Minute No. 561
Executive Policy Committee – Notice of Motion

Item No. 1 **Request to the Federal Government Regarding Section 33.1 of the Criminal Code**

COUNCIL DECISION:

Council received the Notice of Motion as information.

Executive Policy Committee – Notice of Motion

DECISION MAKING HISTORY:

Moved by Councillor Klein,
Seconded by Councillor Nason,

WHEREAS a recent decision by the Supreme Court of Canada in R. v. Brown, 2022 SCC 18 and R. v. Sullivan, 2022 SCC 19 that reinstated the defence of extreme intoxication for violent offences of general intent, including sexual assault and homicide;

AND WHEREAS the implications of these two decisions will have a negative impact on victims families;

AND WHEREAS intoxication is used in cases of domestic violence involving women, children, and others;

AND WHEREAS my brothers and I lost our Mother to domestic violence, murdered by a man who attempted to blame alcohol for his actions;

AND WHEREAS the increase use of methamphetamine in our city, province and country and abuse of these drugs is firmly linked to psychosis and extremely violent attacks, some of which ending in death;

AND WHEREAS it is our duty to protect the residents of Winnipeg;

AND WHEREAS the Supreme Court of Canada suggested a number of ways the law could be improved;

THEREFORE BE IT RESOLVED:

1. That Council place on record and advise the Federal Minister of Justice and Attorney General of its concern with the recent Supreme Court of Canada decisions with regards to R. v. Brown, 2022 SCC 18 and R. v. Sullivan, 2022 SCC 19.

2. That Council urge the Federal Government to act now and close any legislated gap and replace s. 33.1 of the Criminal Code with a constitutional provision that removes the defence of extreme intoxication for violent crime.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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DECISION MAKING HISTORY (continued):

COUNCIL (continued):

Moved by Councillor Klein,

That the Notice of Motion be received as information.

Carried