by an independent IPV expert who could speak freely on progress made on implementation.

CKW Inquest Recommendation #5

"Immediately institute a provincial implementation committee dedicated to ensuring that the recommendations from this Inquest are comprehensively considered, and any responses are fully reported and published. The committee should include senior members of relevant ministries central to IPV and an equal number of community IPV experts. It should be chaired by an independent IPV expert who could speak freely on progress made on implementation."

Instagram/Facebook/LinkedIn message:

We support the immediate passage of Bill 173 declaring intimate partner violence an epidemic in #Ontario.

We also need to focus on implementing the other recommendations from the #CKWinquest, such as recommendation 5 which calls for the creation of an implementation committee.

Currently, inquest recommendations are non-binding and there is no external oversight of implementation. Recommendation five calls for the creation of a provincial implementation committee to ensure the recommendations from this inquest are comprehensively considered.

An implementation committee consisting of an equal number of senior members of relevant government ministries and community IPV experts, chaired by an independent IPV expert with the freedom to speak publicly about progress made or not made would create much-needed transparency and accountability, which would then encourage comprehensive consideration and potential implementation of recommendations.

Important to note: recommendation 1 from the Hadley Inquest over 20 years ago also called for an implementation committee.

Learn more and join us in calling for immediate action: <https://lukesplace.ca/no-more-delay-when-it-comes-to-implementing-the-ckw-inquest-recommendations/> #ONpoli #Bill173

X message:

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Learn more: <https://lukesplace.ca/no-more-delay-when-it-comes-to-implementing-the-ckw-inquest-recommendations/> #ONpoli

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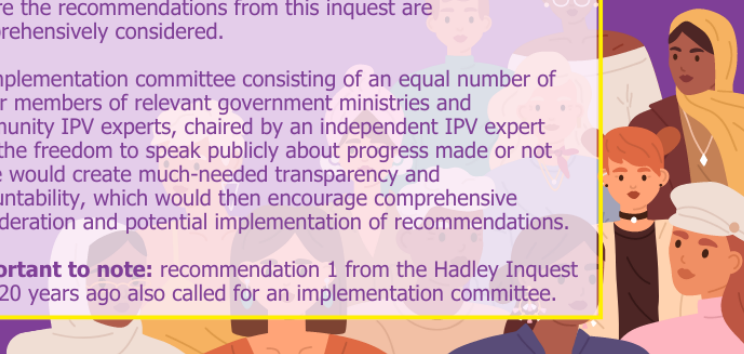
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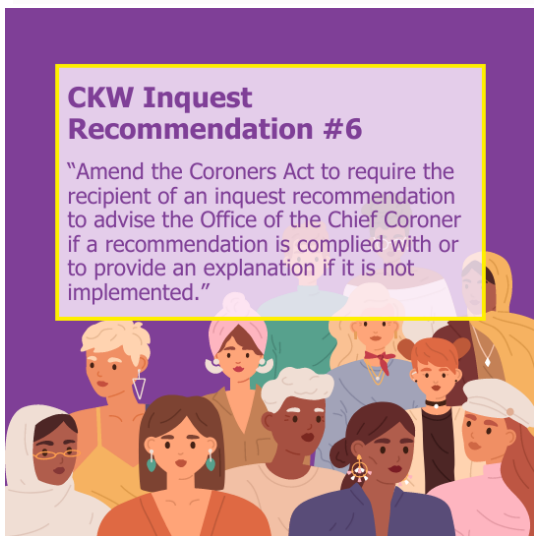
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Important to note: recommendation 1 from the Hadley Inquest over 20 years ago also called for an implementation committee.



Recommendation 6: Amend the Coroners Act to require the recipient of an inquest recommendation to advise the Office of the Chief Coroner if a recommendation is complied with or to provide an explanation if it is not implemented.



Instagram/Facebook/LinkedIn message:

We support the immediate passage of Bill 173 declaring intimate partner violence an epidemic in #Ontario.

We also need to focus on implementing the other recommendations from the #CKWinquest, such as recommendation 6 which calls for amendment to the Coroners Act to require the recipient of an inquest recommendation to advise the Office of the Chief Coroner if a recommendation is complied with or to provide an explanation if not.

This recommendation is focused on accountability and ensuring the recommendations are implemented. Having the Chief Coroner invested in

having the recommendations implemented identifies a leader responsible for following up on recommendations with recipients.

We believe that this recommendation should be implemented in combination with recommendation 5 which calls for a provincial implementation committee. Implementing recommendations 5 and 6 would promote ongoing conversations around the inquest recommendations and allow us to examine and address any barriers that prevent implementation.

Learn more and join us in calling for immediate action: <https://ow.ly/bgr050Rvj2O> #ONpoli #Bill173

X message:

We support the immediate passage of #Bill173 declaring #IPV an epidemic. We also need to focus on implementing the other #CKWinquest recommendations such as recommendation 6 which calls for an amendment to the Coroners Act.

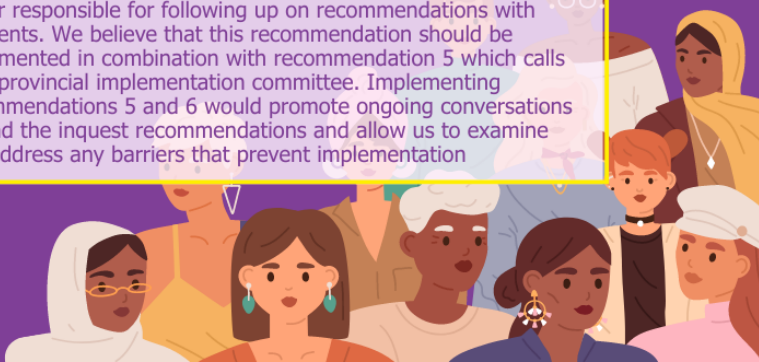
More information: <https://ow.ly/whii50RviZj> #ONpoli

CKW Inquest Recommendation #6

"Amend the Coroners Act to require the recipient of an inquest recommendation to advise the Office of the Chief Coroner if a recommendation is complied with or to provide an explanation if it is not implemented."



This recommendation is focused on accountability and ensuring the recommendations are implemented. Having the Chief Coroner invested in having the recommendations implemented identifies a leader responsible for following up on recommendations with recipients. We believe that this recommendation should be implemented in combination with recommendation 5 which calls for a provincial implementation committee. Implementing recommendations 5 and 6 would promote ongoing conversations around the inquest recommendations and allow us to examine and address any barriers that prevent implementation



Bill C-332 (An Act to amend the Criminal Code (controlling or coercive conduct))

At Luke's Place, we support women and their children who have left abuse and are engaged with the family law/court process through both direct service and system change work. Through this work, we have developed a deep understanding of the many ways different legal systems intersect with and affect women's family law experiences.

We have followed discussions about the criminalization of coercive control with great interest and through the lens of the potential impact of such a move on survivors and their engagement with both criminal and family law.

Our position is that criminalization is not the best approach to respond to abusers who engage in coercively controlling behaviours.

Last year, MP Laurel Collins introduced a [private members bill – Bill C-332](#) – which would criminalize coercive control.

Following that, the Department of Justice, with its provincial and territorial counterparts, held a series of virtual consultations at which stakeholders shared their perspectives on criminalization. Luke's Place Legal and Advocacy Directors both participated in these [consultations](#).

Bill C-332 passed first and second reading and then moved to the House of Commons Standing Committee on Justice and Human Rights for further study. As part of this process, the Committee held public hearings. Luke's Place submitted a [written brief](#) and our Advocacy Director, Pamela Cross, appeared as a witness to give [oral testimony](#).

Where the Bill is now

Following the public hearings, the Committee met to discuss possible amendments to the Bill. It returned the [Bill to the House of Commons with significant revisions](#), where it will be debated and voted on one last time before moving to the Senate, where the same process will repeat itself. The amendments that the Committee has put forward reflect the input from witnesses at the hearings and considerably strengthen the Bill. That's good news.

However, Luke's Place continues to oppose the criminalization of coercive control altogether, and we plan to take that perspective to the Senate if and when the Bill reaches the public hearing stage there.

[Read our full statement on the status of Bill C-332 as of May 2024.](#)

Bill C-233 (An Act to amend the Criminal Code and the Judges Act (violence against an intimate partner))

[Bill C-233](#), also known as "Keira's Law" after four-year-old Keira Kagan who was killed by her father in 2020, received royal assent on April 27, 2023. Keira's law is an important advancement in the law when it comes to judicial education on issues of intimate partner violence.

Federally, the Judges Act requires that the Canadian Judicial Council consider providing continuing education on intimate partner violence and coercive control in intimate partner and family relationships. In Ontario, the Courts of Justice Act requires that all newly appointed judges undertake to participate in courses related to topics that include intimate partner violence and coercive control in intimate partner and family relationships.

Now that these important changes in the law have been made, we are focusing our attention on advocacy related to the content and delivery of the training and education. We want to make sure that survivors and the organizations that support them have a say when it comes to creating and delivering this content and that accountability measures are put in place to make sure judges are implementing what they have learned.

At the end of 2023, Luke's Place responded to an open call for feedback from the National Judicial Institute (NJI) about the topics that should be included in future judicial training and education. The NJI is the institution that develops and delivers training programs for federally appointed judges. Excerpts from our feedback can be found on our [blog](#).

Call for a review of Mandatory Charging Policies

Mandatory charging policies, introduced over 40 years ago, take the responsibility away from survivors for deciding whether to lay criminal charges in cases of intimate partner violence (IPV). Police are directed to lay charges where they believe there is a reasonable likelihood of conviction. The hope when these policies were first introduced was that they would increase survivors' safety, increase reporting and perpetrator accountability, and improve police responsiveness to IPV.

Unfortunately based on the experiences of the women we support, we know that, instead, some women are criminalized. This is an unintended consequence that occurs when women have contacted the police for help and are misidentified as the primary aggressor. Black, Indigenous, queer, disabled, migrant, transgender, and low-income women are disproportionately subjected to IPV. These same communities are also disproportionately criminalized by police, further contributing to the issue of survivors being criminally charged. This criminal charge can have a disastrous effect on a woman's family law case, because the family court may view her as the abuser rather than the victim/survivor.

A survivor may reach out to the police to de-escalate the immediate violence without any intention of having her ex-partner charged. There are several reasons why a survivor may not want her partner to be charged - he could be the primary income earner and a criminal charge could affect the family's ability to meet their basic needs, or it could impact their immigration status. The threat of a criminal charge against either person is enough to discourage some survivors from reaching out for help.

There is little formal research on how mandatory charging policies have affected those they were intended to protect, even though calls for review have been made over the past 20 years, including:

- In 2005, the Women Abuse Council of Toronto wrote a report that made six recommendations for changes to the then-current approach to mandatory charging
- In 2009, the provincial Domestic Violence Advisory Council called for a study to assess the impact of mandatory charging on women
- In 2022, the [CKW Inquest Jury's Verdict](#) included a recommendation for the provincial government to:

"Commission a comprehensive, independent and evidence-based review of the mandatory charging framework employed in Ontario, with a view to assessing its effect on IPV rates and recidivism, with particular attention to any unintended negative consequences." The province has accepted this recommendation "in part," also noting: "At this time, the Ministry of the Solicitor General does not have plans to commission an independent review of the mandatory charging framework."

- In 2023, at the national level, the [Nova Scotia Mass Casualty Commission](#) included a recommendation (rec. v. 10) for:

(a)provincial and territorial governments [to] replace mandatory arrest and charging policies and protocols for intimate partner violence offences with frameworks for structured decision-making by police, with a focus on violence prevention

What more do we need to take these recommendations seriously?

The negative impacts of mandatory charging are not going away on their own. The provincial government needs to take action to address this issue. We should not have to wait for another set of recommendations to say what we already know to be true.

It's time for the government to re-establish the Violence Against Women Roundtable

We ask the Ontario Government to re-establish the Violence Against Women Roundtable, which could lead a comprehensive, independent review of mandatory charging and:

- provide adequate resourcing to the Roundtable to ensure the review is professionally completed.
- have the Roundtable set a timeline for producing its final report and recommendations, to be no longer than 12 months from the time the review is started.
- ensure that this review include meaningful consultations with all stakeholders, including survivors, those who have caused the harm, women's advocates, police officers, Crown Attorneys, family law lawyers and the judiciary.
- The Roundtable provide its report and recommendations to the Legislative Assembly and publicly.

Next steps

We have prepared a discussion paper outlining the history of mandatory charging policies and how these policies have negatively affected many survivors. We wrote this paper to support our call for a review and to highlight the importance of addressing this issue without any further delay.

Learn more at LukesPlace.ca.