

**How Can Amendments to The Canadian Criminal Code Impact Intimate Partner  
Violence?**

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**Author Note**

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### **Abstract**

The purpose of this research study is to examine how Canada addresses the issue of Intimate Partner Violence (IPV) through the Canadian Criminal Code, as no official code of Intimate Partner Violence exists in current legislation. To critically examine how Canada codifies this issue, I propose the question, "How can amendments to the Canadian Criminal Code impact Intimate Partner Violence?" To further address this question, I have included two additional sub-questions: What calls for revision are in place for the Canadian Criminal Code as it applies to IPV? How have other countries' codifications impacted IPV? To answer these questions, I have utilized both primary and secondary research methods. Content analysis, being the primary research method employed in this study, has allowed me to compare and contrast how Canada, the United Kingdom and Australia all codify Intimate Partner Violence. Secondary research was used to supplement the primary research and to further provide context to the issue of Intimate Partner Violence. An analysis of similarities and differences between these three countries creates the basis on which I begin to answer my research questions. A similarity in how Intimate Partner Violence is charged across each country is found. Differences between these countries also exist in that both the United Kingdom and Australia have working definitions of Intimate Partner Violence and coercive control codes, while Canada seems to be lacking these two distinct additions.

*Keywords:* Intimate Partner Violence, Domestic Violence, Domestic Abuse, and Coercive Control

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## **Amending The Canadian Criminal Code to Impact Intimate Partner Violence**

### **Background**

Within Canada, Intimate Partner Violence (IPV) is commonly understood as an act which is against the law, yet IPV is not recognized as an official criminal offence under the Canadian Criminal Code (CCC). Instead, IPV incidents are charged as criminal acts of assault, harassment, uttering threats and more (Government of Canada, 2024). By charging IPV cases through the existing Canadian Criminal Codes, negligence toward the all-encompassing factors surrounding an incident of IPV can be recognized and argued for. Gill and Aspinall (2020) draw upon similar conclusions, highlighting the Canadian Criminal Justice System's inability to recognize IPV in its entirety and not only as a case-specific incident, which is how IPV cases are currently handled. IPV should instead be understood as an all-encompassing issue, taking into account coercive control measures such as continual aggressions, isolation tactics, and methods of manipulation. Coercive control specifically works to recognize patterns of behaviour that occur over time. It is understood as a non-physical form of abuse experienced in IPV relationships, and it is something which Canada has yet to adopt into current legislation.

The recognized problem surrounding IPV is the narrow margins of charging IPV under the Canadian Criminal Code. The purpose of this study is to address the limitations present in the current CCC by examining other countries' codification of IPV to uncover effective charging codes for IPV. Given this, my research question will be centred around "How can amendments to the Canadian Criminal Code impact Intimate Partner Violence?" A sub-question I will consider is what calls for revision are in place, if any, for the Canadian Criminal Code as it applies to IPV. Additionally, I will consider how other countries' codifications have impacted IPV.

I utilize a transformative worldview within my research. Transformative worldviews are, in part, based on political reform, which serves to address current social issues found in society (Creswell & Creswell, 2018), something which my research aims to accomplish through an analysis of how the current CCC fails to address IPV entirely in current legislation. Propositions to reform the current CCC come from my analysis of IPV in our current CCC and the criminal codes of the United Kingdom and Australia. Examining effective criminal codifications of IPV in other countries will be essential to answering my overall research question.

The significance of this study exists in the statistics surrounding the prevalence of IPV as an issue within our Canadian society. While it can be understood that IPV is not a form of gender-specific violence, in that both men and women experience IPV, Cotter (2021) shares that women experience harsher forms of IPV and experience IPV more often than their counterparts. Four out of ten women in Canada are estimated to have suffered from an incident of IPV at least once throughout their lives (Cotter, 2021). IPV also makes up around 25% of the total number of calls Canadian police respond to. This 25% represents only 20% of the estimated reported incidents, while an additional 80% of incidents remain unreported (Stanton, 2024). These statistics signify the emergent issue of IPV in our current society and call for immediate action and reform to address the issue. A recognized limitation of this study exists due to the fourteen-week timeframe in which I have to complete this study. Being a fourteen-week course, time and the amount of literature I can examine play at the forefront of my limitations. Despite these limitations, this study is important because it works to fill the gaps currently present in the Canadian Criminal Code.

For the purpose of this paper, IPV will be commonly understood as relating to the term's domestic violence and domestic abuse, as all three of these terms make reference to violence

experienced within an intimate partner relationship (Government of Canada, 2024; Legislative Government United Kingdom, 2021; Queensland Consolidated Acts, 2012).

### **Literature review**

Upon review of the relevant literature surrounding the topic of IPV within Canada, the UK, and Australia, themes, gaps in research, and contradicting arguments can be seen. This portion of the research study examines four of the most prominent themes I have found existing in the literature. The themes that most commonly present themselves are inadequate codification of IPV within Canada, the effectiveness of coercive control codes, gender themes, and a historical context.

#### **Inadequate Codification of IPV in Canada**

One notable theme that emerged while analyzing the research literature was the inadequate codification of IPV can be recognized across all levels of the Canadian criminal justice system. This is evident for victims of IPV, for police officers in their charging ability of IPV, and for judges in their definition of IPV. Gill and Aspinall (2020) speak to victims' experiences of IPV currently falling outside of the current charging scope, leaving victims subjected to harm without appropriate legislation available for charges. The authors similarly comment on police officers' inability to address IPV effectively without the recognition and adoption of coercive control, which takes IPV cases beyond an incident-specific case and considers the violence experienced by the victim entirely. Similar to the issues faced by victims and police officers through the inadequate codification of IPV, authors Browns et al. (2024) comment on judges' inability to effectively charge all aspects of IPV through current legislation. The author specifically draws on judges' recognition of psychological and emotional factors associated with IPV without an existing definition which encompasses these aspects (p.85). The

theme explored here is how ineffective codification of IPV exists throughout every level of the Criminal Justice System, being apparent to victims, police, and judges alike.

### **Effectiveness of Coercive Control**

A contradicting theme present in the articles of review surrounds the effectiveness of adopting coercive control as a legal code. While authors Gill and Aspinall (2020), Evan Stark (2016) and Browns et al. (2024) all argue for the adoption of coercive control as an effective solution to filling the gap present in the CCC, Walklate et al. (2018) suggest that including coercive control in criminal legislation may not be the answer. Walklate et al. (2018) conclude that the issue of implementing coercive control as a criminal offence exists due to the inability of the legal system itself to recognize women's stories as they relate to IPV in its entirety. The traditional criminal justice system is then called into question as the author stipulates that through traditional court rulings of guilty or not guilty, victims' voices are still not being heard (p.127). The contradicting success and failure of coercive control allows me as a researcher to evaluate potential shortcomings and successes of the implementation of coercive control as a code. Overall, the author Walklate et al. (2018) does well to highlight a prominent issue with coercive control, being its inability to change women's experiences with the criminal justice system. This highlights faults existing in the criminal justice system, faults which should be further examined and addressed so victims of IPV do not suffer as a result.

### **Gender Themes**

A gender theme is present in the articles of review. While gender-neutral language is used for charges surrounding IPV (Grant, 2018), the common theme seen throughout these articles is that women suffer at the hands of male intimate partners in most cases. I rely on the authors Gill and Aspinall (2020) while drawing reference to women being most at risk of IPV

(para. 1.2) and rely on Grant (2018) to demonstrate the statistical significance of how many intimate partner violence cases are made up of male perpetrators and female victims. Grant (2018) stipulates that around 85 percent of cases of IPV involve male aggressors and female victims. Similarly, with significant numbers in intimate partner sexual assault cases, just under 100 percent of these cases involve male aggressors and female victims (p.161). Cotter (2021) adds to this discussion by breaking down different forms of IPV and discussing the statistical differences apparent between males and females in each form. Psychological abuse, named as one of the most recognized forms of IPV, was apparent in around 43% of females and 35% of males. Physical abuse, another attribute of IPV, was evident for 23% of females compared to 17% of males. Sexual violence was another factor of IPV discussed, having been experienced by 12% of females as opposed to 2% of males (p.5). These statistics provide a snapshot of self-reported data collected by the Survey of Safety in Public and Private Spaces in 2018 (Cotter, 2021). The gendered theme present in these articles demonstrates female vulnerability to IPV existing at a significantly higher rate than their counterpart males within Canada.

To cast the scope outward and to consider if these gender themes are consistent across the UK and Australia, I have relied on a Crime Survey data source to reflect gender themes apparent in England and Wales, and I have additionally relied on the national Personal Safety Survey to reflect gender themes across Australia. Both data sources reflect similar findings to that of Canada, where females are recognized to suffer from IPV at a disproportionately higher rate than their counterparts. In England and Wales, the Crime Survey approximates that 7 in every 100 females experience IPV, while only 3 in every 100 males experience IPV. The data reported further showcases that females experience higher rates of domestic abuse (both sexual and non-sexual), partner abuse (both sexual and non-sexual), domestic sexual assault and stalking, and



more (Office for National Statistics, 2021). In Australia, the Personal Safety Survey estimates that 1 out of 4 females experience IPV while 1 out of 14 males experience IPV (Australian Institute of Health and Welfare, 2024). Laskey et al. (2019) provide a unique insight into gender themes as they relate to IPV. The author notes that because women are statistically seen to suffer IPV at higher rates than males, a significant portion of literature surrounding females and IPV exist, while male or same-sex partner literature and research studies surrounding IPV are substantially less. The author proposes that male victimization may be less prominent in society due to different coping mechanisms used by males and potentially due to the fact that males may not readily seek help from support services (p.2).

### **Historical Theme**

A historical context is identified as a fourth theme in the review of the chosen articles. The historical context of the law surrounding IPV is explored in Walklate et al.'s (2018) article, whereby the author discusses the UK's twenty-year movement toward creating legislation for victims of IPV. Through this article, a historical perspective on how UK legislation was created can be explored. This provides relevant context to how and why the UK chose to adopt coercive control into formal legislation.

A historical lens can also be adopted in a review of the Canadian Criminal Justice responses to IPV. Traditionally, police responses to cases of IPV took on a hands-off approach, meaning police at times treated IPV cases as low priority. Some are even said to have drawn straws to see who would attend IPV cases on that particular shift, or police would engage in what was referred to as the stitch rule, whereby police would only charge offenders if victims required above a certain number of stitches. To speak plainly to this, police officers would engage in several tactics to justify their failings to adequately address IPV. Police and criminal justice

responses to IPV have seen changes over the last 30 years, and in these changes, movement from this hands-off response to a more arrest-oriented response is recognized (Hendricks, et al. 2010). The introduction of no-drop policies surrounding the charging and prosecution of IPV came into existence in 1983 (Department of Justice Canada, 2022). These policies worked to better protect victims of IPV by ensuring that police lay charges when there are reasonable grounds to believe an offence has occurred (Department of Justice Canada, 2021). Aside from the no-drop/ pro-arrest policies introduced to Canada, additional legislation surrounding IPV is seen to have come into existence over the years. Grant (2018) examines the effects of section 718.2(a)(ii) since its creation in 1996. This code allowed for spousal/common-law partnerships existing between an aggressor and a victim to be considered an aggregating factor in prosecution. Simply put, when an offence, such as a sexual assault, occurs between two people in a relationship, this code allows for an offender to receive a harsher sentence because they are in a relationship. Pro-arrest/ no-drop policies and codes, such as section 718.2(a)(ii), are a few of the adopted policies and legislative changes to have taken place over the last 30 years that help address the issues of IPV within Canada.

Adopting a historical perspective of both the UK and Canada provides relevant context to the issue of IPV. It allows me as the researcher to recognize relevant and necessary changes in legislation as it occurred in history and provides key insights into how and why current legislation surrounding IPV existence.

### **Methodology**

Secondary data is used within this study to provide relevant and credible context to my primary research. I rely on the use of key terms such as Intimate Partner Violence, Canada, Coercive Control, and Canadian Criminal Code while conducting my literature searches. I made

use of the Justice Institute of British Columbia (JIBC) library website, EBSCO, and Google Scholar while conducting my initial searches. From the JIBC library website, I used the databases eBook Collection, Criminal Justice Abstracts Academic Search Complete, APA PsycInfo, and ProQuest. From Google Scholar, I utilized the databases The Government of Canada and The Government of British Columbia. Upon conducting my initial search through the JIBC library website, results that surfaced while using the keywords 'Intimate Partner Violence' were in the thousands. To reduce the large number of results and narrow down the literature to be more specific, I utilized inclusion, exclusion, and revision tactics to find the literature best suited to my study. I limited search results by adding inclusion criteria of 'Full Text,' 'Scholarly (Peer Reviewed) Journals,' and resources published between 2010 and 2025. I additionally included search terms to further refine and expand the results. These search terms were 'Canada,' 'Canadian Criminal Code,' 'Policing,' and other common terms related to IPV, such as 'domestic violence or partner abuse.' Please refer to Table A1 in the Appendix for a visual representation of this process.

Upon conducting additional searches for literature on my topic, I utilized Google Scholar and engaged in a search process similar to that used for the JIBC EBSCO website platform. Please refer to Table A2 in the Appendix for a visual representation of my Google Scholar search process.

Secondary data was also used to help me navigate how the countries Canada, the UK, and Australia codify IPV. I utilized research articles, Google searches, and government websites to develop an understanding of how each country codifies IPV. Google was the primary platform I relied on while conducting my research. While focusing on secondary research associated with how IPV is charged within Canada, I utilized a Google search for 'How IPV is charged within

Canada.' This elicited numerous results, and after reviewing some of the Google links, an article belonging to the data website, Journal of Community Safety & Well Being, became the resource I utilized to help guide my primary research codification of IPV charges within Canada. While focusing on secondary research associated with how IPV is charged within the UK, I conducted a Google search 'How to charge IPV in the UK.' This search, much like the one I conducted for Canada, elicited numerous results. Again, I reviewed several Google links before finding the CPS government website, which was the resource I used to guide my primary research on IPV charges in the UK. In addition to these searches, I conducted a Google search on 'all of the Domestic Violence charges in Australia.' This search produced several results, and after reviewing a few of the Google links, I found the Justice Family Lawyers website, which helped direct my primary research on Australian codifications of IPV.

Content analysis was the primary research method I relied on while conducting my research. Content analysis, in its essence, works to identify specific words, patterns, and themes within a given text (Columbia University, 2024) and, therefore, would be the most appropriate research method to employ while I conducted an analysis into how criminal codes of Canada, The UK, and Australia codify the issue of IPV. Within the initial phase of my coding, I aimed to include any and all content related to IPV, which would ensure that I had all the relevant and necessary data available to code the issue of IPV in its entirety. This process initially included a keyword search on all three countries' criminal codes using the key term 'Intimate Partner Violence.' This keyword search elicited few responses regarding chargers associated with IPV. This is to be expected as no criminal codes belonging to either of these three countries codify the issue of IPV (Crown Prosecution Service, 2022; Gill and Aspinall, 2020; McConnell & Saldumbide, 2024). Secondary research was then used to help guide me in how each country

codified IPV through existing charges in their respective criminal codes. Secondary research, therefore, became the tool I relied on while creating my initial codes. After compiling all relevant charges associated with IPV in each country into three separate charts, I was able to begin the focused coding portion of my primary research. This portion included a compare and contrast element to the existing codes of each country. This helped me identify patterns of similarities that existed across each country's criminal codes, as well as the differences that existed in each country. Please refer to Table 3 in the Appendix for a visual representation of my focused coding.

My research study utilized a transformative world view. Transformative worldviews are, in part, based on political reform, which serves to address current social issues found in society (Creswell & Creswell, 2018), something which my research aims to accomplish through an analysis of how the current CCC fails to address IPV entirely in current legislation. Propositions of reform to the current CCC come from my analysis of IPV in our current CCC and the criminal codes of the United Kingdom and Australia. Examining effective criminal codifications of IPV in other countries will become the base which I use to answer my overall research question.

Ethical concerns were considered within this study. Biases presented through my primary research are identified as the main ethical concern. These biases derive mainly from my selection process during the two phases of coding, where I, as the researcher, select the codes I identify as being most significant. This selection process is arguably where I impart my biases on the research. While other ethical concerns regarding informed consent, confidentiality, and voluntary participation were all considered, they are not recognized as specific ethical concerns as all the research provided was derived from publicly available information.

## **Results**

My research question is centred around ‘How can amendments to the Canadian Criminal Code Impact Intimate Partner violence’? Through an analysis of how three countries, Canada, the UK, and Australia, codify the issue of IPV, I can begin to answer this question. The intention behind my primary and secondary research falls to exploring how countries other than Canada codify the issue of IPV with the intention of discovering if other provisions or codes exist that may help address the all-encompassing and overwhelming issue of IPV within Canada.

### **First Theme**

The first and most prominent theme which presented itself through both my primary and secondary research was that neither of the country explored had an existing charge of IPV. All countries relied on elements belonging to IPV, such as assault, sexual assault, and threatening to distribute intimate images, while charging for the issue. Within the Canadian Criminal Code, the charge for Assault exists in section 266 of the CCC, the charge for Sexual Assault exists in section 271 of the CCC, and the charge for Publication of an intimate image without consent exists in section 162.1 of the CCC (Browns et al., 2024; Government of Canada, 1985). Within the UK, the code Batter/Common Assault exists in section 39 of the Criminal Justice Act, Sexual Assault exists in section 3 of the Sexual Offence Act, and an Offence of sharing or threatening to share intimate photographs or films exists in section 188 of the Online Safety Act (Crown Prosecution Service, 2022; Legislation Government United Kingdom, 2023). Within Australia, the charge for Common Assault exists in section 61 of the Crimes Act, the charge for Sexual Assault exists in section 61I of the Crimes Act, and the charge to Threaten to record or distribute intimate images exists in section 91R of the Crimes Act (New South Wales Legislation, 2025). Although many other charges within these respective countries exist that deal with the issue of

IPV, these three charges provide an example of a few of the charges consistent within each country. Please refer to the Appendix Table A3 for a visual representation of this theme, a description of this theme and the respective countries and their codes. To supplement these findings, I look to the authors Gill and Aspinall (2020), Crown Prosecution Service (2022) and McConnell and Saldumbide (2024), who additionally reinforce this theme by recognizing that IPV is charged through various criminal codes and not a IPV code. This theme applies to my research question, as it helps to demonstrate how each country charges for the issue of IPV. From these findings, through both my primary and secondary research, I can conclude that all three of the research countries charge for IPV in similar ways. While this finding demonstrates similarities in the charging process between each country, the subsequent themes demonstrate differences between these countries.

### **Second Theme**

A secondary theme which presented itself through both my primary and secondary data was that the UK and Australia had a working definition of IPV commonly understood through ‘domestic violence’ and ‘domestic abuse,’ something which the Canadian Criminal Code seems to lack (Browns et al., 2024). Within the UK, the country has adopted the definition of domestic abuse to mean “Behaviour of a person (“A”) towards another person (“B”) is domestic abuse if – (a) A and B are each aged 16 or over and are personally connected to each other (b) the behaviour is abusive.” (Legislation Government United Kingdom, 2021, p.1). The act goes on to outline what abusive behaviour is, what economic abuse is, and so forth (Legislation Government United Kingdom, 2021). Within Australia, the country has adopted the definition of domestic violence to mean:

... behaviour, or a pattern of behaviour, by a person (the first person) towards another person (the second person) with whom the first person is in a relevant relationship that – (a) is physically or sexually abusive; or (b) is emotionally or psychologically abusive, or (c) is economically abusive; or (d) is threatening; or (e) is coercive; or (f) in any other way controls or dominates the second person and causes the second person to fear for the second person's safety or wellbeing or that of someone else. (Queensland Consolidated Acts, 2012, p.1)

Please refer to the Appendix, Table A3, for a visual representation of this theme, a description of this theme and the respective countries and their definitions. As aforementioned in the background portion of this paper, the definition of IPV is recognized through the UK's term 'Domestic Abuse' and through Australia's term 'Domestic Violence' because all these terms make reference to the overriding definition of IPV being, that all three of these terms make reference to violence experienced within an intimate partner relationship (Government of Canada, 2024; Legislative Government United Kingdom, 2021; Queensland Consolidated Acts, 2012). This theme helps me answer my overall research question as it identifies an element that exists in both the UK and Australia but not in Canada. This element being, a working definition and understanding of the issue of IPV.

### **Third Theme**

The third theme, which presented itself through my primary and secondary data, was that coercive control existed in both the UK's Criminal Code and Australia's Criminal Code as related offences to IPV. Coercive control, however, is not currently recognized as a formal charging code within the Canadian Criminal Code (Gill & Aspinall, 2020). Within the UK, coercive is recognized in section 76 of the Serious Crimes Act (Legislation Government United



Kingdom, 2015). Within Australia, coercive control is recognized through the Crimes Legislation Amendment Coercive Control Act (New South Wales, 2022). Please refer to the Appendix, Table A3, for a visual representation of this theme, a description of this theme and the respective countries and their coercive control codes. To supplement this finding, I rely on the work of Browns et al., 2024, who further recognizes the existence of coercive control in the UK, Australia and several other countries while recognizing that Canada still has yet to adopt this charging code. This theme further adds to the base on which I answer my research question as it provides relevant insight into additional legislation that the UK and Australia have, which Canada has yet to adopt.

### **Sub-Questions**

One of the sub-questions I posed within the introduction looked at what calls for revision are in place, if any, for the Canadian Criminal Code as it applies to IPV. This question invites a current understanding of the issue of IPV as it exists within Canadian legislation to date. While referenced in the previous paragraph, we can see that, although not currently apparent within the Canadian Criminal Code, coercive control legislation is under revision in the Canadian Parliament (Browns et al., 2024). Bill C-332 is an act that proposes amendments to the current Criminal Code to include coercive control in IPV relationships in legislation. Bill C-332 has successfully made its way through the House of Commons and is presently under consideration in committee at the Senate level (Parliament of Canada, 2021). This sub-question is incredibly important to answering my overall research question because it allows me, as the researcher, to identify how Canada is working to address the issue of IPV through legislative changes. Bill C-332 is a perfect example of some of the benefits a country can have when they look outward and draw inspiration from how other countries are trying to address the issue of IPV. This is one of

the reasons why I have chosen to engage this research question and conduct an analysis of different countries.

An additional sub-question posed in the introduction asks how other countries' codifications have impacted IPV? This was an important question to ask as it works to create an understanding of how specific codes and legislation are working within a country to address the issue of IPV. I rely on the work of Walklate et al. (2018) while exploring this sub-question. Although briefly touched on within the literature review portion of this paper, I hope to bring forward the issues currently present with the application of coercive control as a charge within the UK. The intention behind this is to highlight current application issues with the coercive control code in hopes that by identifying application issues, appropriate amendments can be identified. Further to this point, with the potential of coercive control codes coming into legislation through Bill C-332 within Canada, Walklate et al.'s (2018) paper may act as a crucial guide while considering operational issues associated with charging coercive control. Walklate et al. (2018) highlight an area of consideration being that to enforce a charge of coercive control, victims must demonstrate a willingness and ability to engage with police, something that may be challenging for all women. Barriers involved in reporting incidents of IPV still exist and are namely due to discrimination fears, fears surrounding lack of support, fears that reporting an incident may inspire more violence and fear of gender discrimination. Another area of concern highlighted by Walklate et al. (2018) surrounds the implementation of this code by police officers. The concern lies in officers' ability to recognize coercive control when responding to a single incident. The purpose of coercive control is to highlight abusive tendencies over the course of a relationship, something which may be challenging to do while officers respond to a single incident. Several other potential consequences are discussed in Walklate et al.'s (2018)

paper, but I have identified these two above as some of the most prominent. This research helps answer my overall research question in that it discusses areas for consideration in implementing coercive control into legislation. A review of these consequences would prove beneficial to Canada, which is currently engaging in the implementation of coercive control codes.

### **Discussion**

The discussion portion of this research paper looks to examine the strengths and weakness present in the evidence, it additionally highlights limitations found in the research process.

A strength to this paper includes the use of primary research as one of the main methodologies employed. Primary research allowed me to conduct direct research pertaining to my overall question. Such was the case in this study, where I utilized content analysis, a primary research method, to examine criminal codes of different countries. This process was specific and focused on answering my overall research question.

Strengths in the use of secondary research were additionally recognized in this paper through the ability of secondary research to provide relevant context to the issue of IPV in the literature review portion. Secondary research additionally helped guide my primary research, specifically on how IPV is charged in each respective country. This brings me to a weakness apparent in my research data collection being, the need to rely on secondary data to understand how IPV is codified in each country. As there is no official code for IPV, I had to rely on secondary research to try to piece together relevant codes for charging IPV in each country. Not having one specific code capturing the issue of IPV is discussed as an additional weakness in existence in all the respective countries, as the issue of IPV is then hard to capture in its entirety.

A strength of this paper is recognized in the credible and reliable sources I was able to attain while conducting my research. The base from which most of my results and findings were derived came from either criminal codes, government websites, or scholarly peer-reviewed articles. The criminal codes used were the Canadian Criminal Code, the Australian New South Wales Criminal Act and Queensland Consolidated Act, the United Kingdom's Serious Crimes Act, the Domestic Abuse Act, and the Sexual Offences Act. Credible government websites include the Government of Canada, Parliament of Canada and the Department of Justice Canada websites. Lastly, credible scholarly articles were used, namely articles published by Sage Publications, Criminology & Criminal Justice data websites, and more.

A weakness found within this paper exists in the limitation surrounding the time frame in which I had to complete this research paper. Due to the 14-week period in which I had to complete this paper, I was only able to analyze the criminal codes of Canada, the UK and Australia. This restricted the variability of data found as differences in how each country codifies IPV could only be measured across three countries. An analysis of more countries could have benefitted the research by providing more or different data surrounding the codification of IPV.

An additional weakness in the evidence is found in the countries selected to be a part of this research study, namely Canada and Australia, whose legal systems seemingly have a deeply rooted connection to the English legal system. The University of Melbourne (2025) shares that although the Australian legal system broke away from the English system in 1788, English influence is still apparent in Australia. A similar connection between Canadian legal systems and English Common law can be argued for, seeing as the English common law is, in part, what the Canadian Criminal legal system is built on (Department of Justice Canada, 2015). The inclusion of countries whose legal systems did not derive from England or countries that do not follow

Common Law may have offered a unique analysis of how those countries codify their issues, specifically in how they codify or address the issue of IPV.

### **Recommendations**

Recommendations to consider mainly derive from the results section of this paper. To begin, I recommend that Canada implement both a definition of IPV and a coercive control code to address the current failings of the justice system. (Browns et al., 2024) shares the possible benefits of adopting a working definition of IPV, namely its ability to enhance victim management, regulate responses to IPV and allow for better risk management strategies. In addition to these benefits, the adoption of an IPV definition allows for judges, police, and victims alike to adopt a unified understanding of the issue and all the elements pertaining to IPV. I additionally recognize that Canada is currently in the process of adopting coercive control into legislation through Bill C-332. To this, I recommend that policymakers adopt a critical review of the successes and failures of the implementation of coercive control in the UK. I argue that Walklate et al. (2018) provide key insights into some of these successes and failures, and I urge policymakers to consider these carefully, as it would be remiss of us as a country to implement similar legislation just to face the same issues apparent in the UK.

I further recommend that researchers continue to evaluate other countries' criminal codes in hopes of inspiring more or better ways of codifying the issue of IPV. The issue of IPV itself is a prominent issue within Canada and in other countries all across the world, and solutions to this prevalent issue may come from a united global effort to address IPV.

Coercive control codes are one of the proposed responses to the current failings of the Canadian Criminal Justice System. The recognized need to implement coercive control derives from the current justice system's inability to recognize every element of IPV, being actions that

work to inspire fear and terrorize or manipulate a partner (Gill & Aspinall, 2020). This begs the question of whether introducing coercive control codes will, in fact, fill the gap present in current criminal justice responses to IPV. While in definition, it should, being that the gap currently present surrounds non-existing charges that capture every element of IPV, and coercive control, being those elements should fill this gap.

I question then if the only gap present in the current Canadian Criminal Justice System is coercive control, seeing as IPV is still a prominent issue in both the UK and Australia who, are recognized as having coercive control codes. I question what additional failures currently exist in these countries' criminal justice response to IPV. These failures may exist outside of codification and may be apparent in the criminal justice system itself. These failings may exist in the traditional court proceedings, which typically neglect the victim's involvement, or in failings that may exist in current police responses to IPV, I do not know. Further research is needed to conduct an analysis of these areas in the criminal justice system. Overall, I recognize that there is probably no one good solution to the issue of IPV, but instead, many small solutions which may, over time, work to address the overall issue, which is IPV.

### **Conclusion**

Through this research study, I aimed to answer the research question, "How can amendments to the Canadian Criminal Code Impact Intimate Partner Violence?" In addition to this research question, I posed two sub-questions, namely, what calls for revision are in place for the Canadian Criminal Code as it applies to IPV? And how have other countries' codifications impacted IPV? By exploring three different countries' criminal codes and responses to IPV, I have been able to answer this question. Within this paper, I have demonstrated first how Canada responds to the issue of IPV through the CCC and second how other countries have worked to do

the same. It was through this analysis that I was able to recognize the similarities and differences that are apparent across each county. From this analysis, I have been able to find that each of the countries explored addresses the issue of IPV in a similar way, meaning they charge for elements of the offence rather than for the offence itself. I have additionally found that both the UK and Australia have working definitions of IPV, and coercive control codes embedded in their criminal legislation, something which Canada has yet to implement. Further, in addressing my overall research question, I posed two sub-questions. In exploring these sub-questions, I found that Canada is currently in the process of adopting a coercive control code into legislation through Bill C-332 and found that within the UK implementation concerns surrounding their coercive control codes exist. Adopting a critical review of the implementation concerns surrounding coercive control is recommended for policymakers currently in the process of pushing through Bill C-332. It is recommended that public officials and policymakers use the identified concerns as a road map to how Canada can better implement coercive control into legislation.

This paper utilized both primary and secondary research methods. This allowed for specific and relative data pertaining to my research question to be produced, and wherever primary research fell short, secondary research was used to provide relevant context to the issue of IPV and was used to help guide my primary research. As aforementioned, one of the identified limitations of this study was the limited time frame in which I had to complete this research study. This undoubtedly contributed to the limited number of sources I was able to analyze while conducting my research.

To conclude this paper, I recognize that there is probably no one good solution to resolving the issue of IPV, but a hope in conducting this paper and other like it, is that proposed

solutions and recommendations made can, over time, work to address the overall issue which is IPV.



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## Appendix

**Table A1***Library Search Process*

Website Platform	Search Term(s)	Search results	
	Initial Search		
JIBC (Ebsco)	Intimate Partner Violence	161,206	
	Revised Searches		Reasons for Revision
JIBC (Ebsco)	Intimate Partner Violence	89,396	Added limitations to the search to include only Full Text.
JIBC (Ebsco)	Intimate Partner Violence	79,157	Added limitations to the search to include Scholarly. (Peer Reviewed) Journals
JIBC (Ebsco)	Intimate Partner Violence	24,531	Added limitations to the search to include a publication date ranging from 2015 to 2025
JIBC (Ebsco)	Intimate Partner Violence AND Canada	2,829	Included the term 'Canada'
JIBC (Ebsco)	Intimate Partner Violence AND Canada AND Canadian Criminal Code	4	Included the term 'Canadian Criminal Code'
JIBC (Ebsco)	Intimate partner violence AND Canada AND Policing	22	Included the term 'Policing' and excluded 'Canadian Criminal Code'
JIBC (Ebsco)	Intimate partner violence or domestic violence or partner violence AND Canada AND Policing	88	Expanded 'intimate partner violence' to 'Intimate partner violence or domestic violence or partner violence'

**Table A2***Google Scholar Search Process*

Website Platform	Search Term(s)	Search results	
	Initial Search		
Google Scholar	Intimate Partner Violence Canada	371,000	
	Revised Searches		Reasons for Revision
Google Scholar	Intimate Partner Violence Canada	18,700	Added limitations to the search to include a publication date ranging from 2015 to 2025
Google Scholar	Intimate Partner Violence Canada Coercive Control	22,600	Added search term 'Coercive Control'
Google Scholar	Intimate Partner Violence Canada British Columbia	14,300	Added search term 'British Columbia' and removed 'Coercive Control'
Google Scholar	Intimate Partner Violence Canada Policing	24,700	Added search term 'policing' and removed 'British Columbia'

**Table A3**

*Themes*

Themes	Description	Countries
Similar charging elements of IPV	All countries relied on charging for elements of IPV rather than having an existing charge of IPV	Canada Assault: Section 266 CCC Sexual Assault: Section 271 CCC Publication of an intimate image without consent: Section 162.1 CCC
		The UK Battery/ Common Assault: Section 39 Criminal Justice Act Sexual Assault: Section 3 Sexual Offences Act An offence sharing or threatening to share intimate photographs or films: Section 188 Online Safety Act 2023
		Australia Common Assault: Section 61 Crimes Act Sexual Assault: Section 61I Crimes Act Threaten to record or distribute intimate images: Section 91R Crimes Act
Definitions of IPV or related terms	Canada has no existing definition of IPV, while the UK and Australia do.	Canada: N/A
		The UK: Domestic Abuse Act 2021
		Australia: Domestic and Family Violence Protection Act 2012
Coercive control	Canada has no existing coercive control codes, while the UK and Australia do.	Canada: N/A
		The UK: Section 76 Serious Crimes act 2015
		Australia: Crimes legislation Amendment Coercive Control Act 2022