

The Honourable David Lametti, Minister of Justice and Attorney General of Canada

March 31, 2022

Dear Honourable Minister Lametti,

The National Council of Women of Canada (NCWC) wishes to express our concerns with the enactment of Sec. 264 (1) and Sec. 264 (3) of the Canadian Criminal Code involving criminal harassment of victims (stalking). The Council would appreciate a reply and the opportunity to engage in further discussions. Our concerns are summarized and grouped as follows:

When can victims of sexual harassment expect to be protected?

• Sentencing, Prior History and Restraining Orders

While a first offence can result in an indictment, why is a prior history of abuse or violence not resulting in more indictable offences but rather, greater summary convictions, and why are repeat offenders not classified as dangerous offenders?

Given, 1 out of 10 female victims (15 years and over), is revictimized, we ask why restraining orders to protect victims of sexual harassment, violence and assault are not being more vigilantly enforced?

• Mental Illness

What direct measures are being implemented by the justice system to assess the mental health status of those accused or convicted of these crimes? Moreover, what measures are universally available to support victims of criminal harassment who have been left traumatized by their experiences? Has, for example, your Department reached out to the Canadian Mental Health Association, police agencies, and their provincial counterparts to address the mental health needs of those involved with cases of sexual harassment?

• National Registry

In keeping with our 129-year mission which seeks to speak on behalf of women and children, the NCWC urges the government to implement a national list or registry of convicted sex offenders, stalkers, and pedophiles. This list should include IP computer identifications to ensure all offenders are included.

The National Council of Women of Canada thanks you for this opportunity to express our concerns with Sec. 264 (1) and 264 (3) of the Criminal Code. We look forward to receiving your reply.

Sincerely,
Patricia Leson, President
National Council of Women of Canada

The National Council of Women of Canada (NCWC) works in the spirit of truth and reconciliation, acknowledging Canada is the traditional territory of Indigenous and Metis People. We are grateful to join with others in peace and hope, advocating for an improved quality of life for women, children, families, and society.

Note: The original draft of this letter was prepared by Penny Rankin, NCWC Convenor for Children and Youth