

99 Federal Steps...
towards an END to Violence Against Women

Introduction

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The 99 Federal Steps to End Violence Against Women is presented by the National Action Committee on the Status of Women for discussion and debate. For more than twenty years, the National Action Committee on the Status of Women has worked with front line anti-violence organisations within the women's movement to identify and Fight the social forces and public policies supporting the violence which continues to damage and destroy the bodies and lives of women and girls. The 99 Federal Steps to End Violence Against Women is presented for discussion and debate, thereby furthering the work of the women's movement.

Many of the steps presented here have been endorsed by NAC's member groups in our struggle to identify actions that will protect and empower women. Others need to be further debated by different communities of women. NAC encourages you to promote these discussions in your communities - and to share the power and energy of such debate with NAC and others who are battling the violence which results from sexism, racism, heterosexism, able-ism, and age-ism.

Preface

by Lee Lakeman

The anger in this book is mine. It is the kind of anger women use to fight despair. To fight until something changes. Anger from twenty years of attending to women who have been set up to be battered and raped. Anger from watching dedicated women commit their adult lives to improve the condition of women while suffering ridicule at the hands of their government. Anger at the destruction of human lives. Anger at government policies planned to create impressions of change rather than to create change. For this angry tone directed at the federal government I make no apologies.

As I write, from the basement of our Vancouver centre, this old house stretches to accommodate the summer load of almost two dozen women and children hiding from abusive fathers and husbands. Our equipment strains to handle the work of some

seventy women volunteering to improve their community with crisis line services, public education, marches and demonstrations. All expenses and salaries and house costs must be squeezed from an annual budget of less than \$500,000.

In 1973 it was possible to believe that ignorance on the part of politicians was our main problem. Surely, we said, if they knew how women were being treated, things would change. If they knew how many women were attacked they would help. Violence against women creates the same effect as did the post slavery escalation of lynching of the American blacks, a powerful message to get back "into our place". We used to believe that once Canadian politicians knew this they would stand up for the 52% of citizens who are women. They would surely stand with the feminist civil rights workers.

For a while we thought they had only to learn how supportive the public was. That the vast majority of women and many men of goodwill understood and supported feminist solutions. There are still a few people who don't realise the extent of the problem but not many. We have only to remember the articulate angry young women in the streets after the Montreal Massacre or to see the thousands of women who Take Back The Night every year. Certainly no national politicians can be excused for ignorance of the nature or extent or function of violence against women. Upwards of 20 million dollars of public money has been spent in the last three years researching the question in the name of the Canadian government.

But in the face of that research and all that public protest the Conservative federal government pursued its mean spirited agenda knowing that public policy decisions were making the situation worse for women individually and collectively. And no political party has announced a platform of meaningful reform.

My attitude and work has changed. And my anger has been honed. I believe we can and must agree on the recommendations presented here or find better ones. Certainly we can accept nothing less. Politicians must change the conditions of women or face electoral defeat and public disgrace. This paper was produced with a couple of months work and a couple of thousand dollars. Very quickly and without much money. It's the sum of the expressed opinions of many women and their groups and not the wisdom of any one woman. It would have been much better if many grassroots activists could have met in an accessible space, from all parts of the country from all race and class backgrounds, with translation, to forge a common version of her story and of a plan for the future. But the government prefers to undermine the influence of frontline workers. We confined ourselves to what could be usefully done by the federal government. We think it is important to speak to the specific situation in Canada with our unique opportunities and vulnerabilities. We hoped that this document might help readers compare and consider the neo-conservative agenda and the feminist agenda. We hoped that it might blow away some smoke from the mirror and help Canadians choose a path and build a government and a society willing to advance the rights of women to live in peace, security and equality. For its usefulness you must credit the diversity and splendor of the Canadian Women's Movement. For its problems and weaknesses I hope you will forgive and instruct me.

Section One

Only Twenty Years ago: Many of us remember life with no rape crisis centres, no transition houses and no women's centres. Twenty years ago when women were attacked, some women survived, but each was on her own to seek what help she could find among family and friends.

Wives beaten and raped by husbands had no legal or social recourse. Family members wanted to keep abuse quiet. Police openly dissuaded women from reporting, told them to stop provoking male rage and identified easily and boldly with the male abusers. Most crown prosecutors were ineffectual in aiding women either by securing convictions of their abusers or by preventing further attacks from occurring. Doctors did not know how to examine women for internal damage, how to collect forensic evidence and dearly wanted to evade their responsibilities as witnesses in court. Psychiatrists normally promoted compliance from women with theories and practices built on woman-blaming. They claimed that incest victims were imagining the torture or causing it. Numbers of women who complained were institutionalized, given shock treatment and controlled with drug 'therapy'. Valium became the most prescribed drug in the world.

Social workers filled reform schools and mental 'health' facilities with those daughters of the poor who refused confinement in the 'traditional' roles for women. They promoted the institutionalization and warehousing of disabled women and children. Social workers, teachers, judges ignored and sometimes buried and covered up complaints that the children were being physically and sexually attacked by their teachers and care givers. Government designed and maintained contracts with the Christian Churches to operate the residential school approach to the 'education' of First Nations children. Many of the trapped children and young adults were assaulted brutally often sexually, at the hands of missionaries and priests. In the seventies, the government turned deaf ears to the women petitioning for changes to the Indian Act (the famous section 12.1.1B.) which robbed them of Status when they married out. Battered women who needed rent money to leave an abuser and applied for welfare were disqualified by government officials who said they did not want to assist in 'breaking up the family.' Government policy was to uphold the family, apparently at all cost. Immigrant wives were deported for reporting the attacks of their sponsor husbands.

"In the traditional, professional approach to dealing with violence, the legal system and the police in effect aided and abetted the woman beater. Moreover, the medical and social services were powerless, in fact, to provide even short-term or intermediate solutions to the problem of spousal violence. Daily work with battered women underscored the lack of a safe place for them to go. A woman was either sent back home or went to stay with relatives. Whichever she chose she remained vulnerable, easy to find and thus, a defenseless as target for pressure and attack by her aggressor."

- Micheline Beaudry 1985

Women struggled to overcome these 'private problems' with private solutions. Each bore the worry and false hope that this 'rare! and dreadful personal problem could have been avoided if only she had been clever enough, good enough or obedient enough,

like other 'normal' women. Women were told they could avoid beatings and rape by not talking to strangers, not going out alone, and not staying home alone. Women were warned about the clothes they wore, the places they went, and their attitudes, but they were not warned about the danger of men and certainly not about men they knew.

Feminists invented the services and established the standards and ethics

"...the women's liberation movement of the sixties encouraged and inspired women to share life experiences with each other and for the first time, we as women came to know and understand the extent of our victimization. Through the process of consciousness-raising we began to analyze our condition in political and global terms, rather than as individual personal experiences."

- Rosemary Brown, 1990

"Perception of the existence of battered women as a social phenomenon rather than a series of individuals contributed to the growth of a new solidarity among women. Without the women's movement and the lobbying and protest groups that nourished it, the problem of battered women would still be considered a private, individual problem, as it had been for centuries."

- Micheline Beaudry, 1985

Between 1970 and 1975, with a burst of creative politics, women in Canada organized the first battered women's shelters and rape crisis centres in the world. Johanna Den Hertogg and a group of women opened Canada's first Rape Relief in Vancouver 1973 and the Toronto Rape Crisis Centre formed within the year. Raminder Dosanih and a group of women formed the Indian Mahilla organisation and began dealing with violence in the Indo-Asian community. Trudy Don was part of a collective establishing Interval House in Toronto, 1973. That same year Lee Lakeman and a group opened a more rural centre in Woodstock, Ontario. Shortly, Donna Miller filled a house in Windsor. Also that year, the first shelters opened in Quebec, in Montreal, Sherbrooke, Port-Alfred and Longueuil.

"The women who founded and built the Shelters began by refusing to bury their heads in the sand any longer. It soon became apparent that their basic general approach was anti-professional. No battered woman would now be forced to go back home. The women working in shelters would encourage the victims to tackle the real problem. They would ascertain how serious the problem was and begin to speak about it. Battered women's children would not be placed in foster homes or reception centres by social service authorities. Staff and volunteers would do their utmost to preserve the motherchild relationships. The shelters would no longer accept the official social service stance of powerlessness."

- Micheline Beaudry 1985

As groups of women began to intervene, they encountered atrocious ignorance, paternalistic mockery and anti-woman hostility. In most locales, the professional associations, law enforcement associations, government bureaucracies and elected government bodies which had failed to help women escape violence denounced the new organisations which for the first time, helped women.

In virtually every community, opponents used existing barriers or erected new ones to prevent centres from opening, to prevent groups from gaining access to public buildings, information and money. Politicians accused women of threatening the family,

of being scoundrels and wastrels of every sort and therefore, not to be trusted with money. They declared these were problems of the city not of their town or community. If they were in the city they called them "American problems" or "problems of the slums" or of some other part of the world. They accused feminists of being unrealistic. Our financial demands, they said, would "bankrupt local governments". Shelters they said were institutions and therefore should not be allowed in ordinary neighbourhoods. Men, they said would "beat the doors down" and cause neighbourhood unrest or worse still in their rage at our making public and political, what was their private family matter, would shoot us all.

Local police chiefs pretended the lives of their policemen were endangered by feminist insistence that they attend situations in which men were violating women. Local clergy propagandized that feminists organized women only to get sexual access to them. They claimed our truth was emotional, anti-male propaganda. Administrators of social welfare programs and education facilities worried we would bend the minds of the poor suggestible women.' Social workers cautioned that women would "take advantage" of feminist shelter operators, that we would be exhausted by women returning to the shelters over and over again They called that a "recidivism rate." just as they named the repeating behaviour of criminals. We were "working against the basic theories of good social work". We were too emotionally involved and our political bias would ruin our efforts. The problem, according to them was "violence in the culture". Our houses and centres would offer only band-aid solutions to a much bigger problem. When these arguments failed they condemned women for being "our own worst enemy" by not reporting the male attacks to the proper authorities.

But women came to the centres, provided each other with safety and sanity, traded stories, assisted each other and filled facilities to capacity. Then, as now, each time local feminists established a new centre, women called. In the course of the last two decades, requests for help have increased each year in almost every centre. Women in rape crisis centres, transition houses and women's centres collected the stories and revealed their truth to each survivor and to the world. For those stories expose the brute force of each abusing man. Preserved and taken together, they illuminate a world where political forces sustain the brutality. While not all men chose to violate women physically, thousands do. The stories told of how men are armed to do so and how women are disarmed and made vulnerable by legal social and economic structures. Women tell us they call because they know they can talk to women, because they will be believed, because women's groups are not the government or social workers or the police and because they expect we stick up for women. They call for help, for public speakers, to give money and to help each other fight sexist violence against women and children. When confronted with statistics never before gathered, social scientists claimed they are inflated, gathered with poor research and exaggerated in order to create either a career or a power base for personal aggrandizement. Nevertheless, "women's libber's" persisted in asking the important questions and recording the answers. Who did this to you? How did he over power you? Where did it happen? What did he say? How did he get away with it? What could make you safe now? How could this have been prevented? What can we do to help? Do you know it has happened to

other women? Do you know what she/they did? Would you like to meet her? Feminists gave aid as we do still to individual survivors as a logical, humane and effective route to social change.

Our political decision to believe women has given us access to the truth about the social condition of women's lives. By rising to the need to hide one woman, we realise ways to hide many. By gathering many, we have reduced the need to hide. By acting boldly and publicly we identify ourselves to women who need contact and help. By fighting welfare agencies, police, crown counsel offices on behalf of individual women, we identify the need for policy changes for many women. By using our contacts with many women we win some of those changes.

These are functions that have not and so far cannot be replaced by social workers, therapists, teachers or police. Of course one woman complaining should have been enough to precipitate change in policy and procedure but it wasn't and isn't. Until it is, there will be reason for us to organise ourselves into groups willing to stand up for each other shouting our joint reality and our determination for a different future. Until then the functions performed by feminist services are essential and irreplaceable.

Every Women's Centre improves the status of women

Feminist anti-violence organizations were created to overcome social and political obstacles interfering with the efforts of women trying to survive, escape, protest and prevent male attacks. From the beginning, workers understood that male violence against women is both a force which interferes with and prevents women living as men's equals, and a consequence of the inequality between women and men.

The establishment of women's shelters and centres and the public voice raised by them began to have some influence. The knowledge of the existence of a women's centre has, more than once, discouraged men from beating or raping a woman. Sometimes the existence of a centre controlled by women could be used as a threat and deterrent to men. Men could be made conscious that there was a chance for her to leave, the hope of someone to speak out publicly with her, a friend or ally who would not be scared off or 'charmed' by husbands, and a worker available who wouldn't mind challenging the powerful by intervening on her behalf. Sometimes centre workers have intervened in ways which have saved the lives of women and their children. Without doubt, local women's centres have changed the profile of and attitudes toward women suffering attacks and have created options where there were none.

Along with survivors, advocates criticised, coaxed, and prodded public opinion, and they made it clear all women suffer the threat of violence, and that there was no adaptive behaviour on the part of individual women which could prevent the behaviour of individual men. To deal with simple ignorance and misunderstanding, local centres proposed training programs for professionals, recommended protocols for hospitals and police, suggested curriculum changes for schools and insisted that women be consulted in the social planning processes of city hall. Repeatedly they found that the institutions

had to be pressured by public opinion if the changes were to be adopted systemically and systematically.

Feminists have mobilised large segments of the community to address this entrenched problem of political inaction. We can point to the unprecedented outcry throughout the country reported on radio, television and in letters to the editor in the wake of the Montreal Massacre. That outcry would have been less likely without the community level work going on all the time. Even the smallest transition house or rape crisis centre does an average of three public speaking engagements a week. They meet with other community members and groups, speaking about the specifics of the violence, about the relationship to women's equality and about the changes we must all organise to bring about social change. They hold public rallies, speak-outs, and media campaigns.

With other women's groups they've formed grassroots coalitions to press for safe and equitable communities. In the course of that coming together, centres were criticised by disabled women and encouraged to make themselves more accessible and this resulted in local centres supporting the development of disabled women's networks and organisations. Aboriginal women and women of colour likewise, began to demand inclusion in the decision making of existing women's groups.

Although they had been workers and volunteers from the beginning these more marginalised women found racism also affected the women's movement and they were too seldom in leadership or authority. They fought for and won some positions of authority within the front line groups. They experimented with separate structures and services for example by opening shelters for immigrant women in the major cities. They designed centres to eradicate the particulars of their oppression so that they could speed race integration in the larger movement while developing independent styles and directions specific to their points of view.

Meanwhile some agencies and professionals have begun to respond more cooperatively to local women's needs and demands. Nurses, teachers and their organizations have made enormous strides. It was the collective outcry of the women's movement that generated the original programs for men trying to end their violence and has mobilised the few men promoting change. And nowadays there are few government officials so foolish as to pronounce, as they once did, that there is no problem for women in their community. Each centre in the first wave of organizing in the 1970s faced the uphill battle of convincing local city or county councils to fund their basic operation. Many opened with funding from job creation programs such as L.I.P. (Local Initiative Projects) grants which had few strings attached but were very short term. To get more stable funds, groups were forced through a series of time-wasting hoops, such as "documenting the need" and proving that there would be no "duplication of services". Since there had been nothing of the sort to duplicate and since new services were full as soon as open, women understood that they were being asked to prove that other agencies, professionals and government departments could not do the necessary work and could be convinced to tolerate women doing it in their communities, themselves. Once over those walls, workers in shelters and anti-rape centres found themselves in

the bureaucratic maze. Governments already had established ways of licensing and funding community agencies which they applied without adaptation to these pioneers. There was no willingness to encourage or even accept the difference between a transition house and, say, charity for the destitute. Collectivity was "a problem", public profile as women only resources "a problem". The refusal to professionalise was "a problem", in fact, inventiveness was "a problem". The few bureaucrats, who became convinced of the usefulness of the new approach, were hampered by the cost sharing deals between various levels of government. To secure funds women had to convince each of three levels of bureaucrats, each level imposing different criteria.

Over the years, some women found federal funds in the pots called Women's Programs of the Secretary of State and the Family Violence Prevention initiative of Health and Welfare Canada. Those were never very large nor regularly replenished pots; nor have these departments ever developed a policy of intentionally adding to the organizing strength of all these centres as part of the Women's Liberation response to sexist violence. But even these are now being emptied by politicians who refuse to allocate funds to them. Women's Program, of Secretary of State, is cutting funds to women's groups by another 20% and in fact there is a serious threat that all funding to feminist initiatives will disappear.

"The fund used to spend \$1 a year on each woman in the country, now it is even less."
- Judy Rebick, 1993

The public resistance to the cuts of the Secretary of State's Women's Program should have notified the Conservatives that the public is increasingly sophisticated in its understanding of these matters. Women occupied Secretary of State offices all across the country until the government reversed its decree. But this it did only until funding from the provinces was forthcoming. The public is still learning that dumping the funding of Women's Centres on the provinces at the same time as the federal government has restricted cost sharing with those provinces assures that the women in the poorer provinces will have fewer services and fewer advocacies available to them.

Forcing frontline anti-violence groups into total dependence on provincial budgets is a major blow not only to their budgets but to their structure and functions. It threatens to compromise their continued contribution to the progress of all women in Canada.

Since provinces are responsible for service delivery and not for citizenship rights, the new arrangement promotes the delusion that "one-to-one counseling" is the main and perhaps only work. Centres are having to satisfy provincial criteria like fee-for-service, a mechanism that funds the treatment/counseling of individual women on a piecework model. It is as if the only change necessary is in the mind or behaviour of the women attacked. Often, this is the only work paid for by provincial government contracts.

In some provinces, shelters are reimbursed only for the 'beds' used each night as though they were warehouse spaces. There is still no reliable funding for programs planning, self help groups or action groups, staffing, education, advocacy for women as

a group, lobbying or even for house repairs. Nowhere is money paid for creative initiatives to change the system.

Instead, with the other hand, provincial bureaucracies punish feminist centres for positive drive; the commitment to women's equality makes them suspect, "too political". In practice, centres are being encouraged to accept current conditions of life for women, in essence, to mould their centres into a new under-funded, "caring" bureaucracy that helps each woman adjust to the unbearable.

But centre workers insist on political action because doing so improves every facet of the job of rescuing women and children. It particularly improves counseling of abused women. It even increases the number of women, calling, because a public reputation as a centre full of 'ordinary' women advocates attracts women in need. In 1982 the B.C. Coalition of Sexual Assault Centres contract was terminated by the new Socred government. All five rape crisis centres were directly affected. The excuse given by the government was that centres were 'not professional' and 'shoved politics down women's throats' and claimed that the Socred government would protect the victims, not from their attackers, but from feminists. The women of the coalition publicly described the governments demand to have, and the centres refusal to give, access to all public speaking plans, to women's counseling records for government evaluation and research. The calls to the centres from women needing help increased dramatically. In Vancouver the centre not only survived the cutoff of government funds but increased its services. Some funding was reinstated ten years later by the NDP government.

The public will not tolerate a refusal to women's groups. But the public doesn't always see or comprehend the significance of the government efforts to limit centre independence and therefore the power-changing actions of the centres.

"Mainstreaming" is one restraint. This current buzz idea implies that the issues raised by feminists in the seventies are now the common concern of all the "stake holders" in the hierarchy. Women's groups are told they "don't own the issue- they just have the old pioneering expertise and now they should yield to the wonderful opportunity of sharing the work with the establishment. This argument first came to my attention during the Conservative government conference Working Together: 1989 National Forum on Family Violence in Ottawa. Participants were subjected to speeches from an Avon corporation spokesman and the Executive director of the YWCA about the mutual benefit in their partnership. The joint presentation, staged by the federal government was meant to promote the idea that women's groups should look to corporations for funding rather than to the federal government. Many women muttered from the back of the room that what Avon could usefully do was to pay the women who worked for them; properly.

Since then we are told, as a condition of funding to secure "partnerships" with universities, police departments, corporations or professional associations for any project we wish to launch or even for admission into the funding programs of government. Women are encouraged to believe that underfunded local women's groups

can expect to be equal partners with multimillion dollar institutions. Since the government is aware that the public is unwilling to spend more on big institutions but is willing to fund an end to violent subjugation of women, and since the conservative government is unwilling to fund women's groups but is willing to fund the institutions, feminists are left having to pretend that coordination and cooperation with conservative institutions will change the status of women. In effect the one partnership which does exist is the enforced partnership with mainstream institutions and professionals who are getting large portions of the funds allocated by the federal government to end violence against women.

And sometimes the funds which used to pay the expenses of the centres are threatened unless workers and boards agree to comply with new "coordination" orders. Some new sexual assault centre contracts require that the centre have an advisory board with seats reserved for police and crown counsel. Some have limited funding to existing feminist rape crisis centres and instead have funded Victim Assistance Program, which are under the direct control of the criminal justice system. Others will only fund church or charity employed counselors who pose no threat to the patriarchy. And in other cases, efforts are directed to reducing feminist centres into Victim Assistance Programs by modifying their annual contracts in ways that limit their political activity, control their work and their membership structures.

Once counseling is isolated from advocacy, public education and organising then professional or para professional models and standards are imposed on counseling. The design of the relationship between the women working in the centre moves toward a class and race hierarchy. And the relationship between the women offering help and the women asking for help also changes to one of credentialed advisor and helpless victim. How can this be progress when the original model was of two or five or twenty women engaged in mutual aid and in changing the world for themselves and each other? When women are counted and observed in research projects rather than helped to organise and escape their situation, both money and time are being wasted and women's groups are left discouraged and ineffective.

Women's groups and centres forced into "mainstreaming" risk losing funding when they support workers or victims critical of the police, courts and the churches.

Does anyone think you can get the same struggle for change on women's rights from a university, professional association, police department, crown counsel office or a church as from a feminist rape crisis centre?

It is time to accept and welcome national women's coalitions

In 1993 the struggles at the local level are also being waged at the national level. In Ottawa today, all the same accusations against women and feminist groups are muttered in the corridors, in the offices and in the House of Commons.

In the sixties, these accusations were used to undermine individual woman trying to escape violence. In the seventies and eighties, as groups, houses and centres formed, they were used to undermine the credibility and progress of each community. Now in the nineties, they are used to discourage the development of national women's associations and a strong independent women's movement.

The Canadian Association of Sexual Assault Centres (CASAC) was the first pan-Canadian organization formed to end male violence against women. In 1975, Ottawa and Hull centres hosted twenty delegates from independent rape crisis centres across the country. Since then, centres have been multiplying their efforts with cooperation and joint action. Together they have evaluated and influenced changes in the laws, psychiatric practices and social work protocols. They have developed theories and practices for work with women who have survived male attacks, as well as community-wide self-defence strategies and public education programs. They established the model for twenty-four hour services, and for mutual aid support groups. They introduced the rape evidence kits to hospitals, taught crown prosecutors to prepare witnesses, found translators and interpreters. They publicized the problems with the courts and they continue to create and promote reforms. And all this has been done without an office without national staff or even without a telephone budget.

The rape crisis centres and the transition houses together gave basic statistics and analysis of rape, incest, battering, sexual harassment and sexual assault to the public.

In 1977, transition house workers began to gather. Since then they have repeatedly asked the federal government to fund them to meet annually as one delegate from each house; not once have they been funded to do so.

Across the country women's centres are forming a national association. With an executive in place and plans to meet it requires only the funding.

It is certain that services and advocacy across the country would grow and improve quickly if organisers were in better contact with each other and had the benefit of each other's thinking. All of this work is still at a creative stage; women need to hear about each effort and success. Yet the federal government refuses all the basic operating expenses for any of these national associations.

It is also certain that groups of women are more powerful than women isolated. The refusal to assist women to group nationally can be seen as the attempt to forestall the gathering of demanding, united women at Parliament's door.

Besides the coalitions of frontline groups, there are other national women's groups which are important to the struggle for change at the national level. Even groups that had access to such funding have been cut by 20% in the 1993 budget.

The Conservative government has understood that women have been using the Canadian Charter of Rights and Freedoms to challenge some of the laws and legal

practices contributing to women's vulnerability to attack and lack of redress in the legal system.

LEAF (Women's Legal Education Action Fund) has intervened in several cases involving violence against women and has used its understanding of the Charter to advise women's groups in our deliberations about law reform.

Several times LEAF has refused to express only the opinion of lawyers and has expected its members to act in concert with the front line groups. When women's groups met to consider changes to the Rape Shield legislation, Sheila McIntyre, Anne Derrick and Joanne St. Louis worked tirelessly to inform women of the legal significance in government proposals and to code the wishes of grass roots activists into legal language to put before the government.

This tendency to collective action had great promise for us all just as that power was building; however the government cancelled the Court Challenges Program, the only source of expenses to questioning a law or legal judgement with the civil rights promise of the Charter of Rights and Freedoms. Neither poor woman nor women's group can challenge unfair law without such enabling programs.

The Conservatives are also engaging in the destructive practice of funding short-term projects but not the national groups that generate them. For example DAWN Canada. DisAbled Women's Network, Canada has a substantial effort under way to work around the issue of violence against women with disabilities, funded through the family Violence Prevention Initiative. They are discussing with disabled women the connections between living with disabilities, the sexual abuse of disabled women and the inclination to suicide. However, in the same year, the organisation had basic operational funds so restricted by the same government that it was forced to close its national office like other groups, disabled women must be able to participate in the overall struggle for women's equality at the same time as they organise against sexist violence.

NAC, NOIWM (National Organization of Immigrant and Visible Minority Women), the Congress of Black Women, the Native Women's Association of Canada, Pauktuutit and DAWN Canada all have short term projects under way about sexist violence. While these groups are not primarily set up to reduce violence against women, they can make critical contributions to the facts, flunking and strategies. Not only are the projects to be celebrated but the groups that develop them should be sustained in any government plan.

The current attitude to national women's groups must change, a change that does not require an increase in government spending only a reallocation of monies. It requires that every government change; alter its intent toward women's groups from one of defending the current status quo to one of cooperating to improve it. It requires that we, as a country, give priority to improving the status of the women who live here.

The federal government has several departments that should be responding to the condition of women. All are threatened. The Secretary of State Women's Program the main funding body continues to suffer severe budget cuts. The Health and Welfare Family Violence Prevention Initiative is coming to the end of its mandate and is threatened as a source of affirmative action funding. The Status of Women office is threatened with extinction as is the Advisory Council on the Status of Women. All of these departments have strayed from the original, purposes that were presented to the Canadian public. The only sources of funds will be those that pretend that violence against women can be solved by law and order or by mental health professionals. That was never what women's groups would have recommended. But the neo-conservative agenda requires that government departments and government funding be totally diverted from dealing with the status of women or totally eliminated.

The federal government should cooperate with, not co-opt, national women's groups

We have all read and quoted the Fraser Commission report, the Badgely Report, the Rix Rogers Report, the Homer Crime Prevention Report and no doubt we will all read and quote the Report of the Canadian Panel on Violence Against Women and Children.

In each case, the contribution made to women's progress has been a direct consequence of the influence (over process as well as sources of information) given to women and their movement advocates. (The Canadian Panel for example held only one open public event in all its hearings in the urban centres, meetings were organised through existing women's groups who brought forward women they were working with or had worked with).

For its part, the Canadian Advisory Committee on the Status of Women has produced and distributed a number of enlightening documents; Wife Battering- The Vicious Circle (1980), the Report on Family Violence: Wife Battering (1982) and Battered not Beaten. Preventing Wife Abuse in Canada (1987), Sexual Assault in Canada (1981). It is important to point out that these reports were to large extent compilations of our front line work. They were not reports of the work of the government or professionals and simply could not have been produced without the very work that governments have largely refused to support. Without us there would have been precious little for these government funded documents to say.

The judgements expressed in various government reports, while sometimes insightful and sometimes supportive of feminist initiatives, are only those judgements which passed through the screen of the existing power structures and which the government cared to make public. They were not necessarily those that we who do the successful work would have chosen to publish if we could meet on our own terms and speak for ourselves.

Several Ontario transition house workers contacted each other to cope with grief about the murder of women they had met in shelters. With discipline their pain was

transformed into a comprehensive study called Women We Honour. They found that no one had researched the deaths of women in Ontario and therefore had not found the fact that women are at greatest risk of murder from their husbands.

Over these twenty years, women's groups both local and national have generally refused to participate in research devoid of action. Instead of counting those in need of rescue from abusive men, for instance, we simply set up rescue teams and then counted who came forward for help. Instead of debating what would be useful to women in need we tried to meet the needs that women presented and then recorded our results and adapted our theories accordingly. There has been a constant interaction between our theory and practice. But perhaps more importantly this process has allowed us to be always examining: and discussing the potential impact of any reform we proposed, on ourselves and the women calling us.

Take Statistics Canada's decision to phone fifteen thousand women in 1993 and ask whether or not they had been attacked, how often and whether their attacker was someone they know. The Survey is paid for by the Family Violence Prevention Initiatives of Health and Welfare Canada. We would never have designed such a project. At best it can confirm what is already known. At worst it can put women at risk if they are overheard answering the questions. Perhaps the results will be used to back up government positions. But, it will do nothing to aid those women or to group those women in need. The survey does not ask enough about the power of the men, or about what might have helped them against men. It does not ask which government policy needs to change. It will by-pass women with disabilities, women in remote areas, and avoid asking the race relations questions so vital to the understanding of women's plight. Feminists were told not to worry about the women being contacted because the research program does, of course, give women a number to call if comforting/counseling is needed.

No group of oppressed people wants to be researched and studied from above in the horror of their conditions. We all want respectful assistance and cooperation to change the situation by which we are held down. Like other groups of oppressed people, women tend to give details of their distress to those who join them in finding ways to change the situation.

Anyone exploring these issues and open mindedly seeking solutions comes to see that violence against women and children is part of the oppression of women and that the Canadians most informed and full of ideas for the future are the women suffering sexist violence and who have organised themselves against it imaginatively and effectively for twenty years. This is Canada's source of expertise.

Women's groups are also becoming less willing to supply the official data of women's inequality while having their methods, analysis and vision ignored in recommendations for change. And along with the individual women under attack, women's groups are joining forces to be heard and to press for change.

Since the federal government has been unwilling to foster such unity, national women's groups have used the few opportunities presented by the government's own agenda to make headway. One such moment came at the National Symposium on Women, The Law and the Administration of Justice held in 1991. Of course women's groups represented a minority of those invited to critique the criminal justice system and how it works against women. Shelagh Day, vice-president of NAC, transformed an intimidating plenary of suited judges and politicians by announcing a hallway meeting of the equality-seeking Women's groups.

Subsequently the meetings were boxed into hours after the conference sessions since there was no formal recognition of the need of women to group or of the potential benefit to the conference if women would meet. Those caucus meetings gave new meaning to our understanding of unity. Women of colour fought for and won an agreement that all the women's groups would address racism as a material reality in the lives of women. Working class organisers asked for and got cooperation with mending the original agreements to reflect the experience of and address the needs of poor women. At the end of the conference, women's groups in united voice took control at a final plenary and presented several pages of minimal changes necessary to enact the legal rights of women. They built recommendations on everything from the compounding influence of racism to the wrongheadedness of family law, to the government practice of undermining constitution law by fighting every Charter based challenge.

The federal government has been replying to those demands ever since. If needed changes had only been registered by individual delegates in workshops it is unlikely the government would have felt it necessary to do so. And, perhaps just as importantly, each feminist delegate would have been deprived of the knowledge of women working from other perspectives and agreeing with her recommendations.

Caucuses designed to increase the wisdom and powers of the voices, of individual women's groups have been called at every government conference and consultation since. Often the representatives are able to consolidate agreement and collective resolve behind their demands.

CASAC delegates approached Kim Campbell at that conference asking for immediate attention to the need for a new Rape Shield law. Their demand was incorporated into those of the caucus and the encouraging experience of the caucus prepared them for the next opportunity.

When the justice Minister asked for suggestions regarding C-49, the law she hoped to table in December of that same year, CASAC called for a movement-wide consultation. All the available information and life-experience might be brought to bear on the question of sexual assault law. Self-organised groups of battered women as well as domestic workers, lawyers as well as prostitutes, lesbians as well as women with disabilities were invited to advise to government.

That gathering was so successful for the groups that when Justice Minister Blais in April 1992 announced plans to table anti-stalking legislation, women's groups immediately called for a similar consultative process. When he invited only a few groups to meet for "an information exchange" rather than a consultation, the women's groups protested. They wanted to see the plan, to know that the government intended to use what had already been learned in changing the rape law, to know that the new law would help all women and they wanted reassurance that any new law would be enforced since existing laws are not. But in any case they refused to speak for the women who had been left out. They demanded meaningful consultation with the full list of women's groups created during the Bill C-49 consultation.

RECOMMENDATIONS

- 1.** In 1993, the women of Canada insist there be independent, women controlled, rape crisis centres and transition houses and women's centres in every community in the country.
- 2.** Accessibility to women's services must be assured to all women. A multitude of initiatives are necessary to realise this. Some women's groups need transport budgets to get rural women to a larger centre, some women's groups need money to hire women with specific orientation and skills so that they can serve the complex nature of their communities, some services need to be designed by and for groups of women who share an oppression or circumstance. In 1993 there is no excuse for the lack of accessibility enforced by government policy.
- 3.** The federal government must live up to its responsibility to set national standards which all provinces would have to meet in delivering these social programs and substantiating those standards by sharing the costs of social programs so that women in every province and territory have access to this relief and help.
- 4.** Apply feminist standards and definitions of excellence to the funding for frontline services, including,
 - a.** independence from government, social service and law enforcement professionals and institutions,
 - b.** internal structures that promote peer relationships,
 - c.** organizations must be staffed and controlled by women of the communities (particularly of race, class and ability) that they serve
 - d.** absolute control over confidentiality in the hands of the centre,
 - e.** distribution of current and relevant information to women,
 - f.** accurate and open minded tabulation of the information given by women about their attackers,
 - g.** women-only space in the control of women to mourn, mend, discuss, plan
 - h.** active involvement in strategies to achieve women's equality (including the fights for sexual choice, reproductive rights and economic equality).

5. These are the only conditions which can and should be standardised. Women's groups will not and should not conform to a set of structural or organisational formulas or the standards and practices of the professions and institutions which have never saved women well and still do not.

6. The federal government must finance the affirmative action nature of centres' work to interfere with and end sexist violence. It must increase and reallocate funds to be administered by the Secretary of State Women's Program to sustain those components of each and every feminist anti-violence centre advancing positive systemic changes in the status of women.

7. The parallel development of anti-violence organizations by and for immigrant women, disabled women, aboriginal women, lesbians must also have affirmative action funding from the federal government for grassroots work.

8. Neither of the above recommendations should be abandoned for the other. Canada needs an integrated and complex service base hastened by the existence of women's groups and the existence of groups particularly advocating for and sensitive to the needs and rights of specific groups of women.

9. The budget, for systematic support of grass roots work, by Secretary of State Women's Programs must be expanded for the duration of time it takes to reinforce the transformation that must happen in every community.

10. Any partnerships with church, corporations or the state should be voluntary on the part of the women's groups and not coerced or privileged by the government.

11. The federal government should reverse its policy of refusing core funding to all three national coalitions of grassroots feminist services: CASAC, Transition House Association, Women's Centres Association. They all require annual operating money, translation services and direct access to government buildings, equipment and resources.

12. The federal government should enable project funding to experimental work and should not withhold the core funding to those women's groups that generate inventive projects: it should immediately fund DAWN Canada: DisAbled Women's Network Canada.

13. The federal government should re-instate an improved Court Challenges Program which would be at arm's length from government and which would assure that women's equality seeking groups access a fair proportion of the fund.

14. When the government is planning to institute changes in law relating to violence against women it should be consulting in the most timely and productive way. As in the C49 consultation, delegates must be chosen by national women's groups and must have a chance to meet in their own configurations, under their own process in order to

come to informed positions and make detailed recommendations jointly informing government of their shared and diverse opinions.

15. Government bodies seeking the advice of national women's groups must allocate the time and money necessary for us to consult with each other and the women whose interests our organisations represent. Government should be prepared to accept the political authority of that advice.

16. The federal government must prepare a consultation with national women's groups to plan a long range strategy addressing violence against women and its legal and social underpinnings immediately.

17. The federal government should avoid piecemeal, disjointed legal and social policy change. Trivialising a complex situation will not help. All legal initiatives must be Charter driven and all social policy must generate positive changes for women and for women suffering compounded oppression.

Section Two

Living in the belly of the beast

Very few Canadians remain ignorant of the extent of the violence committed by men against women and children. One in four women will be assaulted at some time during her life. One in eight female children will be sexually attacked before puberty. One in ten women faces physical attacks from their partners and husbands. Women are attacked by men they know. Very few people remain ignorant that the situation is worse for women of colour, women with disabilities and Aboriginal women. Eight out of ten Aboriginal women of those asked in an Ontario study have been abused or assaulted. Disabled women report that more than five out of ten have been raped, abused or assaulted. The widespread knowledge and belief in these facts is a source of pride to the women in the CASAC, in associations of transition houses, and in the Ontario Native Women's Association who have been fundamentally responsible for gathering the truth and for informing the Canadian public.

Our findings, from women's centres, transition houses and rape crisis centres across the country have been reinforced by other researchers and by reports received by the criminal justice system and the federal government. But women have lost confidence in government and public institutions because they have failed to direct actions to stop sexist violence against women and they have directly interfered with progressive measures aimed at stopping this violence.

The women and groups with NAC also well understand the social economic relationship of the men doing the attacking to the women attacked.

Women are not born victims; they are placed by political and legal processes in situations where they cannot avoid victimization except by using brute force or by appealing to the humanity of each potential attacker. We must have the mechanisms and funds to group ourselves, to map our escape routes, to design our environments and to collect our forces for a better day.

No one man gets into a position to wreck havoc on women and children alone. We must have the mechanisms and funds to hold legally and politically responsible, every institution involved in giving and maintaining his power; involved in ignoring the danger he presents, involved in dismissing complaints from women, involved in the failing to warn and protect women, involved in trapping women as his subordinate.

The experience of working with survivors, has uncovered many of the ways in which men gain maintain and exercise power to attack and control women Here we deal primarily with those mechanisms in which the federal government has a role and therefore a responsibility to all of us to stop participating in the abuse of women. To say the very least, men's excessive privileges block women's democratic power to participate and shape our society.

Women's groups choose to emphasis what is to be done rather than to repeat either women's individual stories, of horror or the accumulated statistics. We have chosen to list, in order of frequency, the configurations of social legal and economic power most destructively used against women and their children. The focus of recommendations is on the immediately possible and easily enacted federal government reforms. There is no need for increased government intervention but rather for corrections to the government intervention already at work.

Men use their position in the family to attack women

If one were grouping men who attack women, the largest group would certainly be husbands, ex-husbands and common-law spouses, fathers, and step-fathers. Women everywhere in Canada report that men in their families are the gravest and most frequent danger to them and their children.

Women struggling their way out of victimisation strongly suggest that men in the family have had the social and legal power to attack them and their children. What else could account for the terrible statistics? "Every year 1 in 10 Canadian women who are married or in a relationship with a live-in lover are battered." According to the Women We Honour report (1992), of all cases of femicide solved by officials in Ontario between 1974 and 1990, between 64% and 82% were "intimate femicides." (women killed by their male intimate partners.) "What cannot be disputed is that these murders clearly constitute the vast majority of all known femicide." The rate of intimate femicide in Ontario is very similar to that in Canada as a whole. Of course, feminist services are

usually working with survivors who can vividly tell the tales of entrapment by law, by policy and by government practice. Their stories are dispatches from the battle on the home front.

A. OF MEN ATTACKING WIVES...

Husbands, be they common-law or married spouses, initiate and escalate their attacks when women lose a certain economic or social power in relation to them. His tyranny intensifies in situations which force her to depend on him, for instance, during pregnancy, or with the development of a physical disability, the loss of her job or her social isolation because of a family move or because of his mistreatment of her family and friends. Sometimes he actively and willingly destroys her social connections and economic position to enforce her dependency. According to wives who have been beaten and raped, husbands may also begin or escalate attacks when women gain some measure of social and economic power. His tyranny intensifies as her independence builds; for instance, when the last child begins school, when she has a new job opportunity, or new friends and contacts. Sometimes he deliberately undermines her chances for independence rather than let her position change in relation to him.

These same husbands sometimes behave most brutally when women exercise their autonomy by leaving. Recent evidence suggests that women and their children remain at risk of violent attack, and even death, for about eighteen months after she ends the relationship.

Some men claim that their position in the family entitles them to unequal power over and sexual privileges from the rest of the family. If they don't succeed in overpowering their wives they use this to justify attacking their children. Sometimes the threat to do so blackmails wives into submission. Sometimes the safety of the children cannot be secured no matter how much she submits. For many men, rape is the final act of a beating. Some even claim it is the initiation of reconciliation.

Men continue to rape their wives, and say they have the legal right to do so. They claim no knowledge or understanding that there was legislative change in 1983 making rape in marriage a crime. Perhaps they reflect the reality that legislation is not enforced by the criminal justice system.

As well, women reporting mainly through women's organizations tell that abusive husbands also physically and sexually attack their children, especially the females.

Current evidence shows that wife abuse during pregnancy results in a significant number of birth defects than all the diseases put together for which children are usually inoculated.

Centres find no evidence that a higher percentage of poor men attack their female partners than middleclass and upper-class men; nor do we find evidence that men of

colour or aboriginal men attack their female partners in proportionately higher numbers than white men. In fact, there is some evidence to the contrary.

Men who beat and rape their female partners seldom acknowledge their violence as a violation of their partner's rights, or as sexism. Although women would like to think programs to reform husbands can work, so far they seldom have. More women contact such programs for help for men in their families than do men themselves. Few husbands begin counselling or treatment programs designed to help them stop their violence against women on their own, usually it happens because the woman has attempted to leave the relationship or the court has ordered him to do so. Very few men continue counselling or treatment programs after their wife has returned (hopeful of his change) or after he decides she is not coming back, or after the court ordered time required to avoid prosecution or jail has elapsed.

According to women involved, therapists working with abusive husbands rely on contact with wives for their work because the men continue to lie about even the simplest events. Too often women are at risk of further abuse because they place too much hope in the ability of the counsellor to "fix" him; women let down their guard and find themselves vulnerable.

As the CASAC brief to parliament stated in 1991, it is an extraordinary man indeed who regrets his violence to such an extent that he initiates and follows through on a program of self change without being ordered to by a court or convincingly threatened with the loss of his position in the family.

B. ... AND CHILDREN ...INCEST

In the majority of sexual attacks on children reported to women's groups, the attacker is the father (either biological or social) and the victim is the female child. Fathers also sexually attack male children especially if there are no female children available. We also receive reports of other male family members molesting and raping children especially female children; older brothers, uncles, grandfathers and male 'friends' who are considered part of the family.

Most of the men who attack (female and male) children, identify themselves as heterosexual and can be described that way by the rest of their sexual practice and lifestyle.

Enormous numbers of children who are removed from the care and protection of their mothers are subjected to attacks from the men charged with "father like" care. These men reported to us are: priests, teachers, foster fathers, child care workers, institutional health care attendants and "reform" school staff. If the surrogate father is white and the children are not, the likelihood of the attacks increase as do they if the surrogate father is able bodied and the children are disabled.

Residential schools destroyed the social bonds of entire communities of aboriginal peoples and held their children captive to white male attackers. Also vulnerable were the children trapped in residential institutions designed for the disabled children and the children of the poor.

Women are coming forward in vast numbers to declare past abuse by fathers, male family members and care givers. The women testifying about Bishop O'Connor in Williams Lake, B.C., those who were attacked at the Jericho school for the deaf and the young women held in Grandview school in Ontario are among the most recent. Virtually every centre in the CASAC network reports an increase in calls from adult survivors of childhood incest. In coming forward women are demanding social sanction against their male attackers and those men in positions of power who colluded with them.

C. SISTERS, MOTHERS AND ALL

Men use their position in the family and in relation to it, to attack adults especially elderly women, and women with physical or mental disabilities, who are forced to depend on them. We have had increased reports from older women and women with disabilities about men sexually and physically attacking them: sons, older brothers, legal guardians and "care givers".

D. PRACTISING FOR MARRIAGE: ON DATES

Women report half as many incidents of dating violence as they do husband attacks to rape crisis centres. The men use a range of coercive tactics, from seduction to the threat of social embarrassment and isolation. They commit sexual assault, rape and beatings. They trap women in cars, in their homes or the woman's home, at social gatherings and sometimes in public places. Some believe it is their right to control "their" women, and some assume they are exhibiting acceptable "courting" behaviour.

In the social dating situation, men mimic married men's expectations and behaviour. They presume and demand sexual access to and social control over girls and women. When men impose sex without full and expressed agreement they are committing rape. When challenged in their presumption by the women they are trying to control, men often resort to physical beatings. In dating relationships, as in marriage, men will sometimes refuse to tolerate a woman's right to end a relationship. Transition houses and rape crisis centres frequently deal with calls from women who have been beaten or raped by ex-boyfriends. There are also reported a significant number of incidents involving groups of boys or men attacking one woman. These events began as parties and usually occur in spaces controlled by the men, for instance club houses, men's dormitories or fraternity houses. Among college and high school age men the use of alcohol is usually involved. Workers in rape crisis centres often cannot distinguish between "date rape and child abuse as the girls/women reporting attacks to us can be as young as 12 or 13 years. The victims call it date rape when the male attacker is their age peer.

RECOMMENDATIONS

18. Male violence within the family cannot effectively be dealt with on a crime prevention model or a public or mental health model. It is clearly an issue of the status of women within Canada and must be approached that way. (Every initiative should have to relate to that understanding to avoid cynical use of the public's outrage to fund silly, ineffective programs).

19. Women must have economic alternatives to remaining in dangerous families.

20. Women must have equal pay and equal job opportunities.

21. Social programs must relieve women of the unjust "family" burden of caring for the sick the old and the destitute; for this we need at least universal Medicare with equal access for all, adequate pensions for women, universal day care, and an adequate guaranteed annual income.

22. Every lack of control over women's reproductive rights becomes a weapon in the hand of an abusive man in the family. Federal law must be used to uphold a woman's right to control her body and to eliminate the use of such practices as forced sterilization, forced pregnancy, forced abortions, forced reproductive experimentation with particular focus on the rights of aboriginal women, women of colour, women with mental and physical disabilities and lesbians.

23. Immediate aid must be available to women choosing to leave a marriage or common law relationship;

a) financial aid for the move itself to establish safe housing and make a reasonable transition. (Currently women are not assured of this. It is at the whim of each welfare worker and subject to different policy in every province)

b) legal aid for custody and property settlements and for advice about proceeding with criminal and civil legal remedies (Currently this is not a right of women across Canada).

24. Immediate police aid must be available to women who declare themselves at risk of male violence in the family;

a) Everywhere in Canada police must change the priority given to calls for help from women in their homes. These must be the first order of business for any policing system since they are clearly the first order of risk, to the well being of a majority of people.

b) Police must be instructed to presume women are telling the truth about the danger in the situation, since after twenty years it is dear that there are very few false reports and that the police put vast numbers of women and children at risk of death by gauging the situation differently than do the women involved.

25. Women victims require genuine advocates who are independent of the police and the criminal justice system and who are linked to the fight for women's equality. The federal government must stop funding the police to create Victim Assistance Programs

(VAP) when it is feminist transition houses, women's centres and rape crisis centres that are most needed and most effective.

26. Transition houses, rape crisis centres and their programs must become an economic priority of the federal government. There is no excuse for the lack of these essential resources and preventative programs when women choose to leave a dangerous situation.

27. The federal government must uphold its promise to fund transition houses for Aboriginal women on reserves.

28. Accessible and affordable housing must be available to women and their children after the crisis, if "transition" is to occur.

29. The government should initiate public inquiries with broad mandates when police fail to protect women and children in their families.

30. All parts of the legal system have been self-examined (there have been numbers of studies in the last five years) and have declared themselves to be race, class and gender biased. The federal government has an obvious responsibility therefore to see that women everywhere in Canada have free access to legal aid, legal aid services and legal advocacy for every step of their struggle to leave, to complain about, to witness against, and to sue both the men in the family who have attacked them and the institutions which have upheld that man's power to attack them.

31. The federal government should release women in jail for defending themselves against abusive husbands or partners. (There are already fourteen identified by the Canadian Association of Elizabeth Fry Associations.)

32. The federal government must change immigration law for the protection of women, at risk in their families.

a) Immigrant women must be assured of their right to stay in Canada should they report assault by their sponsor husbands.

b) Sponsorship laws must be changed so that women are landed at the point of entry. There is no need to enforce legal dependency on husbands and sponsors.

c) The federal government must direct Employment and Immigration Canada to develop a policy that ensures sponsored women who have breached their conditions of landing by not marrying within the specified time period because of attacks by their male sponsors, not be deported.

33. The federal government must stop the coercion of women as witnesses to the attacks against them.

a) Threats of mischief charges, threats of child apprehension etc are inappropriate.

b) Women must not be forced into mediation or negotiation with a violent husband or partner.

34. The government must develop a consistent pro-woman attitude to our families of choice. Women expect legal and social recognition of their lesbian relationships. The government must stop endorsing interference with the custody of lesbian mothers. There is no evidence of children at risk in these families; there is evidence that men use that threat, to motherhood.

35. No attacking husband is a good father.

a) In situations where men have been convicted of wife assault, women must have a legal mechanism for severing his parental rights.

b) In situations where there are even hints of wife assault, an automatic right for men to have custody and access (and therefore contact with the wife) is extremely dangerous.

c) The legislative drift to mandatory joint custody along with the application by judges of the "friendly parent rule" are equally dangerous. Violence against women and children in the family is pervasive and the government continues to fail to restrain attacks or even to identify them legally. In situations where women do come forward, and the government decides not to lay charges we must not pretend that, because the government has not pursued charges, the women and children involved are not at risk.

36. With all the information available, there is no excuse for any residential institution to structure itself so that there remain opportunities for male staff to attack women and children. Institutional care must include practices such as double staffing that ensure the safety of residents. A criminal check for past convictions is a ridiculous standard for individual men (as most male abusers are not criminalized and should not be constructed as a legal shield for the institutions).

37. No group wants programs to change the violent abusive behaviour of men: in the family more than women in those families. However, the programs based on changing the minds of individual men are unsuccessful. Until there is a systemic shift toward equality for women we believe this will remain so. Federal money should therefore be used to create systemic opportunities for women. Federal money aimed at pro-women initiatives should not be used for unsuccessful programs for violent men. There is some hope for programs organised by aboriginal people in small communities where men are confronted as a group and the whole community is informed and involved and where the connections to colonialism can make change a joint project for men and women. Yet the National Association of Native Women has expressly disagreed with diverting sex offenders from court to Native counselling programs.

38. The federal government has the legislative means to stop the men who continue to threaten and attack their ex-wives and partners, sometimes up to two years after the woman has escaped. Women want this legislation enforced. The federal government should promote the use of permanent restraining orders and should encourage judges to see that a restraining order is a legal statement about a man and his behaviour toward women not about a relationship. Mutual restraining orders are dangerous and ridiculous and should be banned.

39. Young women must be assured by federal policies of an economically independent future.

40. Young women must have the aid of the federal government in holding the adults in positions of authority responsible for the young men in their care and under their influence. Universities and colleges must increasingly be subject to civil suits and public inquiries. Sometimes personnel must be held personally responsible for supplying the resources and social permission for attacks on women. Obviously there must be no exemption (despite current debates) for these communities, from human rights law and the application of the Charter of Rights and Freedoms.

41. Police must be instructed and compelled to respond to accusations of assault and sexual assault by young women who know their attackers. It is commonly known now that men attack the women they date. There must be no further pretence that a young woman's choice to be alone with a man, to be at a party, to take a drink or to take a ride home with him, means she is disqualified from the right to use the law against her attacker. These situations demand adequate police investigation and diligent prosecution.

42. The federal government must produce education programs to counteract the social pressure on the young men to imitate the atrocities of adult men against women.

43. Organisations such as Media Watch which provide anti-sexist media literacy should be encouraged with federal funds. The regulatory powers of CRTC must be used to promote women's equality through positive programming and controls on advertising. CBC production and the National Film Board, especially the productions of Studio D, must be maintained and expanded to provide young women and men with alternatives to the role models presented on American television.

Section Three

Other forces of the hierarchy add to the power of men over women

While many of us are aware that poor women, women with disabilities, women of colour and aboriginal women are more likely to be victim of assault, we seem to have difficulty seeing the advantage men have over these women and how those legal, social and economic advantages become part of the weaponry of violent attacks. Every kind of entrenched advantage (whether because he is of the dominant race or because he is a professional) is too often used to harm women. No program to end violence against women can be effective if it does not disrupt and transform those power relations toward

equality. While propaganda says that the danger lies in the dirty, crazy, drifting stranger, often one of the bitter moments for those few women who face their attacker in court comes early in the proceedings when predictably a defence lawyer says that the man is "a fine upstanding member of the society with ties to the community".

The potent mix: how men use racism to attack women

So far every government policy and practice that divides us by race, disadvantages aboriginal people and people of colour. Any disadvantage of race or class position complicates and intensifies an already severe gender disadvantage for women. Within Canada that system of interlocking disadvantages and discriminations directly supports men in attacking racial minority women.

Some men speak and act out racist stereotypes of women while they attack. Some men say openly that they know they can get away with it because of the privileges of their race in relation to the race of the woman. Still others use a racist advantage as a source of their power without acknowledging it.

Certainly, men are aware that women will have to surmount racist as well as sexist stereotypes and practices if they try to get help or try to get justice against their aggressor. As NOIVM wrote in their submission to the parliamentary subcommittee studying violence against women in February 1991, "Judges are constantly making derogatory remarks about the women who have been victimized, racist comments are commonplace." In the Northwest territories, racial and sexist stereotypes cast upon Inuk women abound in judiciary responses to rape. Puktuutit, an Inuit Women's Association, to the same subcommittee reported that judges in the north speak of the rape of women as though it was part of the culture and therefore not a crime.

"For the people of the Eastern Arctic, there is no prima facie age restriction when it comes to sexual intercourse.... the morality or values of the people here are that when a girl begins to menstruate she is considered ready to engage in sexual relations."

A Korean advocate for immigrant women in Vancouver told the Canadian Panel of a battered woman who had succeeded in getting the police during one abusive incident only to have the police allow her battering husband to translate for her since her English was limited.

Even the systemic Canadian racism aimed at men works to endanger women of colour and aboriginal women. There is enormous pressure on women to hide incidents of violence from the authorities. As Glenda Simms (President of the Canadian Advisory Council on the Status of Women, June 1991) has put it,

"Violence against women is the single most serious issue of our time. Do you realize that some Black women choose not to report the men who batter them because they know that Black men are victimized by racism and violence at all levels of the justice system. Who do you turn to when you don't trust those entrusted with justice?"

Race can, in fact, be a greater factor in incarceration than is sexist violence. Men of colour sometimes use the existing racism as an excuse to avoid facing the consequences of abusing women of colour. Women are called racist when they name and define attacking behaviour as sexist, when they report or confront abusive men, when they speak up in the community, and when they organise independently of men.

Most attacks reported to CASAC involve white men who have brutalised aboriginal women, women of colour and immigrant women as well as white women. Very few white women report attacks by aboriginal men or men of colour. While some of these figures can be attributed to the fact that men attack within their own families most often, it also seems obvious that men attack women held below them in the hierarchy of power in Canadian society. Women with less skin privilege are more vulnerable and less likely to be believed or protected.

RECOMMENDATIONS

44. Racism must be acknowledged in law as a compounding effect of sexist attacks.

45. People, especially women of colour and aboriginal women, must have financial access through some new version of the Court Challenges Program to using the Canadian Charter of Rights and Freedoms to challenge any law or judicial decision which fails to support racial equality.

46. Since women are at risk all over the world from sexist attacks, and since state governments play a role in sponsoring that violence, gender must be added to the definition of a convention refugee. And the current guidelines of the federal government as to how immigration officers are to handle women's claims regarding gender related persecution must be made mandatory. (They are currently only discretionary).

47. English, French and other training courses must be open to women whether they are targeted for help by the government or not.

48. The federal government must make available translation and interpretation services for women who have been attacked and have to deal with police, crown offices, courts and emergency services.

49. Any consultation with the community must include adequate numbers of delegates from feminist advocacy groups of women of colour, aboriginal women and immigrant women. The minimum standard for adequacy in representation should be determined by the population.

50. The systemic racism of the criminal justice system must be reformed as part of any plan to advance the equality of women or to free women from criminal sexist victimization.

51. The disproportionate representation of men of colour and aboriginal men charged and incarcerated for crimes against women should be acknowledged not as an accurate reflection of who does and does not commit sexist violence but as the failure to charge and convict more privileged white men.

52. The disproportionate representation of aboriginal women and women of colour in Canadian jails and court rooms must be understood to reflect enforced poverty and violence heaped on these women. There must be release and court deferment programs; even in circumstances of gross inequality, these women hardly pose a threat to the Canadian public.

53. The federal government must produce funds to match its promise of transition houses in aboriginal communities and on reserves. Those houses and the funds for them must be under the control of aboriginal women's groups and women living in these communities. Consultations must be planned with the national women's groups that represent their interests: Native Women's Association of Canada, Pauktuutit, etc.

54. The federal government must fund women's groups to create special aids and programs for and by women of colour and immigrant women.

Men use professionals' position to attack women

Men with professional credentials in the "helping professions" have particular access to and power over women which an astounding number of them use against women. Doctors, therapists, teachers, clergymen, police, and instructors are most often reported to women's groups. The Task Force of the Ontario College of Physicians and Surgeons heard reports of abuse by lawyers, teachers, clerics, dentists, and optometrists.

From their professional position these men have access to many potential victims. When Vancouver Rape Relief publicised the case of one medical professional, forty other women called to say they had been attacked by the same man.

The initial weapon is the extra respect and authority afforded them in our society by virtue of their job. Under the guise of professional interest some use questionnaires and interviews to gather personal her stories (finances, interpersonal relationships, physical and mental insecurities) with which to manipulate. Usually these men have enough control over their working environment to dispense with secretaries, receptionists, colleagues, etc, who otherwise be present as deterrents.

Some proceed by using the collected information to manipulate the female client, some proceed by pretending that their sexually predatory behaviour is part of their professional technique while some simply attack knowing that their membership in a professional association, their community standing and their information about the woman will make it easy to intimidate their victims and easy to ward off any social and legal consequences of the attack.

Women across the country have complained to churches, Colleges of Physicians and Surgeons and other professional associations with unsatisfactory results. Professional associations which have contracts with government for self regulation, are still too often guilty of protecting professional credentials rather than women. In some provinces, complaints are now better received by regulating bodies, but nowhere is there a preventative program in place. Even some professional men who were criminally convicted of assaulting women are still practising with the same power to attack. Only rarely have men been stripped of professional privilege without criminal conviction despite the association's responsibility to do so. Professional associations have made no progress in designing and promoting work practices that would prevent sexual and physical assault of the women relying on those professions.

RECOMMENDATIONS

55. Professional Associations must have higher standards to meet than the criminal justice system. Men should not have access to professional credentials when there is any hint of abuse because of the enormous privileges bestowed on men with those credentials. Professionals must not be able to evade accountability by moving from one province to another.

56. Professional associations must account to politically appointed public inquiries when accused of protecting their members from criminal investigations. And the federal government must be quick to appoint such inquiries.

57. The federal government must ensure that women have access to legal advice and legal advocates so they can pursue criminal complaints and civil suits against professionals and their associations.

58. Women must have independent legal counsel to represent them in the complaint processes currently used by professional associations. After initial investigation, any hearings should be held in public.

60. The federal powers must be used to impel professional associations to design environments that reduce opportunities for attack.

Men attack women who are making gains toward equality and integration

Male bosses, educators, immigration sponsors, students and workers use physical and sexual assault in ways that threaten and block women making life choices, regarding finances, employment and education and political organizing.

Some men demand sexual favours from women who have already earned academic, legal or economic/employment status. If a woman refuses his advances he threatens her with job loss, academic discrediting, and sometimes more violence.

Some of these men say openly that they attack women because they resent women's advances in professional, educational and employment settings. Women's groups deal with many calls from women attacked for breaking a "glass ceiling" or locating themselves in previously male preserves.

Some men attack women for their part in the growing resistance to sexist male violence and male domination. Virtually every town in the country has suffered horrendous campaigns of verbal and physical harassment against young women and their organisations. Women intervening on behalf of battered women have been beaten and shot.

Women on all major university and college campuses have been organizing for the rights of women. Often they were countered with direct and implied threats of sexual violence. Many of their efforts have been met with retaliation and backlash from both male students and the male administration. Certainly there is a clear and immediate relationship between how administrators and teachers talk about the struggle of women and the permission male students perceive they have from these authorities to treat the women around them with contempt.

There is also a clear and direct relationship between the progress of integration in any one situation and the treatment of women in that situation. The research on women in the corporate world indicates that when participation reaches fifteen or twenty percent, the resistance from men hardens. Once a certain threshold is crossed the struggle subsides and the harassment diminishes.

Some men in Canada specifically target those women trying to advance their economic and immigration position by accepting domestic work and farm work. Foreign domestics, by order of Canadian law, must reside in their employer's home which, prevents their escaping sexual attacks. Despite many calls for help by women's groups, we know of no criminal proceedings to effectively address the abuse of a domestic worker. Like farm workers, their position as unprotected workers and as potential immigrants leaves them with no practical legal recourse against their employers.

RECOMMENDATIONS

61. The federal government has a responsibility to complete the process of integration of women in every learning institution over which it has influence or jurisdiction. Women must be present in significant numbers on staff and faculty as well as throughout the student body. Women will not retreat and quick integration could reduce male violence against women.

62. Every job site under the influence and control of the federal government must be integrated immediately and at all levels. Women will not be turned back from job equity and job access. Violence on the job sites can be reduced by quick and firm integration. Even without the incidents of violence, the women of Canada are embarrassed and

enraged by a federal government which refuses to treat women equally in its capacity as employer.

63. The federal government must legislate protection in labour law for domestic workers and farm workers and immediately remove the live-in requirement imposed on domestic workers in recognition that it gives male employers more power to attack them. The government must also rationalise the immigration rights of these women by granting landed status at the moment of entry.

64. The federal government must enhance the effect of sexual harassment laws by enforcing a woman's right to a safe work environment with human rights legislation.

Section Four

Unsafe communities

In the 1990's conservative forces within the federal government promoted the idea that local community organising alone can prevent violence against women. Feminists began in our local centres and continue to work there for many reasons. We know that communities can be made safer and more convivial for women but we also know that the decisions made at the top at the federal government level are essential to the success of local initiatives. Federal government policy controls so many factors that set up the local scene: housing social programs for the poor, sick, elderly, disabled, jobs and income for everyone, immigration, self government for aboriginals, laws meant to restrain the oppressive abuses of women, aboriginal people and people of colour and funding for any initiatives that can make a difference and that can set national standards so that all Canadians share some measure of social security.

Devolution of federal responsibility to municipal governments is not progressive when, as now, it is not accompanied by any devolution of funds or other power with which people in their municipalities could create fair and livable communities or with which they could coordinate with other communities to create a fair and livable country.

Unless progressive policies are in place at the national level, local policy cannot hope to solve the problems. The forces of oppression are international and must be interfered with at the highest level. However, even when they are in place, local changes will be necessary to deal with the discrimination against women which permits and encourages sexist violence.

Clearly the situation around prostitution tells one part of the story. No federal party yet has adopted the obvious pro woman position of fully decriminalising prostitution. Feminists are agreed that using the law to harass women does nothing to bring an end

to the sex trade. Instead it tortures poor women in an endless revolving door of abusers; johns, pimps, vice cops, lawyers, judges, probation officers, debt collectors, etc. If the federal government took responsibility to fully decriminalise, half those men would be out of the parade of attackers. We would still be left with the problem of women prostituting to make their way in life. Until women have incomes and opportunities we will continue to have the problem. As long as sex tourism is promoted we will have an even greater problem in the holiday centres across the country. As long as the government tolerates American military units taking their recreational leave in our cities we will be dealing with expectations of women for sale.

As long as women of colour and aboriginal women and disabled women take the brunt of the shortage of jobs and abundance of oppression they will also be the greater number of prostitutes displayed in all their vulnerability on the streets and harassed in our name by the system.

Until the system changes to entrench equality we are left with the neighbourhood problems of condoms, needles, noise, and fractious struggle over who can walk where. There can be no solution to those problems without addressing the larger issues.

So it goes too for the local needs of disabled women, women living with abusive men, women with children, single women, lesbians, women trying to sustain their local culture, immigrant women trying to get safely located. The underlying federal policies have such an impact that they cannot be ignored or overcome by local organizing no matter how open hearted and open minded.

Educating and sensitising men about proper treatment of women presents us with the same problems, whether we consider boys in the school yard, street youth, police officers or judges. Of course every local school program to encourage respectful and peaceable treatment is a good practice and makes a contribution. But when we see that we are flooded with American TV shows and their commercialised ideas of women, of race relations, of community standards, of law and order, we know that educational change will require intervention at every level and certainly at the top. We must have media, publishing houses, TV and movie production that can reflect our reality and promote our solutions.

Men exploit casual social contact to attack women

Women report that between 65% and 75% of the men who attacked them were acquaintances who endanger women by using the woman's sociability against her. So does he use the inadequate housing, inadequate social spaces, and poverty that make normal sociability so dangerous for women?

Men attack women neighbours, friends, and members of social groups to which they belong. On the streets they single out prostitutes for verbal, sexual and physical abuse. Most women report that police and prosecutors frequently dismiss their complaints as unfounded simply because they talked, drank or danced with the man before he

attacked. Men threaten, harass and attack women as we leave women-only functions and lesbian events. Municipal government and law enforcement officials treat prostitutes as disposable woman. Isolating and criminalising women from our communities does nothing to end prostitution; it further impoverishes those women with fines and legal costs. It stigmatizes them, making ordinary social relations that much more difficult. It maintains their vulnerability to attacks by the men who "buy" them, to attacks from men who "sell" them, to attacks by men who defend them from the other men, and to attacks from the men who claim to defend the rest of the community from the prostitutes.

When a stranger is dangerous

Men gain power to attack women as strangers because women are denied the social and economic resources and opportunities to reduce our vulnerability. Our findings indicate that 10-15% of the women who call rape crisis centres were attacked by men who were strangers to them. These predators observe women's day-to-day activities and seize the opportunities that arise.

Women link these attacks to the poverty enforced on them, to the sexualized racism and to the discrimination against women with disabilities. Men carefully seek the vulnerable: women who appear confused, weak, lost, alone, disabled. Frequently, they are also women who will not easily get either protective intervention or redress in action from the criminal justice system: poor women, women of colour or prostitutes.

They most often attack on the street in unattended public transit, in unsecured homes, and unsafe public places. We have had an increase of reports from women attacked by strangers when major tourist events and sporting events occur in her town or city.

There are men who systematically attack a series of women or group of women by patterning themselves after the Jack the Ripper myth. They engage the police and the media in a public cat and mouse game in which the lives and well being of women are at stake.

We know that the men have often had previous contact with the criminal justice system and the mental health system and are in many ways products of that contact. We know that often women have reported these men to police well before any violent crime occurs but have been ignored.

Sometimes these men openly explain that they victimize women they have never met to punish them for some imagined wrong: being women, prostitutes, promiscuous, feminist.

Women's groups are aware and alarmed to realize that the federal government is instituting a National Crime Prevention Strategy under the Minister of Justice without taking the above realities into consideration. No plan will reduce sexist violence against women. Stranger attacks constitute the least frequent forms of violating women;

however, the consequences are nonetheless devastating to the individual women subjugated. Without real change in the conditions that make women prey there is very little hope for change. And the failure to cooperate with the feminist organizations working on this issue is to steer the crime prevention efforts toward a further waste of time and energy.

MEN USE WEAPONS TO ATTACK WOMEN

More women than men are hurt by guns. We know men commonly use guns against prostitutes, wives, ex-partners and feminists. Gun control is a small part of the solution to limiting men's power to attack women. Knives, cross bows, bottles, screw drivers and fists are also used. The effective way to limit men controlling, attacking and killing women, is to reduce the social and legal inequality which gives men power over women.

Women are conscious that the 'Law and Order' approach to ending violence continues to justify acceleration in police arms and community vigilantism while maintaining the existing frequency of sexist violations of women and children. Paramilitary style of policing has cost too many lives in the Canadian public. And too often those lives have been of the children of Aboriginal women and women of colour.

The government, courts and police actively discourage women from self-defense resistance to attackers and punish women who have, with no other options, defended themselves and their children. What actually reduced the murder of husbands in Canada was the existence of transition houses. Clearly women would rather escape if given the opportunity.

Men use pornography to attack women

Men humiliate, assault and kill women and children in front of cameras for sexual gratification and profit. Women who have been trapped in the pornography industry are coming forward to speak about the male abuse they have endured. So far, most of these revelations have been of American rather than Canadian producers. But the fact that the victims are American does not make it any the less a fact of male violence against women.

Men use pornographic materials to bully women. The existence of a pornographic movie house or video outlet in the neighbourhood certainly disturbs, inhibits and threatens women but usually the uses are even more overt.

Some men leave pornographic materials at women's doors, send them in the mail, and post them in the office in a ritual of sexual harassment, often also involving racism.

Some men use pornography as a catalogue of the sexual practices which they are entitled to experience no matter how brutal and racist and destructive to women and children. It is far too common an occurrence for men to force women to enact during rape, the scenes they have seen in videos and pictorials.

Young men and increasingly young women use pornography as sex education material. On the other hand, many men attack women for owning sex education materials.

The Supreme Court decision on the Butler case affords us, as a community, an opportunity to explore a harm-based legal analysis and enforcement fight against pornography rather than one based on obscenity. Women are aware that the police and customs officials are confiscating gay and lesbian sexual materials instead of those aimed at heterosexual men. The federal government is also refusing to show any progressive leadership in protecting artists, sex educational materials, or women as they could by progressive enforcement of the Butler decision.

RECOMMENDATIONS

65. All "Safer City" or local crime prevention initiatives to be funded and/or endorsed by the federal government must meet the scrutiny of National Women's Groups as to whether they will address women's vulnerability to sexist violence. This is particularly important since all safer city initiatives are being promoted on the basis of the community desire to affect violence against women.

66. The federal government must fully decriminalize prostitution.

67. The federal government must play a role in putting a stop to the herding of prostitutes by police to particular areas of the cities. It serves short term police interests, property developers and causes neighbourhood unrest. Vice squads designed to manage prostitution should be dismantled.

68. The federal government must foster and fund the efforts of those cities and towns that propose changes toward an equal status for women.

69. The federal government must commit itself to creating safe and affordable housing suitable for the full range of women: disabled women, women with children, lesbians, women of colour, aboriginal women, older women, students: all women trapped by low incomes. Housing must be designed with an understanding of the privacy and security needs of women as well as their need for safe social contact.

70. Police and prosecutors must be instructed to investigate properly and pursue prosecution when women complain of attacks by neighbours, club members, etc.

71. The federal government, in conjunction with the national media, should announce discussions on the danger and ethics of the crime reporting techniques in Canada especially as they apply to crimes of violence against women and children, and in particular, to the heroizing/demonizing of the serial rapist and killer. Attackers must lose their current capacity to manipulate the situation.

- 72.** Municipal and regional governments should be encouraged through the federal government to create safe and effective transport systems that are accessible to all, including people with disabilities, women with small children, shift workers.
- 73.** No federal funding plan for mega tourist events should be approved without an assessment and discussion of the increased danger (particularly of men with guns and men demanding to find women for sale) that can be predicted for the women in the host city.
- 74.** No implementation or funding of a national Crime Prevention Council should be in place without securing for women, the authority and influence of national women's groups within such a body.
- 75.** Monies allocated from the federal budget to address violence against women should not be diverted to efforts to reduce property crime or to create illusions of safety for women by telling women to be less afraid or by telling women the government is reducing street crime.
- 76.** Federal government initiatives must reflect the current facts that it is the vulnerability of women and children, particularly aboriginal women, women of colour, women trapped in poverty and women with disabilities that are the definitive factor in preventing this type of crime. Therefore, monies should be allocated directly to ameliorating those conditions. Monies must not be directed to police, jails, deputising the community, social worker programs, research on these vulnerable groups, or new bureaucratic bodies. Those measures do not reduce violent crime done by strange men against women and their children.
- 77.** Limit and monitor the use of guns by the police. Women have suffered more loss than protection from unnecessary use of force by police.
- 78.** Police must be instructed to respond to threats of attack from men on ex-wives, prostitutes and women's advocates with an extra alert as to whether he has a gun. These are the occasions when weapons are commonly used against women and their children.
- 79.** Stronger gun control would save lives and should be implemented.
- 80.** The federal government must involve itself in enforcement of the Butler decision on the basis of the harm it does to women and children and on how it undermines women's equality.
- 81.** The federal government must financially promote the development of sex-positive and woman positive sex education materials for use by adults and youth, especially those with a disability.

82. The federal government must assure women access to legal aid dollars to sue the producers, promoters and distributors of pornography which those women deem harmful to them.

83. The federal government must actively defend the producers of art and education materials from any obscenity based attacks.

Men use the criminal justice system to abuse women

The criminal Justice system is biased against aboriginal people and people of colour, against poor people and against women. Men, particularly rich white men, are privileged by the attitudes, policies, procedures, and legislation which define the system. These systemic biases adversely affect women trying to use the police and courts for their protection or relief of male sexist violence. They ignore the existence of the Canadian Charter of Rights and Freedoms which should override and eliminate any such bias, or any combination of bias.

When women have managed to get the funding to challenge some law or procedure, the federal government has responded by spending a fortune defending the status quo instead of considering whether the challenge might make a contribution to improving the status of women or the status of the group of women involved, (ie, women of colour; lesbians, poor women, women with disabilities, prostitutes, or women victims of sexist violence.) Instead of eliminating the expense of fighting against every challenge presented by oppressed people, the federal government withdrew the Court Challenges Program funding for disadvantaged people, including women, to raise those challenges to the courts.

Discrediting Women

The system discredits women at every level both actively and passively, and women know it 70-90% of women talking to rape crisis centres and transition houses have already refused to initiate or participate in criminal proceedings because they will be disregarded, disbelieved, discredited and blamed. Many of those who did initiate or cooperate have been rejected or abandoned by the same system. Police and crown counsel avoid investigating and prosecuting sexualized attacks.

The more likely the woman is to suffer attack the less likely she can successfully complain legally against her attacker. Wives, daughters, prostitutes, lesbians and women with mental and physical disabilities are all facing this. When the woman is also poor or a woman of colour her chances are further reduced. Aboriginal women, says Theresa Nahani of the Native Women's Association of Canada are forced to live without any protection of law.

During investigations, police are still menacing women with the threat or use of polygraph tests, with consent-to-release-of information forms requiring women who have complained of rape to release counselling and medical information to the police,

and the possibility of police laying mischief charges should the woman fail to convince the police of her situation. So too have women wanting legal action taken against their fathers for past sexual abuse been disbelieved and advised that it is too late to prosecute and that the prosecution of these cases is not a priority. The police hold to themselves the right to decide whether laying charges is in the interest of the community.

Women and their advocates witness the incompetence and disinterest of many crown counsels who are charged with prosecuting sexual offenses. Too often women who want the criminal justice system to respond to their complaints are told "we don't believe you", or "it is not worth the court's time to proceed in this matter because there is no likelihood of conviction."

The judiciary continues to allow the use of a women's past sexual history even after the changes to the Rape Shield Law (Bill C-49). The same judges continue to accept men like Dr. James Tyhurst as expert witnesses in cases of sexual assault but will not recognize the testimony of women's equality workers as experts on these matters.

Defence attorneys are deliberately seeking women's past sexual history during the pretrial process where women have less protection. (The new law does not restrict or limit investigation or inquiry of women's history during the pre-trial process.) They engage in fishing expeditions, about victim's lives, in an effort to discredit her as either 'the sort of woman who couldn't be raped' or the sort who cannot be believed' because she is bad' or crazy'. There is even some attempt to say that if women have been attacked before then they cannot be reliable witnesses to the new attack.

Recently, defense attorneys have been increasing their demand for sweeping 'disclosure orders' from judges giving them access to women's journals and counselling records. There is no theory or criteria of relevance in criminal law which can deliver some fairness to the decisions about what should be allowed. Women are dependent on the individual judge and at the mercy of the defense attorneys.

Isolating women

Women go to women's centres because they know that they are not to blame and they need to rid themselves of inappropriate self-blame and self doubt. Exactly how could they do that without discussing it? Rape crisis centres, transition houses and women's centres will not release their records so this legal process can serve to either reduce reports of crime or to accelerate another collision between the courts and women's groups. Increasingly, defence lawyers for abusive men subpoena women's support agents in rape crisis centres and transition houses. Not only is this unnecessary since workers would gladly help the system determine the truth of the situation, but when the defence uses this tactic it is clearly an effort to use the rape crisis centre or transition house against the woman or at the very least to make sure the advocate cannot actively help the case of the victim.

In this way the system continues to try to isolate women. Rape survivors' advocates and advocates for women beaten are treated as suspicious by the system. Victims are asked with suspicion whether they are in contact with centres. Women with allies in court are seen to be subverting the system by being political. Court monitors are asked to leave the court room. But women know they have a greater chance of achieving their individual rights by grouping.

Over the past few years, and under increased scrutiny, the justice system has repeatedly, and in every part of the country, been forced to admit to gender, race and class bias. As Bertha Wilson former justice of the Supreme Court has stated, "The studies show overwhelming evidence that gender-based myths, biases, and stereotypes are deeply embedded in the attitudes of many male judges, as well as the law itself. These structured inequalities not only hide and condone incidents of male violence against women and children which are being reported to the system but in some cases, they facilitate violent attacks by freeing dangerous men.

Judges at every level of the court system make strong declarative statements excusing men for the abuse, even murder of women. Judge Gerald Coultas announced that one man's assaults on four women were "in the nature of a caress". Of course he didn't know of the forty other women who had reported the man to a sexual assault centre but he did know about the four outraged women before him. Judges have blamed the victim for having provoked male rage and for not being obedient enough to male fantasies. Judge Peter Van der Hoop thought a three year old girl "sexually aggressive".

The making of monsters

Prisons and parole boards have a deplorable history of ignoring women's and children's safety.

We have seen no success at rehabilitating men in prison or through sex offender and abusive husband programs. The prison system further brutalizes the few men it jails and sends them back to the community to attack more viciously. It is also evident in reports from women whose husbands have continued to beat them after attending court mandated abusive husband programs.

Sometimes that brutality comes in the form of rough treatment and sometimes in the form of conditioning these men to degradation and corruption for instance by paying these men as underworld informers. This is most obvious in the cases of Clifford Olsen and Joseph Fredericks.

Elite or independent judiciary

The government refuses to reform the judiciary claiming that the "independence" of the judiciary is at stake. (As though women want politicians to interfere with judges) But women do want, in the list of judges, to find people with lives more like our own. Lists must include women of all races and class backgrounds. We want an end to

discrimination so that we will see more disabled women, immigrant women and lesbians on the bench.

Clearly, and perhaps most importantly we want judges' appointments based on their understanding and experience enforcing the rights of women for equality as partially defined by the Charter of Rights and Freedoms, on our overlapping rights to freedom from legalised class, race and homophobic bigotry.

While politicians could call the justice mechanisms to account in public enquiries, too often they have refused. The Montreal Massacre and the series of murders of prostitutes in Vancouver were not subject to public inquiry when clearly they should have been. In situations where families have forced the government to do so, for example in the Stephensen Inquiry, the family alone raised the funds for legal and investigative work.

When women first organised transition houses and rape crisis centres, it was obvious that the police and local justice officials had managed to avoid collecting the relevant data. This is not only a matter of counting. For instance when women call for help against a husband, the police record it as a 'domestic dispute'. Sometimes rape is bargained down to a case of breaking and entering. Even the murder of women disappears.

Now at the federal level there is information that needs to be gathered and held for public access. There is no central repository of the court cases involving sexist violence. There is no central repository of judicial decisions. There is no database on the sentences handed out by judges.

Law and order

New federal forces are confronting us with cynical "Law and Order" initiatives. The public is desperate for change not only because the situation demands it but because sensational versions of the danger are being promoted. Instead of husbands and fathers, we are taught to fear our neighbours especially if they are immigrants or if they are young.

These sudden interests in tough law frequently involve increased monies and powers to police and incarceration. At the Crime Prevention Conference in April, 1993 the Justice Minister wanted to rush through changes to undermine the Young Offenders Act. The Solicitor General announced it was up to individual police departments to determine how they wanted to release the names of people released from prison. He said there was no need for federal policy (the first such name released was of a woman).

The current crisis of public displeasure with policing in North America has been met with a new suggestion by police of programs called community policing. The idea is that public confidence can be restored by storefront police stations, etc. According to this plan the police are part of the community and the community must see themselves as

police. Sometimes this sounds progressive and when considered against paramilitary policing it is. But the community policing proposals in Canada have not even discussed how such policing will reduce violence against women. The few community pilot projects have not been able to indicate any progress for women and in fact have allowed police to increase attention and resources to property crime and reduce resources to women calling for help.

In recent years that agenda has included money and programs that pay police departments under pressure to respond to crime against women to deliver (or to appear to deliver) not criminal investigation and law enforcement but support services. More people are becoming aware of the difficulties in this approach and are raising concerns about the police capacity to meet the needs of victims.

"...let's look at what happens when we try to provide 'generic' services ... we need to look at an analysis of power...but we don't want to fall into the trap of homogenizing our services so that we do not then pay attention to the difference...differences that are, to a large extent based on who holds the power and what the goals of the program are in terms of equalization or distribution of power."

-Linda Light (1992)

Women's groups protested the idea and implementation of Victim Assistance Programs (VAP's) from the outset. They understood that VAP's were to be financially and politically supported by government in an effort to encourage the use of the criminal justice system without changing it.

Criminal justice officials promote the description of women's groups as part of the victim's movement. But there is a fundamental difference. Women's groups understand that some women are victimised in order to curtail the rights and freedoms of all women. We fight the victimisation as part of the fight for liberty and equality. We are not fighting only for the right to be better treated as victims. The point is not to create victims.

Victims's services bury the gender relations of crime especially sexist violence against women, and they can be used to minimize and overtake the work of independent women's groups. Even government officials are now starting to recognize the inherent injustice in this approach.

"We must be careful of the victim's movement, because by defining people as victims we might create bureaucracies to deal with their victimization, and I do not want to see bureaucracies built on the pain of the women of Canada."

-Glenda Simms (1992)

RECOMMENDATIONS

84. The federal government must actively respond to the constitutional challenges by cooperating with the efforts to advance the equality of women. The government must ensure in future constitutional cases, that the legal positions and arguments put forward

by the government are consistent with a commitment to overcoming the inequality of women.

85. The federal government should review the current laws affecting violence against women in a systematic manner in consultation with the national women's groups closest to the subject; CASAC, transition house associations, LEAF, NAWL, DAWN, NWAC, NOIVM, etc. We must make these laws more effective by reconsidering them as a whole.

86. Change the appointment and selection of judges to reflect the diversity of the population. This should also apply to legal services, society boards, law foundation boards, and law reform commissions. Employment equity standards should be applied to all judicial, quasi-judicial and administrative tribunal appointments.

87. More feminist judges must be appointed to the judiciary (including all judicial, quasi judicial and administrative tribunal appointments). Processes and criteria should be reformed to ensure that feminism is a positive, not a negative, factor in the selection of judges.

88. A new procedure should be devised for appointments to the Supreme Court of Canada which will guarantee women's input. There should be public scrutiny of credentials of nominees. Women should be able to make recommendations and to directly question candidates.

89. There must be a public mechanism at every level for judicial appointment and review that applies progressively stronger discipline and which can remove judges from their job.

90. Complaints about the judiciary after initial investigation must be handled in public hearings.

91. Mechanisms for judicial appointment education review and dismissal must be based on public input. Ordinary citizens must have influence and power. Political appointments to judicial councils should make up half the membership. While women in Canada want judicial independence we think it has not been achieved and will not be achieved without fundamental reform and on-going public review processes.

92. The funding priority within the court system must be changed so that crown counsels, prosecuting crimes of violence against women, have adequate time, experience, resources to do the job which will mean less time and money to the prosecution of property crimes and the pursuit of criminalising women.

93. Canadian judges have a growing record of using as 'experts', members of the professions who are hostile to women and women's concerns. This is particularly evident in the use of psychiatrists. Judges must not abandon. Their responsibility for determining matters of law and legal fact.

- 94.** When judges confer authority on or credit expertise of witnesses, about male sexist violence they must include women committed to the liberty of women and informed about women's experience. No one has more experience than the front-line workers.
- 95.** Public control of the police must be increased. Political bodies independent of police must have the power to investigate, publicly review and respond to police policy procedures and practices.
- 96.** Sexist violence has not been, nor will it be, solved by an increase in police, police powers and money to police. Instead, there must be changes to the way police operate. Clearly the federal government in its crime prevention strategies must affect policing so that in every Canadian community, they
- a)** give top priority to calls from women concerning violence.
 - b)** instruct police to begin investigations by believing women and by presuming the women involved are likely accurate about the danger they perceive.
 - c)** instruct the police to cooperate with rape crisis centres and transition houses in ensuring the safety of women.
 - d)** stop funding police to deliver Victim Assistance Programs through police departments. Women need independent services and advocates.
- 97.** Make all police services, crown services and courts accessible to women with disabilities.
- 98.** Ensure translation and interpretation for women of all Languages and cultures in all legal processes.
- 99.** Women must have access to national data on the cases involving violence against women and children, including the impact of Bill C-49. There is no current central collection of complaints to police, charges laid, judges' decisions and reasons for judgment and conviction or sentencing. One women's group should be funded to collect and review that information for public view.

Conclusion

The community is alert to the bullying and violation of women of all races and classes (including an awareness of the differences of vulnerability among women) and is alert to the violent backlash against women's individual and collective progress.

Women's movement groups which are addressing the appalling status of women in relation to men recognize that violence against us is a method used by individual men with an appalling level of collusion from public institutions and the government, and

recognise that every advance in the position of women as a group reduces the opportunities for sexist violence against individual women.

In the days of the Royal Commission on the Status of Women, the early 1970s, the white middle class movement as it was featured in the media, neither understood nor participated directly in the fight to end sexist violence. Still, even as they lobbied toward legislative change on other important issues, little local anti-violence action centres were being created. Often they were staffed by working class women, numbers of them being women of colour, Native women, disabled women, lesbians and occasionally they were prostitutes. Beside them were progressive young students and women activated by the leftist movements of the sixties. Many revealed their own victimisation and used it as experience that could be used to help other women.

To the credit of those anti-violence activists, after twenty years of low paid or voluntary work, the federal government and all political parties now concern themselves with the ground swell of public protest.

Politicians are troubled that so many women and men desiring gender justice in Canada are alarmed, angry and reactivated in their search for social solutions to sexual terrorism.

One year after the public response to the Montreal Massacre, an all party committee of parliament 'gathered information on the nature and extent of the problem.' From the many presentations of national and provincial women's groups, it produced a mildly progressive, though aptly titled, report called "The War on Women". The few useful recommendations in that report were ignored or denounced by the Conservative government. Even the title of the report was too much for the Conservative caucus and was diluted from a statement about the pressure under which women live to one about how women might emotionally respond to that pressure. The government's own position paper was called Living Without Fear. .. Everyone's Goal, Every Woman's Right.

But some feminists who presented to the parliamentary subcommittee drew their own conclusion: never before had there been so much agreement among us on so many issues. The theory and experience of groups of Aboriginal women and women of colour complemented, sometimes contradicted, but always enriched the presentations by coalitions of front-line workers. Feminist lawyers added their strength to the articulation of women's demands. White and middle-class presenters recognized the need to unify with less privileged women. Women, tired of retelling the stories of victims, analyzed government directions and policies and pointed to necessary changes. The National Action Committee that had formed to win the recommendations of the last Royal Commission was gathering speed toward the next. (When they were asked by the parliamentary committee, they agreed to support a call for a Royal Commission on Violence Against Women. Later they apologised for a lack of consultation with member groups and the rest of the movement).

Our movement struggles to broaden and deepen our understanding of the similarities of violence done to us, but also of the differences women face. Aboriginal women and women of colour had national organizations pushing the definitions, leading and reinforcing us all with the most radical demands.

Women who had shaped their adult lives by working with victims of sexist violence now held leadership in national organizations and carried that frontline experience with them. Eunadie Johnson and Raminder Dosanjh were executive members of NOIVM. Trudy Don was provincial staff of OAITH. Shirley Masuda was research staff for DAWN. Lee Lakeman was working for CASAC.

In the three years since those few days of briefs, there has been a rich exchange of ideas and information at the national level that has challenged and changed the practice of virtually every group toward a more inclusive women's movement united on many radical demands.

CASAC called for and chaired a wide consultation on the proposals to change the rape law that set a new standard for communication and alliance between women's groups and between the federal government and the women's movement. The nine national groups that were initially consulted by the Justice department supported that call and happily shared the opportunity to affect the government with the sixty delegates.

NAC, after years of pressure from women of colour, members opened its policy making practices with the Barrie Round Table to ensure the voices and influence of women of colour and francophone women. NAC was determined that as an umbrella group it should be affected by the opinions of those most subject to sexist violence and most organised to end it and that we should open our structures and processes to make that likely.

National groups have met at every opportunity and have communicated on this issue as never before. The federal government's response to the moment was to establish the Canadian Panel on Violence Against Women to 'enquire into the nature and extent of problem' and to 'propose a national plan of action'.

Women's groups quickly suggested that the panel should be composed of representatives chosen by and accountable to their national groups. By this time the women's groups were united in their insistence that women must speak for ourselves in the political formations of our own communities and in our own communities of interest. There was a moment of excitement thinking that national delegates of frontline workers might be given the budget and translation to meet and discuss and propose to government. Even the meetings would have made a difference. We might have leapt toward a better future for women in Canada. The government refused. Appointees to the Panel were not delegates but individuals.

They were chosen to look like a cross-section of citizens but they were not hired to represent any constituency. Some had been frontline workers but were not hired to be accountable to frontline workers. And so with disability; race and class.

The Aboriginal women had seen the problem early and had acted decisively. With pressure on the Minister Responsible for Women's Issues, Mary Collins, they won the inclusion of an Aboriginal women's circle where the minister had suggested only one aboriginal woman as a member of the Panel. Slowly they took what influence and power was available to follow their own agenda.

The other women's groups tried to win support from those appointed, to be accountable, to fight for positions on the Panel for women of colour and disability activists who would be accountable. But neither the panelists nor the government would agree.

Government struck an advisory committee to the Panel and we again proposed it be composed of our delegates. Women's groups delegates would, in that model, meet and discuss and might jointly persuade the Panel members. Clearly this was a second best option. By not being members of the Panel women's groups would have no control of resources and no opportunity to speak for ourselves and the communities of women we represented. It was a significant loss of control over the issues. Even our compromise was refused by the government. The appointees of the advisory committee were a mix of individuals, delegates, and professionals, and were not invited to influence the Panel's work meaningfully.

Women, urgent for change, protested that Canada needed action not more research. After all, the \$10 million budget was larger than that allocated to the work of the combination of all national women's groups. They understood and objected when the Panel was directed by the government to minimize the women's groups' role in designing a plan.

In the end, this disrespect for the collective voice of equality seeking women through frontline groups and our national women's groups and for the effective work already done, led to disaster. The government panel refused to accommodate the aspirations of women with disabilities and women of colour to speak for themselves through the united strength of their own organizations.

The report from the Panel was released in the summer of 1993. Canadians expected its recommendations would accelerate the process of federal reform to achieve women's equality and peace for us all.

But the Panel shifted responsibility away from federal departments by referring to provincial and municipal governments and to "community responsibility". It was easy enough to do by claiming that "we all have to take our part" and "everyone has a role to play". They used their enormous power to tell individual men and women about individual responsibility. But the Panel only exists because the individual members of our society and the groups they have formed have protested so loudly. The Panel

acknowledges the importance of women's advocacy groups in launching the public fight to end sexist violence and then fails to recommend the reinforcement of those groups. Indeed it recommends the marginalising of those groups and encourages us to believe that professionals and governments can now be the best authorities on this subject. The government built a \$10 million shell game.

Long before the Panel, recommendations had already been made for federal government reform. The government had only to consider what was said to it by women's advocates at every major conference it organised on the subject, in parliamentary committees and in all our publications. We have to consider that the Conservatives funded the Panel rather than implement those suggestions. This paper gathers up and discusses those pre-Panel feminist recommendations and their logical conclusions.

We confined ourselves to those actions that require the power and money of the largest level of government. They must now clean up their own house. Of course, we are all at work elsewhere, but in 1993, the women's movement is united in demanding progress at the Pan-Canadian level. In any case, the federal government now and in the years ahead will have to mind the growing consensus among women that systemic and systematic change is an important next liberating step in Canada.

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