

Violence in Ontario families: Something is off | Michael Cochrane

By **Michael Cochrane**

Law360 Canada (December 5, 2024, 9:41 AM EST) -- I've been thinking about domestic violence and asking myself this question: As a society, are we making any progress in dealing with this plague? My approach to searching for an answer has been informed primarily by my time in private practice (where my clients have been both perpetrators and victims of such violence) and also by the years I spent as counsel in policy development with the Ontario Ministry of the Attorney General (where I worked on, among other things, the creation of the Family Responsibility Office (FRO), the passage of the *Family Law Act* and the introduction of mediation to family law).



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So, how are we doing?

Consider the following (you had better sit down):

1. In 2022-23 emergency shelters in Ontario served 11,545 women and their dependents. That is more than the entire population of small towns like Smith Falls, Hawkesbury or Arnprior. (I'm partial to the Ottawa Valley and area as that is where I started out in practice 45 years ago).
2. Those appalling numbers are down somewhat from the 17,864 souls who had need of support in 2017-2018, but please, don't get excited by the decline.
3. Those women and their dependents were using approximately 2,335 shelter beds in 2017-18, a number that fell a little to 2,018 shelter beds in 2022-23.
4. Note that these numbers are actual users and do not account for those turned away.
5. These shelter supports are provided by the ministry of Children, Community and Social Services through a program called Violence Against Women (VAW).
6. In 2022-23, that program cost a whopping \$93 million.
7. In August 2024, the same ministry announced that the Ontario government will be investing in "New Supports to Address Gender-based Violence." Cost? \$100 million over three years.
8. That money will be on top of "pre-existing investments" over four years of \$1.4 billion in addressing gender-based violence. That's correct — it says billion.
9. In addition, Ontario has a \$162 million agreement with the federal government through the National Action Plan to End Gender-Based Violence.
10. Now consider something those of us in private practice know is related. The Ontario government budget for FRO in 2023-24 was \$45 million. Over 20,000 FRO clients are vulnerable and on social assistance because their spouse refuses to or cannot pay support.
11. In 2023, Ontario spent twice as much on 2,018 shelter beds as we did on collecting support for families who need that money to pay, in part, for shelter.

Ontario taxpayers — with their finger in the proverbial dike — are spending billions of dollars to deal with the consequences of domestic violence. I repeat: the consequences of the violence.

Bear with me here, but based on my careful reading of the above facts, I have drawn the following conclusion: Something is off here. Seriously off.

So, given the above, back to my question — are we making progress? I would say no, a resounding no.

In the next few columns, I am going to examine a few of the tools being proposed to address the actual violence. In particular, Bill C-332, which seeks to criminalize coercive control of an intimate partner, and the upcoming Supreme Court of Canada's consideration of a new tort, the tort of family violence, need a review from a practical perspective.

After that I will turn to the root of the problem — what are we doing to stop the violence from happening in the first place? And yeah, I think something's off there too. Stay tuned.

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