



The Honourable Doug Downey, Attorney General of Ontario

Ministry of the Attorney General
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January 8, 2026.

Dear Attorney General Downey,

We are writing on behalf of the Leadership Table for [Waterloo Region's Gender-Based Violence \(GBV\) Strategy](#). This collaborative initiative is anchored by frontline, community-based GBV agencies, including sexual assault support services, shelters, counselling and outreach programs, legal advocacy, and culturally specific services. We work in partnership with institutional stakeholders such as education, municipal and regional governments, and police. Together, we are building a coordinated response to prevent and address gender-based violence.

We are writing to urge the Province of Ontario to amend Crown Policy D.4 and expand access to restorative and transformative justice for survivors of sexual violence.

The criminal legal system continues to fail survivors of sexual violence. The vast majority of sexual assaults are never reported to police. Survivors who do engage with the criminal justice process often experience re-traumatization and harm through adversarial proceedings, lengthy delays, and outcomes that do not reflect their needs or sense of justice. Hundreds of sexual assault cases never proceed to trial due to systemic delays, and despite decades of reform efforts, rates of sexual violence have not meaningfully declined.

Restorative and transformative justice (RJ/TJ) approaches — non-carceral, non-adversarial, and survivor-centred — can offer meaningful pathways to accountability, repair, and healing. However, in Ontario, survivors who wish to pursue these approaches face significant legal and bureaucratic barriers as a result of Crown Policy D.4.

Under Crown Policy D.4, sexual offences are categorically excluded from diversion to alternative measures under section 717 of the Criminal Code, including restorative and transformative justice processes. This prohibition removes survivor choice and autonomy, leaving the criminal legal system as the only sanctioned pathway to justice, even when it does not align with a survivor's needs, values, or safety.

This policy was introduced in the 1990s in response to concerns from the gender-based violence sector. **Thirty years later, sector perspectives have evolved.** Recent research indicates that **86% of respondents working in GBV support expanding restorative justice options for gender-based violence, and 78% would refer survivors to these processes if they were available and appropriately resourced.**

Survivors and communities deserve a justice system that is responsive, flexible, and grounded in harm reduction and healing. We therefore strongly urge the Province of Ontario to implement the following changes:

1. **Amend Crown Policy D.4** to allow survivor-initiated diversion to restorative and transformative justice processes for sexual offences. Any policy reform must be developed in collaboration with a diverse group of stakeholders, including GBV sector organizations and RJ/TJ practitioners.
2. **Read the 2025 study *Bridging Justices: A Critical Exploration of Moratoriums on Restorative Justice and Transformative Justice For Sexual Harm in Ontario* found here:** <https://www.leaf.ca/wp-content/uploads/2022/09/Bridging-Justices-Fall-2025.pdf>

3. **Invest in public and professional education on restorative and transformative justice**, including survivor-facing information and specialized training for crown attorneys, judges, police, lawyers, and GBV service providers.
4. **Initiate a province-wide community consultation** on RJ/TJ implementation, including questions of oversight and authority, credentialing and standards, and culturally responsive and trauma-informed practice.
5. **Fund and launch community-led RJ/TJ pilot sites** for sexual violence cases referred by local Crowns. Pilot programs must be shaped by survivor input and tailored to the needs of communities experiencing intersecting forms of marginalization. In Waterloo Region, [Community Justice Initiatives](#) and the [Sexual Assault Support Centre of Waterloo Region](#) are well positioned to this work, and to support other communities to do the same.
6. **Support Indigenous sovereignty and legal revitalization** by investing in Indigenous-led, community-based responses to sexual violence, consistent with the Truth and Reconciliation Commission Calls to Action and the National Inquiry into Missing and Murdered Indigenous Women, Girls, and 2SLGBTQIA+ People Calls for Justice.

Ontario has an opportunity to demonstrate leadership in creating a justice system that truly responds to survivors of sexual violence. **Revising Crown Policy D.4 is a necessary step toward survivor-led, community-based justice.**

Thank you for your attention to this matter. We would welcome the opportunity to discuss this further.

Respectfully,



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