

**Submission to JUST on the Criminalization of Coercive Control**  
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## **A. Introduction and Overview**

It is imperative, in our submission, that actors in all legal domains acquire a nuanced and contextual understanding of coercive control derived from an intersectional analysis that attends to how multiple systems of oppression interact to shape the tactics of coercion and control. However, we do not support the criminalization of coercive control, either as a standalone offence or within a broader offence of domestic abuse/violence. In our view, it is the former – the acquisition of deep and contextualized knowledge – and not criminalization that holds promise in enhancing safety for women and children. In Part B, we provide a brief overview of coercive control, highlighting three areas of contestation. We do so with a view to illuminating both the many challenges of translating the theory of coercive control into a criminal prohibition and the complex intersectional understanding of coercive control that legal system actors need to acquire.

In Part C, we examine lessons learned from past and current criminalization initiatives and the differential impacts of criminalization. These lessons, we argue, underscore not only the lack of efficacy of criminalization in enhancing safety, but its infliction of harm. In Part D we continue the theme of lessons learned, considering what can be gleaned from recent family law reforms regarding the translation of coercive control into the legal realm, and from our ongoing research on intersecting legal domains. In Part E we sum up the reasons why we do not support the creation of a new criminal offence, explain why Bill C-332 is particularly problematic, and offer suggestions of what needs to be done to address coercive control and gender-based violence.

## **B. Coercive Control**

Coercive control captures the reality that through tactics of isolation, manipulation, humiliation, surveillance, micro-regulation of gender performance, economic abuse, intimidation, and threats, abusive partners instill fear, control, and entrap their victims. The metaphor of a cage is often used to describe coercive control, with the various tactics used by perpetrators forming the bars that entrap the target, denying her liberty and autonomy. These tactics cause deep psychological, emotional, spiritual, and economic harm (Stark 2007; Stark & Hester, 2019; Williamson, 2010; Myhill & Hohl, 2019). While there are multiple and varied definitions of coercive control in the literature, Hamberger et al (2017) suggest that they share three common characteristics: (1) intention or motivation of the perpetrator to control the target; (2) the perception of the behaviour as negative by the target; and (3) the perpetrator's ability to make credible threats. Barlow and Walklate (2022) conclude that common across all definitions is a focus on a course of conduct; a pattern of behaviour that undermines the autonomy of another.

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<sup>1</sup> For a more in-depth version of our arguments, see our submission to the Department of Justice in October 2023, available at <<https://ssrn.com/abstract=4619067>>.

There remain however, sharp disagreements about coercive control, including three issues we address next. Without a clear and shared understanding of the meaning of coercive control, the offence proposed by Bill C-322 is likely to be misunderstood, misused, resisted, and/or applied differently by different judges, with negative results, especially for marginalized women (including those who are disproportionately criminalized, namely Indigenous and Black women).

***i) Whether Physical Violence is a Necessary Element of Coercive Control***

A persistent disagreement in the literature is whether a pattern of coercive control, by definition, requires the presence of some degree of physical violence. There is an abundance of research documenting consistent reports from survivors that the harms of physical violence are overshadowed by the scars left by isolation, humiliation, gaslighting, and threats. Research also establishes the harm to children, including adverse impacts on brain development of exposure to the stressful and toxic environment created by a coercive and controlling parent (Artz et al, 2014). Research is just beginning to document the ways in which coercive control is exercised directly against children, including post-separation (Katz, 2022). In sum, in our view it is clear that the tactics of coercive control need not include physical or sexual violence directed at the target in order to produce serious and lasting harm and to warrant resources and supports. Given the focus of the criminal law system (CLS) on incidents of physical aggression in which seriousness is tied to the severity of physical injury (e.g. assault causing bodily harm), embedding this understanding of coercive control poses significant challenges.

***ii) Gender and Coercive Control***

While we believe there is ample evidence to support the view that women are the primary victims of coercive control, we also agree with scholars who have argued that the relationship between “gender” and coercive control needs to be explored well beyond the question of whether men and women (and other genders) are equally likely to engage in coercive control. Important is consideration of how the performance of “gender” is regulated through tactics of coercive control. Much of the micro-regulation by coercive controllers centres upon the rigid enforcement of the highly gendered scripts associated with “traditional relationships,” with punishments attached to deviations. Coercive control is often hard to “see” because its tactics mirror – though frequently in more extreme forms – many of the elements of the script of romantic, heterosexual relationships (he’s jealous, possessive, wants to spend all his time with her, is concerned about how she looks and who she sees, etc.) (Anderson, 2009; Fitz-Gibbon & Sheehy, 2019).

Additionally, the fact that the concept of coercive control has, to date, been developed largely in the context of heterosexual relationships has rendered it particularly difficult to “see” in relationships that are not heterosexual and not between cisgendered partners. More broadly, because gender inequality has been theorized as central to the enablement of coercive control, the role that colonialism, racism, heterosexism, transphobia, ableism, and other structures of oppression play in shaping the tactics and effects of coercive control is often erased.

Recent Statistics Canada survey data of self-reported violence reveal that the interplay of multiple structures of oppression results in higher rates of victimization in intimate relationships for Indigenous women, racialized women, young women, women with disabilities, sexual minority

women, and women living in rural and remote areas. Unless a nuanced and intersectional understanding of coercive control is shared among actors in the CLS, the experiences of those who are most deeply impacted by gender-based violence will be rendered invisible.

***iii) How Many Behaviours, What Behaviours and Over What Period of Time?***

A further challenge arises in discerning the quality, quantity, and character of actions/behaviours and the relevant time period that give rise to coercive control. These questions have arisen in debates about how best to conceptualize coercive control, in critiques of various typologies of intimate partner violence, and in the development of risk assessment and screening tools (Wangmann, 2011). Moreover, as noted above, coercive control can be difficult to see because it resembles in so many ways heteronormative scripts of romantic love and gendered roles. In their research, Walklate and Fitz-Gibbon (2019) have probed the complex relationship between autonomy and intimacy that exists in all intimate relationships and queried how compromise can be clearly distinguished from control, when does control become coercive, and when does a “normal” relationship become criminal?

These challenges are evident in the language of Bill C-332. For example, how many repetitions of behaviour are required to satisfy the requirement of having “repeatedly or continuously” engaged in coercive control? Controlling or coercive conduct is itself not defined, but rather identified by its impact, an approach that, as we canvass in our conclusion, is highly problematic from a constitutional standpoint.

***iv) Coercive Control and the Legal System***

The above review of coercive control makes plain that settling on a definition of coercive control is not a simple matter, nor is establishing/proving it in a legal context (Brennan & Myhill, 2022; Barlow & Walklate, 2022). Our prior research, drawing on interviews with service providers and lawyers representing survivors in the family law, child protection, civil protection order, and immigration law realms, underscores the challenges of establishing coercive control (Mosher, 2023; Wiegers, 2023; Koshan, 2023; Chan & Lennox, 2023). Survivors of coercive control often experience profound fear around disclosure; many have been threatened with death, deportation, the loss of their children, and other harms should they disclose. Survivors do not know who, if anyone, they can trust. As the service providers and lawyers we interviewed pointed out, establishing trust takes time and a deep understanding of trauma. Only once trust is established is it possible to learn the details of a relationship that will reveal a pattern of coercive control. Moreover, survivors who are marginalized as a result of colonialism, systemic racism, and other forms of oppression will have good reason not to trust the police or other legal system actors. As was revealed so poignantly to the Nova Scotia Mass Casualty Commission (2023), “members of marginalized communities, including African Nova Scotian and Indigenous communities, lack safe spaces where they can come forward and talk about their experiences of gender-based violence.” Survivors are also subject to ongoing myths and stereotypes about intimate partner violence and “ideal victims” by legal system actors (Koshan, 2023). Gathering the evidence to prove coercive control in a trauma-informed way that is free of myths and stereotypes takes skill, time, resources, and appropriate and thoughtful training.

Experience in the criminal law context points to similar concerns. Mandatory charging/arrest policies in Canada direct officers to charge the dominant or primary aggressor. Translating this policy directive into practice has been fraught, with many survivors being charged (Duhaney, 2021). For those abused women who are charged, they face a higher risk of wrongful convictions and false guilty pleas (Pate, 2022). Given the complexities of coercive control, the importance of trust to disclosures, the limited education on intimate partner violence that police officers receive, and abusers' ability to manipulate legal systems (claims that a survivor has fabricated evidence of abuse and that the alleged perpetrator is the real victim are pervasive in both family and criminal law), it comes as no surprise that police and/or prosecutors struggle to identify the actual and/or dominant aggressor. Indeed, Barlow and Walklate (2022) question the capacity of criminal law professionals to listen and hear women's voices given time constraints, limited understandings, and the "conceptual assumptions embedded in the kinds of tools in use". In the family law context, many judges struggle to decide between competing claims of intimate partner violence (often declining to decide as between them or characterizing the circumstances as "high conflict" or mutual) even though they normally have a great deal more time and evidence than police officers or prosecutors have when deciding whether and whom to charge.

These challenges are also borne out by data from England and Wales where coercive control has been criminalized. Problems for frontline police officers in "seeing" coercive control emerged in early evaluations of the English legislation, as did practitioner misunderstandings of coercive control (Walklate & Fitz-Gibbon, 2019). A more recent study by Brennan and Myhill (2022) found that rates of charges for coercive control were considerably lower than for other domestic abuse offences and that rates of discontinuance were 50% higher, with 6 out of 7 cases of coercive control being discontinued due to evidentiary challenges. Earlier research involving interviews with police found that they were unprepared to conceptualize domestic violence as a pattern of behaviour. As Brennan and Myhill (2022) point out, "seeing" coercive control requires:

an appreciation of the wider context of the relationship, as well as an understanding of the gender norms through which the abuse may operate ... its interpretation is warped by subjective gender norms and structural inequalities and it is not a discrete incident in a way that lends itself to being evidenced in court through a collection of physical artefacts.

### **C. Lessons Learned from Past Criminalization Reforms**

The pull of adding a new offence of coercive control lies in the possibility that it would serve to enhance the safety and well-being of women and children. In assessing this potential, we believe that it is critical that the current workings of the CLS in relation to intimate partner violence be closely examined for lessons learned. Brennan and Myhill (2022) put this bluntly:

Any legislature that chooses to criminalize coercive control cannot plead ignorance to the possible abuses and failings of such law. The myriad ways in which legal systems abuse is perpetrated have been clearly demonstrated.

A close examination reveals that:

- past criminal law reforms such as mandatory charging/arrest policies have done little to make survivors safer (theories of general and specific deterrence have not been demonstrated in practice, and while some survivors have been made safer, criminal law

intervention has aggravated rather than mitigated violence for others) (Richie & Eife, 2021; Cross, 2022; Goodmark, 2017; Walklate & Fitz-Gibbon, 2021);

- criminalization has had differential and harmful impacts, especially for marginalized women and communities;
- most survivors do not turn to the CLS for a host of good reasons including chief among them fear (NS Mass Casualty Commission, 2023) (of retaliation, of child welfare involvement, of poverty and homelessness, of deportation, or racist responses, etc.);
- the legal system is frequently manipulated by coercive controllers; and
- those who do turn to the CLS often experience institutional betrayal (Avalon & LEAF, 2023) and race treason (the prospect of becoming accomplices to the discriminatory treatment that racialized men encounter in the CLS) (Flynn & Crawford, 1998).

## **D. Intersections between Criminal Law and Other Legal Domains**

### ***i) Family Law***

In assessing the risks of criminalizing coercive control, it seems prudent to gain an understanding of what has been happening in the family law context, particularly since there are commonly overlaps between the two domains in cases of family violence. Amendments to the *Divorce Act* in March 1, 2021 (since mirrored by several provinces in their family law legislation) require courts, in identifying the best interests of a child, “to give primary consideration to the child’s physical, emotional and psychological safety, security and well-being” (section 16(2)). Judges are now required to consider “family violence” and its impact on the willingness and ability of the party responsible for the violence to care for and meet the needs of the child, along with the appropriateness of requiring cooperation between the parties (section 16(3)(j)). Family violence is defined broadly as:

...any conduct, whether or not the conduct constitutes a criminal offence, by a family member towards another family member, that is violent or threatening or that constitutes *a pattern of coercive and controlling behaviour* or that causes that other family member to fear for their own safety or for that of another person — and in the case of a child, the direct or indirect exposure to such conduct — and includes

(a) physical abuse, including forced confinement but excluding the use of reasonable force to protect themselves or another person;

(b) sexual abuse;

(c) threats to kill or cause bodily harm to any person;

(d) harassment, including stalking;

(e) the failure to provide the necessities of life;

(f) psychological abuse;

(g) financial abuse;

(h) threats to kill or harm an animal or damage property; and

(i) the killing or harming of an animal or the damaging of property. (emphasis added)

We are in the early stages of reviewing parenting cases decided under the *Divorce Act*, post March 2021 where an allegation of coercive control has been made, with a view to understanding how “coercive and controlling behaviour” is being addressed by courts. In the decisions (n=16) reviewed to date, allegations of coercive and controlling behaviour are made in the first instance by mothers and, in almost all instances, they are made together with allegations of physical violence and other forms of family violence as defined by the *Divorce Act* (see Appendix A for a table of cases). As was common pre-amendments, fathers responded with blanket denials (in four cases fathers denied family violence even though there had been a criminal conviction and, in one of them, also a finding of civil liability). In addition to denying that they had engaged in family violence, fathers commonly alleged that they were the real victims of family violence and that mothers were the perpetrators.

Denials of intimate partner violence by fathers and assertions that mothers have fabricated allegations are pervasive. Yet research shows that false allegations of intimate partner violence are rare, contrary to what some lawyers argue, and some courts assume (Department of Justice, 2018; Flood, 2022). The heightened suspicion and skepticism that legal actors so frequently attach to allegations of intimate partner violence are concerning. It seems entirely likely that allegations of coercive control in the criminal context (were an offence to be enacted) would meet with similar denials, counter-allegations, and stereotypical assumptions, impacting criminal and family proceedings alike. Moreover, it is also reasonable to predict that the stereotypes attached to marginalized women (e.g. Black women are stereotyped as aggressors; see Duhaney, 2021) may well mean that they are even less likely to be believed when they allege coercive control.

In our sample of cases, discussion of the meaning of “a pattern of coercive and controlling behaviour” was slim or non-existent in most decisions. Very few of the decisions revealed an understanding of coercive control as it has been developed within the intimate partner violence field. Scattered throughout many of these decisions are statements that reveal a lack of understanding of coercive and controlling behaviour, of family violence more broadly, and of the harms to mothers and children, notwithstanding the recognition by the Supreme Court of Canada in *Barendregt v Grebliunas* of the harms to children of direct or indirect exposure to family violence (2022 SCC).

A further and related concern is the labelling of mothers’ conduct as “coercive and controlling behaviour” if the court finds the conduct to be overly restrictive (not realistically protective) in relation to fathers’ contact with the child(ren). Although a small sample of cases, what we are seeing post-March 2021 is consistent with the well-documented concern that allegations of intimate partner violence in the family law realm are countered by claims of parental alienation (now with the additional characterization of the mother’s conduct as “control” and itself a form of family violence) (see e.g. Neilson, 2018; Sheehy and Boyd, 2020; Zaccour, 2020). If coercive control were to be criminalized, there is a very real risk that it will be used against survivors, with allegations made by perpetrators that they are the targets of coercive control deployed by alienating mothers.

The language of Bill C-332 reinforces our concerns about an offence of coercive control being weaponized against mothers in parenting disputes. The language of the offence provision in s

264.01(1), with no definition of "controlling or coercive conduct," and lack of clarity as to what constitutes "repeatedly or continuously" engaging in such conduct, is subject to manipulation and misinterpretation. The "best interests" defence in s 264.01(5) is also open to abuse by fathers who are charged with "controlling or coercive conduct" and falsely claim that they were protecting their children from alienation. This defence is also capable of reinforcing myths and stereotypes about "supposedly benevolent domestic violence," which may adversely impact disabled survivors in particular (National Association of Women and the Law, 2023).

A catch-22 for survivors arises because the "failure" to report the violence to police, or to do so in a timely way, is commonly invoked as a reason to question the validity of women's disclosures in family court proceedings. Although the Supreme Court has now recognized – in both family and criminal law contexts – the challenges faced by survivors in reporting violence, misassumptions continue to be inappropriately made about survivors who do not report violence at the first opportunity. The addition of an offence of coercive control would widen the scope for questioning the validity and/or seriousness of a survivor's account of violence if she has not reported it to the police.

A further concern relates to the scope for cross-examination of women in relation to a pattern of coercive control that has occurred over a period of time. Others have underscored how heavily the England and Wales model for the offence of coercive control relies upon women's testimony and survivors' exposure to gruelling cross-examination (Walklate et al, 2018). This concern is relevant to Bill C-332 as well, in light of the "significant impact" component of the offence in s 264.01(1) and (2). There is an additional risk that a survivor's testimony in the criminal context will be used to impeach their evidence in a family law proceeding. This occurs now, but the addition of an offence that opens women up to extensive cross-examination on actions, behaviours, and responses over a potentially lengthy period of time greatly heightens this risk.

The differences in statutory language in the *Divorce Act* (and several provincial family law statutes) and the offence proposed in Bill C-332 also raise concerns. Neither the *Divorce Act* nor Bill C-332 uses the term "coercive control"; the former refers to "a pattern of coercive and controlling behaviour" and the latter, "controlling or coercive conduct." The *Divorce Act* embeds the language within a broader framing of "family violence," and the Bill does not. Whether the behaviour was directed at a child or exposed a child, resulted in physical, emotional, and psychological harm or risk of harm to children, and whether it has compromised or causes fear for safety are central considerations in the *Divorce Act* context. By contrast, the Bill is focused on the direct target of the conduct, and "significant impact" is defined in s 264.01(2) as causing the target to fear (on reasonable grounds) that violence will be used against them, causing their physical or mental health to decline; or causing alarm or distress that substantially limits day-to-day activities. Unlike the *Divorce Act*, the Bill also contains a *mens rea* requirement that the accused knew, or ought to have known, that their conduct could reasonably be expected to have this significant impact on the complainant. The challenges experienced by family law courts in seeing coercive control even without an intent requirement raises questions about how this element of the offence will be interpreted and applied in the criminal context.

In England and Wales, a cross-sectoral definition of coercion and control was developed prior to the introduction of a criminal offence (Brennan & Myhill, 2022). In Australia, the New South Wales

government has decided it is premature to create such an offence, citing among other factors the need to first develop a common cross-sectoral definition (Parliament of New South Wales, 2021). In Canada, if an offence of coercive control is adopted – which we do not support – there should be a delay of the coming into force of the law so that cross-sectoral definitional work can be done prior to the implementation of the offence. The problems arising from the lack of harmonized definitions in intimate partner violence-related laws means that these laws are open to misunderstanding and manipulation.

**ii. *Intersections with Legal Domains Beyond Family Law***

Criminal law intersects not only with family law, but among other areas, child protection law, civil protection regimes, and immigration law. Thinking carefully through the implications of adding a new offence of coercive control for various other legal domains is critically important, particularly because those most deeply affected will be marginalized women. In the child protection context, Black and Indigenous survivors are especially reluctant to disclose intimate partner violence. Survivors run the real risk of being seen as having failed to protect their children from exposure to violence, even in the face of a lack of affordable alternative housing and inadequate income and social supports, systemic racism, a fear of retaliation, or other impediments to leaving. Child welfare investigations can provide an opportunity to provide services to survivors and stem the harmful impacts of coercive control if workers are adequately trained in the dynamics of domestic violence, are sensitive to the intersecting and complex systemic inequalities affecting survivors, and if they are able to provide meaningful supports, particularly safe housing if needed. In the absence of adequate training, understandings, and preventative supports, an increase in investigations arising from a new criminal offence could merely increase the surveillance and control that survivors experience, as well as heighten the risk of out-of-home placements for children and related trauma.

When it was first implemented in the 1990s in Canada, civil protection order legislation was seen as a means of supplementing CLS responses to domestic violence, but in some provinces and territories, these orders are sought by survivors as an alternative to engaging with the CLS – although sometimes, police apply for protection orders on behalf of survivors. Not all jurisdictions with protection order laws include coercive control in their definitions of family violence, however. It seems a logical first step before considering criminalization of coercive control that all protection order laws should include this form of violence, so that survivors have access to protective remedies without relying on the CLS. This is not to say that the protection order system is without its own serious problems. Protection orders do not necessarily provide safety to survivors, as they can be very short-term, and breaches may not be reported to or enforced by police, which in turn reinforces concerns about how police would respond to allegations of coercive control if it were criminalized.

Complex intersections between immigration, criminal, and family law create situations of tremendous precarity and make it unlikely that survivors will seek police assistance. Current legislative provisions that preclude a spousal sponsorship for permanent resident status if convicted of an offence involving bodily harm (or threat thereof) against an intimate partner or other family member operate to silence survivors who fear the loss of a sponsorship. Expanding the circumstances through which a spousal sponsorship would be lost would further compromise



survivors' safety. Additionally, the risk that a coercive control offence could be manipulated by perpetrators has particularly egregious consequences for women without citizenship status, as it creates the very real possibility that they will be removed from Canada, possibly without their child(ren).

## **E. What Steps Should Be Taken?**

For the reasons outlined above, we agree with the conclusion of others that more law is not the answer to the epidemic of intimate partner violence, and with the conclusion of the NS Mass Casualty Commission (2023) that a community-based and not a carceral approach should be emphasized. In coming to this conclusion, we have also taken into account that early studies of the England and Wales legislation criminalizing coercive control have concluded that it is not clear that safety for women and children has been improved (Walklate & Fitz-Gibbon, 2021).

As we noted at the outset of our submission, while we conclude that a new offence of coercive control should not be implemented, we strongly believe that all legal system actors need to acquire the knowledge, skill, and sensibilities to effectively identify coercive control. We also want to emphasize that in our view, the absence of an offence of coercive control does not mean that police are powerless to assist survivors. Any and every contact that police have with a survivor is an opportunity to mitigate risk. Risk mitigation requires that effective risk assessment tools be in place, as well as the knowledge and skill to use them appropriately. Moreover, risk mitigation requires that safety plans be created and that adequate supports and resources – access to safe housing, income support, and counselling for example – are in place to implement them.

While we are highly skeptical about the wisdom of adding a new offence of coercive control or a broader offence of domestic abuse that includes coercive control, at the very least, its introduction is premature as the education, understanding, resources (including trust, time), and accountability mechanisms for CLS actors such as police, prosecutors, and judges are simply not in place. As Neilson (2023) has argued, “unless the educational, social, institutional and structural factors that deny women and children genuine access to justice are addressed, criminal law is likely to continue to fail to offer safety to many women and children.” Additionally, as discussed earlier, there is a need for cross-sectoral discussions to develop a common definition of coercive control so that legal actors are operating under a common framework.

If criminalization does proceed, we have several concerns about the particular offence provision set out in Bill C-322. As noted earlier, it is difficult to discern precisely the conduct that is prohibited. This ambiguity arises both because of the lack of clarity related to the number of repetitions of conduct required and because the conduct is itself undefined – rather particular acts become proscribed by virtue of their impact. In our view, such a provision is constitutionally vulnerable given its vagueness and potential overbreadth, as well as its adverse impact on marginalized groups.

A full constitutional analysis is beyond the scope of this submission. However, our concerns about the vague wording of Bill C-332 – both in terms of the offence provision and the “best interests” defence – may result in an overbroad application of s 264.01, contrary to s 7 of the *Canadian Charter of Rights and Freedoms*. An offence of controlling or coercive conduct, with the potential for imprisonment (see s 264.01(7)), would clearly engage the liberty interest in s 7. Overbroad

criminal offences, defined as those that interfere with some conduct that bears no connection to the law's objective, are contrary to the principles of fundamental justice (*Canada (Attorney General v Bedford*, SCC 2013). Assuming that the objective of Bill C-332 is to protect survivors of violence, the real possibilities of misusing the offence against survivors – including those trying to protect their children – show the potential for the overbroad application of Bill C-332. Furthermore, our concerns about the adverse impacts of the offence on members of marginalized groups such as Black and Indigenous women engage the equality rights protections in s 15 of the *Charter*. Courts have acknowledged the systemic racism and colonialism in the CLS but have been slower to recognize that the resulting adverse impacts amount to a violation of s 15 (*R v Sharma*, SCC 2022). Nevertheless, it is incumbent on Parliament to attend to these potential adverse impacts when considering a new offence of coercive control, in light of the evidence we and others have cited in our submissions.

Should criminalization proceed, we strongly urge consideration of the creation of a defence related to resistance to coercive control, and that the defence of “best interests” in s 264.01(5) of Bill C-332 be eliminated. We also recommend that Justice Canada heed the advice of Brennan and Myhill (2022) and implement not only mechanisms to track the effective use of any new law, but also its failings, perversions, and absences.

We further recommend the availability of independent legal advice for survivors of coercive control and domestic violence more broadly, similar to that available for survivors of sexual violence, so that they are aware of their legal and non-legal options and provided with access to supports and services.

Lastly, we want to emphasize that the ability of even a well-functioning, responsive CLS (and we are far from having such a system) to ensure safety for women and children experiencing family violence is limited. There is a crucial need for a broad range of coordinated services and supports – housing, income supports, counselling, etc. – that are responsive to women's diverse identities and needs.

## **Appendix A /Appendice A: *Divorce Act* Cases / Jurisprudence de Loi sur le divorce**

*AB v MM*, [2023 ABKB 377](#) (CanLII)

*Abaza v Adam*, [2023 ONSC 1776](#) (CanLII)

*Bakker v Bakker*, [2023 ONSC 3025](#) (CanLII)

*Begum v Klippenstein*, [2023 ONSC 2970](#) (CanLII)

*DF v TF*, [2023 ONSC 115](#) (CanLII)

*Fernandes v Fernandes*, [2023 ONSC 564](#) (CanLII)

*Ghiyas v Khan*, [2023 ABKB 274](#) (CanLII)

*Hoffman v Tytlandsvik*, [2023 SKKB 146](#) (CanLII)

*Johnston v Da Silva*, [2023 ONSC 2710](#) (CanLII)

*KAG v KGG*, [2023 PESC 33](#) (CanLII)

*KRW v PMM*, [2023 BCSC 981](#) (CanLII)

*KSP v JTP*, [2023 BCSC 1188](#) (CanLII)

*MP v PP*, [2023 BCSC 1530](#) (CanLII)

*PMZ v DJT*, [2023 BCSC 1444](#) (CanLII)

*RL v MF*, [2023 ONSC 2885](#) (CanLII)

*SVG v VG*, [2023 ONSC 3206](#) (CanLII)

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