

Executive Summary

I would never recommend another woman from going through this ordeal. Run, hide and start over somewhere else.

—Survivor

That is what a survivor answered when asked how they would advise a close friend who found themselves in a similar situation to them.

This response is emblematic of why this Review was established by the BC government in 2024.¹

Survivors of sexual violence and intimate partner violence are many in this province (and globally), but few report the crimes to the police, and fewer still go through the legal system. (See Appendix 1.)

[Sexual assault] is a crime no one is held accountable for.

—Sexual assault centre worker

Why would a survivor advise their friend to run rather than seek help from the legal system?

For many years, report after report has identified the barriers to survivors in accessing justice and made recommendations for what to do. One report author reviewed 33 years of repeated recommendations and concluded: “We know what to do. We just need to do it.”²

So why aren’t we doing it? Or if we are, why isn’t it working?

The government established this Review to take a look at the whole system that deals with sexual violence and intimate partner violence and figure out why, despite all that we know, things are not getting better for survivors. (See section 1.)

This Report builds on what survivors and other experts have already said about existing barriers and what to do about them. The Review surveyed recent initiatives (including British Columbia’s [Gender-Based Violence Action Plan](#) and the [National Action Plan to End Gender-Based Violence](#)) and examined the many past inquiries, inquests, and other processes that have produced analyses and made recommendations to address the legal system’s treatment of sexual violence and intimate partner violence. Rather than making a swath of new recommendations, the Review sought to find

out why the many repeated past recommendations were either not implemented or not working, and to make targeted recommendations for overcoming these seemingly intractable obstacles.

Survivors have generously shared their experiences many times in past consultation processes, often at great personal cost. This Review began with the premise that listening to their voices is essential, but subjecting them to a fresh round of consultations is not. Rather, we must hear what they have been consistently saying for many years.³

- 94% of sexual assaults are not reported to police.⁴
- 80% of intimate partner violence is not reported to police.⁵

Since most survivors never access the legal system, the government tasked the Review with identifying the barriers to accessing it. The Review found that there are two kinds of barriers that need to be addressed: institutional barriers that prevent system change and barriers that prevent individual survivors from accessing or continuing to engage with the legal system.

The Review determined that since most survivors never report violence to police, and those who do experience further barriers to remaining engaged with the legal system, there is a profound need to look at what is happening in the community safety ecosystem to prevent survivors from accessing justice. (See section 1.2.) The legal system is reactive; it can deal with only the cases that come to it. Since most cases never get there, and the government wants to improve the treatment of survivors, then there is a need to consider the big picture into which the legal system fits.

System-Wide Recommendations

In British Columbia, more than one third (37%) of women over the age of 15 have been sexually assaulted.⁶

Nearly half (48%) of women over the age of 15 in British Columbia have experienced intimate partner violence.⁷

The Review has recited the statistics about the pervasiveness of sexual violence and intimate partner violence in BC and in Canada. These statistics should be shocking. Yet the Review found that there is a normalizing of gender-based violence in Canada that devalues it as crime. Further, the ongoing operation of myths and stereotypes about survivors of gender-based violence in the legal system contributes to this devaluation. There is a need to underscore the prevalence of these forms of vio-

lence and the urgency required to address them. Therefore, the Review sought a way to ensure an immediate increase in public awareness of the extent of the issue and to motivate a whole-of-government, whole-of-society response to it.

RECOMMENDATION 1 The Review recommends that the BC government declare that gender-based violence is a provincial epidemic.

In questioning why recommendations have been repeated for decades, the Review determined that the answer indicates a systems-level problem. The Review then identified several systemic barriers to change. These are structures and dynamics built up over time, not because of conscious or intentional desire to prevent change but because systems gain their own logic and become set in their ways and feel too big to question or reshape. These structural barriers prevent institutional actors from improving the ways our systems and society respond to gender-based violence. In addition, the fact that gender-based violence is a longstanding, pervasive problem is linked to the fact that we live in a society with deeply rooted structural inequalities that perpetuate narratives that are very difficult to dislodge.

Two of the systemic barriers identified by the Review are silos and a lack of accountability at a systems level. Silos are created when different ministries, branches, departments, units, or agencies focus on their own mandates without effectively sharing information or collaborating with the other entities that share common goals or address related issues. The Review found that silos are present both within legal system institutions and between legal system actors and other branches of government and community services. This leads to the duplication of effort, missed opportunities, and inefficiencies in public service delivery.

A second systemic barrier is echoed as a theme throughout the Report: a lack of accountability. This arises from a structural issue related to silos—no identified leader with the authority to ensure that what needs to be done gets done. This means that while everyone works in their own lane, no one has their eye on the bigger picture to evaluate and monitor whether all the activity is accomplishing the desired outcome. In terms of addressing sexual violence and intimate partner violence, there are many different programs, services, and initiatives underway in BC, but the whole system would be improved for survivors if there was an acknowledged locus of leadership to ensure that the disparate parts of the system work together to increase survivors' safety and their ability to access justice. The Review recommended two solutions for this, one internal to government and one external.

RECOMMENDATION 2 The Review recommends that the BC government create a strong internal government accountability mechanism.

RECOMMENDATION 3 The Review recommends the appointment of an independent GBV Commissioner.

A third systemic barrier identified by the Review is the belief that doing what must be done at a systems level to address gender-based violence is too costly. This is false economy, since the costs of violence to society are enormous. In light of these costs, efforts to address the treatment of sexual violence and intimate partner violence in the legal system must be twinned with prevention measures aimed at decreasing the prevalence of violence in our society.

Prevention includes not only public education about the need for affirmative, ongoing consent, the foundations of healthy relationships, and the need to step in to prevent violence against others, but also education that challenges the longstanding forms of oppression that perpetuate the normalization and devaluing of gender-based violence, such as misogyny, colonialism, racism, ableism, homophobia, transphobia, and other forms of systemic discrimination. This kind of prevention work is necessary in light of the fourth systemic barrier identified by the Review, a lack of intersectional analysis. Employing an intersectional lens means considering how the various policies, programs, and structures in the systems create different challenges for survivors who are disproportionately affected by those systems because of their gender, race, and other identifying characteristics. (See “Intersectionality” in About Language).

The Review met with people of good will across sectors who are deeply concerned with the legal system’s treatment of sexual violence and intimate partner violence and who work hard to address it. There is genuine commitment to improving the policies and processes in their sphere. Nonetheless, a systemic analysis of these policies and processes reveals that, incremental changes notwithstanding, institutional actors in the legal system (and the adjacent systems) do not yet employ a bedrock intersectional analysis in the development and provision of services to BC’s diverse population. **In a similar way to how public policy is often designed for an urban environment and therefore fails to address the unique needs and contextual factors affecting rural settings,⁸ the legal system is designed by people with considerable privilege in our society, and it therefore contains barriers to marginalized people that are hard to see from the place of privilege and hard to get past from the margins.**

In addition to dismantling these barriers for survivors, as part of its work to focus on root causes, prevention must attend to those who use violence. This is why the Review includes a discussion of services for men who use violence. Preventing revictimization of survivors of violence who do encounter the legal system means that education of institutional actors must be trauma-informed and be regularly updated with input from anti-violence experts. Further, to ensure that the standards the public should be able to expect from institutional actors are consistently met, there is a need for a system of core competencies and certification for those who work with survivors of gender-based violence. The Review’s recommendations on prevention flow from these conclusions.

RECOMMENDATION 4A The Review recommends that the BC government prioritize support for prevention initiatives, including public education, to reduce and prevent violence before it escalates to the point of engaging the legal system.

RECOMMENDATION 4B The Review recommends that in addition to prioritizing support services for survivors (recognizing that sexual violence and intimate partner violence disproportionately affect women and gender-diverse people), the BC government support quality, accredited services for men who use violence.

RECOMMENDATION 4C The Review recommends strengthening the system-wide framework for education and training of institutional actors (including government agencies, police, Crown counsel, courts, and corrections) on the causes and dynamics of gender-based violence, unconscious bias, and the elements of effective trauma-informed practice. This framework should include:

- a) a system of core competencies and certification; and
- b) evaluation of whether education and training for system actors is being utilized, whether the programs are effective, and whether outcomes are improved.

A further structural barrier identified by the Review arises from the finding that despite many positive initiatives over the years, the various aspects of the legal system persistently do not work well for women and gender-diverse people experiencing violence, and that failure is most acutely felt by the most marginalized. Survivors' prospects for safety should not depend upon whether they report to police or how well they know the legal system. It may be that a survivor does not yet (or never will) wish to report to the police. Indeed, at present, 94% of sexual assault survivors are in this category. When the system is not designed with their needs centred, the barriers can be significant.

The Review found that a “no wrong door” approach to assisting survivors is crucial to improving the treatment of sexual violence and intimate partner violence in the legal system. This approach is best achieved by ensuring that there are supports available to survivors, delivered by actors who understand the dynamics of gender-based violence and can meet survivors where they are and help them no matter in which direction they need to go.

Community-based support workers (CBSWs) are critical to how survivors manage from that point forward in their lives. The CBSW role is to meet survivors with a trauma-informed approach, to provide them with information on available supports and pathways, and to support them on their journey, no matter which path they choose to take. The Review identified the need for meaningful referrals to CBSWs, as well as information sharing between other institutional actors (including police) and CBSWs to improve survivor safety.

The Review found that properly resourced, well trained CBSWs with a clear scope of practice can improve the operation of the whole safety ecosystem. In line with the “no wrong door” approach, survivors should have access to support services outside the criminal legal system, such as family law advice, housing, child care, and counseling. Given the range of needs that GBV survivors have, [a hub](#) model of service provision can enable efficient and collaborative work across systems. The Review also identified the need for family law survivor support services.

The Review found that CBSWs are the support of choice for survivors, are relied upon by other institutional actors for their expertise and deep commitment to supporting survivors, reduce the barriers that survivors experience and create efficiencies across systems. Despite this, the community-based feminist organizations that train and employ these essential workers are the least well-funded partner in the community safety ecosystem. Thus, ensuring that the services that survivors actually access are properly funded to meet their needs is mission critical.

RECOMMENDATION 5A The Review recommends strengthening established anti-violence community-based organizations across the province by providing stable, core funding to hire, retain, and appropriately train CBSWs to support survivors.

RECOMMENDATION 5B The Review recommends that survivor support services with stable and adequate core funding be available to survivors navigating the legal system, whether through civil or criminal processes. In particular, programs underway to support survivors in the family law system should be continued and strengthened.

The Review found that a multitude of past reports have emphasized the need for collaboration and communication between system actors. This is in line with the understanding that effective survivor safety relies upon a range of supports. Cross-sector information sharing, collaborative service provision, and coordinated, consistent risk assessment and safety planning are essential. These can be achieved by improving opportunities for intentional relationships between institutional actors. The Review also noted the value of offender management as an important aspect of supporting survivor safety. There are a number of cross-sector collaborative mechanisms in operation in BC. These are reviewed in section 3.6 of the Report.

The Review determined that such cross-sectoral mechanisms and initiatives can be highly effective, but they are currently limited by a lack of system-wide coordination and undermined by the unmet need for stable core funding for community-based feminist survivor support services. Coordination and collaboration can make us all safer. In addition, when government ministries, agencies, police, legal actors, and community organizations work together, siloing is decreased, intersectional analysis is facilitated, costs are reduced, and accountability is increased. For these reasons, the Review recommended deepening these forms of cross-sector collaboration.

RECOMMENDATION 6A The Review recommends that the BC government provide ongoing support for collaborative mechanisms between entities that address gender-based violence, including Violence Against Women in Relationships/Violence in Relationships (VAWIR/VIR) tables, interagency case assessment teams (ICATs), domestic violence units (DVUs), and the Community Coordination for Survivor Safety (CCSS) program.

RECOMMENDATION 6B The Review further recommends that wraparound (hub) models of service provision to survivors be supported and sustained, including Child and Youth Advocacy Centres (CYACs), Indigenous Justice Centres (IJC), and Family Law Centres.

The Review recommends three further mechanisms to increase system-wide accountability and effectiveness: a standing gender-based violence death review committee, a collaborative gender-based violence data strategy, and an updated and revised provincial cross-sector policy to improve the legal system's treatment of sexual violence and intimate partner violence.

While numerous policies, laws, and intervention programs exist in British Columbia, there remains a critical gap in how the legal system and social services analyze, respond to, and prevent gender-based fatalities. A death review committee for gender-based violence could play a pivotal role in closing this gap, bringing together people with multidisciplinary expertise in intimate partner violence and family violence from various sectors, including law, law enforcement, mental health, and anti-violence advocacy. The committee would work with the Office of the Chief Coroner in the investigation and review of IPV-related deaths and femicides to make recommendations to help prevent future deaths. A GBV-DRC would systematically review gender-based, interpersonal, violence-related homicides, identifying patterns and providing evidence-based recommendations for policy and legislative changes. The Review notes that the suspected use of toxic drug overdoses as a method of femicide is an area that requires investigation, and this is an example of the kind of concern that a GBV-DRC could identify.

RECOMMENDATION 7 The Review recommends that the province create a standing Gender-Based Violence Death Review Committee (GBV-DRC).

The Review found that fragmented data systems across police, prosecutors, courts, and corrections prevent actors within the legal system from getting a clear picture of how GBV cases are handled across the system and over time. This contributes to the systemic barriers of silos and lack of accountability, increases system costs, and impedes effective intersectional analysis of programs and services. A collaborative GBV data strategy will provide the tools to understand the effectiveness of new interventions and to evaluate areas where more work is needed. Co-creation of the data strategy would also help to dismantle information silos and to support significantly improved use of inter

sectional analysis in policy and program development. Data transparency is essential to meaningful accountability, effective implementation, and evidence-based evaluation.

RECOMMENDATION 8 The Review recommends the development of a broad and collaborative gender-based violence data strategy across government agencies and legal system institutions, with participation from academic and frontline experts.⁹

The systemic barrier of a lack of accountability is exacerbated when institutional actors work in silos and either assume key tasks are being done by someone else or duplicate efforts. An effective way to address this inefficient and potentially dangerous situation is for government and the institutional actors to get together and provide clarity about whose job it is to do what. A dedicated policy (such as the [Violence Against Women in Relationships \(VAWIR\) policy](#)) clearly communicates common values both to the public and to institutional actors; it supports decision-makers in navigating competing priorities on the ground, and it articulates a coherent, overarching, society-wide framework for the government's services, programs, and overall approach in a given policy area. Although outdated now, the VAWIR policy is still the guiding star for collaboration and communication between the different institutional actors in the BC public safety and legal systems. The policy's overarching collaborative guidance provides the essential bedrock for the culture shift necessary to break down silos. The Review therefore considers updating the VAWIR policy to be a necessary systemic change to improve the treatment of survivors of sexual violence and intimate partner violence in BC. Among other updates, the revised policy should include a provincial sexual assault policy.

RECOMMENDATION 9 The Review recommends that the BC government lead a process to update and reinvigorate the VAWIR policy to improve the legal system's treatment of intimate partner violence and sexual violence.

The Review asserts that if these nine recommendations for system-wide accountability are implemented, then the legal system-specific changes that are recommended will be more effective and more sustainable. The Review cautions that seeking to simply make changes within the legal system without making the broader systemic changes will not succeed because the barriers that the system-wide recommendations are meant to dismantle will continue to impede progress. The systemic accountability recommendations are thus intended to disrupt the cycle of a review making the same recommendations made by past reviews, the government responding, and yet expecting a different outcome. Without addressing the root causes of the barriers affecting survivors, which implementing the system-wide recommendations is intended to do, the shift needed to improve the reality for survivors will not occur.

Legal System Recommendations

The discussion of accountability in this Report focuses on disrupting the cycle of repeated recommendations that has failed to improve the situation for survivors. This theme is taken up in section 4 of the Report, which focuses on the legal system itself. The section begins from the following four key points:

1. While there is good law and policy in place in BC, the Review observed considerable unevenness across the province with respect to how well legal system actors fulfill their responsibilities.
2. The first and simplest way to improve treatment of GBV survivors is for institutional actors to follow the law and policy already in place.
3. At a systems level, institutions must have a way to ensure that law and policy are universally understood and followed and that their own members act with competence and care.
4. The goal is to address unevenness across the province not by dropping the bar but by ensuring consistency at a higher standard of conduct.

The recommendations in section 4 of the Report are more granular than the system-wide ones in section 3, and some of them affirm recommendations made by other processes or organizations that should be prioritized for implementation. Some immediate next steps that should be taken by the Attorney General to build on the progress made to date are identified. The section also includes suggestions to other independent actors that are necessary as part of the required system-level changes to address sexual violence and intimate partner violence.

The Review's mandate is to make recommendations to improve how sexual violence and intimate partner violence are addressed in British Columbia's legal system. Many areas of law address these forms of violence. In light of the breadth of the mandate and the one-year time frame, the Review has focused on the family and criminal law systems. The Review, having listened to survivors and stakeholders from across the legal system, has focused on a few aspects of the legal system that are the subject of past recommendations or repeated concerns raised during this process. The complexity of practice in each of these areas is considerable, and rather than being prescriptive about how particular processes should be changed, the Review has recommended working groups of actors and experts with the necessary pragmatic knowledge to determine the best path forward in a number of the areas.

Keeping in mind the dual mandate of addressing both sexual violence and intimate partner violence, the first section of this part of the Report examines the family law system. The next sections consider the journey through the criminal legal system that survivors take if they report their experience with violence, starting with the police, then Crown counsel, and then the courts.

With regard to family law, the Review concluded that while there is good legislation in BC, there is room for improvement. A process for improvement is underway in the form of the Family Law Modernization project, and the Review adopted some of the anticipated proposed reforms and suggested some others that require urgent attention.

RECOMMENDATION 10A The Review recommends that specified listed key amendments to the Family Law Act and associated policy changes be adopted without delay.

RECOMMENDATION 10B The Review recommends that the BC government engage with Indigenous partners to implement the Indigenous justice strategies already endorsed by the BC government, including the BC First Nations Justice Strategy and the Métis Justice Strategy.

RECOMMENDATION 10C The Review recommends that specified additional amendments to the Family Law Act be implemented at the earliest opportunity.

RECOMMENDATION 10D The Review recommends several changes to family law Protection Orders.¹⁰

One area that current family law legislation does not directly address is the continued operation of myths and stereotypes in adjudication in the family law system, despite many measures taken over the years to counteract their deleterious effects on survivors. The Review therefore suggests that the government explore a more direct method to address this barrier to survivor equality, in consultation with those who have expertise in this difficult area of practice.

RECOMMENDATION 11 The Review recommends that the BC government design law reforms in civil and administrative law matters regarding sexual violence and intimate partner violence in order to mirror the protections in criminal law against the improper application of myths and stereotypes.

Further, it is evident that there may be a number of pragmatic changes to rules and practices that can address challenges faced by survivors in the family law system. The courts have made important changes to improve family law processes for litigants in BC. However, the Review has determined that these changes are of more benefit to those families without violence in their relationships. Therefore, some structural changes are needed to specifically address the needs of survivors. These are best determined in consultation with the courts and with those who have expertise in this difficult area of practice.

RECOMMENDATION 12 The Review recommends that the BC government co-design changes to Supreme Court and Provincial Court rules and other court practices that will alleviate challenges faced by survivors who are engaged in family law litigation.

The lack of legal representation in family law is detrimental to all concerned. The Review concurs with the Canadian Bar Association BC Branch that the government must expand the scope of legal aid and legal aid funding for family law in BC.

RECOMMENDATION 13A The Review recommends expanding the scope and funding of legal aid for GBV survivors to cover family law services.

Turning to the criminal law, the Review explores systemic approaches to addressing issues that arise for the few survivors who do report violence to police, for the smaller number whose matter is then referred to Crown counsel for charge assessment, and for the even smaller number who become witnesses in a prosecution.

Once again, the need for legal representation for survivors is evident, so the Review commences the discussion of criminal law by acknowledging this reality.

RECOMMENDATION 13B The Review recommends that when the privacy or safety interests of survivors are affected in matters going to trial, independent legal advice should be made available to them (while observing appropriate fair trial safeguards).

If survivors do report the violence they experienced to police, the Review found that their ability to access justice through the legal system is not assured. While there are good policing standards in place, there is room for improvement, both in the standards themselves and in the adherence to them. Unfortunately, the operation of myths and stereotypes about survivors persists in policing, as it does in other parts of the system. The Review considered the new policing standards for sexual assault investigations and suggests the accountability mechanism could be strengthened, particularly in light of some of the harrowing stories survivors related to the Review about their treatment by some general duty police officers.

RECOMMENDATION 14 The Review recommends that section 5.4.5 of the BC Policing Standards be amended so as to replace the biannual case conference model with a more frequent, collaborative advocate case review model.

With respect to intimate partner violence investigations, again there is room for improvement. Most intimate partner homicides flow from a history of violence (including nonphysical forms of violence such as coercive control). Despite training that includes evidence-based content about the risk factors for lethality in IPV cases, it does not appear that all general duty police officers and RCMP members in BC understand the risk that is posed by episodes of intimate partner violence. The risk extends beyond the survivor, but even if it did not, police need to take these cases seriously. The notion that they are private matters must be firmly rejected. The approach needs to be reframed from “what charges can be laid here?” to “how can I keep them safe?” This requires a shift in the policing lens and

in policing practice. In the meantime, it is apparent that further work is needed to dispel the myths and stereotypes that continue to permeate police departments and RCMP detachments in BC.

RECOMMENDATION 15 The Review recommends that the BC government and policing bodies responsible for development of policing standards work with anti-violence sector experts (including Indigenous organizations and representatives of marginalized survivors) to update and improve policing protocols for intimate partner violence investigations.

If a survivor's report to police leads to a report to Crown counsel, the Review found a number of barriers requiring attention. The Report discusses charge assessment policies, addresses the importance of Crown counsel meeting the standards expected of them in sexual assault and intimate partner violence cases, and proposes mechanisms for ensuring that occurs.

As with every part of the legal system, the Review heard both about exemplary conduct by Crown counsel and about egregious conduct that cannot go unaddressed. The Review learned that there is considerable variation in practice around how early and how often Crown counsel contact survivors and whether and how Crown counsel engage with survivors by explaining decisions not to pursue charges. There is unevenness in whether and how Crown counsel contact victims before plea deals are made. This aspect of a survivor's interaction with Crown counsel can be remedied by improved communication throughout the criminal legal process, and in particular about decisions made by prosecutors along the way.

RECOMMENDATION 16 The Review recommends that Crown counsel policy be updated to clarify that when a decision not to prosecute has been made and the survivor, the public, or another significantly interested person is aware of the police investigation, it is in the public interest that the survivor, public, or other significantly interested person be given adequate reasons for the non-prosecution.

An area of grave concern for survivors, advocates, police, and Crown counsel is that of breaches of conditions. If a survivor has come forward and conditions are placed on their abuser, there needs to be monitoring of compliance in order to support survivor safety. The Review heard about considerable variation in police and Crown counsel practice on this point and recommends that a cross-sectoral working group be convened to urgently address this issue.

RECOMMENDATION 17 The Review recommends that a robust cross-sectoral standard and set of guidelines be developed on an urgent basis for police and Crown counsel to treat breaches of conditions with the seriousness required.

The role of Crown counsel is quasi-judicial. Individual prosecutors exercise broad discretion in deciding whether or not to bring reported instances of sexual violence and intimate partner violence before the courts. The independence of the BC Prosecution Service (BCPS) from external interference with the exercise of prosecutorial discretion is a cornerstone of the rule of law. The Review considered the mechanisms in place to ensure compliance with Crown counsel policy and found them to be inaccessible for most survivors, particularly marginalized survivors. The Review determined that there is a need for improved feedback for ensuring Crown counsel conduct themselves in accordance with the weighty responsibility accorded to them.

RECOMMENDATION 18A The Review recommends that a transparent, accessible process be provided for survivors (or their representatives) to make complaints about Crown counsel conduct and decisions.

RECOMMENDATION 18B The Review recommends that Crown counsel develop an automatic review mechanism of sexual violence and intimate partner violence files to identify areas for improvement or reinforcement.

RECOMMENDATION 18C The Review recommends that the BC Prosecution Service annual reports include reporting on the uptake and outcomes of both the complaints mechanism and the automatic review mechanism.

With regard to the courts, the Review noted ongoing challenges for survivors who encounter myths and stereotypes that impede their equality rights and lessen their confidence in the administration of justice. The Review acknowledges the considerable efforts made to improve judicial education over the years but notes that, as with all legal system actors, there continues to be unevenness in the extent to which the principles included in that education are adhered to in judicial practice. As with the other legal system institutions, simply suggesting more education is not the answer. In keeping with the ethical judicial principles of independence and equality, the Review proposes two means of internal reflection for the judiciary to short-circuit the perpetuation of myths and stereotypes: formalized peer mentoring and anonymized internal case reviews to identify patterns and opportunities for improved dialogue within the judiciary. These suggestions are intended to support the judiciary in bolstering public confidence in the administration of justice.

The Review heard from survivors, advocates, and lawyers that the likelihood that a family experiencing violence will have multiple proceedings in different courts creates a tremendous burden on survivors, exacerbated when conflicting orders are issued due to a lack of awareness by courts about concurrent matters. The Review has adopted a recommendation of the Québec's Comité d'experts sur l'accompagnement des personnes victimes d'agressions sexuelles et de violence conjugale¹¹ to address the need for improved coordination when there are multiple legal processes regarding a survivor.

RECOMMENDATION 19 The Review recommends that the Ministry of Attorney General and the BC courts work together (in consultation with anti-violence experts and practitioners) to create a Court Coordinator role to gather and manage information across different legal processes.

The Review heard from survivors, support workers, lawyers, and experts about barriers and safety concerns for survivors arising from the physical infrastructure of BC courts. While some work is underway to address these issues, there is a pressing need for this work to accelerate. The Review has therefore adopted multiple past recommendations that directly address barriers (some of them literal) to survivors accessing the courts. Further, although the [Canadian Victims Bill of Rights](#) and the Criminal Code provide survivors with the right to request testimonial aids, there is unevenness across the province about the availability of these tools and how they are offered or ordered. Whether these aids are available in courts should not depend upon charitable donations. Nor should testimonial accommodations be limited to criminal proceedings; they should also be available to survivors in family law proceedings.

RECOMMENDATION 20A The Review recommends that recommendations made by the Rise Women’s Legal Centre and the Canadian Bar Association BC with regard to physical infrastructure improvements at BC courthouses be implemented without delay.¹²

RECOMMENDATION 20B The Review recommends that testimonial aids be available in both criminal and family law proceedings.

Finally, in recognition of the immense challenges for all concerned in the operation of the legal system with regard to sexual violence and intimate partner violence, the Review recommends a two-track approach for the government. The first track is to attend to the changes needed in the current system. The second is to earnestly embark upon an exploration of other possible responses to violence by considering restorative responses to sexual violence and intimate partner violence.

RECOMMENDATION 21 The Review recommends that the Ministry of Attorney General create a working group to explore the use of restorative responses to sexual violence and intimate partner violence in BC.

Mobilizing Change Through Leadership and Accountability

The Report concludes by providing a roadmap for the government to take steps in the immediate term in order to move forward implementation of the Review's recommendations. The Report also provides some models for monitoring and evaluation.

The Review, conducted from summer 2024 to summer 2025, occurred during a time of constant news items circulating about sexual assault, femicide, and criminal trials. The Review heard from survivors, support workers, police, judges, government workers, researchers, and many others who simply want things to improve—for violence to decrease and for the legal system to work more effectively. The need for leadership across the system to ensure that the good laws and policies already in place are adhered to in practice is a strong thread throughout the Report. Leadership is a twin to another strong thread in the Report: accountability. These two concepts can be mutually enforcing and uplifting. They can make our communities safer.

The Review has proposed a path forward to address the systemic barriers that cause ongoing harm to survivors of sexual violence and intimate partner violence. It is up to the government and the legal system actors to take that path.



Endnotes

- 1 In May 2024, the Government of British Columbia established an independent systemic review of the BC legal system's treatment of sexual violence and intimate partner violence ("the Review"). See the Review website, <https://ipvsvreview.ca/>. See also the government webpage on the Review, <https://www2.gov.bc.ca/gov/content/justice/about-bcs-justice-system/justice-reform-initiatives/systemic-review>. The Government appointed [Dr. Kim Stanton](#) to conduct the Review.
- 2 Linda Light, "Violence against Women and Their Children in BC: 33 Years of Recommendations" (Ending Violence Association, April 2012), https://endvaw.ca/wp-content/uploads/2015/12/33_year_of_vaw_recs_vf_april_24_2012.pdf.
- 3 That said, the Review did hear from survivors, both in person, in writing and via an anonymous survey made available by Dr. Emma Cunliffe, Professor at the Allard School of Law, University of British Columbia, with trauma-informed supports made available to respondents. See Appendix 2 for a summary of the survey results.
- 4 Adam Cotter, "Criminal Justice Outcomes of Sexual Assault in Canada, 2015 to 2019" (Statistics Canada, Juristat catalogue no. 85-002-x, November 6, 2024), <https://www150.statcan.gc.ca/n1/pub/85-002-x/2024001/article/00007-eng.pdf>, p. 3.
- 5 Shana Conroy, "Spousal Violence in Canada, 2019" (Statistics Canada, Juristat catalogue no. 85-002-X, October 2021), <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00016-eng.pdf>, p. 3.
- 6 Statistics Canada, "Self-Reported Sexual Assault since Age 15 (Table 35-10-0166-01)" (December 2, 2020), <https://www150.statcan.gc.ca/t1/tbl1/en/cv.action?pid=3510016601>.
- 7 Statistics Canada, "Intimate Partner Violence, since Age 15 and in the Past 12 Months, by Selected Characteristics of Victim (Table 35-10-0205-01, British Columbia)" (January 10, 2023), <https://doi.org/10.25318/3510020501-eng>.
- 8 See Karen Foster, "Crime Prevention and Community Safety in Rural Communities" (April 2022) <https://masscasualtycommission.ca/files/commissioned-reports/COMM0053824.pdf>.
- 9 In making this recommendation, the Review endorses a recommendation of the Canadian Bar Association of BC, "Agenda for Justice 2025" [hereafter "CBABC Agenda for Justice"] (January 2025), https://www.cbabc.org/CBAMediaLibrary/cba_bc/pdf/A4J/2025/Agenda-For-Justice_2025.pdf, p. 14:

[T]he BC government [should] establish data collection and disclosure standards across government agencies to identify and address major inequalities in our justice system. Collecting quality data, including disaggregated data, around the demographics of British Columbians who interact with the justice system will provide the government and other stakeholders with the information needed for reform.
- 10 Two recent anti-violence sector reports focus on urgent issues for survivors related to protection orders and peace bonds. Released in late 2024, the reports contain much more detail and offer many recommendations: Haley Hrymak, "Protection Orders in BC and the Urgent Need for a Specialized Process and Coordinated Reform" (Rise Women's Legal Centre, December 2024), <https://www.womenslegalcentre.ca/publications/protection-orders-in-bc>; and Hannah Ellison, Summer Rain, Tina Ye, and Angela Marie MacDougall, "Justice or 'Just' a Piece of Paper? A Report

on the Findings of a Community-Based Study” (Battered Women’s Support Services, November 2024), https://www.bwss.org/wp-content/uploads/BWSS_Justice-or-Just-a-Piece-of-Paper.pdf. For further discussion of these reports, see section 4.1.4.

- 11 In 2020, Québec’s Comité d’experts sur l’accompagnement des personnes victimes d’agressions sexuelles et de violence conjugale conducted a comprehensive review of legal and nonlegal supports for survivors of sexual violence and intimate partner violence. The 21-member expert committee’s 2020 final report, “Rebâtir la confiance (Rebuilding Trust)” [hereafter “Québec Report”], included 190 recommendations to improve legal processes and social supports for survivors in the province: <https://www.quebec.ca/justice-et-etat-civil/systeme-judiciaire/processus-judiciaire/tribunal-specialise-violence-sexuelle-violence-conjugale/rapport>. See the English language summary of the Québec Report: <https://cdn-contenu.quebec.ca/cdn-contenu/adm/org/SCF/publications/violences/Synthese-Rapport-Rebatir-confiance-VA.pdf>.
- 12 See Haley Hrymak, “Creating Safety in BC Courts: Key Challenges and Recommendations” [hereafter “Rise Safety Report”] (October 2022), <https://www.womenslegalcentre.ca/s/Creating-Safety-in-BC-Courts-Rise-Womens-Legal-Centre-2022.pdf>; and CBABC Agenda for Justice (cited above). See also Vicky Law and Stephanie Melnyk, “Building Inclusive and Accessible Family Justice: Practical Approaches to Innovate Family Law Systems in BC’s Rural and Remote Communities” (October 2024), <https://www.womenslegalcentre.ca/s/Building-inclusive-and-accessible-family-justice-report.pdf>.