



A TURNING POINT  
FOR WOMEN



The Honourable Doug Downey  
Ministry of the Attorney General  
11th Floor, 720 Bay St.  
Toronto, ON M7A 2S9

June 15, 2020

**Re: 'Extreme intoxication' ruling by the Ontario Court of Appeal**

Dear Attorney General,

We are writing to express our concern over the recent ruling by the Ontario Court of Appeal that allows voluntary 'extreme intoxication' to be a defense in violent crimes. This ruling sets a dangerous precedent that could prevent justice from being served in cases of violence against women, girls and gender-diverse people, including sexual assault.

YWCA Toronto is one of Canada's leading multi-service women's organizations, and we have a long and proud history of providing direct services and tackling systemic issues to help women escape violence, move out of poverty, and access safe affordable housing. We also advocate at all levels of government for systemic changes needed to create safer communities for women, girls and non-binary individuals.

We commend the Crown for taking swift action in responding to this development and acting in the interest of those facing higher rates of gender-based violence. During COVID-19, rates of domestic abuse have risen. This is not the time to erode protections for survivors of sexual assault and violent crimes.

We understand that this ruling applies to those in an "automatic state" but we also know that it could be used to cast doubt on the accounts of women, girls, and gender-diverse people who report crimes of sexual assault and violence.<sup>i</sup> There are many structural and social barriers already in place to make it difficult to report or convict in these cases. This ruling will only further a problematic understanding of reasonable behaviour and accountability.

You have the opportunity to send a clear message to all Canadians: there is no excuse for sexual assault or violent crimes. We hope that this recent ruling is overturned and that women, girls, and gender-diverse people can trust our justice system to fully serve their needs and protect their rights. We will be following the development of this case in anticipation of a more just outcome.

Sincerely,

A handwritten signature in black ink that reads "Heather McGregor".

Heather McGregor

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<sup>i</sup> <https://www.thestar.com/opinion/contributors/2020/06/11/misinformation-may-discourage-victims-of-gender-based-violence.html>