

Government Orders

[Translation]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-41, an act to amend the Criminal Code (sentencing) and other acts, be read the third time and passed.

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, I was saying that the former spouse is too often the victim of both physical and psychological abuse. When couples break up, the built-up tension too often degenerates into violence. The former spouse is a special case, because the abuser often blames his victim for the failure of the relationship.

With respect to spousal homicide, which is an extreme form of violence, the probability that a woman will be killed by her husband is nine times higher than the probability that she will be killed by a stranger. Separated spouses, however, are much more at risk.

In the case of couples living together at the time of the murder, four times more women than men are killed. This 4:1 ratio goes up to more than 10:1 for separated couples. These statistics are inescapable and alarming: for every man killed by his ex-wife, 10 times as many women are killed by their ex-husbands.

The results of this Canada-wide survey on spousal abuse, in which over 12,300 women participated, were published in March 1994. This survey gives a picture of spousal violence that is troubling, to say the least. Because violence against current or former wives is disturbing, we prefer to ignore it instead of facing reality. It is high time that this House sent a clear message to violent spouses, the vast majority of whom are men. The message to the judges looking at the circumstances surrounding violent crimes against spouses must be just as clear.

I am talking not only about physical abuse but also about psychological abuse, which produces lasting, detrimental effects. Put-downs and insults are as devastating a weapon as slaps and punches. They inflict deep wounds that never completely heal.

• (1605)

The national survey published last year was aimed at testing theories on the links between physical and psychological abuse. About a third of the women who were or had been married at the time of the survey said that their spouses or former spouses had been psychologically abusive. Fifty-nine per cent of former partners were considered psychologically abusive, compared with 17 per cent of current partners.

Although physical abuse does not necessarily go hand in hand with psychological abuse, both types were used in most cases.

Three quarters of the women who described themselves as victims of physical or sexual abuse said that they were also victims of psychological abuse. Eighteen per cent of women not experiencing physical violence at the hands of their spouses said they were the victims of psychological violence.

The principle forms of violence described by the women surveyed were pushing, grabbing, shoving, followed by threats to hit, slapping, having objects thrown at them, being kicked, bitten and punched. A good number of women were also battered, sexually assaulted, strangled, hit with an object and threatened with a gun or a knife. Rarely was only one form of violence reported.

The Bloc Québécois proposed an amendment that covered all these forms of violence. In fact, by defining assault as it is defined in section 265 of the Criminal Code, we have included the application of force against a spouse, the attempt and the threat to apply force. The definition applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party, causing bodily harm and aggravated sexual assault. Unfortunately, our amendment was not accepted.

Almost half of women victims of violence have been injured. The most frequent injuries were bruises, in 90 per cent of cases, followed by cuts, scratches, burns, and various degrees of fracture. Almost 10 per cent of injured women said they had suffered internal injuries and miscarried.

I would like to quote Mr. Justice Jean-Guy Boilard of the Superior Court of Quebec. When sentencing the accused Fouad Ghazal last Thursday in the district of Hull, the judge, speaking to the accused who had murdered his wife, said the following, and I quote: "Spousal violence is a repugnant crime that has become one of the major concerns of our society. It would be utopian to think we can eradicate it. However, the sentence must reflect society's reprobation of this crime".

I hope all members of the bench agree with Mr. Justice Boilard.

To get back to the sentencing bill, the debate, as I pointed out the day before yesterday, was distorted from the outset. Most speakers zeroed in on the expression "sexual orientation" which appears in clause 718.2 of the bill. This clause deals only with the circumstances the judge should consider at the time of sentencing. As I said before, this is not a new charter of rights.

There is no justification for the concern expressed by some members that an individual will be punished more severely. All forms of violence must be punished. If the victim is attacked as a member of an easily identifiable group or as an apparent member of such a group, this is clearly an aggravating circumstance and the punishment should be severe.