



Protection Against Family Violence Act (PAFVA)

Understanding the Changes to PAFVA



WHAT IS THE PROTECTION AGAINST FAMILY VIOLENCE ACT (PAFVA)?

The *Protection Against Family Violence Act* (PAFVA) is Northwest Territories legislation that provides legal protections for people facing family violence. This includes access to Emergency Protection Orders and Protection Orders.

WHAT IS AN EMERGENCY PROTECTION ORDER (EPO)?

An Emergency Protection Order is a court order that provides immediate protection to people facing family violence.

WHAT IS A PROTECTION ORDER (PO)?

A Protection Order is a court order that provides ongoing protection for people experiencing family violence when longer-term safety measures are needed. It is used when protection is required, but the situation is not an immediate emergency.

HOW LONG DO THESE ORDERS LAST?

An Emergency Protection Order (EPO) is a short-term order that can last for up to 90 days.
A Protection Order is a longer-term order that can last for up to one year, unless the court decides otherwise.

WHAT CHANGED?

Changes have been made to PAFVA to better protect people experiencing family violence and to use gender-inclusive language.

PAFVA now recognizes stalking as a form of family violence and expands who can receive protection and improves safeguards for vulnerable individuals and offers more tools to keep victims safe.

These changes give access to Emergency Protection Orders (EPOs) for people in more types of relationships, a new civil remedy (tort) for stalking, and new authority for the RCMP to disclose identifying information in certain stalking situations to help protect potential victims.

WHAT DOES THIS MEAN FOR EMERGENCY PROTECTION ORDERS?

The changes may affect how family violence is defined and handled under the Act. These changes could mean:

- Stalking may be considered when looking at family violence concerns.
- More people may qualify for protection under the Act.
- More types of relationships may be considered when deciding if someone is eligible.
- There may be a stronger focus on keeping children and vulnerable people safe.
- More information may be available to help with safety planning in stalking situations.

KEY CHANGES

STALKING IS NOW RECOGNIZED AS FAMILY VIOLENCE

PAFVA now includes a legal definition of stalking. It also identifies stalking as a form of family violence.

What this means:

- Stalking is now clearly recognized as its own offence under the Act.
- This gives better **access to Emergency Protection Orders (EPOs) in certain stalking situations**, including situations where physical violence may not have occurred.
- **RCMP disclosure** will help identify an anonymous stalker and support a person's safety in certain situations.

The changes support better safety planning in stalking situations and provide more legal options for victims by introducing a new civil tort for stalking, expanding who may qualify for protections under the act, and allowing earlier intervention before situations escalate to physical violence.

EXPANDED RELATIONSHIP CATEGORIES

The Act will recognize more types of relationships where family violence can happen, including:

- Intimate or romantic relationships, even if the people involved have never lived together;
- Family relationships (by blood, marriage, or people considered family);
- Care relationships, where one person relies on another because of disability, illness, or aging.

What this means:

- More people may be eligible for protections under the Act.
- Protections may now be available in situations that were not covered before.

GREATER PROTECTION FOR CHILDREN AND VULNERABLE PERSONS

PAFVA now includes a “deemed fear” provision.

What this means:

- Children and vulnerable people can still be affected by family violence, even if they can't express their fear or safety concerns.

NEW RCMP DISCLOSURE AUTHORITY

In certain cases, and where allowed by the law, the RCMP can share identifying details about someone they believe could be stalking an applicant.

What this means:

- This could support safety planning and victim safety.

NEW CIVIL REMEDY FOR STALKING

PAFVA now includes a new civil remedy for stalking, called a “tort”.

What this means:

- Victims may have more legal options, alongside the civil and criminal processes already in place.
- A person does not need to prove financial loss or physical injury to use this option.

TO APPLY FOR AN EMERGENCY PROTECTION ORDER

You can apply by calling the YWCA NWT toll-free at 1-866-223-7775 or contact your local RCMP detachment.

Contact information:

867-767-9261

victimservices@gov.nt.ca

Community Justice Division

Department Justice

www.gov.nt.ca
