



CHANGES TO THE PROTECTION AGAINST FAMILY VIOLENCE ACT **(PAFVA)**

Frequently Asked Questions

1. What is the Protection Against Family Violence Act?

The Northwest Territories (NWT) *Protection Against Family Violence Act* (PAFVA) is a law that helps protect people experiencing family violence. It allows them to get legal protection quickly, such as Emergency Protection Orders (EPOs) and Protection Orders.

2. What is an Emergency Protection Order?

An EPO is a court order that provides immediate protection to someone experiencing family violence.

3. What does an Emergency Protection Order do?

Depending on the situation, an EPO may:

- Require someone to stop contacting you or communicating with you;
- Require someone to stay away from you, your home, workplace, or other places;
- Require someone to leave the family home;
- Give you temporary use of the family home;
- Allow police to remove someone from a home;
- Prevent someone from having weapons; and
- Include any other conditions needed to help keep you and your family safe.

The exact conditions of an EPO will depend on the specific situation.

4. What changes have been made to the *Protection Against Family Violence Act*?

Changes have been made to strengthen protections for people experiencing family violence and to update the PAFVA.



Key changes include:

- Recognizing stalking as a type of family violence and adding a legal definition of stalking;
- Creating a new civil tort of stalking, allowing individuals to bring a claim in court against a person who stalks them in certain relationships covered by the Act;
- Adding a “deemed fear” provision to better protect children and vulnerable people who may not be able to express fear or safety concerns;
- Expanding the law to cover more types of relationships, including:
 - Intimate or romantic relationships, even if the people involved have never lived together;
 - Family members (by blood, marriage, or people considered family);
 - Care relationships, where one person relies on another because of disability, illness or aging;
- Allowing RCMP, in certain situations, to share information about a person reasonably believed to be stalking an applicant to support safety planning; and
- Updating and modernizing the language used throughout the Act.

These changes make protections stronger and help ensure the law reflects the realities of family violence in the NWT.

5. What is stalking?

The PAFVA now includes a legal definition of stalking. Stalking is when someone repeatedly behaves in a way that makes another person feel afraid for their safety.

Examples may include:

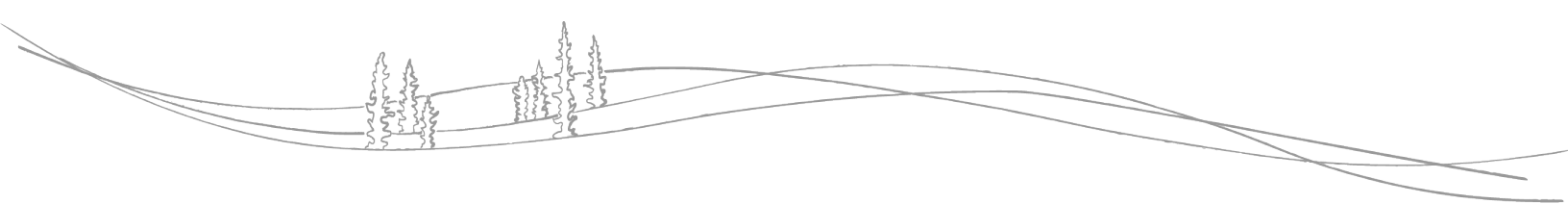
- Following a person;
- Repeated, unwanted communication;
- Watching or closely monitoring a person;
- Using electronic tracking or surveillance; and
- Online harassment or threatening behaviour.

6. Why is stalking being added to the Act?

The changes to the Act recognize that stalking is a serious type of family violence that can significantly affect a person’s safety and wellbeing.

7. Can someone experiencing stalking apply for an EPO?

Depending on the situation and the relationship, a person experiencing stalking may be able to get protection under the Act, including an EPO.



8. What is a Tort?

A tort is a type of civil legal remedy that allows a person who has been harmed to bring a claim in court against another person. It is different from a criminal charge, which is investigated by police and prosecuted through the criminal justice system.

A tort is a legal process that lets a person who has been harmed to ask the court for compensation from the person who caused the harm. This is different from a criminal case, which is investigated by police and dealt with through the criminal justice system.

9. What relationship changes are being made?

The Act now includes these types of relationships:

- Intimate or romantic relationships with the respondent, regardless if they have lived together or not;
- Family relationships by blood, marriage, or those considered as family;
- Care relationships where one person depends on the other due to disability, illness, or aging ;
 - Intimate or romantic relationships, even if the people involved have never lived together;
 - Family members (by blood, marriage, or people considered family);
 - Care relationships, where one person relies on another because of disability, illness, or aging.

9. Do people have to live together to get protection under the Act?

No, people in intimate or romantic relationships can qualify even if the people involved have never lived together.

10. What does the new “deemed fear” provision mean?

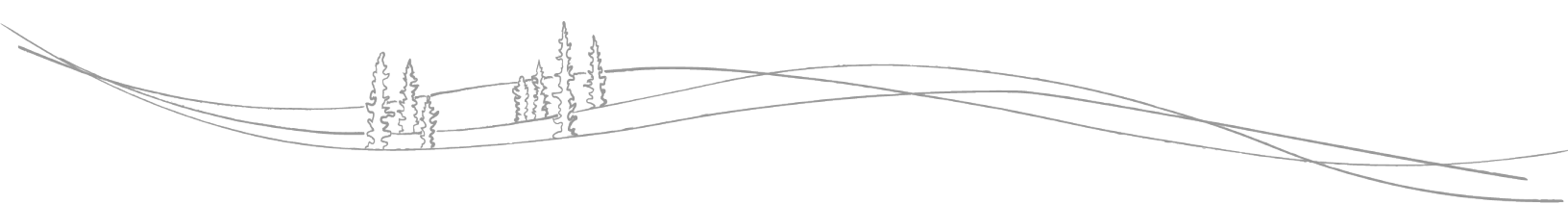
The changes recognize that children and people who may not be able to express fear can still be affected by family violence and may need protection.

11. What does the new RCMP disclosure provision mean?

In certain situations, and where allowed by law, the RCMP can share information about someone they believe is stalking a person to help keep that person safe.

12. What is the new legal option for dealing with stalking?

The Act provides a new way for someone who is being stalked to go to court and take civil legal action to protect themselves.



13. What do these amendments mean for communities?

The changes to the Act strengthen protections for people experiencing family violence by:

- Recognizing stalking as family violence;
- Expanding who can get protection under the Act;
- Improving protections for children and vulnerable people;
- Supporting safety planning; and
- Providing more legal options for victims of stalking.

14. Where can I get help?

Support is available through:

- YWCA Alison McAteer House
- RCMP;
- Victim Services;
- Family Violence Shelters; and
- Legal Aid.

15. How do I apply for an EPO?

You can apply by calling the YWCA NWT toll-free at 1-866-233-7775 or contact your local RCMP detachment.

In an emergency, call 911 or your local RCMP detachment.

