



MEETING SD 72-20-25

**STANDING COMMITTEE ON SOCIAL DEVELOPMENT**

**TUESDAY AUGUST 19, 2025  
DET'ANCHOGH KÙÉ - EAGLE ROOM  
2:00 PM**

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**AGENDA**

1. Call to Order
2. Prayer/reflection
3. Review and Adoption of Agenda
4. Declarations of Conflict of Interest
5. Public Matters
  - a) Public Hearing with Minister of Justice Honourable Jay Macdonald on Bill 27:  
*An Act to Amend the Protection Against Family Violence Act*
6. In Camera Matters
  - a) Debrief
  - b) Confidential Correspondence
    - a. 2025-06-11 HonMin ECE
    - b. 2025-06-11 Confidential
    - c. 2025-08-14 Confidential
  - c) SCOSD Workplan
7. New Business
  - a)
8. Date and Time of Next Meeting:
  - a) Monday September 8, 2025 at 1030am
9. Adjournment



# Bill 27: An Act to Amend the Protection Against Family Violence Act

Public Briefing  
Standing Committee on Social Development

August 19, 2025

Government of  
Northwest Territories



# Contents

1. Background
2. Purpose of Bill 27
3. Bill 27 proposed amendments



# Background

## *Protection Against Family Violence Act (PAFVA)*

- came into force in 2005
- provides emergency & long-term protections for victims of family violence
- includes protection from physical, psychological, emotional and financial abuse
- legal (civil) tools for victims to protect themselves from family violence
- complements protections under the *Criminal Code (Canada)*

# What changed?

## *2022 Supreme Court Decision*

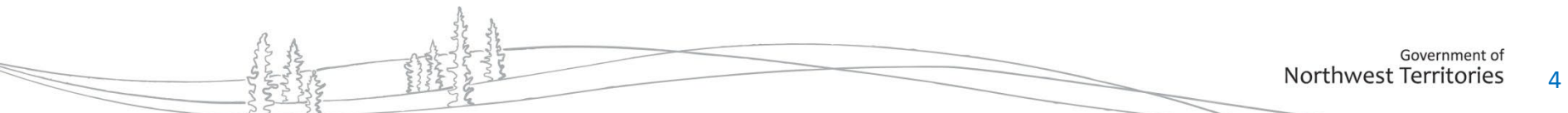
- identified that PAFVA provides protections only to certain types of family members, in certain types of intimate relationships

## *Criminal Code (Canada)*

- 2019 amendment strengthened criminal justice system response to family violence by adding “dating partner”, “spouse” and “common-law partner”

## *Stalking and cyberstalking*

- identified in YWCA report on Emergency Protection Orders (2020)



# Development of Bill 27

- Jurisdictional Review
- Engagement
- Drafting



# Overview of Bill 27

- widens the definition of family members who may apply for protection under the Act
- defines “stalking”, adds “stalking” to the actions that constitute family violence under the Act
- allows RCMP to identify the stalker and share that information with the victim so they can apply for protection under the Act
- establishes a new civil recourse for victims of family violence: the “tort” of stalking



# Section 1(1) amendment - definitions

ADD NEW to the list of definitions in the Act:

- "stalking" means conduct that
  - (a) causes a person, reasonably, in the circumstances, to fear for their safety, and
  - (b) is carried out, including through electronic means,
    - (i) without lawful authority, and
    - (ii) with knowledge, or recklessness as to whether, the person is harassed, intimidated or threatened by the conduct



# Section 1(2) amendment – family violence definition

## Current:

*"family violence" means any of the following acts or omissions against applicant, child of, or in care of, applicant*

*(a) intentional or reckless act that causes bodily harm or damage to property*

*(b) intentional, reckless or threatened act causing fear for safety*

*(c) sexual abuse*

*(d) forcible confinement*

*(e) psychological abuse, emotional abuse or financial abuse that causes harm or the fear of harm*

# Section 1(2) amendment – family violence definition

Definition of family violence (continued)

ADD NEW:

(f) stalking that causes the applicant, any child of the applicant or any child who is in the care of the applicant to fear for their safety



# New Section 1(3) - persons deemed to fear

## ADD NEW:

1(3) Where a person would reasonably, in the circumstances, fear for their safety because of family violence, but **lacks fear because they are a minor or not mentally competent**, the person is deemed to have the fear referred to



# New Section 1(4) – examples of stalking

## ADD NEW:

- 1(4) For the purposes of the definition of "stalking", the conduct includes (for the person or anyone known to the person):
  - (a) repeatedly following the person from place to place
  - (b) repeatedly communicating with or contacting the person
  - (c) watching any place the person resides, works, carries on business or happens to be
  - (d) engaging in threatening conduct directed at the person
  - (e) using electronic means to observe or track the person



# Section 2 (1) repeal and replace

## Current

*2. (1) The following persons may apply for an emergency protection order (EPO) or a protection order:*

- (a) a spouse or former spouse of the respondent*
- (b) a person who resides with, or has resided with, the respondent in an intimate or family relationship (to be replaced)*
- (c) a person who is, with the respondent, a parent of a child*
- (d) a parent or grandparent of the respondent, or any person above*

# Section 2 (1) repeal and replace

## ADD NEW:

- 2. (1) Definitions

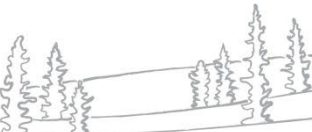
"care relationship": where one person is dependent on another for assistance in daily living due to disability, illness, aging or impairment

"dating relationship": intimate relationship of some permanence

"family relationship": relationship between persons

- (a) who are related by blood, marriage or adoption or

- (b) whom it is reasonable in the circumstances to deem as being related



# Section 2(1) repeal and replace

## NEW 2. (1.1) Applicants

- The following persons may apply for an EPO or a protection order:
  - (a) a spouse or former spouse of the respondent
  - (b) a person who has/had a dating relationship with the respondent - **NEW**
  - (c) a person who is, together with the respondent, a parent of a child
  - (d) a parent or grandparent of the respondent, or any person above
  - (e) a person who has/had a family relationship with the respondent - **NEW**
  - (f) a person who has/had a care relationship with the respondent - **NEW**



# New Section 2(5) RCMP I.D. assistance

## ADD NEW:

- 2(5) To facilitate an application for an EPO or a protection order, an RCMP member **who reasonably believes** that an applicant is being stalked and **who can identify the person** suspected of stalking, may, at the request of the applicant, disclose to the applicant
  - (a) the name of the person who is suspected of stalking and
  - (b) any additional information to identify the person suspected of stalking



# New Section 15.1 Tort of stalking

## ADD NEW:

- 15.1. (1) A person who stalks another person with whom the person has or had a relationship [as] described [...], commits a tort against the other person and is liable in an action brought in court.
- (2) An action may be brought under subsection (1) without proof of damage.



# Bill 27

## Questions?

