



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

**Combined sixth and seventh periodic reports of States parties**

**Canada\***

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\* The present report is being submitted without formal editing.

For the initial report submitted by the Government of Canada, see CEDAW/C/5/Add.16 which was considered by the Committee at its fourth session. For the second periodic report, see CEDAW/C/13/Add.11 which was considered by the Committee at its ninth session. For the third periodic report, see CEDAW/C/CAN/3 which was considered by the Committee at its sixteenth session. For the fourth periodic report, see CEDAW/C/CAN/4 which was considered by the Committee at its sixteenth session. For the fifth periodic report, see CEDAW/C/CAN/5 and Add.1 which were considered by the Committee at its twenty-eighth session.





**Convention on the Elimination of All Forms of  
Discrimination against Women**

**Sixth and seventh reports of Canada**

**Covering the period April 1999-March 2006**

## Contents

	<i>Page</i>
Articles .....	5
Acronyms .....	9
Part I — Introduction .....	12
Part II — Measures Adopted by the Government of Canada .....	21
Part III — Measures Adopted by the Governments of the Provinces* .....	42
Newfoundland and Labrador .....	42
Prince Edward Island .....	53
Nova Scotia .....	58
New Brunswick .....	67
Québec .....	72
Ontario .....	82
Manitoba .....	93
Saskatchewan .....	105
Alberta .....	116
British Columbia .....	127
Part IV — Measures adopted by the Governments of the Territories* .....	142
Nunavut .....	142
Northwest Territories .....	148
Yukon .....	152
Appendix 1 — Public Consultations .....	160
Appendix 2 — Review of Jurisprudence .....	166
Appendix 3 — Gender-based Analysis .....	179
Appendix 4 — Pay Equity .....	183

**Note by the Secretariat: Annexes to the report will be made available to members of the Committee in the language(s) in which they were received.**

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\* In geographical order, from east to west.

## Articles

	<i>Page</i>
<b>Article 1: Definition of Discrimination</b>	
Review of Jurisprudence .....	166
<b>Article 2: Anti-Discrimination Measures</b>	
Alberta .....	116
British Columbia .....	127
Government of Canada .....	21
Manitoba .....	93
New Brunswick .....	67
Newfoundland and Labrador .....	42
Northwest Territories .....	148
Nova Scotia .....	58
Nunavut .....	142
Ontario .....	82
Prince Edward Island .....	53
Québec .....	72
Review of Jurisprudence .....	167
Saskatchewan .....	105
Yukon .....	152
<b>Article 3: Measures to Ensure the Advancement of Women</b>	
Alberta .....	117
British Columbia .....	128
Government of Canada .....	25
Manitoba .....	95
New Brunswick .....	67
Newfoundland and Labrador .....	43
Northwest Territories .....	148
Nova Scotia .....	61
Nunavut .....	143
Ontario .....	85
Prince Edward Island .....	53
Québec .....	74
Review of Jurisprudence .....	169

Saskatchewan .....	107
Yukon .....	154
<b>Article 5: Stereotyping</b>	
Review of Jurisprudence .....	170
<b>Article 6: Trafficking of Women and Exploitation</b>	
British Columbia .....	130
Government of Canada .....	29
Manitoba .....	98
New Brunswick .....	68
Northwest Territories .....	150
Ontario .....	87
Prince Edward Island .....	55
Québec .....	76
Review of Jurisprudence .....	171
Saskatchewan .....	109
<b>Article 7: Women in Politics and Public Life</b>	
Alberta .....	121
British Columbia .....	131
Government of Canada .....	31
Manitoba .....	98
New Brunswick .....	68
Newfoundland and Labrador .....	45
Northwest Territories .....	150
Nova Scotia .....	62
Nunavut .....	145
Ontario .....	88
Prince Edward Island .....	55
Québec .....	76
Saskatchewan .....	110
Yukon .....	156
<b>Article 10: Education</b>	
Alberta .....	121
British Columbia .....	131

Manitoba . . . . .	99
New Brunswick . . . . .	69
Newfoundland and Labrador . . . . .	46
Northwest Territories . . . . .	150
Nova Scotia . . . . .	63
Ontario . . . . .	88
Prince Edward Island . . . . .	56
Québec . . . . .	77
Saskatchewan . . . . .	111
<b>Article 11: Employment</b>	
Alberta . . . . .	122
British Columbia . . . . .	133
Government of Canada . . . . .	32
Manitoba . . . . .	101
New Brunswick . . . . .	70
Newfoundland and Labrador . . . . .	47
Northwest Territories . . . . .	151
Nova Scotia . . . . .	63
Nunavut . . . . .	146
Ontario . . . . .	89
Prince Edward Island . . . . .	56
Québec . . . . .	78
Review of Jurisprudence . . . . .	171
Saskatchewan . . . . .	111
Yukon . . . . .	157
<b>Article 12: Health</b>	
Alberta . . . . .	124
British Columbia . . . . .	136
Government of Canada . . . . .	35
Manitoba . . . . .	102
New Brunswick . . . . .	70
Newfoundland and Labrador . . . . .	48
Northwest Territories . . . . .	151

Nova Scotia . . . . .	64
Nunavut . . . . .	147
Ontario . . . . .	90
Prince Edward Island . . . . .	57
Québec . . . . .	80
Review of Jurisprudence . . . . .	175
Saskatchewan . . . . .	112
Yukon . . . . .	157
<b>Article 13: Economic and Social Life</b>	
Alberta . . . . .	125
British Columbia . . . . .	138
Government of Canada . . . . .	37
Manitoba . . . . .	104
New Brunswick . . . . .	72
Newfoundland and Labrador . . . . .	50
Northwest Territories . . . . .	152
Nova Scotia . . . . .	66
Nunavut . . . . .	147
Ontario . . . . .	92
Prince Edward Island . . . . .	57
Québec . . . . .	81
Review of Jurisprudence . . . . .	176
Saskatchewan . . . . .	113
Yukon . . . . .	158
<b>Article 14: Rural Women</b>	
British Columbia . . . . .	141
Government of Canada . . . . .	40
Manitoba . . . . .	105
Prince Edward Island . . . . .	58
Saskatchewan . . . . .	114
<b>Article 16: Marriage and Family Life</b>	
Review of Jurisprudence . . . . .	177



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## Acronyms

AAHB – Alberta Adult Health Benefit

ACHB – Alberta Child Health Benefit

AETS – Aboriginal Education and Training Strategy

AHHRI – Aboriginal Health Human Resources Initiative

AHI – Affordable Housing Initiative

AHRDS – Aboriginal Human Resources Development Strategy

AHWS – Aboriginal Healing and Wellness Strategy

AISH – Assured Income for the Severely Handicapped

AMHB – Alberta Mental Health Board

APP – Aboriginal Peoples' Program

BC – British Columbia

BCTC – British Columbia Treaty Commission

BDC – Business Development Bank of Canada

BEP – Bridging Employment Program

BOI – Board of Inquiry

CALACS – Centres d'aide et de lutte contre les agressions à caractère sexuel

CALP – Community Adult Literacy Program

CAP – Community Assistance Program

CAVAC – Centres d'aide aux victimes d'actes criminels

CCOHR – Continuing Committee of Officials on Human Rights

CEDAW – *Convention on the Elimination of All Forms of Discrimination against Women*

CFDCs – Community Futures Development Corporations

CHRC – Canadian Human Rights Commission

CIC – Citizenship and Immigration Canada

CPPD – Canada Pension Plan Disability Benefits

CVS – Community Volunteer Supplement

DAWN – Disabled Women’s Network

DTC – Disability Tax Credit

DVC – Domestic Violence Court

EPO – Emergency Protection Order

FAFIA – Canadian Feminist Alliance for International Action

FedNor – Federal Economic Development Initiative for Northern Ontario

FNIHCC – First Nations and Inuit Home and Community Care

FPT – Federal, provincial and territorial

FSCD – Family Support for Children with Disabilities

FSIN – Federation of Saskatchewan Indian Nations

FVI – Family Violence Initiative

GBA – Gender-based analysis

GNWT – Government of the Northwest Territories

ICERD – *International Convention on the Elimination of All Forms of Racial Discrimination*

ICESCR – *International Covenant on Economic, Social and Cultural Rights*

IRPA – *Immigration and Refugee Protection Act*

LAA – Legal Aid Alberta

LAO – Legal Aid Ontario

LCP – Live-in Caregiver Program

LICO – Low Income Cut-Off

LMAPD – Labour Market Agreements for Persons with Disabilities

MDF – Male-dominated fields

NCB – National Child Benefit

NWE – Network for Women Entrepreneurs

NGO – Non-governmental Organization

NLHC – Newfoundland and Labrador Housing Corporation

NPS – National Pharmaceuticals Strategy

NWAC – Native Women’s Association of Canada

NWT – Northwest Territories

OHRC – Ontario Human Rights Commission

OHRT – Ontario Human Rights Tribunal

OWHC – Ontario Women’s Health Council

PDD – Persons with Development Disabilities

PEI – Prince Edward Island

PWD – Persons with disabilities

SEP – Shelter Enhancement Program

SCPI – Supportive Community Partnerships Initiative

SHRC – Saskatchewan Human Rights Commission

SWC – Status of Women Canada

TAC – Technical Advisory Committee on Tax Measures for Persons with Disabilities

TRPs – Temporary Resident Permits

UNPAC – United Nations Platform for Action Committee

VPI – Violence Prevention Initiative

WE\*ACT – Women Elders in Action

## Part I

### Introduction

1. The present report outlines key measures adopted in Canada from April 1999 to March 2006 to enhance its implementation of the *Convention on the Elimination of All Forms of Discrimination against Women*. As Canada updated the Committee on the Elimination of Discrimination against Women during its January 2003 appearance, the primary focus of this report is from January 2003 to March 2006 (with occasional references to developments of special interest that occurred up to July 2006).
2. In order to improve the timeliness and relevance of reporting to United Nations treaty bodies, effort has been taken to keep this report concise and focused on selected key issues where there are significant new developments and where information is not already provided within reports under other treaties to which Canada is a party. Where detailed information is available in other reports, these reports are referred to, but, with few exceptions, the information is not repeated in this report.
3. The key issues addressed in this report are as follows: gender-based analysis, social policy, health, legislative and labour issues, violence against women and girls, aboriginal women, and immigrant and refugee women.
4. These issues were identified through an examination of the Concluding Observations by the Continuing Committee of Officials on Human Rights, the principal federal-provincial-territorial body responsible for intergovernmental consultations and information sharing on the ratification and implementation of international human rights treaties.
5. The views of non-governmental organizations were sought with respect to the issues to be covered in this update report. The following organizations responded to that invitation: FAFIA (Canadian Feminist Alliance for International Action), Women Elders in Action (WE\*ACT), DAWN Ontario (the Disabled Women's Network Ontario), the Assembly of First Nations, and the Assembly of Manitoba Chiefs.
6. Federal, provincial and territorial governments routinely consult with civil society in the development of legislation, policies and programs that relate to the provisions of the CEDAW. Examples of such consultations are included in Appendix 1.
7. Information on jurisprudence of relevance can be found in Appendix 2 to the present report.
8. The Concluding Observations of the Committee on the Elimination of Discrimination against Women and Canada's previous reports were provided to all federal departments and provincial and territorial governments. Canada's reports are available to the public on the Web site of the Department of Canadian Heritage at [http://www.pch.gc.ca/progs/pdp-hrp/docs/index\\_e.cfm](http://www.pch.gc.ca/progs/pdp-hrp/docs/index_e.cfm).

9. Detailed information about the implementation of human rights in Canada and Canadian federalism can be found in *Canada's Fourth Report on the International Covenant on Economic, Social and Cultural Rights* ([http://www.pch.gc.ca/progs/pdp-hrp/docs/escr/tdm\\_e.cfm](http://www.pch.gc.ca/progs/pdp-hrp/docs/escr/tdm_e.cfm)), as well as Canada's Core Document ([http://www.pch.gc.ca/progs/pdp-hrp/docs/core\\_e.cfm](http://www.pch.gc.ca/progs/pdp-hrp/docs/core_e.cfm)).

### Statistical information

10. According to Statistics Canada, slightly more than half of all people living in Canada are women or female children. In 2004, there were a total of 16.1 million females in Canada, representing 50.4 per cent of the overall population that year. Census data show that, in 2001, three per cent of the total female population reported they were either North American Indian, Métis or Inuit, while 14 per cent identified themselves as being members of a visible minority. Females also make up the majority of the Canadian population with disabilities; in 2001, 13.3 per cent of Canadian females had a disability.
11. Statistics show that women are playing stronger roles in the workplace, have made dramatic gains in the proportion of persons with a university degree and have somewhat higher literacy skills, on average, than the male population. Statistics also show that the average earnings of employed women are substantially lower than those of men, women make up a disproportionate share of the population with low incomes and are much more likely than men to work part time.
12. Additional statistical information can be found in the following documents, which are being submitted with the present report:
- *Women in Canada: A gender-based statistical report* ([www.statcan.ca/english/freepub/89-503-XIE/0010589-503-XIE.pdf](http://www.statcan.ca/english/freepub/89-503-XIE/0010589-503-XIE.pdf));
  - *Canada at a glance: 2006* ([www.statcan.ca/english/freepub/12-581-XIE/12-581-XIE2005001.pdf](http://www.statcan.ca/english/freepub/12-581-XIE/12-581-XIE2005001.pdf));
  - *Profile of the Canadian population by age and sex: Canada ages* (<http://www12.statcan.ca/english/census01/Products/Analytic/companion/age/images/96F0030XIE2001002.pdf>);
  - *Income of Canadian families* (<http://www12.statcan.ca/english/census01/products/analytic/companion/inc/pdf/96F0030XIE2001014.pdf>);
  - *The changing profile of Canada's labour force* (<http://www12.statcan.ca/english/census01/products/analytic/companion/paid/pdf/96F0030XIE2001009.pdf>);
  - *Earnings of Canadians: Making a living in the new economy* (<http://www12.statcan.ca/english/census01/products/analytic/companion/earn/pdf/96F0030XIE2001013.pdf>);
  - *Education in Canada: Raising the standard* (<http://www12.statcan.ca/english/census01/products/analytic/companion/educ/pdf/96F0030XIE2001012.pdf>);

- *Measuring Violence Against Women: Statistical Trends 2006* ([www.statcan.ca/english/research/85-570-XIE/85-570-XIE2006001.pdf](http://www.statcan.ca/english/research/85-570-XIE/85-570-XIE2006001.pdf));
- *Family Violence in Canada: A Statistical Profile 2006* ([www.statcan.ca/85-224-XIE/85-224-XIE2006000.pdf](http://www.statcan.ca/85-224-XIE/85-224-XIE2006000.pdf)).

### Low-income rate

13. Overall, the low-income rate<sup>1</sup> among females in Canada has been steadily declining since the mid-1990s, from 16.5 per cent (or 2,420,000 women) in 1996 to 11.7 per cent (or 1,833,000 women) in 2004. This downward trend has occurred in all provinces. Between 1996 and 2004, rates have also dropped in all age categories:
  - For girls 18 years and under, a decrease from 18.1 per cent (or 623,000) to 12.6 per cent (or 413,000);
  - For women 18 to 64, a decrease from 16.6 per cent (or 1,550,000) to 12.3 per cent (or 1,262,000) and
  - For women 65 and over, a decrease from 13 per cent (or 248,000) to 7.3 per cent (or 159,000).
14. The low-income rate for single mothers has also declined considerably in recent years, from 52.7 per cent (or 303,000) in 1996 to 35.6 per cent (or 196,000) in 2004. The low-income rate for children living in families headed by single mothers has also fallen, from 55.8 per cent (or 522,000) to 40 per cent (or 367,000) over the same period.

### Employment

15. According to Statistics Canada's report *Women in Canada*, the increased participation of women in the paid work force has been one of the most significant social trends in Canada. There were 7.5 million Canadian women with jobs in 2004, twice the figure in the mid-1970s. Overall, 58 per cent of all women aged 15 and over are part of the paid work force, up from 42 per cent in 1976. In contrast, the proportion of men who were employed fell during this period from 73 per cent to 68 per cent. As a result, women accounted for 47 per cent of the employed workforce in 2004, up from 37 per cent in 1976.
16. The majority of employed women continue to work in occupations in which women have traditionally been concentrated. In 2004, two-thirds of all employed women were working in teaching, nursing and related health occupations, clerical or other administrative positions, and sales and service occupations. However, women have increased their representation in several professional fields. In 2004, women made up over half of those employed in both diagnostic and treatment positions in medicine, related health professions and in business and financial professional positions. There has

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<sup>1</sup> The post-income tax version of the Low Income Cut-offs (LICOs) is the low-income measure most widely known and used for poverty analysis in Canada. See response to question 11 on the list of issues for the review of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights* ([http://www.ohchr.org/english/bodies/cescr/docs/canada\\_5threport.pdf](http://www.ohchr.org/english/bodies/cescr/docs/canada_5threport.pdf)).

also been a long-term increase in the share of women employed in managerial positions; 37 per cent of all those employed in managerial positions were women, up from 30 per cent in 1987.

17. Women are much more likely than their male counterparts to work part time. In 2004, 27 per cent of the total female workforce were part-time employees, more than double the proportion of just 11 per cent among employed men.

### **Non-standard employment**

18. In 2005, 37.3 per cent of employed Canadians worked in non-standard employment. The following provides a breakdown for women:

	% of Women
As a proportion of all non-standard workers	50.7%
As a proportion of permanent part-time workers	73.3%
As a proportion of seasonal workers	36.3%
As a proportion of temporary, term, or contract workers	54.3%
As a proportion of casual workers	60.8%
As a proportion of own account, self-employed and unpaid family members	38.6%
As a proportion of self-employed with employees	26.6%

### **Education**

19. Education and skills are key determinants of labour market outcomes for individuals. In Canada, females have outpaced their male counterparts in high-school completions, and young women are more likely than young men to pursue and complete post-secondary education. These strong education trends have helped women make gains in the labour market.
20. There has been a dramatic increase in the proportion of the female population with a university degree in the past several decades. In 2001, 15 per cent of women aged 15 and over had a university degree, up from just three per cent in 1971. While women are still slightly less likely than men to have a university degree, the gap is narrower than in past.

### **Women with disabilities**

21. Women with disabilities, like men with disabilities, face multiple barriers to entering standard employment. The employment rate for women with disabilities has, however, improved significantly from 38 per cent in 2001 to 43 per cent in 2003.<sup>2</sup> Furthermore, the average earnings for women with disabilities also rose from \$21,400 in 2001 to \$24,400

<sup>2</sup> Survey of Labour and Income Dynamics.

in 2003. Despite the gain in earnings, women with disabilities continue to have lower employment rates and lower income levels than men with disabilities.<sup>3</sup>

22. Women with disabilities have also made gains in educational attainment. The percentage of women with disabilities with a post-secondary diploma has risen from 37 per cent in 2001 to 41 per cent in 2003; for women without disabilities 46 per cent had a post-secondary diploma in 2001, rising to 49 per cent in 2003.<sup>4</sup>

### Immigration

23. As outlined in the table below, of the 262,236 new permanent residents admitted to Canada in 2005, 51.27 per cent (134,452) were female and 48.73 per cent (127,784) were male. There are proportionately more women than men in the Family Class, while the total figures for the other three categories seem to indicate a relatively balanced mix of the two sexes. Additional information is available in *Facts and Figures 2005 – Immigration Overview: Permanent and Temporary Residents*, available online at <http://www.cic.gc.ca/english/pub/facts2005/index.html>.

Immigrant Category	Male		Female		Total
	Number	%	Number	%	
Total Economic Class (including dependants)	80,905	51.76	75,405	48.24	156,310
Total Family Class	25,047	39.54	38,305	60.46	63,352
Total Protected Persons	18,565	51.9	17,203	48.1	35,768
Total Humanitarian and Compassionate Grounds/Public Policy	3,267	48	3,539	52	6,806
<b>TOTAL</b>	<b>127,784</b>	<b>48.73</b>	<b>134,452</b>	<b>51.27</b>	<b>262,236</b>

Source: Citizenship and Immigration Canada, *Facts and Figures 2005*.

### Violence against women

24. In 2004, seven per cent of women (six per cent of men) reported experiencing spousal violence at least once during the previous five years, representing an estimated 653,000 women. Between 1999 and 2004, there was a slight decline in the level of spousal violence against women (eight per cent to seven per cent), and no significant change in the level of spousal violence against men.

<sup>3</sup> People with disabilities not currently in the labour force, but who wish to work, cite various barriers that prevent them from working. Physical barriers, negative attitudes, inadequate workplace accommodation measures and their interaction with a health condition all prevent people with disabilities from achieving their potential for adequate employment. Of the people with disabilities who were out of the labour force, 28 per cent stated that their condition did not completely prevent them from working or looking for work. The percentage of this 28 per cent who are women is not known.

<sup>4</sup> Survey of Labour and Income Dynamics.



25. Women are more likely than men to experience more serious forms of violence. In 2004, twice as many women as men were beaten by their partners; four times as many were choked, and twice as many reported ongoing assaults.
26. Female victims of spousal violence are also more likely than males to suffer physical injury. In 2004, 44 per cent of female victims reported they had been injured as a result of the violence compared to 19 per cent of male spousal violence victims. Female victims of spousal violence were also more than three times more likely than male victims to fear for their lives (34 per cent versus 10 per cent).
27. Victimization surveys reveal that the majority of spousal violence incidents are not one-time occurrences, and women are more likely than men to report being targets of 10 or more violent spousal episodes. However, only 28 per cent of incidents are reported to police. The rate of reporting tends to depend on the severity and frequency of the violence, and whether children were witnesses.
28. The spousal homicide rate for both male and female victims has fallen over the past three decades, with the rate for female victims dropping 57 per cent and down 68 per cent for male victims. Like non-lethal violence, women are also more likely than men to be killed by their spouse. The rate of spousal homicide against females has been three to five times higher than the rate for males.
29. Aboriginal women in Canada experience much higher rates of spousal violence; according to the 2004 General Social Survey, 24 per cent of Aboriginal women reported being victims of spousal violence over the previous five-year period, more than three times the rate for non-Aboriginal women (seven per cent) and higher than the rate for Aboriginal men (18 per cent). Spousal homicide rates are almost eight times higher for Aboriginal women than for non-Aboriginal women (4.6 and 0.6 per 100,000 population, respectively).

### **Gender-based Analysis**

30. Gender-based analysis (GBA) is increasingly being used by governments in Canada. Over the years, the focus in implementing gender-based analysis has evolved from building individual capacity to working with organizations, including government departments and agencies, to ensure they are able to make GBA a sustainable function. Please see Appendix 3 for an overview of federal, provincial and territorial approaches to gender-based analysis. Where appropriate, additional information is provided in the respective government's section of this report.

### **Pay equity**

31. Federal, provincial and territorial governments in Canada ensure equal pay for equal work through a combination of pay equity legislation, labour standards, human rights

legislation and policies. Please see Appendix 4 for an overview of federal, provincial and territorial approaches.

### **Federal-provincial-territorial collaboration**

32. Federal, provincial and territorial (FPT) governments collaborate through various FPT fora on policies and programs that serve to implement the provisions of the CEDAW. Some of these fora discuss general issues, while others focus on specific issues that can be found in the CEDAW and the concluding observations of the Committee on the Elimination of Discrimination against Women, for example, health or social services.

### **Status of Women**

33. Over the past three years, Federal-Provincial/Territorial Ministers responsible for the Status of Women have made the situation of Aboriginal women, in particular their vulnerability to violence, a priority for action on access to programs and services, public education and policy development. In March 2006, the Policy Forum on *Aboriginal Women and Violence: Building Safe and Healthy Communities* brought together over 250 delegates representative of First Nations, Inuit and Métis organizations, advocates, policy-makers, and federal, provincial and territorial officials. The Forum provided an opportunity to explore ways to build capacity and take collective or individual action to prevent and address violence against Aboriginal women. It also provided an opportunity for: dialogue on policy and program initiatives between government officials and Aboriginal women's organizations; sharing best practices on violence prevention; and, showcasing successful programs and services. The Forum allowed participants to provide additional insight into challenges and to identify possible solutions on improving service delivery, public education, etc.

### **Continuing Committee of Officials on Human Rights**

34. Through the Continuing Committee of Officials on Human Rights (CCOHR), federal, provincial and territorial governments consult and share information on international human rights treaties, to enhance domestic implementation of Canada's international human rights obligations. All the international human rights treaties to which Canada is a party, including the CEDAW, are standing items on the agenda of the CCOHR. By facilitating sharing of information and best practices, the CCOHR ensures awareness of treaty obligations, including the views of treaty bodies, which can influence policy and program development, and in turn contribute to the implementation of the treaties. The CCOHR also facilitates the preparation of Canada's reports to the United Nations on its implementation of human rights treaties and discussion of the concluding observations.

### **Justice**

35. Since the mid-1980s, all provinces and territories have implemented directives or guidelines to police and Crown prosecutors with respect to domestic violence cases including: pro-charging policies, which require charges to be laid where there are

reasonable and probable grounds to believe that an offence has been committed; and, prosecution policies, which require a prosecution where there is a reasonable prospect of conviction and it is in the public interest to prosecute. A FPT Working Group of Justice Officials reviewed these policies and found that, properly interpreted and applied, they have improved the criminal justice system's response to domestic violence. The final report *Spousal Abuse Policies and Legislation: Final Report of the Ad Hoc Federal-Provincial-Territorial Working Group Reviewing Spousal Abuse Policies and Legislation* (April 2003) is available at <http://canada.justice.gc.ca/en/ps/fm/reports/spousal.html>. In April 2004, Justice Canada implemented its revised Crown Counsel Prosecution Policy on Spousal Abuse, which is applicable in the territories.

36. Justice Canada, together with its federal/provincial/territorial partners, developed guidelines for police, Crown prosecutors and other criminal justice personnel on the investigation, charging and prosecution of criminal harassment cases - sometimes referred to as "stalking." First released in December 1999 and revised in March 2004, *A Handbook for Police and Crown Prosecutors on Criminal Harassment* has been distributed to police, Crown Attorneys, victim services, corrections, the judiciary and other criminal justice personnel across Canada. The Handbook is available online at: <http://canada.justice.gc.ca/en/ps/fm/pub/harassment/index.html>.

### Health care

37. Federal, provincial and territorial governments continue to work together to improve access to health care in Canada. See *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights* for information on these initiatives.
38. The following is an update on some of the key commitments of the *10-Year Plan to Strengthen Health Care*:
- Governments committed to establish evidence-based benchmarks for medically acceptable wait times in five areas: cancer, cardiac care, diagnostic imaging, joint replacements and sight restoration. In December 2005, provinces and territories announced a set of common performance goals for the provision of certain medical treatments and screening services.
  - Governments have developed action plans to address health human resources issues, and have made these plans public. For example, in December 2005, Saskatchewan released *Working Together: Saskatchewan's Health Workforce Action Plan* ([http://health.gov.sk.ca/hplan\\_health\\_workforce\\_action\\_plan.pdf](http://health.gov.sk.ca/hplan_health_workforce_action_plan.pdf)) and New Brunswick released *Health Human Resource Planning: Gaining Momentum* (<http://www.gnb.ca/0051/pub/pdf/3582e-final-web.pdf>). Manitoba issued its action plan, *Manitoba's Health Human Resources Plan: A Report on Supply* in April 2006.
  - There was agreement on the development of a National Pharmaceuticals Strategy (NPS), including options for catastrophic drug coverage, a national drug formulary,

- and a range of other initiatives to improve the cost-effectiveness of prescription drugs. In July 2006, provincial and territorial Ministers of Health met to discuss the NPS, and identified seven steps in its development.
- First Ministers and national Aboriginal leaders met in November 2005 and agreed to the goal of closing the gap in health status between Aboriginal peoples and other Canadians.

### **Promotion of the Convention**

39. The Government of Canada promotes a greater understanding of human rights, fundamental freedoms and related values. Funding assistance and technical advice are provided to non-governmental organizations and community groups for activities that educate the public about human rights. Various human rights materials, including the *Canadian Charter of Rights and Freedoms*, the principal international human rights instruments, and Canada's periodic reports to the United Nations under the various human rights treaties to which it is a party are distributed free of charge. A Web site provides information on human rights in Canada, and includes on-line copies of the human rights instruments, Canada's periodic reports to the United Nations, and the concluding observations made by each United Nations Committee on Canada's reports (see <http://www.pch.gc.ca/ddp-hrd>).
40. The Government continues to support the efforts of developing countries to promote and implement the CEDAW. For example, since February 2003, the Canadian International Development Agency has been supporting a \$10.5 million, five-year program to specifically support the implementation of CEDAW in seven countries in South East Asia: Cambodia, Indonesia, Lao People's Democratic Republic, Philippines, Thailand, Timor Leste and Vietnam.
41. Examples of provincial and territorial initiatives include the following: the Government of the Northwest Territories states its commitment to CEDAW in its public policy *Equality of Men and Women in the Northwest Territories*, posted on its Web site. In the annual report published by the Women's Policy Office in Newfoundland and Labrador, shared commitments to CEDAW are identified.

### **International co-operation**

42. While the CEDAW does not include an obligation related to the prevention of discrimination against women in the international development policy of the State, Canada has continued to mainstream gender equality throughout its international cooperation. Canada has been active in promoting women's rights and equality between men and women in various international fora and with developing country partners. Canada has underlined that gender mainstreaming and gender-based analysis must inform natural disaster response and risk management, including both policies and programming. Canada has also continued to stress the need for gender analysis in project proposals for relief funding in response to natural disasters and complex emergencies.

43. Canada supports its multilateral partners, including the United Nations and international financial institutions, to strengthen their results for gender equality, including through gender mainstreaming. For example, Canada helped fund the UNDP's gender mainstreaming evaluation, which was completed in 2006, and finalized a joint institutional approach with Sweden and the United Kingdom to support UNICEF that includes gender equality as a critical area of work. Similarly, funding was provided in 2003 to the Asian Development Bank's Gender and Development Trust Fund, which has enabled it to strengthen the institutionalization of gender mainstreaming in its work.
44. The Government of Canada has continued its leadership role in the area of policy development and research initiatives on women, peace and security issues focussing on the implementation of the Security Council Resolution 1325 (2000) on women, peace and security. Canada's response to the Secretary General's request for information on the full implementation of Resolution 1325 was submitted in July 2004 ([http://www.international.gc.ca/foreign\\_policy/human-rights/resolution-1325-response-en.asp](http://www.international.gc.ca/foreign_policy/human-rights/resolution-1325-response-en.asp)). In 2006, Canada undertook an assessment of its gender equality training for personnel involved in Peace Support Operations. The results of this assessment will be included in Canada's Action Plan for the Implementation of the Security Council Resolution 1325 on Women, Peace and Security.
45. Canada has also integrated gender equality into its development cooperation with countries in conflict, post-conflict, and reconstruction, for example, support for victims of sexual violence, technical assistance in the area of gender equality, which resulted in the creation of family violence units in police forces and the establishment of women's shelters, and research on the involvement of girls in fighting forces. Findings from this research have influenced United Nations training and programming on disarmament, demobilization and reintegration.

## **Part II**

### **Measures Adopted by the Government of Canada**

#### **Article 2: Anti-Discrimination Measures**

##### **Legal aid**

46. The Government of Canada acknowledges the recommendations raised in paragraph 356 of the Committee's Concluding Observations concerning civil legal aid as well as funding for equality test cases.
47. Between April 2003 and March 2006, the Government provided dedicated funding for civil legal aid through contribution agreements. This funding has been extended for the period of one year, ending March 31, 2007.

48. Between April 2003 and March 2006, the Government of Canada allocated a total of \$34.5 million in immigration and refugee legal aid to the six jurisdictions that provide these services.<sup>5</sup> This funding was used to assist and to represent immigrant and refugee claimants through the refugee determination process (according to the legislative provisions of the *Immigration and Refugee Protection Act*). In 2003-2004, the six provinces processed 46,350 claims; in 2004-2005, 44,231 claims were handled. No data disaggregated by sex are collected regarding the recipients of these services.
49. The objective of the Legal Aid Pilot Project Fund is to address unmet legal aid needs in targeted areas of civil law (including immigration and refugee, family and poverty law) by developing effective and efficient approaches to the delivery of civil legal aid services in these targeted areas; improving access to civil legal aid services; and informing federal, provincial and territorial legal aid policy development and implementation. Between April 2003 and March 2006, the Government of Canada contributed a total of \$3.1 million towards the cost of 12 civil legal aid pilot projects.
50. Although no sex-disaggregated data are collected regarding the recipients of legal aid services, provincial and territorial governments estimate that approximately 70 per cent of the people receiving family and poverty law services are women. Most of the projects were funded for all three years of the Legal Aid Renewal Strategy; two were funded for a one-year period only.<sup>6</sup>
51. Interim report findings on projects funded have shown:
- Many of the projects address unmet needs in civil legal aid by improving the delivery of legal aid and offering more services.
  - Reserving lawyers' time for legal rather than administrative matters (i.e. using paralegals to assist lawyers in immigration and refugee law matters) has shown promise.
  - There is a need for more civil legal aid services, particularly in the territories.
  - The projects with links to other community services are able to provide more comprehensive support to clients by helping them address their both their legal and non-legal needs.
  - Legal services have been offered to people who would otherwise be considered ineligible for legal aid.
  - The "store-front" approach to offering legal assistance services appears to make it easier for clients to find out about services and to make use of them.
52. However, the projects have also encountered a number of challenges:
- a lack of community infrastructure, which in turn, causes delays in project start-up and operation;
  - a lack of sufficient funding to fully implement the pilot projects to meet client demand;

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<sup>5</sup> The participating jurisdictions are British Columbia, Alberta, Manitoba, Ontario, Québec, and Newfoundland and Labrador.

<sup>6</sup> In most instances, the performance summary is based on the interim evaluation results that were submitted in June 2005.

- a lack of commitment of key stakeholders; and,
- ongoing concern over the future of the pilot projects following the conclusion of the project contribution agreements.

53. With respect to equality test cases, funding for the Court Challenges Program continued over the period of this report for challenges related to federal law and policy.

### Complaints of gender-related discrimination

54. From 2002-2005, the percentage of complaints to the Canadian Human Rights Commission (CHRC) that cited sex (female) as a ground of discrimination has remained fairly constant, with a slight decrease in 2005 (14 per cent in 2002, 14 per cent in 2003, 15 per cent in 2004 and 10 per cent in 2005). The majority of complaints on this ground have arisen in the employment context, related to harassment, differential treatment and termination of employment. The following table provides a breakdown of complaints.

#### CANADIAN HUMAN RIGHTS COMMISSION

Number of complaints where the ground of sex (female) was cited during the period of January 1, 2001 to December 31, 2005

	2001	2002	2003	2004	2005	Total
Number of accepted complaints by year	140	147	179	153	84*	1,296
<b>ALLEGATIONS</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005*</b>	<b>TOTAL**</b>
Employment - differential treatment (2005***)	29	44	57	59	28	217
Employment – harassment	83	79	98	78	32	370
Employment - pay equity	8	4	1	0	2	15
Employment – policy or practice (2005****)	2	10	12	17	6	47
Employment - recruitment forms, ads or inquiries	0	1	0	0	0	1
Employment - refusal to accommodate	1	3	6	16	6	32
Employment - refusal to hire	4	5	8	3	4	24
Employment - termination of employment	22	33	42	33	25	155
Notices, signs, symbols	0	0	0	0	1	1
Services - denial of service	1	2	1	0	2	6
Services - differential treatment	0	1	5	5	3	14
Services – harassment	2	4	6	2	3	17

Services - policy or practice	5	0	8	1	2	16
Union membership	0	1	0	0	1	2
<b>Grand Total</b>	<b>157</b>	<b>187</b>	<b>244</b>	<b>214</b>	<b>115</b>	<b>917</b>

\*594 related complaints have been grouped into one. They all relate to a job classification issue in a female predominant occupation (nursing) in a large government department. As the CHRC legislation does not contemplate class action complaints as a matter of course, and as the complainants were not represented by a specific bargaining agent or employee association, it was necessary to accept complaints from each individual to preserve any possible entitlement to a remedy, even though a single investigation was conducted to address the issue.

\*\*The total number of allegations cited exceeds the total number of complaints received because some complaints dealt with more than one allegation.

\*\*\* Allegation - Employment - differential treatment – In 2005, 258 new complaints which relate to job classification were grouped and counted as only one (as per \* above).

\*\*\*\* Allegation - Employment - Policy and Practice – In 2005, 439 new complaints which relate to job classification were grouped and counted as only one (as per \* above).

### Aboriginal women

55. Information on gender-based analysis within the programs, policies, legislation and negotiation activities related to Aboriginal women can be found in the response to question 14 on the list of issues to be taken up in connection with the consideration of the fourth periodic report of Canada concerning the *International Covenant on Economic, Social and Cultural Rights*  
[http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/E.C.12.CAN.Q.4.Add.1.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/E.C.12.CAN.Q.4.Add.1.En?OpenDocument).
56. Information on activities of the Aboriginal Peoples' Program (APP) is also available in the response to question 14. An evaluation of the APP conducted in 2005 has shown that it strengthens the capacity of Aboriginal women to maintain national organizations and access other sources of funding to further their work, including issues related to human rights, while project funding has helped individual Aboriginal women to assume a leadership role within their communities and contribute to their cultural and socio-economic well-being.
57. On June 20, 2006, a Ministerial Representative was appointed to work with the Native Women's Association of Canada and the Assembly of First Nations in developing a plan for consultations on the issue of matrimonial real property. This nation-wide consultation is the first of a series of measures to protect the rights and to ensure the well being of women, children and families living on-reserve. This is a complex issue because it touches on intergovernmental relations, jurisdictional matters and constitutional questions. Any legislative model proposed would ensure that on-reserve residents have access to matrimonial real property rights and remedies.



58. In addition, Canada has developed self-government guidelines on matrimonial property to assist federal negotiators in ensuring that the issue of matrimonial property is addressed in self-government negotiations and that the *Indian Act* legislative gap with regard to matrimonial real property is not duplicated in any self-government regime.

### **Article 3: Measures to Ensure the Advancement of Women**

#### **Gender-based analysis**

59. In September 2005, the Government of Canada established a three-member Expert Panel on Accountability Mechanisms for Gender Equality, to study accountability and provide advice on strengthening gender equality in Canada. The conclusions and recommendations of the Expert Panel were tabled in the House of Commons in November 2005. The final report was released in July 2006 and can be found on the Status of Women Canada Web site at [http://www.swc-cfc.gc.ca/resources/panel/report/index\\_e.html](http://www.swc-cfc.gc.ca/resources/panel/report/index_e.html). Follow-up to the report is included in the Government's response of September 2006 (see below).
60. In May 2006, the House of Commons Standing Committee on Status of Women re-tabled its report entitled *Gender-Based Analysis: Building Blocks for Success* (<http://cmte.parl.gc.ca/cmte/CommitteePublication.aspx?SourceId=143449>), which focused on accountability concerning the use and results of gender-based analysis (GBA). The report made nine recommendations for ensuring the systematic application of GBA to all federal policies and program activities. The Government response of September 2006, outlines action undertaken to implement GBA and the Government's commitment to ensure a GBA lens is applied to new proposals and to increase accountability for the application of GBA within government structures and mechanisms. (<http://cmte.parl.gc.ca/cmte/CommitteePublication.aspx?COM=10477&Lang=1&SourceId=171841>).

#### **Violence against women and girls**

61. Canada's multi-disciplinary approach to addressing violence against women includes legislative responses coupled with the development of programs, policies and other initiatives. Canada's criminal laws provide a broad range of protection against violence including provisions prohibiting assault/sexual assault, criminal harassment, trafficking in persons, female genital mutilation, and child sexual exploitation (including child luring, child pornography, child prostitution, and other sexually exploitative conduct). Canada's criminal law also requires that instances of spousal or child abuse be taken into consideration as aggravating circumstances for the purposes of sentencing.
62. In January 2006, *Criminal Code* and *Canada Evidence Act* amendments came into force that facilitate the receipt of testimony by children and other vulnerable victims and witnesses (including victims of trafficking, sexual or spousal violence) and provide greater protection by extending and making more readily available the use of testimonial

aids such as screens, closed-circuit television and support persons. Victims and witnesses under the age of 18 will receive any of these testimonial aids and other measures upon application. Other vulnerable victims and witnesses such as women who have experienced violence may receive a testimonial aid or other measure if the judge feels it is necessary for the victim or witness to provide full and candid testimony. Victims of criminal harassment (commonly known as stalking) will be able to have a lawyer appointed to conduct their cross-examination if the accused is self-represented. The January 2006 reforms also facilitate the criminal law enforcement of breaches of civil restraining prevention or protection orders, often used in cases of family violence.

63. The Policy Centre for Victim Issues (<http://canada.justice.gc.ca/en/ps/voc/index.html>), established in 2000, works toward improving the experience of victims of crime, including women who have experienced violence, in the criminal justice system. The Centre engages in legislative reform, consultation, policy development, research, and project funding.
64. A range of resources and tools have been developed to help criminal justice professionals, community organizations and individuals better prevent and curb family violence and violence against women, for example:
  - promotion of access to justice for deaf people who have been victims of domestic violence, including resource tools for judges;
  - a *Handbook for Police Responding to Domestic Violence* that provides information on domestic violence and its impacts on children;
  - a National Forum on Family Violence that educated police executives on family violence issues and initiatives, explored approaches and profiled good practices in the police and community response to family violence;
  - a National Network of support and capacity building for frontline workers addressing partner violence against immigrant and visible minority women;
  - a two-day national forum *Femmes francophones en situation minoritaire solidaires dans la lutte à la violence faite aux femmes* (National Forum on francophone women in minority situations) that brought together service providers and key representatives from each province and territory to discuss issues regarding domestic violence.
65. *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural and Rights* ([http://www.pch.gc.ca/progs/pdp-hrp/docs/cesc\\_e.cfm](http://www.pch.gc.ca/progs/pdp-hrp/docs/cesc_e.cfm)) and Canada's response to the questionnaire from the United Nations Special Rapporteur on Violence Against Women ([http://www.swc-cfc.gc.ca/pubs/unreport/index\\_e.html](http://www.swc-cfc.gc.ca/pubs/unreport/index_e.html)) provide additional information on Government of Canada initiatives that address intimate partner violence against women, including the key results, performance indicators and measurement approaches used in the evaluation of the Family Violence Initiative.
66. The *Family Violence Initiative Performance Report 2002-2003 and 2003-2004* ([http://www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/pdfs/2004-Family-Violence-Initiative\\_E.pdf](http://www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/pdfs/2004-Family-Violence-Initiative_E.pdf)), demonstrates that the FVI has continued to play an important role in

efforts to prevent and respond to family violence. Results include strengthening the Initiative's horizontal management approach, advancing partnerships, focusing on the unique needs of specific populations, increasing its responsiveness to diversity and refining information dissemination strategies. The performance report provides an overview of the Government of Canada's investments, progress and results in family violence prevention and intervention from April 2002 through March 2004.

67. Status of Women Canada is using its annual FVI allocation (\$1 million over four years, from 2003-2004 to 2006-2007) to fund national initiatives undertaken solely by Aboriginal women's organizations on violence against Aboriginal women.
68. The National Clearinghouse on Family Violence continues to operate as part of the FVI. Additions to the Clearinghouse reference and information collection include updated versions of *Violence in Dating Relationships – Overview Paper*, *Violence against Women with Disabilities – Overview Paper* and *Transition Houses and Shelters for Abused Women in Canada*. A needs assessment study conducted in 2005 produced recommendations that will enhance the Clearinghouse's ability to address the needs of women who are victims of violence. A list of publications available from the Clearinghouse can be found at [http://www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/femabus\\_e.html](http://www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/femabus_e.html).

### **Aboriginal women**

69. In May 2005, \$5 million in funding over five years (2005-2010) was announced for the Sisters in Spirit initiative, a campaign that the Native Women's Association of Canada (NWAC) launched in March 2004 to raise awareness about the high rates of racialized and sexualized violence against Aboriginal women ([www.sistersinspirit.ca/](http://www.sistersinspirit.ca/)). The funding supports activities aimed at quantifying the number of missing and murdered Aboriginal women, identifying trends, understanding the root causes of violence and underlying factors contributing to racialized and sexualized violence, and influencing policy, programs and services meant to eliminate violence. The Sisters in Spirit initiative will develop a comprehensive policy strategy for work at both national and international levels on issues relating to Aboriginal women's human rights.
70. Other initiatives supported by the Government of Canada in the reporting period include:
  - A Nunavut Symposium on Violence Against Women, held in January 2006, brought together professionals and community members to consult on issues related to the high levels of violence against women, examine policies and resources that exist within Nunavut to address family violence, and explore solutions.
  - The Pauktuutit Inuit Women's Association elaborated a "National Strategy to Prevent Abuse in Inuit Communities" that aims to develop sustained relationships among partner organizations addressing abuse in Inuit communities; co-ordinating the efforts of these organizations and implementing practical, effective and culturally appropriate services and programs to promote healing.

- The Pulaarvik Kablu Friendship Centre's "Spousal Abuse Counselling Program for Rankin Inlet" was a pilot project consisting of a culturally appropriate counselling program for abusers, victims, and an educational community outreach program. The program was aimed at reducing spousal abuse incidences in Rankin Inlet (in Northern Canada). An evaluation of the pilot project indicated that it was promising.

### **Shelters for victims of violence**

71. The Shelter Enhancement Program assists in repairing, rehabilitating and improving existing shelters for women, children and youth as well as men who are victims of family violence, and in the acquisition or construction of new shelters and second stage housing where needed. Overall, federal, provincial and territorial partners provided over \$47 million in funding for the SEP from 2003 to 2005.
72. The 2002 evaluation of SEP found that, from 1996 to 2001, 65 per cent of existing shelters and second stage housing received funding for repairs and improvements and SEP funding covered 60 per cent of all repair costs in these shelters. These expenditures significantly improved the physical conditions and safety of the shelters.
73. The evaluation also found that, as a result of improvements, the program had positive impacts on shelter usage by women and enhanced family violence programs. A third of shelters that received SEP repair funding reported an increase in the number of women coming to the shelters and nearly 30 per cent said that women were staying longer. Existing shelters reported an increase of six per cent, or 5,567 more women and children served, in 2000 versus 1998, and the majority reported that improved shelters helped women better address family violence problems and move to non-violent situations.
74. In addition to repairs, SEP funding expanded the number of family violence shelters in Canada by seven per cent, with 348 units in 36 shelters. Fourteen of these were for First Nation communities, which had no shelter facilities prior to 1996. These measures contribute to the overall objective of the Government of Canada's FVI.
75. The SEP evaluation included an assessment of projects funded for youth in 1999-2000 and 2000-2001. SEP funding resulted in a 26 per cent increase in capacity in the youth shelters reviewed. Most of the shelters serve both males and females, two are for females only and one is for males only. Typical clients served are aged 16 to 24, and one shelter is for pregnant teens. The main impacts of this program for youth shelters have been to: improve the facilities, reduce operating costs, enhance safety and expand shelter programs that have allowed shelters to increase occupancy rates and improve client services. The evaluation also noted that 79 per cent of the youth served have experienced family violence problems. A continuing need for funding for shelter repairs and expansion of the capacity to meet demands was evident.

## Immigration and Refugee Protection Act

76. Since 2002, annual reports to Parliament on the *Immigration and Refugee Protection Act* (IRPA) include a gender-based analysis of the impact of the IRPA. These are publicly available and can be found on the Citizenship and Immigration (CIC) Web site at [www.cic.gc.ca](http://www.cic.gc.ca), under media and publications.
77. Assessments of the IRPA legislation and regulations were undertaken to identify components that might have potential gender impacts and would thus require further data collection, research and/or ongoing monitoring. Developing mechanisms for collecting and analyzing gender-related data, training to build capacity and developing a framework for reporting this information were identified as priorities.
78. The *Strategic Framework for Gender-Based Analysis (2005–2010)* sets out the strategic objectives and principles for gender-based analysis (GBA) at Citizenship and Immigration Canada and the required steps to strengthen capacity and performance in this area. GBA Branch Plans are central to the Strategic Framework. In its 2005 Annual Report on Immigration, CIC identified five Branches with different areas of responsibility for IRPA as having completed GBA Plans: Refugee Branch, Integration Branch, Selection/Immigration Branch, Admissibility/Risk Assessment and Mitigation Branch, and Strategic Policy. These plans identify a range of IRPA reporting priorities. The report indicates measures being undertaken to implement the branch plans, for example, the collection of sex-disaggregated data.

## Article 6: Trafficking of Women and Exploitation

### Trafficking in women and girls

79. Canada ratified the *United Nations Convention against Transnational Organized Crime*, and its two Protocols, the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children (Trafficking Protocol)* and the *Protocol against the Smuggling of Migrants by Land, Sea and Air*, on May 13, 2002.
80. Canada's ongoing efforts to combat human trafficking both domestically and internationally are guided by international standards. An Interdepartmental Working Group on Trafficking in Persons, consisting of 17 federal departments and agencies, coordinates Canada's federal efforts to address this complex issue.
81. Canada cooperates with the United States of America on issues related to trafficking in persons, working with US counterparts at the border to detect and apprehend individuals who commit cross-border crimes, including human trafficking. Canada also supports TIP prevention and awareness-raising efforts in source countries abroad, through partnerships with NGOs and multilateral organizations, including in regions such as West Africa, Southeast Asia, Central America, Eastern Europe and the Caribbean.

82. Canada has strengthened its criminal law response to trafficking in persons. On November 25, 2005, Bill C-49, *An Act to amend the Criminal Code (trafficking in persons)*, S.C. 2005, c.43, came into force, creating three new indictable offences to specifically address trafficking in persons. These offences prohibit: trafficking in persons (punishable by a maximum of life imprisonment), the receipt of a financial or other material benefit for the purpose of committing or facilitating the trafficking of a person (punishable by a maximum of 10 years imprisonment); and withholding or destruction of documents – such as a victim’s travel documents or documents establishing their identity – for the purpose of committing or facilitating the trafficking of that person (punishable by a maximum of five years imprisonment).
83. To build on Canada’s ongoing anti-trafficking efforts, in May 2006, new guidelines for immigration officers were released to ensure that victims of trafficking receive consideration for immigration status, as individual circumstances warrant. The new measures include the issuance of temporary resident permits (TRPs) to victims of trafficking for up to 120 days, immediate eligibility for health-care benefits under the Interim Federal Health Program, including counselling if needed, and a fee waiver for the TRP. The new measures are designed to help victims of trafficking escape the influence of their traffickers and recover from their ordeal. Victims of trafficking are not required to testify against their trafficker to gain this temporary immigration status.
84. For more information on Canada’s efforts to combat trafficking in persons, please see [http://canada.justice.gc.ca/en/news/nr/2005/doc\\_31486.html](http://canada.justice.gc.ca/en/news/nr/2005/doc_31486.html).

### **Sexual exploitation of children and youth**

85. On September 14, 2005, Canada ratified the *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*.
86. Bill C-2, *An Act to amend the Criminal Code (Protection of Children and Other Vulnerable Persons)* and the *Canada Evidence Act*, S.C. 2005, 32, strengthened *Criminal Code* prohibitions against the sexual exploitation of children, including the child pornography provisions (broadened the definition, created a new offence against audio child pornography, narrowed the defence and increased penalties). It also amended the sexual exploitation offence to better protect young persons from those who would prey on their vulnerability and to provide increased penalties for child sexual exploitation offences. These amendments came into force on November 1, 2005. Bill C-2 also created amendments to strengthen provisions that facilitate the testimony of all child victims/witnesses; these came into force on January 2, 2006.
87. In May 2004, a national strategy to protect children from sexual exploitation on the Internet was launched. As part of this strategy, approximately \$42 million over five years was allocated to expand the Royal Canadian Mounted Police’s national co-ordination centre and provide law enforcement with better tools and resources to investigate Internet-based child exploitation. Some of this funding will be used to provide better

public education and reporting, and to build stronger partnerships among governments, industry and other stakeholders.

88. Cybertip.ca operates as Canada's national tip-line for reporting the online sexual exploitation of children. It was officially launched on January 24, 2005, after previously operating as a successful provincial pilot project for a number of years. Cybertip.ca also plays an important role in promoting education and awareness about child sexual exploitation. Since the national launch of Cybertip.ca, 7,013 reports have been fielded across Canada and around the world, representing a 430 per cent increase over the previous year when the tip-line operated as a pilot project. Further, since its inception as a pilot project, it has resulted in the arrest of 17 individuals and 972 Web sites have been shut down. As well, in 2005-2006, approximately 5,771 reports of potential online sexual abuse of children had been received by Cybertip.ca. For more information, please see [www.cybertip.ca](http://www.cybertip.ca).
89. The Government of Canada has also created the CyberWise.ca Web site where children, teens, parents, teachers and youth professionals can find research, learning activities and other online resources that promote the safe use of the Internet. For more information, see [www.cyberwise.ca](http://www.cyberwise.ca).
90. The Government contributed funding in 2003-2004 and 2004-2005 to the Canadian Red Cross for the development of an accessible and comprehensive resource tool, entitled *Child Sexual Abuse: Protection, Intervention and Canada's Laws*, for Canadian professionals and paraprofessionals, working with children or in relevant professions. The need for this tool was identified through consultations with professionals in the field.

## **Article 7: Women in Politics and Public Life**

91. The Government of Canada recognizes that the active participation of women from diverse experiences in leadership and decision-making is central to equality. The election of a new federal government in January 2006 resulted in 62 women being elected out of 308 seats in the House of Commons. Six women were appointed to Cabinet positions. The Government supports the non-governmental initiative "Getting to the Gate", an online bilingual campaign course that aims to increase the number of elected women at all levels of public office by providing practical tools and guidance.
92. Since 2004, four of nine judges on the Supreme Court of Canada have been women, making it the most gender-balanced high court in the world. Overall, 26 per cent of all federally-appointed judges are women, and women constitute 35 per cent of the Senate.
93. A number of Canadian Embassies, High Commissions and Consulates have organized annual activities for International Women's Day, which have included bringing together elected female government representatives to speak about their experiences and receive media attention for their work in the hope of showcasing them as models for younger generations of women.

**Aboriginal women**

94. Information regarding the participation of Aboriginal women in governance activities can be found in the response to question 14 on the list of issues to be taken up in connection with the consideration of the fourth periodic report of Canada concerning the *International Covenant on Economic, Social and Cultural Rights* ([www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/E.C.12.CAN.Q.4.Add.1.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/E.C.12.CAN.Q.4.Add.1.En?OpenDocument)).
95. The Government of Canada is working to increase the participation of Aboriginal women in political processes, in particular by engaging Aboriginal women in the negotiation of self-government agreements with First Nations Chiefs. In 2006, 105 of the 633 Chiefs were women, a significant increase since 2004.

**Article 11: Employment****Employment measures**

96. In 2006, the Government of Canada introduced the following new measures, which will also benefit women:
- initiatives that facilitate the employability of immigrants and future newcomers and funding to provide a range of assistance for immigrant settlement, such as helping newcomers with language training and employment related services;
  - income tax credits that will help alleviate pressures on low-income Canadians; and
  - a feasibility study to evaluate current and potential measures to address challenges faced by displaced older workers, including the need for improved training, and enhanced income support such as early retirement benefits.
97. There may be some specific types of social benefits that are not available to workers in non-standard employment; however, Canada has a well-developed social system, which provides for a minimum level of support and helps to ensure a wide range of coverage for Canadians.

**Aboriginal women**

98. The Aboriginal Human Resources Development Strategy (AHRDS) helps Aboriginal people prepare for, obtain and maintain employment. From 1999 to March 2006, the AHRDS assisted over 159,330 Aboriginal women receive 244,600 interventions in employment, training and skills development. The AHRDS supported over 47,400 Aboriginal women in finding employment, and over 18,000 Aboriginal women in returning to school.
99. The AHRDS was renewed in December 2003 for five years to March 2009, with an emphasis on increased federal/provincial/territorial collaboration and increased



responsiveness to skill needs. See *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights* for additional information (paragraphs 95-98).

### **Persons with disabilities**

100. There are several Government of Canada programs that aim to improve the employment situation of people with disabilities. These programs also often provide disability supports to enable workplace participation. Canada's fourth comprehensive report on disability in Canada, *Advancing the Inclusion of People with Disabilities 2006* can be found at [www.hrsdc.gc.ca/en/hip/odi/documents/advancingInclusion06/index.shtml](http://www.hrsdc.gc.ca/en/hip/odi/documents/advancingInclusion06/index.shtml).
101. In 2004, *Employability Assistance for People with Disabilities* was replaced with *Labour Market Agreements for Persons with Disabilities* (LMAPD). Under the LMAPD, the Government of Canada contributes funding to provincial programs and services to support the participation of Canadians with disabilities in the labour market. Since 2004, the total federal funding under the LMAPD is \$223 million a year.
102. *The Opportunities Fund for Persons with Disabilities* assists people with disabilities prepare for and obtain employment or self-employment, as well as develop the skills necessary to maintain that new employment. The Program works in partnership with organizations for people with disabilities, including the private sector, to support innovative approaches to integrate individuals with disabilities into employment or self-employment and address barriers to an individual's labour market participation. The Opportunities Fund has assisted approximately 36,000 Canadians since its inception.

### **Employment benefits**

103. In 2000, changes were made to enhance the duration, accessibility, and flexibility of parental benefits. The number of insurable employment hours needed to qualify for all special benefits was reduced from 700 to 600 hours; the duration of benefits was extended from 10 weeks to 35 weeks; and flexibility was increased by allowing parents sharing one parental leave to only serve one two-week waiting period. Further, parents can earn the greater of \$50 or 25 per cent of weekly parental benefits without a deduction. Total parental benefit payments in 2004-2005 totalled \$2.1 billion, an increase of 4.4 per cent from the previous year. In 2004-2005, the percentage of total parental claims made by women was 85.2 per cent and 14.8 per cent for men. Men's participation in parental leave continues to increase.

### **Affordable childcare**

104. In 2003, Federal, Provincial and Territorial Ministers Responsible for Social Services agreed to a Multilateral Framework on Early Learning and Child Care, building on the 2000 Early Childhood Development Agreement. Through these agreements, the Government of Canada provided provinces and territories with a combined investment of \$650 million in 2004-2005, reaching \$850 million a year in 2007-2008. See *Canada's*

*Fifth Report on the International Covenant on Economic, Social and Cultural Rights* for additional information (paragraphs 49-52).

105. In 2006, the Government of Canada introduced a new approach to supporting childcare. Canada's Universal Child Care Plan consists of two key elements designed to give parents choice in childcare so they can balance work and family life: the Universal Child Care Benefit that provides \$100 per month for each child under age six for families to use as they see fit; and new measures to support the creation of new child care spaces, beginning in 2007-2008.

### **Women entrepreneurs**

106. Women are creating businesses at twice the rate of men. For more than a decade, the Business Development Bank of Canada (BDC) has facilitated financing and improved the management capacity of women entrepreneurs. This includes increasing support for women-led businesses:
- BDC's women in business portfolio reached \$1.7 billion at the end of 2006. The portfolio consists of over 6,200 women entrepreneurs, about double the amount since the 1990's.
  - Included in the BDC portfolio are 70 Aboriginal women clients, with a total commitment outstanding of \$21.6 million.
  - In 2005-2006, BDC authorized \$437 million in 2,028 loans to women-led businesses, including 24 loans for \$3 million to Aboriginal women entrepreneurs.
  - 397 loans for \$61 million were authorized to women whose businesses were in the start-up position.
  - BDC launched a \$25 million fund in 2004 to provide quasi-equity financing for women entrepreneurs wishing to expand their businesses and seek new market opportunities. Approximately \$18 million has been authorized under this program.
107. The Government of Canada's Interdepartmental Working Group on Women Entrepreneurs, which merged with the Women's International Business Development Committee, provides a network of cooperation and active engagement among federal departments and agencies and works collaboratively on issues and programs for the development of Canadian women in business.
108. CanadExport Businesswomen's annual supplement (Going Global – Women Entrepreneurs in International Markets) and Web site "Businesswomen in Trade" (<http://www.dfait-maeci.gc.ca/businesswomen/menu-en.asp>), detail government programs available for women entrepreneurs.
109. The Aboriginal International Business Development Committee is an interdepartmental Committee made up of 29 federal government departments and agencies that are working collectively to promote the success of Aboriginal small- to medium-size enterprises in export markets, including women owned enterprises.

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## Article 12: Health

### Access to health care

110. The Bureau of Women's Health and Gender Analysis, in collaboration with Centres of Excellence for Women's Health Program, is developing a workshop that will illustrate how consideration of the unique needs and realities of diverse groups such as women and men, minority groups, etc. (i.e., gender-based analysis) adds value to policy, research and program development on wait times and to the broader issue of timely access to care, and provides an opportunity for governments at all levels to strengthen health planning and service delivery.
111. The Women's Health Indicators initiative aims to ensure that gender and diversity perspectives are integrated in the broader development of health indicators and reporting systems and help reduce health disparities and improve women's health, as well as gender equity and equality in Canada.

### Specific health issues

112. One of the objectives on the Federal Initiative to Address HIV/AIDS in Canada (launched in January 2005) is to develop specific approaches for populations vulnerable to HIV/AIDS (gay men, injection drug users, Aboriginal people, federal inmates, youth at risk, women at risk, people from countries where HIV is endemic) and people living with HIV/AIDS and move toward the development of a fully integrated Government of Canada approach to HIV/AIDS. A framework for population-specific work is being developed to guide future action. Status reports on each vulnerable population are being developed. A Specific Populations HIV/AIDS Initiative Fund will address national policy and program priorities for people living with HIV/AIDS and those populations most vulnerable to HIV/AIDS in Canada, including women at risk of HIV infection. Through its community action programs, the Government of Canada provides support for community-based organizations to deliver local prevention, care and support services to women living with HIV/AIDS and women vulnerable to HIV infection. It is too early to assess the impact of the above-mentioned programs. An outcome-based evaluation will be used to collect meaningful evaluation results.
113. The Government of Canada supports First Nations people living on reserve to undertake prevention, education and community capacity-building work to address the issue of HIV/AIDS among Aboriginal women. Some of the Government of Canada's national partner organizations, such as the Canadian Aboriginal AIDS Network and the Assembly of First Nations, have developed educational resources targeting women. Social marketing efforts will also target Aboriginal women.
114. Additional information on the Federal Initiative to Address HIV/AIDS in Canada can be found at the following Web addresses: <http://www.phac-aspc.gc.ca/aids-sida/fi-if/index.html>; and <http://www.leadingtogether.ca/>.

115. Canada's support to international initiatives related to HIV/AIDS has included a focus on women and girls. For example, Canada has provided \$15 million to the International Partnership for Microbicides (2004-2007) to develop a prevention method that can be controlled by women and girls. Canada recognizes, however, that a comprehensive approach to women's health should extend beyond sexual and reproductive health and include, for instance, the education sector. Significant funding is provided to health initiatives worldwide, which includes support to country partners and various initiatives on sexual and reproductive health, improving nutritional status and food security, and addressing high-burden diseases, particularly HIV/AIDS among women and girls. The Government of Canada is also working with countries to scale up national health systems to ensure the provision of equitable care and services and to remove gender-based barriers to achieving health outcomes.

### **Aboriginal women**

116. See *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights* (paragraph 148) for detailed information on new federal initiatives to address Aboriginal health, such as the Aboriginal Health Transition Fund and the Aboriginal Health Human Resources Initiative (AHHRI). These new initiatives will establish specific approaches to gender-based analysis (GBA), for example, by including a requirement that integration and adaptation plans take into consideration GBA perspectives, and where appropriate, develop specific GBA components into adaptation and integration projects; and, that the investments in health promotion and disease prevention are geared towards better health outcomes for both men and women. Through increasing supports to Aboriginal health care students, many of whom are typically women, the AHHRI will aim to improve the socio-economic health of Aboriginal women, as well as increase Aboriginal women's access to culturally competent health care providers.
117. Ongoing funding continues for a national First Nations and Inuit Home and Community Care (FNIHCC) Program. The Program is a coordinated system of home and community based health-related services that enable people with disabilities, persistent or acute illnesses and the elderly to receive the care they need in their home communities. Due to the nature of home care, FNIHCC has a significant impact on women, since they are more likely to be either clients or caregivers. Program delivery data indicates that 60 per cent of clients are female. Family caregivers (or "informal" caregivers) provide the bulk of support to home care clients. Approximately 79 per cent of family caregivers in First Nations and Inuit communities are female. The provision of in-home respite to support caregivers is a mandatory service element of the program (program data shows that this respite care totalled more than 100,000 hours in 2004-2005, or about 16 per cent of all FNIHCC hours).
118. In 2003, an Aboriginal Women's Health and Healing Research Group was established as a formal commitment to Aboriginal women's health and research.

119. In April of 2005, the Government furthered its commitment within the Women's Health Strategy by sponsoring the National Aboriginal Health Organization to conduct a national Aboriginal Women and Girl's Health Roundtable. The findings of this national Roundtable provide the basis for the development of Aboriginal women specific health indicators and a culturally-relevant gender-based analysis thereby supporting the initiatives outlined in the Strategy.
120. As part of new investments in health promotion and disease prevention, the Government has invested \$110 million over five years for maternal and child health services for pregnant First Nations and Inuit women and families with infants/young children. For First Nations living on reserve, this funding will support access to prenatal supports, home visiting, identification of families at risk of poor health outcomes and, when appropriate, referrals to other services. These investments will begin to align programming in First Nations communities on-reserve, with what is available to other Canadians. For Aboriginal people living in the North this funding will provide increased access to the health promotion programs that the Government of Canada offers to complement the maternal child health services they receive from the province or territory in which they live.

## **Article 13: Economic and Social Life**

### **Measures to fight poverty**

121. The Government provides a range of supports to enhance the economic security of all Canadians. For families with children, there is the Canada Child Tax Benefit, including the National Child Benefit (NCB). In 2004-2005, the Government spent \$8.9 billion on the initiative. For seniors, there is the Old Age Security, Guaranteed Income Supplement, and Canada Pension Plan, through which the Government of Canada transfers \$50 billion annually in income benefits. In addition, in 2004-2005, through the Employment Insurance program, \$12.7 billion in income benefits was provided to unemployed Canadians. For more information about these and other federal programs that enhance the economic security of Canadians, please see Canada's recent reports on the *International Covenant on Economic, Social and Cultural Rights*.
122. Analysis shows that in 2002, as a direct result of the National Child Benefit, 106,000 children and 45,900 families were prevented from living in low income, a 9.7 per cent reduction. The NCB initiative has also made a significant impact on lone-parent, low-income families with children, including families headed by single-mothers. For example, in 2002, the NCB prevented 35,000 children in 18,600 single-parent families from living in low income.
123. The Government of Canada has made significant investments in the NCB: As of July 1, 2006, benefits increased by \$250.00 per child annually for low-income families. By 2007-2008, total federal child benefits, including the NCB Supplement, are projected to reach \$10 billion a year.

## Support programs and services

124. The Government of Canada implemented a number of measures aimed at men and women with disabilities in this reporting period.
- In 2003, the Technical Advisory Committee on Tax Measures for Persons with Disabilities (TAC) was established to review federal government taxation policies as they relate to persons with disabilities. The Government of Canada implemented the majority of the TAC recommendations in Budget 2005 and completed implementation in Budget 2006. In 2004, the *Disability Supports Deduction* replaced the *Attendant Care Deduction* with a broader deduction for education and employment supports.
  - Budget 2005 expanded the eligibility for the Disability Tax Credit (DTC) along with the list of expenses eligible for the disability supports deduction. The disability-related expenses amount that caregivers can claim on behalf of their dependent relatives was raised to \$10,000; students eligible for the DTC were also supported by these tax incentives. The maximum annual Child Disability Benefit was also increased from \$1,661 to \$2,044 in the 2005 Budget, and again increased from \$2,044 to \$2,300 in the 2006 Budget; this amount will be indexed to inflation hereafter. Also, the Child Disability Benefit was extended to more families caring for a child eligible for the DTC by reducing the rates at which the Child Disability Benefit is reduced as family income rises.

## Women's access to housing

125. The housing needs of women are well recognized in Canadian housing policies and programs. Although the programs are not targeted to women specifically, a significant portion of this housing assistance benefits women. This is because women, either in single-parent, female-led households or living alone or otherwise, are disproportionately represented among the target groups for the programs; female-led households in general have a greater incidence of core housing need<sup>7</sup> than male-led households (21.7 per cent compared to 9.3 per cent respectively). The national percentage of households in core housing need is 13.7 per cent.
126. Information on Government of Canada measures to meet the housing needs of Canadians are detailed in *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights* (paragraphs 123 to 139).

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<sup>7</sup> Households which occupy housing that falls below any of the dwelling adequacy (not requiring major repairs), suitability (enough bedrooms for the size and make-up of residents in the households, according to National Occupancy Standard requirements), or affordability (dwelling cost less than 30 per cent of before-tax household income) standards, and which would have to spend 30 per cent or more of their before-tax income to pay for the median rent of alternative local market housing that meets all three standards, are said to be in core housing need. Source: Research Highlight, Canada Mortgage and Housing Corporation, February 2004, Socio-economic Series 04-001.

127. Measures during the reporting period include:

- A one-time investment of up to \$1.4 billion towards helping Canadians, including many women and children, find safe, adequate and affordable housing in all provinces and territories includes an affordable housing trust of up to \$800 million, a Northern housing trust of up to \$300 million and a trust for off-reserve Aboriginal housing of up to \$300 million.
- \$450 million over two years to improve water supply and housing on-reserve, education, and living conditions for Aboriginal women, children and families.
- The Government of Canada is investing \$1 billion under the Affordable Housing Initiative (AHI), and bilateral agreements have been signed with all provinces and territories in this regard. The federal investment is being matched by provinces and territories and third parties. Provinces and territories have the flexibility to design and deliver programs that are best suited to their affordable housing needs. As of March 31, 2006, over 26,900 affordable housing units have been committed or announced nationally under the AHI.
- The Government provides some \$2 billion annually primarily to support approximately 633,000 lower-income households in existing social housing, including single women and female-led, single-parent households.
- In 2003, the Government renewed its Housing Renovation Programs for three years at a cost of \$384 million. These programs provide assistance to bring homeowner, rental and rooming house units up to minimum health and safety standards; to complete emergency repairs on homes in rural areas; to make housing accessible for persons with disabilities; and to repair, rehabilitate and improve shelters for victims of family violence, as well as create new shelters or second stage housing where needed. Nine provinces and territories either cost-share the federal renovation programs or have equivalent provincial programs, thereby increasing the number of households that can be assisted across Canada. A recent evaluation of the renovation programs confirmed their value in contributing to the preservation of adequate, affordable housing for Canadian households. Enhancements to the programs in 2003 included an increase in maximum assistance limits. Further enhancements in 2005 added assistance for secondary suites to accommodate seniors and disabled adults.
- Canada's National Homelessness Initiative, including the Supporting Communities Partnership Initiative, has been extended by one year to March 2007, with funding in the amount of \$134.8 million.
- The Partnership Centre, which provides information, guidance and other tools to help facilitate the production of housing by non-profit and private sector proponents and others who are planning to develop affordable housing includes seed funding and interest-free proposal development loans. The Centre facilitated the production of some 12, 800 affordable housing units between January 2003 and December 2005.
- The Government provides an estimated \$261 million annually to help address housing needs on reserve. This supports housing construction and renovation, as well as ongoing subsidies for some 25,000 rental units. In 2005, the Government of Canada committed a further \$295 million over five years to help address the backlog in housing on-reserve. The Government's housing renovation programs are also

available to First Nations. Off-reserve, Aboriginal people are eligible for all current federal housing initiatives, for example, the AHI.

### **Live-in caregiver program**

128. The Live-in Caregiver Program (LCP) assists Canadian and permanent resident employers to recruit caregivers to live and work in their homes to provide childcare, home support for seniors or the disabled. The number of live in caregivers who entered Canada in 2005 is estimated at 6,659.
129. Live-in caregivers have the unique right to apply for permanent residence from within Canada after working in their field for two out of three years from their date of entry. The live-in requirement is a vital component of the LCP.
130. To maintain program integrity, Immigration and Refugee Protection Regulations introduced in 2002 require participants to have signed contracts that conform to provincial employment standards with their employer. Provincial and territorial labour laws establish employment standards, such as minimum wage, overtime and vacation pay and maximum amounts for room and board. These labour laws also provide a complaint mechanism for employees. The Government of Canada determines the current labour market need for live-in caregivers, and ensures that wages and working conditions of the job offer meet provincial standards. Before approving an application, the Government must be satisfied that there is a genuine employment contract; the employer has the ability to pay the stated wages; the applicant has the necessary education/experience to do the job; and the applicant has an ability to communicate in one of Canada's two official languages in order to be able to work unsupervised.
131. The Government of Canada funds a Canadian Orientation Abroad program in the Philippines (where the majority of caregivers originate), which provides pre-departure counselling to potential immigrants coming to Canada, including live-in caregivers. This assists them in adapting to Canadian life and makes them aware of their rights. A pamphlet is distributed to every caregiver with their work permit, containing information about their rights, contact information for advocacy groups and recourse through provincial labour laws if they encounter an abusive employment situation. As well, a revised communications strategy is being developed to improve employer awareness of their obligations when hiring a live-in caregiver.

### **Article 14: Rural women**

132. The Federal Economic Development Initiative for Northern Ontario (FedNor) delivers the Community Futures program in Ontario, which provides support to 61 Community Futures Development Corporations (CFDCs) located throughout rural and Northern Ontario. FedNor provides funding to women-targeted projects across the province. From April 1, 2003 to March 31, 2006, 529 women-led businesses received loans valued at



over \$22 million, and 3,366 women received counselling and other services to start or expand their business.

133. From 2003 to 2006, through the Northern Ontario Development Program, FedNor invested in 16 projects valued at \$1.2 million targeted to women. These projects leveraged an additional \$1.6 million. Projects ranged from providing assistance to the PARO Centre for Women Enterprise in Northwestern Ontario, to entrepreneurship and business training, and access to capital support for women-owned businesses.
134. FedNor also partners with the Network for Women Entrepreneurs (NWE) in rural and northern Ontario to promote their services to women across the province. Administered by the Canada-Ontario Business Service Centre, it gives women business owners access to people, programs, business information and services specifically tailored to the needs of businesswomen in the province. In 2005-2006, NWE served over 18,000 clients.

## Part III

### Measures Adopted by the Governments of the Provinces

#### Newfoundland and Labrador

#### Article 2: Anti-Discrimination Measures

##### Legal aid

135. The Government's 2006 budget provided an increase in funding for legal aid to allow additional lawyers and support persons in certain areas of the province.
136. Statistics on female applications to legal aid and approved applications are as follows:

Type of law	2003-2004	2004-2005	2005-2006
Applications Received			
Civil	2,686	2,682	2,522
Criminal	670	690	579
Youth	197	144	135
Immigration	15	9	10
Total Received	3,568	3,525	3,246
Applications Approved			
Civil	1,173 (43%)	1,282 (47%)	1,147 (45%)
Criminal	388 (57%)	420 (60%)	361 (62%)
Youth	177 (89%)	112 (77%)	102 (75%)
Immigration	10 (66%)	4 (44%)	6 (40%)
Total Received	1,748 (48%)	1,818 (51%)	1,676 (51%)

##### Complaints related to gender discrimination

137. For the period of January 2003 to May 2006, the Human Rights Commission accepted 71 gender related complaints. There were 32 complaints of sex discrimination: nine complaints related specifically to pregnancy, 15 complaints of sexual harassment and 15 complaints based on marital status.

##### Aboriginal women

138. In March 2006, the first province-wide Aboriginal women's conference took place. The conference, *The Path to the Good Life*, helped participants identify the steps necessary to improve the quality of life in their communities. Issues identified included: culture, health

care, governance, violence, justice, education and training, housing, access to programs and funding, and employment.

### **Aboriginal women in custody**

139. Between 2003-2006, approximately 10 per cent of the women admitted to the Newfoundland and Labrador Correctional Centre for Women were Aboriginal. It should be noted that the total Aboriginal population in Newfoundland and Labrador is less than one per cent of the overall adult and youth population and, therefore, even though the absolute number of Aboriginal women detainees is low, the number of such admissions is disproportionate to the general population composition.
140. However, the number of women Aboriginal detainees in Newfoundland and Labrador has continued to decline over time. The decline in this number may be attributed to a number of factors: a change in sentencing patterns adopted by local judges in the Labrador Region; and more community-based support being afforded to Aboriginal women, such as community safe houses, victim services, addictions programming and women's advocacy groups. The Government is consulting Aboriginal organizations in Labrador to identify the types of community-based programming that would be most effective in preventing criminal activity, minimize the rate of re-offending and ensure the safer reintegration of offenders back into the community. Such programs will be developed in collaboration with Aboriginal organizations, including women's advocacy groups.

## **Article 3: Measures to Ensure the Advancement of Women**

### **Violence against women and girls**

141. The *Violence Prevention Act* came into effect on July 1, 2006. The legislation provides for new justice system responses in the form of Emergency Protection Orders to help adult victims of family violence and their children in emergency situations. The legislation fills a gap in the justice process for victims by providing for a broader range of more immediate responses than those available through the *Criminal Code*; note, however, that all criminal justice responses to family violence will remain in place.
142. In April 2006, the Government of Newfoundland and Labrador launched a new six-year violence prevention plan. *Taking Action Against Violence* focuses on preventing violence against women, children and youth, Aboriginal women and children, seniors, persons with disabilities and others who are victims of violence because of ethnicity, sexual orientation, or economic status. The plan will implement those action items committed through the Violence Prevention Initiative (VPI).
143. In 2003-2005, funding was provided to six regional coordinating committees and two provincial committees to coordinate services and promote violence awareness. In addition to improved coordination of regional services, this funding resulted in several

- conferences, workshops, and other special events engaging the community in violence prevention awareness.
144. A formative evaluation of the VPI was completed in March 2004 by an external evaluator. The overall conclusion was that the VPI is an encouraging initiative that brings government departments together and forges meaningful links between government and the community in addressing this key social policy issue. However, the report said both short- and long-term reform is required to fulfil the mandate and vision of the VPI. The Government continues to work with stakeholders of the VPI on the suggested improvements from the evaluation report.
145. In 2003-2004, the advisory committee to ministers responsible for the VPI, with a membership of 20 government and community representatives, collaborated on the goals and objectives of the VPI and the evaluation of the Initiative.
146. An annual action plan for the VPI was completed in 2003 through to 2005 that included department-specific objectives and broad process objectives for all partners.
147. Partner departments use the Interdepartmental Anti-Violence Policy Framework, implemented in 2000, which fosters the use of a “violence prevention lens” in developing social policy. The Framework outlines each department’s commitment to strengthening policy related to violence prevention. The 2003 document *Collaborating with Community: Introduction, Rationale and a Guide for Government*, an adjunct to the Anti-Violence Policy Framework, led to the formation of a Department of Justice-community collaboration working group on the justice system’s response to violence against women. This group developed a long-term strategy as well as short-term solution focused approaches.
148. A community strategy was developed in 2005 to increase public awareness on violence prevention. A wide variety of activities were undertaken by government and community partners.
149. In 2005, a Ministerial Committee on Violence against Women was launched to review issues relating to violence against women and advise the Government on several issues, such as needed changes to family legislation.

### **Aboriginal women**

150. In December 2005, the Government announced funding for a Special Violence Prevention Fund for Aboriginal women and children in Newfoundland and Labrador to help prevent violence and provide services to victims of violence in their communities. The projects included:
- The Labrador Inuit Health Commission, Hopedale Community Day Treatment Program – Funding enabled the group to facilitate a five-week addictions program

within the community. In the past, individuals had to leave the community to receive treatment.

- Sheshatshiu Innu First Nation, Aboriginal Women's Retreat on Violence Prevention – This project aimed to increase awareness of violence among Innu women. The retreat trained frontline workers, Band employees and other women from the community on the different kinds of violence, signs and symptoms of violence and how and where to get help when in a violent situation.
- Federation of Newfoundland Indians, Walking the Prevention Circle for Aboriginal Women and Children – Eighteen participants from local Bands received the three-day training on types of abuse and neglect, the indicators and effects on children, and the actions that can work to prevent abuse and neglect at individual, organizational and community levels.
- Conne River Health and Social Services – Miawpukek First Nation, Creating a Place to Hear our Women and Children – With the support from the Violence Prevention Initiative, this group was able to create an accessible space to implement programming to support violence prevention of Aboriginal women and children, which provided a place for a community support worker to meet with youth, providing programming and support for victims of abuse or violent crimes.

151. In addition, the Government is working towards improving translation services for Aboriginal people in the justice system.

### **Shelters for victims of violence**

152. In the 2006 Budget, the Government announced an increase in funding to support the operation of eight Women Centers across the province.

153. In 2004, the Government supported the opening of Hope Haven, a new shelter and resource centre for women and their children fleeing abusive situations in Western Labrador.

154. In 2005, funding was announced to support the Hopedale Women's Shelter to provide a full-time staff person, emergency support such as food, bedding, toiletries and other basic needs, as well as to ensure connections were made with appropriate community agencies to assist women in crisis.

### **Article 7: Women in Politics and Public Life**

155. The Government confirmed its commitment to gender equality in the hiring and appointment practices for all departments, agencies, boards and commissions.

156. In 2005, the Government partnered with the Newfoundland and Labrador Federation of Municipalities to deliver a province-wide seminar series with local equality seeking women's organizations to encourage women to run in the 2005 municipal election. The

2005 municipal election resulted in women being elected to 29 per cent of municipal positions.

157. In 2006, expressions of interest were invited for the positions of president and board members to serve on the Provincial Advisory Council on the Status of Women. A public competition was held to fill the position of President to increase transparency and to ensure that the appointment was based on merit. The new board appointees all have strong feminist and social perspectives and include diverse representation.

### **Aboriginal women**

158. With respect to Aboriginal women in leadership roles, there are numerous cases where Aboriginal women represent their members in leadership roles, including but not limited to Nunatsiavut's Minister Responsible for the Status of Women, Chief of the Sheshatshiu Innu Band Council and the General Manager of the Miawpukek First Nation.
159. The representation of Aboriginal women on negotiating teams varies by Aboriginal group. For example, the negotiating team of the Miawpukek First Nation self-government agreement is primarily Mi'kmaq women; the Labrador Inuit Association land claims negotiation team had a slim majority of male negotiators; and there are no Innu women on the Innu Nation land claims negotiating team. A small minority of Innu women are on Innu negotiating teams regarding the devolution of Child, Youth and Family Services, Income Support, and Education.

## **Article 10: Education**

### **Aboriginal women and girls**

160. The Government collaborates, supports and is working with Aboriginal groups, local school districts and Band Council members to implement a balanced education for all Aboriginal learners, including females. The entire prescribed curriculum, resources and associated teacher support is made available to improve and support successful completion of high school for Aboriginal students. It is hoped that this comprehensive approach of focusing on the spiritual, intellectual, emotional, career and physical needs will help female Aboriginal learners to become more self-confident to complete high school and access and experience success in post-secondary education.
161. The provincial Social Studies and Religious education programs in particular ensure that female Aboriginal learners in the province will have the opportunity to learn about their Aboriginal heritage and traditional culture, while acquiring the skills necessary to survive in the global economy and thus pursue post-secondary education. These programs make a concerted effort to include a study of empowered female Aboriginals as role models.
162. Two program specialists, one Aboriginal Education Program Development Specialist responsible for assisting in the development of culturally relevant curriculum and one

- Fetal Alcohol Spectrum Disorder (FASD) Consultant, have been hired by the Department of Education. They are engaged in various professional development activities including collaborating and consulting with all Aboriginal groups in the province regarding issues related to Aboriginal education and FASD programming and prevention initiatives.
163. The Government, in collaboration with the Memorial University of Newfoundland and Labrador, provides professional development to empower and enable female Aboriginal teachers and teacher assistants to provide culturally relevant and academically rigorous instruction in their classrooms.
  164. In collaboration with Aboriginal groups, the Government is developing culturally appropriate resources and materials to support the provincially prescribed curriculum that eliminates stereotypes and fosters academic achievement of Aboriginal learners.
  165. As a result of the funded provincial Fine Arts Strategy (called Cultural Connections), a specific resource containing cultural profiles of provincial Aboriginal females as role models has been developed and is being distributed to all provincial schools during the 2006-2007 school year.
  166. The Government has made provision to help hire Innu Community-School Liaisons in Sheshatshiu and Natuashish whose role is to encourage and support school attendance and foster better relationships between the school and community. These positions are cost shared with the Government of Canada.
  167. Various workshops and professional development in collaboration with the Innu in the areas of language, curriculum development and the provision of special services have been provided. As well, there have been meetings with stakeholders to explore options for certification of Innu teachers.
  168. Discussions to broaden the Native and Northern Education program at Memorial University to include Innu as well as Inuit are ongoing.

## **Article 11: Employment**

### **Employment measures**

169. While women's increasing participation has accounted for virtually all labour market growth since the 1970s, women still lag behind men on a number of key labour market indicators, including participation, employment and wages. Furthermore, despite increasing opportunities in traditionally male-dominated occupations, women's participation in some of these occupations, particularly in the skilled trades, has been extremely low.
170. Having relevant and current information about the provincial labour markets is essential to understanding the strategic challenges and opportunities facing the province in the

coming years. To that end, in May 2006, the Government established a Labour Market Development Division to gather and disseminate labour market information. This critical information will complement the efforts of the Government and other community partners to help increase participation among under-represented groups in the labour market, including women, persons with disabilities, Aboriginal populations, older workers and youth.

171. Pilot projects have been established that provide single parents with income supplements and employment and career supports.
172. The Government provides funding to Women in Resource Development, which offers an *Orientation to Trades and Technology Program* and provides women the opportunity to explore non-traditional trades.
173. The participation of women in employment programs is monitored. Approximately 50 per cent of all employment program placements sponsored by the Government were filled by women. Career counselling services are provided to clients including women in non-traditional occupations.
174. The *Income and Employment Support Act* and Regulations, proclaimed in November 2004, modernizes the approaches to providing benefits and the provision of supports to find, attain and monitor employment. The process for developing the legislation included gender-based analysis. The Act and Regulation ensure there is no discrimination against women; allow for the provision of income support benefits with no distinction for persons with disabilities with the exception of higher earning exemptions which is provided to both men and women who receive supplements to earnings; no requirement for specific residential address, for example, rural versus urban, which could address differently the economic security for women living in rural areas of the province.

### **Affordable childcare**

175. The Child Care Services Subsidy Program provides financial support to lower and middle income families who require childcare in order to access work or training. In 2005 and 2006, the minimum income level to receive this benefit was raised to allow thousands more families access to the program.

## **Article 12: Health**

### **Access to health care**

176. In 2004, a review of the provincial health care system resulted in reorganization of the 14 health boards into four Regional Health Authorities to provide for better coordination and planning for the health needs of regions and reduce duplication of service.



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**Specific health issues**

177. All women in the province can avail of pregnancy and postnatal services through the Regional Health Authorities. High-risk antenatal care and birthing care is provided through inpatient and outpatient support from regional hospitals. Family physicians, regional nurses and nurse practitioners in primary health care centres also provide care for pregnant and postnatal women. In addition community health nurses provide educational support to women during pregnancy and in the postnatal period.
178. The province provides prenatal educational support to all women in the province through a series of parent booklets, *A New Life*, available free of charge in print and on the Web site of the Department of Health & Community Services.
179. *Education and Support Standards for Pregnancy, Birth and Early Parenting*, introduced in 2005, promotes provincial consistency in the goals, indicators, and targets for the provision of education and support to all women in the province during pregnancy, birth, and early parenting.
180. Efforts are continuing to increase the rate and duration of breastfeeding in the province with the acceptance of standardized definitions of breastfeeding and the recommendations related to exclusive breastfeeding from birth to six months.
181. Healthy Baby Clubs, as part of the Family Resource Centre programming, provide additional support to women and families at greater risk of pregnancy.
182. Since 2003, the Cervical Screening Initiatives program has expanded to reach all health regions. This program serves to educate the public and health professionals on the importance of screening and risks related to cervical cancer.
183. In 2006, the Government announced a new breast-screening centre in central Newfoundland and expansions to the existing breast screening centre in St. John's as well as new funding for in vitro fertilization procedures, which, for the first time, allows patients to receive treatment in the province.
184. A new provincial strategy for HIV/AIDS is in the development stages.

**Aboriginal women**

185. Since 2005, the Government has provided funding to address the issues surrounding Fetal Alcohol Spectrum Disorder in the province. This has been identified as a top health priority in the province's Aboriginal communities.
186. To address the high rate of suicides in Aboriginal communities, the Government will cost share a two-year suicide prevention initiative with the Government of Canada commencing in 2006.

## Article 13: Economic and Social Life

### Measures to fight poverty

187. As part of the Government-wide poverty reduction strategy, the Government of Newfoundland and Labrador has committed to strengthening the province's social safety net. This has included increases to the Newfoundland and Labrador Child Tax Benefit and the Low-Income Seniors' Benefit through indexation and a series of investments made in the 2006 Budget. Budget initiatives include a five per cent increase in Income Support rates for 2006-2007 as well as the indexation of Income Support rates (commencing in July 2007), funding to address specific needs of Income Support clients which result in higher rent allowance (e.g. disability, large family), changes in the way rent is calculated for Newfoundland and Labrador Housing Corporation tenants who have employment earnings, expansion of prescription drug coverage to an additional 97,000 individuals, increase in supports for children and adults with disabilities and enhanced civil legal aid and family justice services.
188. Women's vulnerability to poverty is often masked in standard statistics. Using any of the standard measures, the overall poverty levels for men and women are very similar – that is the percentage falling below any particular cut off (such as Statistics Canada's Low Income Cut-Offs) is about the same. To have a better understanding of gender differences and the reality of women's poverty, the depth and persistence of poverty must be analyzed as well other factors such as family type. The Background Report and Workbook, *Reducing Poverty in Newfoundland and Labrador: Working Towards a Solution*, published in 2005, gives an overview of some of the results of such an analysis.
189. Data available for 2004 shows 12.8 per cent of women compared with 11.5 per cent of men falling below the after-tax Low-Income Cut Offs. While this is a slight reduction from the last reporting period, the Government of Newfoundland and Labrador is committed to ensuring poverty levels are reduced. Particularly alarming is the percentage for single women between 18 and 64 (57.5 per cent in 2004), female led single parent families (46.3 per cent of individuals – mothers and children – living in families led by single mothers fall below LICO) and those aged 55 to 64 (sex breakdown not available, but overall it is 20 per cent for this age group). While LICO data are not available at the provincial level for persons with disabilities, other information such as the 2001 Participation and Activity Limitation Survey confirm evidence of high poverty levels among this group.
190. The Government of Newfoundland and Labrador has a poverty reduction strategy, which was developed with input from women's groups, with a guiding principle the consideration of gender. The 2006 Budget made a series of investments to reduce poverty, increase self-reliance and strengthen the social safety net in the province. As part of the integrated and comprehensive approach and focus on prevention, 20 initiatives were funded representing an annual ongoing commitment of \$64 million to reduce poverty. In addition, in May 2006, the Government of Newfoundland and Labrador announced an

additional \$5.5 million for regulated early learning and childcare. Initial focus areas include:

- supporting low wage workers and their families;
- supporting the development of employment skills;
- supporting Income Support clients to work both through removing financial barriers and providing other needed supports;
- supporting the education system to be more responsive;
- strengthening the social safety net;
- supporting early learning and childcare;
- improving access to post-secondary education.

191. Key initiatives include an annual investment to provide prescription drug coverage to more low-income residents, funding to eliminate most school fees charged to parents, expansion of adult literacy and transition programs, increase in Income Support rates by five per cent and additional funds to index Income Support rates.

192. Several 2006 Budget initiatives are focused on vulnerable groups. These include:

- increased supports for children and adults with disabilities;
- funding for a second annual Aboriginal Women's Conference;
- through the Canada-Newfoundland and Labrador Labour Market Development Agreement funding was provided for the development of a provincial Immigration Strategy, which includes a focus on the needs of immigrant women;
- expansion of prescription drug coverage to a wider range of low-income individuals, including women aged 55 to 64, a group identified as particularly vulnerable, and single parents, single people and other families working for low wages.

193. These initiatives build on other investments made between 2003 and 2005 to reduce poverty. These include:

- The Low-Income Tax Reduction Program, which began in the 2005 taxation year and eliminates provincial income tax for individuals with net income up to \$12,000, and for families with net income up to \$19,000. Partial tax reductions are received by individuals with net income up to \$14,600 and for families with net income up to \$21,900.
- The implementation of the Department of Education's White Paper on Post-Secondary Education, including initiatives to provide affordable and accessible post-secondary educational opportunities, such as a tuition freeze and increase in grants to post-secondary institutions.
- The 2005-2006 Home Heating Fuel Rebate Program, which is available to residents of the province whose household income is \$30,000 or less and whose primary heat source is home heating fuel.

- The Federal/Provincial Affordable Housing Agreements Phase 1 and 2 will provide funding from 2006-2007 to 2009-2010 (\$5.31 million provincial funds) to create new affordable rental housing for low-to-moderate income households.
  - Between June 2005 and January 2006, the Government of Newfoundland and Labrador raised the minimum wage from \$6.00 to \$6.50 per hour as part of scheduled increases, which will bring the minimum wage to \$7 per hour in January 2007.
194. Many of these initiatives are new or not fully implemented by May 2006 so quantitative data is not yet available. A commitment has been made to monitor impacts, including a breakdown by gender and to make adjustments as necessary.
195. Minimum wage increases have been important to women, who are more likely to work for low wages than men.

### **Support programs and services**

196. The Labour Market Agreement for Persons with Disabilities, which provides federal cost-sharing for a range of employment supports and services, continues to support the preparation, attainment and retention of employment for persons with disabilities, including women with disabilities. This program supports access to post-secondary training, supported employment and community-based employment support services.
197. As part of the 2006 budget, the Government of Newfoundland and Labrador increased access to the Special Child Welfare Allowance, which offsets some of the costs of additional services/supports incurred in the at-home maintenance of children with development and/or physical disabilities. The intent of the program is to help minimize additional financial costs, which may be present when a family cares for a child with a disability at home.

### **Women's access to housing**

198. It is the policy of the Newfoundland and Labrador Housing Corporation (NLHC) that victims of family violence have priority within the non-profit housing program and are therefore considered a priority for available housing above regular approved applicants. NLHC has been successfully implementing the Victims of Family Violence Policy and helps approximately 150 families each year regain control and rebuild their lives.
199. In the development of new policy or analysis of existing programs, NLHC uses a gender inclusive lens. However, a full gender-based analysis of social housing programs has not been undertaken.
200. The Women's Policy Office participates in two community and government working groups concerning housing: a Housing Policy Working Group; and a Supportive Housing Working Group.

## Prince Edward Island

### Article 2: Anti-Discrimination Measures

#### Legal aid

201. In 2003, the Family Support Orders Program, which focussed on obtaining spousal and child support orders to reduce dependence on welfare assistance, ended and the three lawyers working for that program moved to the Legal Aid office to provide family legal aid for low income clients. In 2006, the Law Foundation changed its funding for family legal aid from funding individual family cases to an annual lump sum grant to the Province for family legal aid. More than half the 2005-2006 legal aid budget of \$1.2 million is allocated to family legal aid. In 2005-2006, 416 women accessed Prince Edward Island (PEI) legal aid, including 197 women who accessed family legal aid. Women were 27 per cent of total legal aid clients, but 76 per cent of family legal aid clients.

#### Complaints of gender-related discrimination

202. The following complaints to the Human Rights Commission were related to gender discrimination (including complaints related to harassment, pregnancy and general discrimination). Some cases were dismissed because they lacked merit; others were settled, and some were given awards after a formal hearing.

1999	2000	2001	2002	2003	2004	2005
9	15	13	10	15	20	22

#### Aboriginal women in custody

203. Aboriginal people represent two per cent of the population of PEI, and never exceed two per cent of the offenders in custody. Aboriginal women are not over-represented in prison on PEI. The PEI Female Reintegration Committee published a report in October 2005 to determine the program/service needs, gaps, and barriers for female offenders, including Aboriginal female offenders. This report is a first step towards developing more consistent and cohesive programming for female offenders on PEI.

### Article 3: Measures to Ensure the Advancement of Women

#### Violence against women and girls

204. The evaluation of the PEI *Victims of Family Violence Act*, published in 2001, concluded that Emergency Protection Orders (EPOs) are effective in helping victims of family violence by providing immediate relief, removing the respondent from the residence, and providing additional benefits not available in other legislation. The majority of victims surveyed expressed satisfaction with the process of obtaining EPOs. Victims who had

- accessed Victim Services and Transition House Association were highly satisfied with the support they received. Recommendations included additional training for police and increased public information about the Act. A Steering Committee is actively promoting increased utilization of the Act, enhanced training, and quality assurance mechanisms for monitoring police response to family violence.
205. Victims of crime surveyed for a Victim Satisfaction Survey, conducted in 2005, included 70 per cent female victims, most of whom were victims of family violence and sexual assault. Survey participants were generally very satisfied with the services provided by Victim Services and other criminal justice officials. Satisfaction with the police response had increased, compared to earlier victim surveys conducted in the 1980s. The survey report is available online at [www.gov.pe.ca/photos/original/Victimsurvey.pdf](http://www.gov.pe.ca/photos/original/Victimsurvey.pdf).
206. Policy development initiatives in 2004 included revisions to the provincial Alternative Measures Policy and the provincial Spousal Abuse Charging Policy to enhance the focus on victim safety, holding offenders accountable, and deterring spousal abuse.
207. In 2005, the PEI Victim Services Advisory Committee and the PEI Rape and Sexual Assault Crisis Centre published a report entitled “Survivors of Violence: Memory of Trauma and its Implications for the Criminal Justice System”. The overall goal of the research project was to use new knowledge about how the brain stores memory of trauma to develop strategies to enable criminal justice system officials to better support survivors of violence.
208. In 2006, a status report was published on the Women Abuse Policies and Protocols Project, which had taken place between 1999 and 2003. The status report confirmed the value and success in up-take of the eight protocols (in the justice, hospital emergency, and financial assistance service sectors) developed or updated during the project. The report recommended: formalized horizontal linkages across service sectors; designated responsibility for maintaining the protocols; and ongoing training.
209. The Premier’s Action Committee on Family Violence Prevention is in its second five-year term and is responsible for implementing the current Five Year Strategy on Family Violence Prevention (2002-2007).
210. The annual Purple Ribbon Campaign Against Violence includes a focus on vulnerable groups. The Campaign distributes 30,000 information cards and ribbons, including 2,000 cards in French. The focus of the 2006 campaign is on youth: girl/girl violence, the impact of witnessing violence during the teen years, “hooking up” (casual oral sex given to boys), Internet safety, and violence in sport. In 2005, the theme was violence against senior women; in 2004, the effects on children of witnessing violence; in 2003, why women stay in abusive relationships.

### **Shelters for victims of violence**

211. Since 2001-2002, the province has increased funding for women's shelters and outreach services by 66 per cent, from \$333,300 in 2001-2002 to \$553,800 in 2005-2006; and to the PEI Rape and Sexual Assault Crisis Centre by 124 per cent from \$92,800 in 2001-2002 to \$207,300 in 2005-2006.
212. PEI's shelters, outreach services, and crisis centres are available to Aboriginal women, whether living on or off reserve. In addition, the Native Council of PEI operates a shelter for women in crisis, with priority given to Aboriginal women.

## **Article 6: Trafficking of Women and Exploitation**

### **Trafficking in women and girls**

213. In 2006, PEI officials began meeting to develop a plan to respond to cases of human trafficking. No cases of trafficking have been identified in the province, but services available generally to victims of crime are available to victims of trafficking. These services include the following: Victim Services, which provides information, assistance, and support to victims of crime throughout the criminal justice process; Transition House Association, which provides emergency shelter, second stage housing, a crisis line, and outreach services to women and children who are victims of family violence; PEI Rape and Sexual Assault Crisis Centre, which provides a crisis line and counselling for survivors of sexual abuse and assault; and mental health counselling and family services agencies.

### **Sexual exploitation of children and youth**

214. The *Child Protection Act*, which replaced the *Family and Child Services Act* in 2000, added "sexual exploitation" to the definition of "abuse" and includes a child who "has been harmed as a result of being sexually exploited for the purpose of prostitution" as a child in need of protection.

## **Article 7: Women in Politics and Public Life**

215. In 2006, representation by women was 21 per cent in the Legislature; 17 per cent in Executive Council; 15 per cent as Provincial Deputy Ministers; 25 per cent as Supreme Court Justices; 33 per cent as Provincial Court Judges; 0 per cent as members of the House of Commons; and 67 per cent in the Senate (one vacant seat). There was a slight decrease (from 23.5 per cent to 20 per cent) in women holding these positions, compared to 1998.
216. The Advisory Council on the Status of Women, provincial officials, and women active in the political parties participate in the PEI Coalition for Women in Government. Activities have included consultants and workshops with women on barriers to women in

government, ongoing work with political parties to support women's nominations, and a multi-partisan Campaign School for Women held in May 2006.

217. The Council has identified the importance of electoral reform as a means of increasing the numbers of women in politics and public life in PEI. The Council developed a Policy Guide on Women and Electoral Reform and jointly sponsored a workshop on Women and Electoral Reform with the Coalition for Women in Government in September 2005.

### **Aboriginal women**

218. In 2006-2007, the Province is providing \$20,000 to the Aboriginal Women's Association to assist with its core operating expenses. The Aboriginal Women's Association represents all PEI Aboriginal Women, on and off reserve, and promotes their interests and concerns at the social, economic, and political levels. The Chief of the larger of the two Mi'kmaq Bands on PEI is a woman.

## **Article 10: Education**

### **Aboriginal women and girls**

219. In 2005, the province collaborated with Aboriginal organizations to launch a Career Entry Summer Job Program for post-secondary Aboriginal students, sponsor two youth leadership and community development seminars, and offer a remedial and social skills development summer program.
220. In 2006, a full-time Aboriginal and Diversity Education Specialist position was established to enhance supports for Aboriginal and immigrant students. Some measures which have been implemented to ensure the successful completion of high school and which benefit Aboriginal girls include: Alternative Education programs in the public high schools, resulting in a dramatic decrease in the dropout rate of Aboriginal students living on-reserve; and programs at the elementary and junior high levels to promote appreciation of Mi'kmaq culture and traditions, participation of Aboriginal families in school community initiatives, and transition from junior high to high school.

## **Article 11: Employment**

### **Employment measures**

221. The provincial Diversity and Equity Policy, in effect since May 2002, guides departments and agencies in removing barriers faced by designated groups (including Aboriginal peoples, persons with disabilities, members of visible minorities, women and men in non-traditional occupations), and ensures equality of treatment within the civil service.
222. In 2003, the Advisory Council on the Status of Women released a Policy Guide on Women and Unpaid Work with recommendations on the importance of valuing and



measuring non-paid work and its contribution to the economy, and a Policy Guide on Early Childhood Care and Education, an area of acute interest to women in the PEI workforce; and, in 2004, a Policy Guide on Maternity and Parental Benefits, with recommendations to enhance employment and ensure equal and adequate social benefits for new parents.

223. Since January 2006, an appointed Review Panel has been holding public hearings on the *Employment Standards Act*. The provincial Advisory Council on the Status of Women has submitted recommendations on measures for women's economic and employment equity, especially maternity and parental benefits. The Council has also collaborated with community groups on recommendations for changes to support women in non-standard work arrangements (seasonal, part-time, temporary, or contract jobs) and on supporting workers to achieve a liveable income.
224. Regulations to the *Occupational Health and Safety Act*, effective May 1, 2006, aim to prevent violence in the workplace and to ensure the health and safety of employees working alone.

### **Affordable childcare**

225. In 2005-2006, the Government invested \$450,000 in the Child Care Subsidy Program to increase support to parents of 630 pre-school age children. Federal funding for the Choice in Child Care Allowance will be exempted from the income calculation for social assistance recipients.

## **Article 12: Health**

### **Specific health issues**

226. Measures to address women's health issues include: the PEI Pap Screening Program, implemented in 2001 to encourage regular Pap Screening for cervical cancer (PEI's overall screening rate for women aged 20 to 69 continues at 58 per cent); the PEI Reproductive Care Program, reviewed and redesigned in 1998-1989 to optimize foetal, maternal, new born and family health through prenatal and post-natal periods; and the PEI Breast Screening Clinic, established in 1998-1999 to make early detection of breast cancer available to women aged 50-69 without a doctor's referral.

## **Article 13: Economic and Social Life**

### **Measures to fight poverty**

227. PEI instituted the following increases to social services rates between April, 2003 and April 2006: \$6/month in travel allowance; \$10/month in shelter (accommodation) ceilings; \$25/month in wage exemption; \$2/month for eye examinations; \$35/month in healthy child allowance; \$4/day in community care facility per diem. In addition,

although the Province counts the National Child Benefit (NCB) as income for welfare assistance recipients, since 2001, increases in the NCB have flowed through to welfare assistance recipients as a healthy child allowance (\$95 per child per month).

### **Support programs and services**

228. Since 2001, disability support has been separated from welfare assistance support. An evaluation done in 2003 demonstrated an 80 per cent client satisfaction rate with the disability support program.

### **Women's access to housing**

229. Phase II of a federal/provincial Affordable Housing Agreement was signed in November 2005, with total funding of \$4.16 million until 2009. This funding will increase the number of low income housing units in the province.

### **Article 14: Rural Women**

230. PEI has an economic development program to help sustain rural communities, but it is not targeted specifically to women. Challenges in ensuring economic equality for rural women include the lack of employment opportunities in administrative and management positions in rural areas. The proportion of women with university education living in rural areas is high, but the available jobs are low skill and seasonal in nature.

## **Nova Scotia**

### **Article 2: Anti-Discrimination Measures**

#### **Complaints of gender-related discrimination**

231. The tables below provide data on the number of complaints to the Nova Scotia Human Rights Commission related to gender and/or pregnancy in the areas of employment, services and accommodation.

**2004-2005**

	<b>Mediation</b>	<b>Discontinued</b>	<b>Referred to BOI*</b>	<b>Ongoing</b>
Employment				
<b>Gender</b>	10	17	4	30
<b>Pregnancy</b>	2	6	2	9
Services				
<b>Gender</b>	1			1
Accommodation				
<b>Gender</b>				1

**2003-2004**

	<b>Mediation</b>	<b>Discontinued</b>	<b>Referred to BOI*</b>	<b>Ongoing</b>
Employment				
<b>Gender</b>	5	12		48
<b>Pregnancy</b>	3	7		17
Services				
<b>Gender</b>	1			1
Accommodation				
<b>Gender</b>				1

\* Board of Inquiry

**Aboriginal Women**

232. The Nova Scotia Native Women's Association is an active member of the Mi'kmaq-Nova Scotia-Canada Tripartite Forum and has community programs in many First Nations communities in Nova Scotia. Funding is provided to the Nova Scotia Native Women's Association to enable it to be an active contributor to the Tripartite Forum, with representatives at all levels of the Forum and on all working committees.
233. Through a national federal-provincial-territorial forum on "Building Healthy and Safe Communities", work is continuing with women from Aboriginal communities to create

the basis for more effective interventions against violence, including public awareness and holistic treatment.

### **Aboriginal women in custody**

234. The 2001 census identified Nova Scotia's Aboriginal population as 17,015, or about two per cent of the Nova Scotia population. The following provides data on admissions to the Justice system in 2005-2006, with respect to custody, remand, and in 2004-2005, with respect to probation and adult diversion:
- Custody: three per cent of all female admissions to sentenced custody were adult Aboriginal women and 18 per cent were Aboriginal female youth. Overall, both women and female youth represented eight per cent of admissions to sentenced custody in Nova Scotia.
  - Remand: 10 per cent of all female admissions to remand were adult Aboriginal women and eight per cent were Aboriginal female youth. Overall, women represented 10 per cent of all admissions to remand in Nova Scotia and female youth represented eight per cent.
  - Probation: six per cent of all female admissions to probation were adult Aboriginal women and four per cent were Aboriginal female youth. Overall, women represented 17 per cent of all admissions to probation in Nova Scotia and female youth represented 16 per cent.
  - Adult Diversion: four per cent of all female admissions to Adult Diversion were adult Aboriginal women. Overall, women represented 40 per cent of all admissions to Adult Diversion in Nova Scotia.
235. The Mi'kmaw Legal Support Network, through its Court Worker Program and Customary Law Program, actively provides support to Aboriginal women in conflict with the law. The Customary Law Program is an option under Section 718 of the *Criminal Code* to hold offenders accountable for their actions. Only youth 12-17 can be referred on a pre-charge basis to this program. All adult referrals are made on a post charge basis, except where the Customary Law Program partners with the Restorative Justice Program of the Royal Canadian Mounted Police.
236. In 2004-2005, the Mi'kmaw Legal Support Network provided services in response to 82 referrals: three female adult, five male adult, 14 female youth referrals, and 60 male youth referrals.
237. The Mi'kmaq Legal Support Network holds bi-annual cultural awareness gatherings at Nova Scotia correctional facilities. These events take place at the two larger provincial facilities, the youth facility and the Nova Institute Women's facility. These workshops raise understanding amongst the correctional staff and create opportunities for esteem building and community connection for the inmate population.

238. Actions have been taken to improve the use of the Alternative Justice Program, including local workshops and joint problem solving committees, regular articles in the Mi'kmaw media, including a column on the rights of the accused, and a new partnership with Correctional Services Canada and the National Parole Board for use of Aboriginal release provisions under Section 84 of the *Criminal Code*.

### **Article 3: Measures to Ensure the Advancement of Women**

#### **Violence against women and girls**

239. According to a report released in December 2005, called *Sexual Assault in Nova Scotia: A Statistical Portrait*, indicates that Nova Scotia's rate of sexual assault in 2004 was 40 per 1,000 population aged 15 and over in 2004. The majority of victims are female and more than half are under the age of 25. The vast majority of victims of sexual assault do not report the crime to the police. The statistics indicated that, in the last decade, there has been a declining police and court response to sexual offences in Nova Scotia. The proportion of sexual assault cases resulting in the laying of charges against the accused has declined as have the number of prison sentences given to those convicted of sexual assault while acquittals have increased. This is not the case for other violent offences.
240. In December 2003, a revised version of *Making Changes: A book for women in abusive relationships* was issued. This booklet continues to be heavily used, with about 7,500 print copies and 18,000 copies downloaded from the Internet. The booklet is made available to women in Aboriginal communities through the Healing Centres.
241. These documents are available on line at <http://gov.ns.ca/staw/pub.htm>.

#### **Aboriginal women**

242. The Government of Canada funds the Mi'kmaw Family Healing Centres, which provide a range of support services for women and children who are victims of domestic abuse. The Centres work closely with a network of nine mainstream women's shelters in Nova Scotia, which also provide support for victims of domestic abuse.
243. Details concerning the Nova Scotia *Domestic Violence Intervention Act* (2003) may be found in paragraphs 483 and 484 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*.
244. The Nova Scotia Advisory Council on the Status of Women produced a fact sheet on Aboriginal Women, which is available at <http://gov.ns.ca/staw/pub.htm>.
245. The Council sponsored a Nova Scotia delegation that included one female chief to attend the March 2005 national policy forum on Aboriginal women's issues that focussed on domestic violence. This resulted in the establishment of a Nova Scotia Working Group to identify gaps in services and develop culturally appropriate programs and services.

### **Shelters for victims of violence**

246. There are nine transition houses across the province with stable funding from the Province. Also, funding for sexual assault nurse examiners has been increased. Fifty thousand dollars was provided to train workers in women's centers and \$3,000 was provided for a needs assessment proposal across the province.
247. The Mi'kmaw Family Healing Centres provide shelter services for women who are victims of domestic violence as well as education and outreach programs.

### **Article 7: Women in Politics and Public Life**

248. Nine of Nova Scotia's 52 provincial legislature seats (17 per cent) are filled by women. Of Nova Scotia's 11 federal members of parliament, only one is a woman (nine per cent). In the 2004 municipal election, 92 women were elected as municipal councillors (20.8 per cent) and 48 per cent of elected regional school board members were women. Women have comprised 26.4 per cent, 18.5 per cent and 23.3 per cent of candidates in the 1999, 2003 and 2006 Nova Scotia provincial elections respectively.
249. In 2003-2004, five workshops were held across the province to encourage women's involvement in politics and to identify interest and need in a women's campaign school. As a result, the Nova Scotia Women's Campaign School was held in 2004 and in 2005, and a third is planned for Spring 2007. Some 60 women have taken part in the campaign school, with five participants subsequently standing for office.
250. *Votes for Women*, a book that provides practical information for women interested in running for elected office, was updated in 2004 (<http://www.gov.ns.ca/staw/pubs2004>). More than 9,000 copies have been requested since its release.

### **Aboriginal women**

251. There are 13 Band Councils in Nova Scotia with a total of 13 chiefs and 89 councillors. Of these, three chiefs (23 per cent) and 16 councillors (18 per cent) are women.
252. Kwikmug Maw Klusuag, the Mi'kmaw Rights Initiative, has been mandated by the 13 Mi'kmaw chiefs to undertake the negotiations process in Nova Scotia. Base funding to ensure that it is able to play a dynamic role in the Made in Nova Scotia Process on behalf of the Mi'kmaw is provided by the Government of Canada. Kwikmug Maw Klusuag, is accountable to the chiefs, three of whom are female, and is guided by three senior Mi'kmaw advisors, one of whom is female and is a leading Mi'kmaw legal expert. The Executive Director of the Initiative is a female Mi'kmaw lawyer.

## Article 10: Education

### Aboriginal women and girls

253. Techsploration is a program to help female Grade 9 students from diverse backgrounds learn about careers in science, trades and technology, meet female role models and explore innovative workplaces. Each year, the program hosts about 100 young women from 16 schools across the province, including three First Nations schools. Although there are no statistics, anecdotal information suggests that the rate of Mi'kmaw girls graduating from high school is good, but Mi'kmaw boys are not graduating from high school at a rate similar to that of the girls.
254. A publication in 2005, *Learning for life II: brighter futures together* (<http://brighterfuturestogether.ednet.ns.ca/>), details six themes for student academic success. Two three-year pilots (2005-2008) to promote success for Mi'kmaw students are entering their second year, looking at best practices at demonstration sites and a home-school liaison workers project.
255. Negotiations are underway with Mi'kmaw Kina'matnewey (Mi'kmaw education authority) to create a common service agreement for Mi'kmaw students who reside on reserve and attend provincial schools, and enhancements for Mi'kmaw students attending provincial schools.
256. With respect to post-secondary education, there are seats at the Nova Scotia Community College set aside in certain programs for Mi'kmaw students. St Francis Xavier University is developing a two-year Bachelors of Education Program for Mi'kmaw students entering the teaching profession. There are a range of scholarships and prizes developed by the Tripartite Forum that are awarded to Mi'kmaw youth preparing for post-secondary education. Dalhousie Law School has a strong indigenous Black and Mi'kmaw program, and a similar program is under discussion for medical studies. Dalhousie University also has a Transition Year Program designed to allow Mi'kmaw and African-Nova Scotian students to prepare for university admission.

## Article 11: Employment

### Employment measures

257. The Nova Scotia Round Table on Women's Economic Security was established in 2002. The Round Table has initiated work on an analysis of precarious work of women in Nova Scotia, with a view to developing recommendations on ways to mitigate negative impacts of such work.
258. The Nova Scotia Advisory Council on the Status of Women submitted a brief to the federal Department of Labour in December 2005 in relation to its review of the labour standards part of the *Canada Labour Code* concerning women and work. Additionally, in

2004, a brief was submitted by the Council to the Nova Scotia Department of Environment and Labour, making recommendations regarding the erosion of the value of the minimum wage, a matter that affects mostly women. The Government of Nova Scotia increased the minimum wage in 2005 and in 2006. The brief is available at <http://www.gov.ns.ca/staw>.

### **Aboriginal women**

259. The First Nations Economic Development Fund, developed as a joint federal-provincial fund through the efforts of the Tripartite Forum Economic Development Working Committee, provides a means of developing projects that improve employment opportunities, enhance business development, and build capacity. This fund has sponsored youth entrepreneurship camps, child care and babysitting courses for young women and business development networks and seminars for Mi'kmaw women crafters.
260. Further information may be found in paragraphs 463 and 471 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*.

### **Affordable childcare**

261. Information on childcare initiatives may be found in paragraphs 478-480 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*.
262. In the Spring of 2006, Nova Scotia announced a plan to create 1,500 new childcare spaces over the next 10 years and is holding consultations about the development of a licensed Family Home Day Care Program in all parts of the province.

## **Article 12: Health**

### **Access to health care**

263. The Healthy Balance Research Program is outlined in paragraph 500 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*. The program specifically included Aboriginal women in its design and execution, and is in a position to convey results back to those communities (<http://healthyb.dal.ca>).
264. One outcome of the Diversity and Social Inclusion Initiative three year plan, which is outlined in paragraph 495 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*, is provincial guidelines for cultural competence among primary health care providers, who are predominantly female.
265. The Health Literacy Awareness Initiative raises awareness among primary health care providers about literacy issues and how to help patients better understand health information.



### Specific health issues

266. Posters about the importance of breast cancer screening in English, French and a Mi'kmaq language were distributed in 2005.
267. Since 2001, the Government of Nova Scotia has directed \$2.1 million to improve substance abuse and gambling addiction outcomes for rural women and youth in Nova Scotia. Efforts have been made to improve access to a continuum of community-based services for women and youth. From 2001-2002 to 2003-2004, the number of youth participating in treatment programs increased by 51 per cent and the number of women participating increased by 70 per cent. Overall the number of full time employees of health authorities increased by 12 per cent.
268. The 24/7 mental health crisis team at the IWK Children's Health Center was expanded to include a mobile component. It has also partnered with the adult mobile crisis team to reach vulnerable populations, including young women who are not comfortable accessing mental health services in a more formal setting.
269. A new three-year autism program started in June 2005, to assist mothers and fathers to parent their autistic children effectively.
270. Workshops were provided for teams of consultants, teachers and students to improve the involvement of girls in physical education and physical activity. The Girls Soar Program, a municipal program with provincial funding to promote the physical activity of girls, named March 25 to April 1, 2006, Halifax Regional Municipality's Girls Physical Activity Week with many events and activities (<http://www.activehalifax.ca/girls/>).
271. A new guide was released called *You Can Make A Difference* aimed at preventing and responding to abuse and harassment in Sport and Recreation (<http://www.gov.ns.ca/hpp/physicalActivity/publications.asp>).
272. In 2006, levonorgestrol (Plan B), the "morning-after pill", was made available without a prescription, enhancing reproductive health.
273. A backgrounder was produced on gender and HIV/AIDS in the Fall of 2003, and since that time, a comprehensive gender-based analysis of the provincial HIV/AIDS strategy was carried out.
274. A campaign to promote screening of HIV in pregnancy is underway, and HIV-AIDS related training for staff working in transition homes is now being offered.

### Aboriginal women

275. The resulting report, "*Providing Health Care, Achieving Health*" outlines key health concerns and will assist in the development of an Aboriginal Health Policy which will be linked to the *10-year Plan to Strengthen Health Care* (see Introduction to the present

report). This policy will focus on strengthening families, supporting early childhood development and promoting health through the schools.

276. The details of the Tui'kn Initiative are provided in paragraph 498 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*.

## **Article 13: Economic and Social Life**

### **Measures to fight poverty**

277. Changes to the income assistance system and increases in rates up to 2005 are outlined in paragraphs 474 and 475 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*.
278. As of October 1, 2006, the personal allowance rates are being increased by \$10 per month and the shelter rates are increasing by \$15 for single persons and \$20 for households per month. The 2006-2007 budget of the Department of Community Services was increased by \$32 million to \$748 million.
279. According to Statistics Canada, the percentage of females in low income in Nova Scotia has decreased by just under two per cent between 2000 and 2004.
280. In order to address the high rates of poverty and low employment of women with disabilities, community workshops with women with disabilities are being held, with the result of recommendations to all orders of government on ways to break down the "disability wall" for women.

### **Women's access to housing**

281. Under the Government of Canada's Supportive Community Partnerships Initiative (SCPI), in 2005-2006, Nova Scotia spent about \$6.5 million to support SCPI funded facilities. Additional information on SCPI may be found in paragraph 488 of *Canada's Fifth Report on Economic, Social and Cultural Rights*.
282. As of March 31, 2006, Nova Scotia had committed all funds under the Canada Nova Scotia Affordable Housing Program Agreement (\$36.3 million) to create or rehabilitate 928 dwelling units. Additional information may be found in paragraphs 489 and 490 of *Canada's Fifth Report on Economic, Social and Cultural Rights*.
283. A new program was established in September 2005 under the Federal Provincial Affordable Housing Agreement called the Lone Student Parent Pilot Program, which provides housing subsidies for undergraduate university students who are parenting children alone.

284. A \$10,000 grant for a part time youth worker at Supportive Housing for Young Mothers was arranged through the Youth Secretariat in 2006.

## **New Brunswick**

### **Article 2: Anti-Discrimination Measures**

#### **Complaints of gender-related discrimination**

285. From April 1, 2003 to March 31, 2004, the New Brunswick Human Rights Commission had 31 complaints (11 per cent of all complaints) filed on the basis of sex discrimination. Another 20 complaints (seven per cent) were filed on the basis of sexual harassment.
286. From April 1, 2004 to March 31, 2005, the Commission had 26 complaints (seven per cent) filed on the basis of sex discrimination and 14 complaints (four per cent) were filed on the basis of sexual harassment.
287. From April 1, 2005 to March 31, 2006, the Commission had 33 complaints (11 per cent) filed on the basis of sex discrimination and 22 complaints (seven per cent) were filed on the basis of sexual harassment.

#### **Aboriginal women**

288. Memoranda of Understanding agreeing to facilitate, where possible, the development and enhancement of community based, justice-related programs and services in respect of Aboriginal people in New Brunswick were signed in 2000 and in 2003.

#### **Aboriginal women in custody**

289. Offenders have access to designated Native Elders in relation to spiritual and other counselling. In New Brunswick, Aboriginal women are not over-represented in prisons.

### **Article 3: Measures to Ensure the Advancement of Women**

#### **Violence against women and girls**

290. The Domestic Violence Court Project is part of the Government's second action plan, titled *A Better World for Women: Moving Forward 2005-2010*. The commitments in this action plan are a continuation of initiatives from the first action plan. The initiatives were chosen based on advice received through consultations and training provided throughout New Brunswick, findings from close examinations of existing service delivery gaps, best practices in other jurisdictions, and the ongoing input from the Minister's Working Group on Violence Against Women. A domestic violence court site for this initial pilot project has been chosen.

291. With the implementation of sexual assault services province-wide, it is expected that all New Brunswick victims of sexual assault will be much better served.

### **Aboriginal women**

292. As a result of the national Policy Forum on Aboriginal Women and Violence organized by federal-provincial-territorial Status of Women Ministers, the New Brunswick Minister responsible for the Status of Women has begun working with Aboriginal women in New Brunswick to identify concrete steps to be taken to address violence against Aboriginal women in the province.

### **Shelters for victims of violence**

293. For information on funding for women's crisis centres and shelters, see paragraphs 456 to 459 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*. New Brunswick has one transition house for Aboriginal women, Gignoo House, which serves both on- and off-reserve Aboriginal women.

## **Article 6: Trafficking of Women and Exploitation**

294. In New Brunswick, victims of trafficking are eligible for all available victims of crime support services.

## **Article 7: Women in Politics and Public Life**

295. In 2005, seven out of 26 Deputy Ministers in New Brunswick were women. In late 2005, 16 per cent of provincially appointed judges were women (five of 32), up from 13 per cent the previous year and from eight per cent in 1996. Eleven per cent of New Brunswick's Members of the Legislative Assembly were women (six of 55), down from 18 per cent (10 of 55) in 1999. Four of the 15 First Nations Chiefs in New Brunswick were women.
296. The Government of New Brunswick created a Commission on Legislative Democracy, mandated to make recommendations on strengthening and modernizing the electoral system. This includes consultations on more equitable and effective representation in the Legislative Assembly.
297. The Advisory Council on the Status of Women, in partnership with the Commission on Legislative Democracy, launched a public awareness campaign to inform women of the Commission's work for women's representation in public office. Eleven information sessions were held around the province.

## Article 10: Education

298. The dropout rate of all female students in Grades 7-12 (public education) has declined from 2.4 per cent in 1994 to 1.9 per cent in 2005. For the same year, the dropout rate for boys is 2.8 per cent. The Government is aware that the dropout rate for Aboriginal children living in First Nations communities and attending public school is higher than that of the general population, and is working to improve this situation. Children in New Brunswick are required by the *Education Act* to remain in school until they reach the age of 18 or graduate. There are several programs and services in place to assist all children to remain in school until they acquire a high school diploma.
299. Alternative Education programs and services are one facet of a school districts continuum on interventions to serve all students. Numerous models of alternative education programs and services have been developed throughout the province to serve local needs. Alternative learning centres and programs focus on behavioural, academic, and vocational intervention strategies designed to meet the needs of the diverse students served.
300. Pursuant to the 2004-2008 Provincial Health Plan, the government of New Brunswick has created a variety of initiatives to support individuals training to become physicians, nurses, or other health professionals. Initiatives include:
- medical student bursaries (physicians);
  - supernumerary residency training (physicians);
  - summer rural Preceptorships (physicians);
  - Refresher Course Tuition Reimbursement (nurses);
  - Student Nurse Practitioner Education Subsidy (nurse practitioners);
  - Provincial Health Bursary programme (allied health professionals).
301. While none of these programs specifically targets women, women disproportionately access the programs. For example, 23 females and 17 males have received bursaries for physician education, while 33 females and eight males were offered bursaries in allied health professions.

### Aboriginal women and girls

302. A particular focus is being placed on education for First Nations students. The Government of New Brunswick is developing literacy strategies and targets to specifically address the achievement of its First Nations student population, and works collaboratively with First Nation communities to improve the learning outcomes of First Nation students in the public education system, as well as those enrolled in schools in their community. The Government continues to ensure that public school programming is culturally sensitive and that specific curriculum and services are supported, such as language courses and awareness events.

## **Article 11: Employment**

303. Please see paragraphs 437-439 of *Canada's Fifth Report on International Covenant on Economic, Social and Cultural Rights*.

### **Employment measures**

304. The Government has allocated \$150,000 in scholarships to be awarded to students enrolled in non-traditional training programs at the New Brunswick Community College Network. The purpose of this scholarship is to encourage women to explore a wider variety of career choices in non-traditional areas such as technical or trade, and to address skills and labour shortages in New Brunswick. Fifty-seven scholarships for full tuition for the first year of study have been awarded for 2006-2007.
305. The Government continued the Summer Mentorship Program for Female Summer Students. This ongoing program provides 14 weeks of summer employment for 44 female students each year. It provides them with an opportunity to be mentored by civil servants in senior level positions or women working in non-traditional jobs.

### **Affordable childcare**

306. In 2006-2007, New Brunswick will invest over \$31 million in childcare initiatives that support wages for childcare workers that support affordability and that will help make long-term investments in childcare.
307. There are 2,933 more day care spaces than there were in 1999.
308. The average wages of child day care staff have increased dramatically: from \$7.04 in 2001 to the end of 2006, when trained staff working in child care facilities will earn the equivalent of \$11.15 per hour (untrained staff will earn the equivalent of \$9.60 per hour).
309. Since September 2004, the families of an additional 996 children have benefited from significant financial assistance with their child care as a result of substantial changes New Brunswick made to the Day Care Assistance Program, as outlined in paragraph 454 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*.

## **Article 12: Health**

### **Access to health care**

310. Improved access to care and services is one of the four priority areas of the New Brunswick Provincial Health Plan. Significant initiatives are underway in 14 areas, from the development of Community Health Centres to Ambulance Services enhancements.

311. Health system responsiveness compares well with other parts of Canada – access to family physicians is above the Canadian average, and outcome measures show improvements, e.g., in access to immediate care, routine health services, and home care, 90 per cent of New Brunswickers report satisfaction with health care services.
312. For a full description of the Provincial Health Plan, and the 2005 Health Care Report Card, see [http://www.gnb.ca/0051/pdf/healthplan-2004-2008\\_e.pdf](http://www.gnb.ca/0051/pdf/healthplan-2004-2008_e.pdf) and <http://www.gnb.ca/0051/pub/pdf/3780e-final-compressed.pdf>.

### **Specific health issues**

313. The New Brunswick Breast Cancer Screening Service operates 16 sites for mammography screening, targeting women between 50 and 69 years of age. Based on data released in 2005, the two-year participation rate of the target population is 55 per cent. The long-term goal of the service is to increase two-year participation rates to 70 per cent, which will be expected to reduce mortality from breast cancer by 30 per cent.
314. Early Childhood Initiatives are prevention-focused services to pregnant women, infants, and young children. Services include prenatal education (including nutritional counselling and nutritional supplements).
315. New Brunswick promotes the World Health Organization's Baby Friendly Initiative, leading over 70 per cent of new mothers to initiate breast feeding – a 15 per cent increase since 1994.
316. The Government of New Brunswick is committed to preventing the spread of HIV/AIDS, working with a number of community groups. Regional Public Health staff provides HIV Testing programs in the community and the provincial and federal correctional facilities. The program provides pre- and post-test counselling for interested clients.
317. In October 2004, New Brunswick implemented the *Smoke-free Places Act*, banning smoking in all enclosed public spaces and indoor workplaces. The Act is enforced through a coordinated approach including Public Health, Liquor License, and Health and Safety inspectors. Three charges were laid under the Act in 2004-2005.

### **Aboriginal women**

318. In its effort to assist in reducing health disparities that exist between New Brunswick's First Nations people and other New Brunswickers, the Government of New Brunswick, together with New Brunswick's First Nation communities, Aboriginal organizations (including representation from the New Brunswick Aboriginal Women's organization) and the Government of Canada, is committed to undertake and identify potential opportunities for funding under an Aboriginal Health Transition Fund.

319. Building on earlier work that occurred in 2005, both to understand the health disparities problem and to consult with New Brunswick Aboriginal communities on specific priority areas and actions that could be undertaken to tackle health inequalities amongst New Brunswick's Aboriginal people, the Government will collaborate to produce a provincial-based plan to modify health services to better meet the needs of its Aboriginal people with a view to reducing the disparities that currently exist.
320. The Government and its Regional Health Authorities have and continue to take steps together to address the health needs of its Aboriginal people. Initiatives include:
- Aboriginal Cultural Awareness training to address service delivery, an area specified as a priority in the Aboriginal Health Blueprint discussions;
  - the introduction in 2006 of tele-mental health and tele-diabetes, two specific health and health service concerns facing Aboriginal people; and
  - additional tele-health services in the areas of Fetal Alcohol Spectrum Disorders and mental health.

## **Article 13: Economic and Social Life**

### **Support programs and services**

321. Please see paragraphs 437-439 and 446 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*.
322. The Government of New Brunswick offers an increased wage subsidy for employers hiring a person with a disability.
323. The Government also offers support services to clients and their employers as it relates to supports required for a person with a disability to enter or re-enter the workforce. The intent is to offer training and employment support options to persons with permanent or long-term disabilities who need to develop marketable skills in order to assist them to enter the labour force. These services are provided in full collaboration with the person with a disability in accordance with his/her needs and capabilities. The purpose is to lessen the barriers a person with disabilities faces so that he may be as competitive as the non-disabled population when competing for employment.

## **Québec**

### **Article 2: Anti-Discrimination Measures**

324. Between 1998 and 2006, the Government of Québec passed or amended 15 pieces of legislation affecting the rights and living conditions of women and designed to counter discrimination against them. In addition to those described under the various headings in this report are the following:



- The *Act to amend various legislative provisions concerning de facto spouses*, which entered into force in 1999, modified the definitions of de facto spouse in all of Québec's legislation, giving legal recognition to de facto unions, without regard to sex.
- Under the *Act instituting civil unions and establishing new rules of filiation*, since 2002, *de facto* spouses have been recognized without regard to sex as being the legal spouse and can, in some cases, receive benefits that they would not otherwise have received, such as surviving spouse's pensions. Accordingly, the Québec Pension Plan was amended to recognize the entitlement of same-sex spouses to surviving spouse's benefits for deaths having occurred since April 4, 1985.

### **Legal aid**

325. The levels of financial eligibility for legal aid in Québec were raised in January 2006 and will continue to rise gradually until 2010, thus providing greater access to the justice system for less affluent individuals. The increase represents 36.3 per cent for single people and will increase potential clients of the system to about 900,000 new recipients in the coming years. Of the 213,302 people who accessed legal aid in 2004-2005, 43.4 per cent were women.

### **Complaints of gender-related discrimination**

326. Between 2002 to 2006, 419 of the 3,370 files opened by the Commission des droits de la personne et des droits de la jeunesse, or 12.4 per cent of the total, concerned complaints regarding discrimination or harassment based on gender or pregnancy. This represented a decrease of 7.6 per cent compared with the period of 1998 to 2001. With respect to discrimination or harassment complaints brought before the courts, 38 legal actions were brought by the Commission and 24 settlements were reached on grounds related to gender, pregnancy or civil status during the same period.

### **Aboriginal women**

327. Since 2001, the Government of Québec has provided funding of \$180,000 annually to the overall mission of Aboriginal Women of Québec Inc., an organization devoted to defending the rights of Aboriginal women and improving their living conditions by promoting non-violence, justice, equal rights and health, and supporting them in community involvement. This represents an increase of \$30,000 over the \$150,000 in annual support provided to the organization since 1998. Punctual funding may also be provided for projects submitted by the organization.

### **Article 3: Measures to Ensure the Advancement of Women**

328. The period covered by this report coincides with the implementation of the second and third phases of *Sharing a Future: Policy Statement on the Status of Women*, namely the *Action Plan for Women Throughout Québec 1997-2000* and the *Action Plan 2000-2003: Equality for all Women of Québec*.

#### **Gender-based analysis**

329. Gender-based analysis (GBA) was introduced in the Government of Québec on an experimental basis from 1997 to 2004, with the participation of 11 departments and agencies, in order to determine best practices and suggest flexible solutions to ensure effective, efficient introduction of GBA into Government activities.
330. The experimental phase of GBA in the Government of Québec has had repercussions extending far beyond the projects themselves. For example, a number of measures adopted during this period, such as the *Québec science and innovation policy* (2001), the *Government policy on adult education and continuing education* (2002) and the *Intervention strategy for workers aged 45 and over* (2003) take into consideration the different experiences of men and women. Moreover, the Ministère de la Santé et des Services sociaux, which began phasing GBA into health and social services planning, has been providing GBA training to managers and professional staff in its network since 2003.
331. Further to the report entitled *Experimentation with Gender-Based Analysis in the Government of Québec: Its Lessons and Effect*, published in 2005, the Government of Québec undertook to have all departments and agencies include GBA in at least 15 government policies, measures, reforms and services by 2008.

#### **Violence against women and girls**

332. In Québec, as elsewhere in Canada, certain forms of spousal abuse, as well as sexual abuse, are considered criminal offences. Since 2004, the Minister responsible for the Status of Women, along with the Minister of Justice, is responsible for coordinating government intervention in the area of spousal and sexual abuse.
333. The multisectoral intervention policy on spousal abuse entitled *Prévenir, dépister, contrer la violence conjugale* [Prevent, detect and halt spousal abuse] (1995) was updated by the implementation of the *Government action plan 2004-2009 on Domestic Violence*. The action plan contains 72 commitments, many of which concern the groups most vulnerable to spousal abuse, including immigrant women, women from cultural communities, elderly women and women with disabilities. Twenty commitments relate specifically to preventing and eliminating spousal abuse among Aboriginal women. A two-year spousal abuse awareness campaign, targeting vulnerable women in particular, was launched in March 2006 with a budget of \$1.4 million.

334. With respect to legislation, the implementation of the Action Plan resulted in the Government's adoption in 2005 of the *Act to Insert Article 1974.1 in the Civil Code*, making it possible for a victim to break her lease if, on account of violence on the part of a spouse or former spouse, or abuse of a sexual nature, her safety or that of a child is jeopardized.
335. In 2001, the Government of Québec released the *Government Directions concerning Sexual Assault* and the related 2001-2006 action plan. In these guidelines, the Government recognizes the socially unacceptable and criminal nature of all forms of sexual assault. The implementation of these guidelines is designed specifically to encourage the reporting of these crimes, to provide assistance and protection services better suited to the many needs of the victims, the vast majority of whom are women, in all regions of Québec, and to promote better supervision of sexual abusers in order to reduce the likelihood of repeat offences.
336. The Government of Québec has provided new funding amounting to \$21 million to implement these guidelines. In 2005-2006, an additional \$1.2 million was allocated to 38 *Centres d'aide et de lutte contre les agressions à caractère sexuel* (CALACS) whose mandate is to combat sexual abuse, bringing their total funding to \$7.2 million. Some of these centres are located close to Aboriginal communities and provide services to women and teenaged girls from these communities. CALACS located in urban centres also offer services to women and teenaged girls from cultural communities.
337. The Government also supports the 13 ESPACE agencies mandated to prevent child abuse, including sexual abuse. These agencies received funding of more than \$1.7 million in 2005-2006.
338. The Centres d'aide aux victimes d'actes criminels (CAVACS) provide multiple services for the victims of criminal acts and their families and for witnesses, including information on the legal process on victims' rights and recourses. Nearly 70 per cent of CAVACS clients are women.
339. The Government of Québec subsidizes 16 CAVACS throughout the province. Funding to these centres increased in 2005-2006 to \$7 million, compared to \$2.5 million in 2002-2003. Some of these centres are located close to Aboriginal communities (one is in Québec's far north), and provide services tailored to Aboriginal and Inuit female victims of criminal acts.

### **Shelters for victims of violence**

340. The Government of Québec has considerably increased its support in the fight against spousal abuse: expenditures amounting to \$90 million will have been allocated for the 2003-2009 period. Of this amount, \$17 million was given to the 106 shelters for women victims of spousal abuse and their children, bringing total funding to \$47.4 million annually, in 2005-2006. In addition, \$3.5 million was provided to 122 women's centres,

bringing the total funding to \$14.8 million in 2005-2006. The Government also contributed \$1.5 million to 32 services for abusive spouses, bringing total funding to \$4.5 million in 2005-2006.

341. The increased support for women's shelters and crisis centres is evidence of the recognition extended by the Government of Québec to this network of services for victims of spousal abuse. Ten houses in the proximity of Aboriginal communities are receiving amounts additional to their annual core funding. In addition, two urban shelters, one of them established in 2005, are providing services specifically for Aboriginal women and their children.

### **Article 6: Trafficking of Women and Exploitation**

342. In 2005, the Government of Québec established an interdepartmental working committee to examine protective measures offered to migrant women victims of trafficking and to propose mechanisms to combat trafficking.

### **Article 7: Women in Politics and Public Life**

343. The percentage of women in Québec's National Assembly rose from 21.8 in 1998 to 32.7 in 2005. During the same years, the percentage of women ministers rose from 22.7 to 37. At the municipal level, women in mayoral positions rose from 10.1 per cent in 1998 to 13.1 per cent in 2005, and female city councillors, from 22.4 per cent to 26.6 per cent.
344. The percentage of women among senior full-time positions in government departments and agencies also increased between 1998 and 2006, from 26.8 to 35.8. The number of women judges also increased significantly, from an average of 18.8 per cent in 1998 in the Québec Court to 30.4 per cent in 2006.
345. Among the incentives created by the Government of Québec to interest women in positions of authority is the program *Equal Access to Decision-making*. Created in 1999, this financial assistance program, with an annual budget of one million dollars, is designed to support local and regional non-profit organizations in projects designed to increase the number of women in local and regional decision-making positions throughout Québec. In 2004, the program's eligibility was extended to projects for Aboriginal women.
346. A consultative partnership group on women and municipal politics, *Table des partenaires – Femmes et politique municipale*, was also created in 2004. It comprises a number of organizations including the Québec Union of Municipalities, the Québec Federation of Municipalities, the Chief Electoral Officer, the Women, Politics and Democracy Group and a network of regional women's consultative groups. Its purpose is to share tools aimed at encouraging involvement of women in municipal politics.

347. The Regional Conferences of Elected Officers, instituted by the *Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation* (2004), are consultative forums composed of mayors of municipalities with a population over 5,000, wardens and socio-economic groups, such as women's groups. The conferences have become the Government of Québec's chief interlocutor in regional development. Article 99 of the Act calls for each regional conference to establish a five-year regional development plan giving priority to women's participation in democratic life according to the principles of equality and equity. Some have already taken initiatives in this direction, in addition to applying gender-based analysis.

## Article 10: Education

348. In recent years, women have constituted a majority at the college and university graduate and undergraduate levels. The percentage of degrees awarded to women has remained relatively stable at all levels. In 2003-2004, the college success rate was 59.2 per cent among women, which was 22.3 points higher than among men. The rate of success in obtaining an undergraduate university degree was 36.4 per cent among women in 2004, which was 14.2 points higher than among men. At the graduate level, both men and women stood at around nine per cent in terms of success in obtaining a degree.
349. The Government of Québec has established measures and programs to accelerate the advancement of Québec women in science, technological innovation and information and communications technologies. For example, the *Excelle Science* competition, launched in 2000-2001, recognizes and encourages female role models in fields in which women have typically shown little interest.
350. This competition is additional to the *Chapeau, les filles!* initiative, which was in its tenth edition in 2005. *Excelle Science* and *Chapeau, les filles!* appear to have had a positive effect on the advancement of women in male-dominated fields (MDF). Since the initiative was introduced, an increase of eight per cent has been seen in registrations by women for vocational training in an MDF, while in the technical training area, the relative number of women in training for an MDF has also increased. The number of women obtaining degrees in training in an MDF has more than doubled in the vocational training area and has increased in nearly all sectors of technical training.
351. In addition, a cyber mentoring bank was created in 2002-2003 between the winners of these competitions and young women making career choices to facilitate information exchanges and offer them female role models.
352. The Government of Québec has undertaken a number of measures aimed at finding a balance between education and maternity. Among these are the updating in 2003 of the training session *Un nourrisson... et de l'ambition*, designed to raise awareness among school board personnel about the consequences of teenage pregnancy and motherhood, and to prepare them to help girls in this situation to continue their schooling.

353. The Government is also offering training for young parents wishing to continue or resume secondary school. Since 2002, *Ma place au soleil* has provided training to assist 3,158 people, most of them women, obtain a diploma and enter the workforce.
354. Changes have been made to the Government of Québec's loans and scholarships program since 2001 to more effectively meet the financial needs of young parents. Since 2002, for example, students who are pregnant or who have given birth and their spouses are eligible for this program even if they are studying part time.

## Article 11: Employment

### Employment measures

355. Women made up 46.5 per cent of the labour force in Québec in 2005. Their situation has improved in a number of ways. Since 2000, for example, 63 per cent of the 390,000 jobs created in Québec have been obtained by women. Of this number, 70 per cent are full-time jobs, of which 65 per cent, or 178,000, have gone to women.
356. In 2001, the Government of Québec introduced its intervention strategy for women workers, *Stratégie d'intervention à l'égard de la main-d'œuvre féminine*, to promote and support the integration of women in the workforce and their continuous employment. It comprises two central objectives: the recognition and consideration of the problems faced by women workers, and the organization and supplying of services to respond to their needs. In adopting this strategy, the Government of Québec recognizes the specific nature of the problems faced by some women in the labour market, in particular Aboriginal women, immigrant women, women members of visible minorities, heads of single-parent families, pregnant teenagers or young mothers, and women with disabilities.
357. Measures undertaken within this strategy include:
- awareness raising and training sessions on women's employment issues provided for the principal stakeholders in the area of employment support;
  - short-term training giving women an opportunity to acquire additional qualifications;
  - information and awareness workshops, notably on non-traditional employment, aimed at diversifying women's professional choices.
358. The *Act to Facilitate the Establishment of a Pension Plan for Employees Working in Child Care Services*, which entered into force in 2002, has improved economic conditions for child care employees, a majority of whom are women.
359. The *Act to Amend the Act respecting Labour Standards and Other Legislative Provisions*, adopted in 2002, improves the working conditions of domestic workers, agricultural workers and the caregivers of children, persons with disabilities, the sick, and the elderly. This Act introduces the right to enjoy a workplace free of harassment, to take leave to take care of an immediate family member or child, and to refuse to work more than a

certain number of hours. Other provisions concern minimum rest periods, sick leave, accident leave, family obligation leave, group insurance and retirement plans and reintegration of an employee into his or her customary position with the same benefits. Modifications in calculating holiday pay are also included, primarily to benefit part-time wage earners.

360. Women are more likely to be involved in non-standard employment, such as part-time, temporary or self-employment. In 2005, the Government created a working group to examine the social protection needs of people working for temporary employment agencies. The working group is mandated to take stock of the contractual practices of the temporary placement industry and suggest social protection measures.
361. The Québec Parental Insurance Plan has been in effect since January 1, 2006, and provides better access to maternity and parental leave. It provides more generous allowances for the beneficiaries of this leave over the first 12 months of the child's life at home, which represents a longer period than before. Eligibility for the plan has also expanded to include self-employed workers, and paternity benefits are provided for fathers. Close to \$1.08 billion is devoted annually to the plan.

### **Affordable childcare**

362. Access to low cost care for children under five, set at \$7 per day, represents a fundamental means of support for parents who are working or who wish to pursue their studies. Subsidized childcare was extended to a further 33,000 children since 2003, bringing to about 200,000 the number of childcare openings subsidized by the Government of Québec in 2006.
363. Mindful of the need to serve all of Québec's population, the Government is working toward opening early childhood centres in each Aboriginal community, while giving consideration to indigenous institutions and cultures. Funding provided for Aboriginal childcare services in 2005-2006 totalled \$18.5 million, compared to \$16.8 million in 2004-2005.
364. In all, in 2005-2006, the Government of Québec provided operating subsidies of close to \$1.6 billion to early childhood centres, for-profit day cares and family child care services, an increase of 35 per cent over the close to \$1.2 billion provided in 2002-2003.

### **Pay equity**

365. The Government of Québec has deployed additional measures to enable companies that have not yet completed their pay equity exercises to expedite their efforts. In the case of companies whose labour force is primarily female, the Government has recognized that the absence of predominantly male employment categories does not mean that no gender-based pay discrimination exists. Thus, regulations were applied in 2005 to provide two predominantly male job categories for companies lacking them, for the purposes of

comparison. Moreover, since 2004, the Government has allowed an employer and a number of accredited associations to enter into an agreement to establish a separate pay equity program for the job categories that they represent.

366. The application of the *Pay Equity Act* in Québec companies has yielded significant results. Preliminary data indicates that one third of the completed pay equity exercises will lead to salary adjustments representing on average increases of between 3.9 per cent and 8.1 per cent. Other positive results include improved working climate and relations, increased productivity, a more positive perception of fairness within companies, a better knowledge of the jobs involved and updated or newly introduced wage policies.

## **Article 12: Health**

367. Further to the *Action Plan 1997-2000: Women's health, well-being and living conditions*, the Government of Québec set out new objectives for the health and well-being of women in the document *Au féminin... à l'écoute de nos besoins. Objectifs ministériels et stratégie d'action en santé et bien-être des femmes (2002-2009)*. The objectives are to (a) integrate the needs of women into provincial and regional care and services planning; (b) adapt care and services to women's needs; and (c) improve understanding of the female population and its needs. In 2005, a monograph was produced which outlined the health and social problems and other needs specific to women.

### **Specific health issues**

368. The *National public health program – 2003-2012* provides for a wide range of measures related to the monitoring, promotion, prevention and protection of women's health. For example, the Québec breast cancer screening program is a structured program offered to women aged 50 to 69 throughout Québec.
369. Between April 2002 and September 2004, 23 per cent of the 1,294 people who underwent HIV testing were women. Since 2001, the Government of Québec has provided integrated, anonymous screening services for infections transmitted sexually and via blood, such as HIV and other forms of viral hepatitis, to individuals at risk, including young people and women earning income from sexual activities. The *Stratégie québécoise de lutte contre l'infection par le VIH et le sida, l'infection par le virus de l'hépatite C et les infections transmissibles sexuellement (ITS) – Orientations 2003-2009*, also sets out a number of specific measures to assist women, in particular the systematic offer of HIV screening for pregnant women.



## Article 13: Economic and Social Life

### Measures to fight poverty

370. The *Act to Combat Poverty and Social Exclusion*, adopted in 2002, impacts the living conditions of women experiencing poverty or social exclusion. Statistics show an improvement in the situation of women for the period covered by this report: the percentage of low-income women stood at 17 per cent in 2004, compared to 24.4 per cent in 1998.
371. The *Act to Combat Poverty and Social Exclusion* is innovative in that it takes into account gender differences in poverty. Since 2004, the Act has been accompanied by the *Government action plan to combat poverty and social exclusion*, which brings together measures representing a total investment of \$2.5 billion over the next five years.
372. Since 2002, the Government of Québec has been using a new mechanism to annually review the minimum wage, the main indicator for which is the ratio between the minimum wage and the average hourly wage. This has a positive effect on women, who outnumber men among minimum wage earners. Moreover, since 2004, in some sectors of the garment industry, where most of the jobs are held by women, new regulations have established working condition standards superior to the general standards set out in the *Act respecting Labour Standards* (1979).
373. The Government of Québec supports six regional agencies, known by the name of *ORSEF*, whose mandate is to assist women entrepreneurs. Created between 2002 and 2003, these regional agencies are non-profit bodies promoting funding access for women through loans and assisting women entrepreneurs in business planning. The Government of Québec provides \$165,000 annually for each fund. By August 31, 2005, 142 loan applications had been accepted, 361 jobs created and another 196 consolidated. Since the establishment of the agencies, loans have accounted for more than \$2.4 million, for projects totalling close to \$11.9 million.

### Support programs and services

374. Since 2005, employment assistance benefits have been indexed to January 1 of each year, for a five-year period, on the basis of criteria related to temporary or severe employment constraints.
375. In the spirit of the *Government action plan to combat poverty and social exclusion*, in 2005, the Government of Québec passed the *Individual and Family Assistance Act* allowing recipients of employment assistance who are able to work to receive additional financial assistance of \$130 per month to assist in employment integration or social participation efforts. The *Social aid and accompaniment program* was established in January 2006 to expand services to beneficiaries of the *Employment assistance program*.

376. Since January 1, 2006, the Government of Québec has been extending to families with a dependent child that are receiving employment assistance a monthly exemption of \$100 from child support income in the calculation of benefits. This expanded eligibility for exemption, which was formerly allowed only for recipient families with dependent children under five years old, will have a significant impact on many women, especially the heads of single-parent families.
377. The *Québec support payment collection program* is an effective tool enabling women, who are support payment recipients in 95.6 per cent of cases, to receive the amounts owing to them. In 2004-2005, 79 per cent of support payments were made in time and in full.
378. In force since 2005, the *Refundable tax credit for child assistance (CIRSE)* is a universal measure providing financial support for families, especially low-income families. Close to \$2 billion is provided annually, an increase of \$547 million over the funding of the measures in place in previous years. An employment premium also exists to supplement the income earned by low- and middle-income workers. These measures are especially beneficial to women, who are more numerous than men to live with low incomes.

### **Women's access to housing**

379. In its 2005-2006 budget, the Government of Québec announced supplementary expenditures of \$145 million for the construction of 2,600 new housing units under the *AccèsLogis* program for low-income households, plus \$15 million to renovate existing social housing. These expenditures will be of particular benefit to women, a larger proportion of whom, compared to men, have to spend 30 per cent or more of their income on housing.

## **Ontario**

### **Article 2: Anti-Discrimination Measures**

#### **Legal aid**

380. Legal Aid Ontario (LAO), an independent but publicly funded and publicly accountable non-profit organization, is mandated to administer the province's legal aid program. About 70 per cent of LAO's family law clients are women. In 2005-2006, LAO spent \$58.8 million on direct legal services (excluding administration costs) on representing family law clients. This represented 21 per cent of LAO's total direct legal services during this period.
381. In 2005-2006, LAO issued about 29,000 certificates to individuals involved in family disputes. Duty counsel (i.e. lawyers in court who provide assistance and advice to unrepresented people) assisted about 136,000 people with family law matters at a total

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cost of nine million dollars. Advice lawyers provided two hours of legal advice, without charge, to 2,583 women in shelters at a total cost of \$425,000.

382. During this period, Community legal clinics (funded by LAO in the amount of \$57.7 million) provided over 146,000 direct legal services to people in poverty law areas such as social assistance and housing. One of the major initiatives that community legal clinics undertook in 2004-2005 was to work with the Ontario government to reform the social assistance system.
383. In 2004-2005, LAO launched a three-year \$350,000 Domestic Violence Response Training Project to promote more co-ordinated and effective remedies for women facing domestic abuse. This project, co-funded by LAO and the Ontario Women's Directorate, will provide training to LAO and community legal clinic staff on best practices for identifying and providing effective services, including referrals, to victims of domestic violence.

### **Complaints of gender-based discrimination**

384. Under the *Human Rights Code*, the Ontario Human Rights Commission (OHRC) has the authority to enforce the right to freedom from discrimination on the ground of sex. This includes sexual harassment and solicitation, and unfair treatment relating to pregnancy, breastfeeding or gender identity. Although women form a majority of those who made complaints, any person can make a complaint relating to sex. Complaints may also be intersectional and may therefore cite multiple grounds. The figures provided include all complaints listing the ground of sex, regardless of the sex or gender of the complainant, or the presence of other grounds.
385. Between January 2003 and May 2006, the OHRC received 2,800 complaints relating to sex, representing 30.56 per cent of all cases. During this period, the OHRC sent 160 complaints citing the ground of sex to the Ontario Human Rights Tribunal (OHRT), representing 27.77 per cent of all cases referred. The table below includes a breakdown of these figures.

Dates/Fiscal Year	Cases received by the Commission		Cases sent to the Tribunal	
	Number of cases	% of all cases received at OHRC	Number of cases	% of all cases sent to OHRT
Jan. 1 - March 31, 2003	142	23.12%	16	57.14%
2003-2004	878	35.86%	50	17.54%
2004-2005	880	36.54%	48	32.21%
2005-2006	732	30.34%	46	31.94%
April 1, 2006- May 1, 2006	168	26.96%	0	0.00%
	Total 2800	Average 30.56%	Total 160	Average 27.77%

### Aboriginal women

386. The OHRC's Aboriginal Human Rights Program has collaborated with the Union of Ontario Indians on two initiatives to promote awareness and understanding of the *Human Rights Code* among Aboriginal communities and enhance their access to the OHRC's services. The first involved the development and publication of a brochure about Code protections in three Aboriginal languages (Cree, Ojibway and Mohawk) as well as in English and French. This brochure was distributed to over 250 Ontario bands, organizations, and service providers. The second project resulted in the June 2005 publication of an article in the Union's *Anishinabek News* about how the OHRC can be of assistance in the event of discrimination or harassment.

### Aboriginal women in custody

387. Aboriginal women are over-represented in adult correctional institutions (ages 18+). For example, in 2005-2006, Aboriginal female offenders represented 10.7 per cent of Ontario's female sentenced admissions and 11.7 per cent of Ontario female remand admissions. However, Aboriginal women over the age of 15 represent only 1.5 per cent of the female population in Ontario.

388. The Government of Ontario has developed two new programs to help with rehabilitation of Aboriginal women offenders. The Orientation for Women Program, consisting of 10 sessions, is designed to encourage participants to take ownership of their lives in the past, present and future. The Women's Intensive Program, aimed at Aboriginal women who require more counselling to reduce their risk of recidivism, is designed to engage, encourage, motivate and support efforts of participants to rehabilitate by addressing

factors underlying criminal behaviour (e.g. criminal thinking, substance use/abuse, anger, violence, partner relationships, parenting deficits, loss of culture) from an Aboriginal perspective. Aboriginal facilitators will deliver the programs both in institutional and community settings.

### **Article 3: Measures to Ensure the Advancement of Women**

#### **Violence against women and girls**

389. Ontario expanded the Domestic Violence Court (DVC) program to 49 court jurisdictions with a plan to have a specialized DVC in all 54 jurisdictions. In 2005-2006, 39 Domestic Violence Community Coordination Committees received funding of \$1.5 million to help foster better service system linkages.
390. A 2004-2005 study of reconviction rates found that offenders who appeared in a DVC were less likely than offenders who appeared in other Ontario courts to be reconvicted of a spousal or other violent offence and were more likely to be reconvicted of an administrative offence. Offenders who appeared in a DVC were more likely to receive a prison sentence for the original domestic violence conviction than offenders who appeared in other Ontario courts and they were more likely to receive a prison sentence for the reconviction. Also, a 2005-2006 evaluation of the Partner Assault Response program found positive attitude changes among offenders who completed the program.
391. The Government has evaluated the impact of the Model Police Response to Domestic Violence, the guidelines issued to deal with domestic violence, on the work of 51 municipal police services. The evaluation showed that the guidelines have produced positive results, such as strengthened working relationships with the police, crown attorneys, officials of Victim and Witness Assistance Program and Victim Crisis Assistance and Referral Services, and local shelters. The Ontario Provincial Police is carrying out a similar exercise to be completed by July 2007.
392. In 2003, a police policy was implemented requiring officers to complete a domestic violence risk indication tool, known as the Domestic Violence Supplementary Report, in all domestic violence occurrences, regardless of whether a charge is laid.
393. In 2005, the Ontario Provincial Police developed and implemented a family dispute reporting policy to help officers identify indicators for potential future abuses within families. While domestic violence occurrences cover any partnership that involves or had involved intimacy, family disputes include incidents of violence or threat of violence involving any non-intimate family members, including any variation of extended family members.
394. The Government established the Hate Crimes Working Community Group in December 2005 to advise on a broad-based strategy to address hate crimes and crime

victimization. The Government also provided \$200,000 to support the Joint Forces Hate Crimes/Extremism Investigative Team.

395. The Domestic Violence Action Plan focuses on targeted initiatives that address the unique needs of people with disabilities, seniors, Aboriginal, ethno-cultural/racial and rural/farm/northern communities. These groups are at increased risk of domestic violence and their access to support is limited by language, disability, geography or culture.
396. The Centre for Forensic Sciences operated by the Ministry of Community Safety and Correctional Services has undertaken a project to re-examine “cold cases” by identifying those cases in which DNA could be extracted from samples known to have been collected at the time of the original crime, including homicides, serious assault and sexual assault against women. While this is an ongoing project, a large portion of the work was completed between 2002 and 2004. Between 2002 and 2005, the Centre partnered with the Toronto Police Service-Sex Crimes Unit to re-open all unsolved sexual assault cases going back about 20 years. As a result, a number of perpetrators have been brought to justice and victims are assured that they have not been forgotten.

### **Aboriginal women**

397. Three First Nations Police Services attended the first annual Domestic Violence Coordinators’ Conference, in April 2006. First Nations Police Services have had contact with staff of the Ministry of Community Safety and Correctional Services on a variety of issues dealing with domestic violence and the Model Police Response to Domestic Violence.

### **Shelters for victims of violence**

398. Government funding for Violence against Women programs, which include crisis centres, shelters and transitional housing support, has increased. The annual funding allocations were as follows: 2006-2007: \$118.2 million; 2005-2006: \$112.5 million; 2004-2005: \$102.2 million; and 2003-2004: \$91.9 million. The Government also announced in December 2004 that it would invest approximately \$58 million in new funding over four years to improve community support for abused women and their children.
399. Ontario expanded its network of sexual assault/rape crisis centres between 2003 and 2006 to 38 by creating three new centres and one satellite to specifically serve the francophone population. Starting in 2004-2005, the government increased yearly funding to these centres by eight per cent. It also allocated to the French language centre parity of funding with centres in the same localities. In addition, Ontario implemented a new data collection system that would demonstrate increased usage of services to women victims of violence.

400. The expansion of these centres and increased funding to address service gaps to francophone women resulted in a marked increase of francophone women (including immigrant women) having access to quality services.
401. In addition, \$5.9 million has been earmarked for training initiatives that include:
- training for staff in settlement and counselling agencies, shelters, crisis lines, Partner Assault Response programs, correctional programs, legal aid and Ontario Works offices, prenatal care workers, paramedics and judges, as well as specialized training in francophone and Aboriginal communities to increase their skills in identifying women at risk of violence and providing effective support and referrals to community resources;
  - convening an expert panel for training of emergency department personnel, English-language and French-language education expert panels and a Neighbours, Friends and Families expert panel;
  - the first ever Ontario government-led conference on domestic violence, held in November 2005, which featured more than 100 speakers and attended by 550 professionals who discussed best practices in preventing violence and supporting victims.
402. There are disparities between Aboriginal women living on- and off-reserve in accessing shelters and crisis centres. Shelters receive funding to assist clients living in remote and rural communities to access provincially funded, off-reserve emergency shelters.
403. Some of the challenges to ensuring access to shelters and crisis centres for Aboriginal women include housing shortages on reserves, lack of enough shelters in remote and isolated communities, and lack of financial means and transportation to access services outside their communities (often in distant locations).
404. Many immigrant and refugee women are also reluctant to access services for fear of immigration issues (e.g. loss of sponsorship).

## **Article 6: Trafficking of Women and Exploitation**

### **Sexual exploitation of children and youth**

405. The Government of Ontario recognizes that all children need to be protected, particularly those most vulnerable. Bill 210, the *Child and Family Services Statute Law Amendment Act, 2005*, will improve the lives of vulnerable children by improving safeguards, providing more options for permanent placements for children and youth referred to children's aid societies and by strengthening accountability in the child protection system.
406. As part of efforts to further curb child pornography, the Government established a task force on Internet crimes against children in 2004 and approved a provincial strategy for

Internet crimes against children in June 2006. Materials were issued to crown attorneys to assist them in the prosecution of Internet offences against children.

## **Article 7: Women in Politics and Public Life**

407. As of July 26, 2006, women's representation as members of Ontario's Legislative Assembly is 23.3 per cent and women's representation as Cabinet Ministers in Ontario is 30 per cent. The leaders of the three major political parties in Ontario have made a commitment to nominate more women for elected office to address women's under-representation in politics (June 2006).

### **Aboriginal women**

408. The Ontario Women's Directorate provided \$5,000 in funding to the Women in Leadership Foundation in March 2006 for a forum to promote Aboriginal women's leadership in Ontario.

## **Article 10: Education**

### **Aboriginal women and girls**

409. There are many measures in place aimed at improving the overall success of Aboriginal students. The Government's Aboriginal Education Office is developing an Aboriginal Education Policy Framework, which will be the foundation for improving the delivery of quality education to First Nation, Métis and Inuit students in Ontario.
410. The Government is also committed to improving Aboriginal student success through funding Aboriginal Student-Focused Student Success Projects. In 2004-2005, \$2.3 million was provided to boards for seven projects on alternative pathways for Aboriginal students to complete their secondary education. There is a Student Success Teacher in every school to assist students at risk.
411. To gauge the success of these policies and programs, an Aboriginal Student Self-Identification Project has been initiated that allows for the tracking and analysis of Aboriginal student success. Seven school boards in north-western Ontario have an Aboriginal student self-identification policy. A pilot project on Aboriginal student self-identification is also being funded with the Toronto District School Board.
412. The Government has also shown a clear commitment to providing accessible, high quality postsecondary education and training to the Aboriginal population including women. In 2005-2006, the Government provided over \$9 million for programs and services to support about 7,600 Aboriginal postsecondary students enrolled at Ontario's publicly funded colleges and universities.



413. As part of this investment, one million dollars in Access and Opportunity Strategy funding was provided to support pilot projects at colleges and universities to improve access and opportunities for Aboriginal postsecondary students. The focus of the pilot projects was to improve outreach, transition and retention. The Access and Opportunity Strategy was part of the Ontario government's plan to invest \$10.2 million in 2005-2006, to support increased postsecondary participation by underrepresented groups, including Aboriginal peoples.
414. Since 1991, the Government has been providing about \$6 million under the Aboriginal Education and Training Strategy (AETS) to help increase the participation and completion rates of Aboriginal students at colleges and universities, the sensitivity and awareness of postsecondary institutions to Aboriginal cultures, issues and realities and to increase the extent of Aboriginal participation in decisions affecting Aboriginal postsecondary education. In 1996, an evaluation of the AETS found that the AETS had been successful in making progress toward its goals and that it should be continued. The Government is planning another review of AETS.

## Article 11: Employment

### Employment measures

415. The Job-protected Family Medical Leave scheme introduced by the Government in 2005 is having a positive effect on women entering standard employment. Over 61 per cent of all family caregivers are women providing care to an elderly family member with a health problem.
416. Employees experiencing high caregiver stress are less likely to enter the labour market or, if employed, more likely to miss work because of caregiving responsibilities or because they were emotionally, physically or mentally fatigued. Amendments to the *Employment Standards Act, 2000* allow employees covered by the Act to take up to eight weeks of job-protected leave of absence to provide care or support to a specified family member. In combination with changes to the federal Employment Insurance program, Ontario employees on this leave are entitled to up to six weeks of benefits under the new federal compassionate care program.
417. Other initiatives that have a direct or indirect positive effect on women entering standard employment are the following:
- Ending Mandatory Retirement (2006): new legislation eliminates Ontario employers' ability to require employees to retire at age 65.
  - Minimum Wage Increases (2003-2007): Ontario regulation was amended in December 2003 to increase the minimum wage on an annual basis until it reaches \$8.00 per hour by February 1, 2007. In the year 2000, 64 per cent of those earning minimum wage were women.

- Enforcement of *Pay Equity Act* (2003): proxy pay equity adjustments are benefiting women workers in the lowest paid female sectors of the broader public sector. Since 2003, 1,002 cases have been resolved. Over \$400 million has been paid to broader public sector jobs over six years.
- Increased Outreach to Vulnerable Women Workers: a partnership between the Pay Equity Commission and the Ministry of Labour to cross deliver pay equity and employment standards information.
- Women's Gateway (2004): an Internet gateway with links to information and services of interest to women. Total number of hits on the Gateway from November 2004 to October 2005 was 467,510.

418. As part of its Domestic Violence Action Plan, the Government is investing \$2 million annually in employment training initiatives for abused women and women at risk of abuse. The Government provides a number of programs such as pre-apprenticeship and information technology training to assist unemployed and underemployed women and promote their economic independence.

### **Affordable childcare**

419. The government is delivering \$122.5 million in federal funds in 2006-2007, to help support an expansion in quality and affordable childcare. In 2004-2005, 4,000 new subsidized childcare spaces were created.

420. In November 2004, the Government introduced its Best Start Plan to strengthen healthy development, early learning and care for children from the prenatal stage through to grade one. Ontario also eliminated restrictions on childcare subsidies for parents with Registered Retirement Savings Plans and Registered Education Savings Plans.

## **Article 12: Health**

### **Access to health care**

421. In August 2005, the Government announced the creation of the Women's Health Institute, a provincial body mandated to promote women's health by addressing the needs of women through research, teaching, and patient services. The Institute, which is expected to be operational in April 2007, would incorporate the work of the Ontario Women's Health Council (OWHC), an independent advisory body established in 1998.

422. To promote accountability, the Government has been providing funding to integrate women's health indicators into annual Hospital Reports, allowing hospitals to measure and compare their performance on women's health through disaggregated, sex-specific indicators with the goal of enhancing access and enlightening the decision-making process. Work has also begun on the OWHC-funded POWER study (Project for an Ontario Women's Health Evidence-Based Report Card), which will include evidence-based indicators measuring burden of illness, access to health care services, risk factors

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for chronic illness and disability, and quality and outcomes of care for leading causes of morbidity and mortality among women.

423. The issue of access is being addressed through projects with the OWHC and other organizations. Examples include the development of recommendations for a preventive screening model for cervical cancer with Cancer Care Ontario, a pilot project to test the effectiveness of human papilloma virus testing, and the establishment of the Ontario Maternity Care Expert Panel for advice on the provision of maternity care in Ontario.
424. Quality of care and quality of life are also important women's health issues and have been addressed through projects such as Improving Continence Care in Continuing Complex Care, which included a large number of providers in the studying, testing and implementation of evidence-based best practices in continence care for women. This model is being used to improve quality of care in other areas.

### **Specific health issues**

425. The Government provides funding to over 80 organizations and programs for HIV/AIDS prevention and treatment initiatives, and HIV/AIDS education and support programs for men and women with HIV/AIDS and those affected by HIV/AIDS. These organizations and initiatives are accessible to and accessed by women, and an increasing number of these organizations are developing women-specific programming. According to data collected by the AIDS Bureau, in the first six months of 2005-2006, approximately 2,900 women received service from Government-funded community-based AIDS service organizations.
426. Also, a provincial working group, which is composed of researchers, community-based AIDS service organizations, and public health units, is exploring issues related to women and HIV. The group completed a comprehensive literature review of research on prevention initiatives targeted at women and has surveyed organizations that provide services to women to ascertain their level of HIV/AIDS information and service provision. These activities are a first step in the group's development of an Ontario strategy for women and HIV/AIDS.
427. Ontario's prenatal HIV testing program promotes the offer of an HIV test to pregnant women and women considering pregnancy. In 2005, almost 90 per cent of pregnant women in Ontario were tested for HIV. Prenatal HIV testing reduces the risk of HIV transmission from mother to infant and promotes HIV positive women's access to treatment and support services, as well as providing effective prevention information.

## **Article 13: Economic and Social Life**

### **Measures to fight poverty**

428. Any resident in Ontario may apply for social assistance. Eligibility is determined on the basis of financial need and other criteria. Since 2003, the social assistance rates have been raised by five per cent. In addition, the province is flowing through the amounts of the 2004, 2005 and 2006 federal increases to the National Child Benefit Supplement to families with children. The Government has also streamlined social assistance delivery and removed punitive rules so that Ontario's vulnerable citizens are treated with fairness and dignity.

### **Support programs and services**

429. The Government has taken steps to ensure that support services in Ontario are accessible to women/girls with disabilities. In 2004-2005, \$2 million was provided in minor capital to shelters and second stage housing which, among other repairs and maintenance items, helped make emergency shelters wheelchair accessible. In 2005-2006, \$1.35 million was provided for the same purpose. Some shelters also have beds specifically designated for women with disabilities.
430. If a woman with a disability is accessing an emergency shelter or in need of support services, funded shelters and agencies are able to assist. For example, a shelter can contact the Canadian National Institute for the Blind for assistance in providing necessary services to a woman who is vision impaired.
431. Some of the challenges to ensuring women and girls with disabilities have access to support services include providing adequate funding to shelters to ensure they are fully accessible and appropriate emergency transportation to reach shelters with accessible beds.
432. There are gaps in services and programs for First Nation women and girls. The Aboriginal Healing and Wellness Strategy (AHWS), which is available to Aboriginal people both on- and off-reserves in urban and rural communities, addresses some of these gaps in Ontario. The Government funds AHWS, which is a partnership among four ministries and 15 Aboriginal partners, to provide a culturally appropriate, holistic approach to reducing Aboriginal family violence and improving the overall health status of Aboriginal people in Ontario.
433. Some of the challenges to eliminating the service gaps for First Nation women and girls include accessibility issues for those in remote and isolated communities, lack of culturally appropriate resources and training, and need for increased collaboration among stakeholders including communities and band councils.

## Women's access to housing

434. In 2005-2006, the Government announced 500 new capital units for victims of domestic violence and provided \$1 million for support services.

## Manitoba

### Article 2: Anti-Discrimination Measures

#### Legal aid

435. A Woman's Place, which opened in November 2004, addresses needs specific to women, including free legal services to primarily low-income, immigrant and Aboriginal women. It combines services with other agencies, including Legal Aid Manitoba. In 2005-2006, legal services were provided to 125 women.
436. In January 2003, Legal Aid Manitoba cut back domestic and civil services (separation, divorce, support variations, uncontested guardianships) due to deficits. These cuts primarily affected women. In April 2005, provincial funding increased, and these services (except for uncontested divorces and uncontested guardianships) were reinstated. Statistics for 2004 to 2006 show a 4.8 per cent (351) increase in certificates issued to women.
437. Legal Aid issued 7,227 certificates to women in 2004-2005 and 7,737 in 2005-2006. In addition, based on overall certificate statistics, it is estimated that 22,815 women were assisted through duty counsel and drop-in services in 2005-2006 and 19,940 in 2004-2005.

#### Complaints to the Manitoba Human Rights Commission – 2003 to 2006

Year	Complaints Closed	Sex Discrimination Complaints	Disposition of Registered Complaints
2003	336	77 registered complaints  (plus 10 complaints settled prior to registration)	17 settled prior to determination by the Board 9 withdrawn or abandoned 31 dismissed by the Board 3 settled by Board directed mediation 10 referred to adjudication 3 settled by the parties 1 terminated for other reasons

2004	427	94 registered complaints  (plus 25 complaints settled prior to registration)	10 settled prior to determination by the Board 11 withdrawn or abandoned 23 dismissed by the Board 1 terminated by the Board* 3 settled by Board directed mediation 3 referred to adjudication 43 settled prior to adjudication
2005	325	53 registered complaints  (plus 21 complaints settled prior to registration)	16 settled prior to determination by the Board 9 withdrawn or abandoned 17 dismissed by the Board 2 terminated by the Board* 1 settled by Board directed mediation 7 referred to adjudication 1 settled prior to adjudication
Jan – May 2006	104	17 registered complaints  (plus 4 settled prior to registration)	7 settled prior to determination by the Board 2 withdrawn or abandoned 8 dismissed by the Board

\* Offer of settlement reasonable

### Aboriginal women

438. Manitoba has progressively increased core funding and project funding provided to Mothers of Red Nations, whose mandate and mission include “educating, promoting awareness on Aboriginal women’s human rights, and advocating on behalf of Manitoba’s Aboriginal women” ([http://morn.cimnet.ca/cim/92C270\\_397T18351.dhtm](http://morn.cimnet.ca/cim/92C270_397T18351.dhtm)).

### Aboriginal women in custody

439. There are approximately 120 women incarcerated in provincial correctional facilities in Manitoba; of that number, about 70 per cent are Aboriginal women. Complaints have been filed with the Manitoba Human Rights Commission by women prisoners alleging failure to accommodate the special needs of women prisoners; those complaints have been referred for mediation. In April 2006, Manitoba announced that \$25 million has been set aside to begin constructing a new correctional facility for women.

440. Measures to address the high percentage of Aboriginal women incarcerated include:

- The planning process for the new women’s correctional centre will include culturally appropriate programming for Aboriginal women.
- Manitoba Corrections has developed gender specific programming – the Circle of Change program, which has a female elder and a female cultural support worker.
- There is one Elder, one Chaplain and one Cultural Support Worker at Manitoba’s correctional facility for women. The Elder and Cultural Worker provide service to sentenced and remanded inmates such as cultural specific crafts, drumming, sharing

- circles, traditional medicines, smudging, cultural awareness and community resources. They also provide one to one counselling.
- As of the date of this report, the trend in Manitoba is a large number of remand inmates compared with the sentenced population – the percentage is approximately 70 per cent remand. This has required changes to programming to allow short-term remand inmates to participate.
  - Manitoba’s correctional centre for women also receives services from various community agencies to assist with programs, for example, the Triple P parenting program, which is delivered from an Aboriginal perspective.
  - New programs that are developed must be gender specific and include the Aboriginal perspective as a common thread throughout the program.

### **Article 3: Measures to Ensure the Advancement of Women**

#### **Violence against women and girls**

441. Manitoba’s Domestic Violence Front End Project was expanded in November 2005 to include all sexual assault cases ([www.manitobacourts.mb.ca/domestic\\_violence.html](http://www.manitobacourts.mb.ca/domestic_violence.html)). This case management system has introduced many efficiencies to the Justice system, particularly in the area of services to victims of domestic abuse, and has achieved significant results. The Front End Project won the 2006 United Nations Public Service Award for improving service delivery.
442. Initiatives in the area of violence against women are described in paragraph 307 of *Canada’s Fifth Report on the International Covenant on Economic, Social and Cultural Rights*. Additional initiatives include:
- The “Domestic Violence Prevention: A Workplace Initiative” was launched in January 2004.
  - The Winnipeg Family Violence Probation Unit has been expanded to increase its ability to provide educational and long-term domestic violence programs for women, multi-cultural, Aboriginal and learning disabled clients.
  - Standard and ongoing training for probation staff and Winnipeg Police Service recruit classes was created, focusing on domestic violence theory and issues.
  - The Criminal Organization High Risk Offender Unit was established, which provides intensive community interventions and monitoring for 30 very high-risk family violence offenders.
  - The Domestic Violence Intervention Unit was created to assist families where domestic violence-related incidents do not result in charges or arrests.
  - Funding for two Family Violence Prevention Conferences (in 2003 and 2005).
  - *The Domestic Violence and Stalking Act* was amended to expand the categories of people the Act applies to and improve protections for children (<http://web2.gov.mb.ca/laws/statutes/2004/c01304e.php>).
  - *The Enforcement of Canadian Judgments Act* was enacted, which allows out-of-province Canadian civil protection orders to be enforced in Manitoba and acted upon

- by police, whether or not the order is registered in the Manitoba courts (<http://web2.gov.mb.ca/laws/statutes/ccsm/e116e.php>).
443. Generally, evaluations of services provided by the family violence service sector have been descriptive in nature. A proposal is being developed for a more broad-based evaluation to assess the impact of and the gaps in family violence prevention and intervention services.
444. Measures aimed at violence against vulnerable and marginalized girls and women include:
- The Government of Manitoba and the Association for Community Living provide information and support to persons with intellectual disabilities in conflict with the law as victims, witnesses or offenders ([www.aclmb.ca/justice.htm](http://www.aclmb.ca/justice.htm)). Specific attention is paid to women with intellectual disabilities who are at risk of abuse in their personal relationships.
  - The Immigrant Women's Counselling Services provides specialized counselling services to immigrant and refugee women experiencing family violence.
  - A workshop on Immigrant Women, Family Violence and Homelessness was held in Winnipeg on June 20, 2006.
  - Three neighbourhood immigrant outreach programs and the Newcomer Youth and Family Recreation/Orientation Project are offered in Winnipeg.
  - The Entry Program for newcomers (October 2004) includes orientation to Manitoba laws, child protection, processes, domestic violence and abuse remedies and police services.

### **Aboriginal women**

445. Manitoba policies and programs that address violence against Aboriginal women include:
- The Stolen Sisters Interdepartmental Working Group is examining and will make recommendations respecting discrimination and violence against Aboriginal women.
  - Funding is provided for a community-based support program for enhanced services to Aboriginal women and children caught in the cycle of domestic violence, and for other culturally appropriate services such as the Native Women's Transition Centre.
  - Funding was provided in 2005-2006 towards Phase 2 of the United Against Racism Project through Ka Ni Kanichihk Inc. Aboriginal students are part of this project.
  - Mothers of Red Nations received funding for projects such as *Developing Capacity for Change*, to support a Community Development Facilitator for Aboriginal Women to assist with development for women in crisis; an Aboriginal Capacity and Leadership Development Community Response to Aboriginal Girls and Women Involved in Gangs; the national *Our Healing in Our Hands* conference in March 2005.



## Shelters for victims of violence

446. Funding for 10 women's shelters across Manitoba exceeds \$6.3 million annually; funding has increased by 74 per cent since 1999. Funding is also provided to residential second stage housing programs, women's resource centres, long-term counselling programs, access/exchange centres, couples counselling programs and programs for men. Total funding to Family Violence Prevention Program agencies is nearly \$11 million.
447. A crisis accommodations and support program for persons with disabilities, launched in June 2006 with a budget of \$100,000 for 2006-2007, targets adults with disabilities who are victims of violence from household members who are not intimate partners.
448. In September 2006, approximately 70 per cent of women accessing government provincially funded shelter services in Manitoba were Aboriginal women. Of these women, approximately 30 per cent were living on a reserve prior to being admitted to the shelter. Program standards for provincially funded agencies require that agency staff and its governing board reflect the community it serves, and that the agency provide culturally sensitive services. There is no residential second-stage housing program that is specifically for Aboriginal women and children. They have access to the existing programs.
449. Challenges in ensuring access to shelters and crisis centres for vulnerable and marginalized groups include cultural barriers, language barriers, physical barriers in older residences for disabled women and children, distance for rural and northern women, and issues relating to Federal/Provincial programs for Aboriginal communities. Shelters and crisis centres do not exist on many reserves, and half of Manitoba's reserves are located in remote northern parts of the province. Measures to address these challenges include:
- covering transportation costs to a shelter when necessary;
  - transfer to another facility if a shelter cannot accommodate persons with disabilities;
  - funding shelter workers for disability-related accommodations such as sign language;
  - public education in immigrant communities about domestic violence issues and existing supporting services provided by the Immigrant Women's Counselling Services;
  - Aboriginal women have access to two crisis lines, at all times, for information;
  - off-reserve, the Ikwe Wijjitiwin shelter primarily serves Aboriginal women and many Northern shelters and services have staff who speak various Aboriginal languages;
  - four residential second stage housing programs offer protective, affordable, long-term housing and services for women leaving an abusive relationship. One of these serves Manitoba's Aboriginal women and children.
450. For over two years, outcome-based data on the extent of service utilization within the Aboriginal population has been collected. Analysis of this data will provide an evaluation of the impact and effect of domestic violence policies and programming in the Aboriginal community. As collection on Aboriginal status is voluntary, and in many cases a woman

may choose not to disclose this information, the data will under represent the number of women using domestic violence services.

## **Article 6: Trafficking of Women and Exploitation**

### **Sexual exploitation of children and youth**

451. The Manitoba Strategy on Child Sexual Exploitation, launched in 2002, is a multi-jurisdictional and coordinated governmental and community approach to preventing or reducing the incidence of sexual exploitation of children and youth in Manitoba.
452. New programs and initiatives to support victims of sexual exploitation include:
- enhancing a residential childcare facility to deliver specialized services for young women aged 13 to 17 who have been sexually exploited;
  - intensive specialized training for foster parents and other workers who deal with children and youth who have been sexually exploited and specialized foster care resources for children aged eight to 12 who have been sexually exploited;
  - a new Prosecutions Policy stating that children involved in prostitution are victims of a serious form of sexual exploitation and need assistance;
  - increased penalties under *The Child and Family Services Act* for offences that include sexual exploitation of children (<http://web2.gov.mb.ca/laws/statutes/ccsm/c080e.php>).

## **Article 7: Women in Politics and Public Life**

453. As of May 2006:
- 13 of the 56 Members of the Manitoba Legislative Assembly were women (23.21 per cent);
  - five of the 17 government Cabinet ministers were women (29.41 per cent);
  - seven of the 20 government deputy ministers were women (35 per cent);
  - three of the 36 mayors of communities established under *The Northern Affairs Act* were women (36.1 per cent);
  - 50 of the 139 members of the community councils for these Northern communities were women (36 per cent);
  - three of the eight contact persons appointed for small northern communities were women (37.5 per cent);
  - two of the eight Manitoba Court of Appeal judges were women (25 per cent);
  - nine of the 24 Court of Queen's Bench (General Division) judges were women (37.5 per cent);
  - six of the 15 Court of Queen's Bench (Family Division) judges were women (40 per cent);
  - 11 of the 37 Provincial Court judges (usually 40) were women (29.73 per cent);
  - three of the five presidents of public degree-granting post-secondary institutions were women (60 per cent).

454. The Women's Leadership Program was introduced in January 2006 to help women in the Manitoba civil service achieve their full leadership potential and to support the Government's employment equity goal of increasing the number of qualified women ready to assume leadership positions.

### **Aboriginal women**

455. Manitoba initiatives respecting the participation of Aboriginal women in governance include funding northern Aboriginal women to attend the Aboriginal Women and Self-Determination – an Exploration of Our Way of Being conference; funding to the Métis Women of Manitoba; financial support to Ka Ni Kanichihk Inc. for the annual Keeping the Fires Burning event that recognizes and honours the leadership and contribution of Aboriginal women.
456. Information on women participating in negotiations of land claims agreements is included in the response to question 14 on the list of issues to be taken up in connection with the consideration of the fourth periodic report of Canada concerning the *International Covenant on Economic, Social and Cultural Rights*.

## **Article 10: Education**

### **Aboriginal women and girls**

457. Manitoba's *Aboriginal Education Action Plan* was announced in October 2004 ([http://www.edu.gov.mb.ca/abedu/action\\_plan/abed\\_action\\_plan.pdf](http://www.edu.gov.mb.ca/abedu/action_plan/abed_action_plan.pdf)). A key objective is to increase high school graduation rates for all Aboriginal students, female and male, and to promote successful transition to post-secondary education. Specific initiatives include:
- The *Making Education Work* pilot research project will test a school and Aboriginal community-based, collaborative model in career development programming.
  - *Career Trek* encourages economically and socially disadvantaged 10 and 11-year-old students to remain in school. The program has been very effective in leading to high school graduation. Approximately 40 per cent of students are Aboriginal, of which many are female.
  - The Council of Aboriginal Educators and Building Student Success with Aboriginal Parents fund innovative approaches to parent and family involvement.
  - Funding is provided to implement *Standing Tall*, a three-year pilot project begun in 2005 by the Manitoba Métis Federation for Aboriginal public school students to reduce absenteeism, increase school completion rates and enhance the classroom environment with a culturally appropriate atmosphere.

- *Restoring the Sacred* is a three-year pilot project begun in 2004 to develop and deliver culturally relevant prevention and intervention programming to Aboriginal youth between 15 and 21 who have relocated from northern or rural communities to attend high school. About 24 youth are receiving programming, including Aboriginal girls. Two program evaluations have been completed, by an independent contractor, as part of the pilot stage. Results of the Initial Formative Evaluation, completed in March 2006, were positive, indicating that the program was on track with its developmental objectives. The Phase 2 Evaluation, in August 2006, examined youth progress through the program with an emphasis on the mentorship process. The results of the second evaluation were also positive. Future evaluations will continue to be carried out with consent of the youth involved, will be outcome-based, and will use developed relationships with educational institutions (i.e. receiving schools) to solicit progress reports on targeted youth.

458. Measures to ensure access to post-secondary education include:

- The ACCESS programs in Manitoba's post-secondary institutions provide personal and academic supports to participants. The majority of participants are in fields of study in health care, education and social services, which generally attract a large number of female students. Priority groups include Aboriginal people, immigrants and refugees, single parents and inner city residents. Over the 1999 to 2004 period, student intake into the ACCESS programs was 2,329, and the number of graduates was 884.
- Non-repayable bursaries are offered to selected students in the ACCESS programs. In 2005-2006, Aboriginal women comprised 50 per cent of the recipients.
- Manitoba Student Aid has an Aboriginal Liaison Officer who works closely with the Aboriginal community, including the ACCESS program directors, in developing policies that meet the unique needs of Aboriginal students, including Aboriginal women.
- The Millennium Manitoba Opportunities Grant Program includes an Aboriginal component. In 2006-2007, it is estimated that 300 students will be eligible for that component of the grant.
- Aboriginal women represent approximately 10 per cent of all students assisted through Manitoba Student Aid programs in 2005-2006.
- Satellite Licensed Practical Nurse programs are offered jointly by the Assiniboine Community College and several Métis organizations and First Nations. Forty-one Licensed Practical Nurses graduated in 2002, 13 in 2003 and 25 in 2004.
- The Helen Betty Osborne Memorial Foundation provides awards and assistance to Aboriginal post-secondary students, many of whom are women.

## Article 11: Employment

### Employment measures

459. The following are examples of measures to remove barriers to standard employment.
460. A gender-based analysis of *The Employment Standards Code* was included as part of the review of the Code. Proposed changes that would help remove barriers to standard employment for women include the introduction of family-responsibility leaves.
461. The minimum wage has been increased each year from 1999, to bring it up to \$8.00 an hour in 2007, to assist and encourage more women to enter the paid workforce.
462. YWCA of Thompson Women's Employment Resource Centre addresses the large number of women unable to complete training courses or retain employment in the service sector in Thompson, and provides the necessary supports to cope with employment related issues (childcare, interpersonal skills, budgeting, etc).
463. Some settlement programs address participation barriers specific to women, including language training sessions where young children accompany their mothers, flexible hours and other supportive measures.
464. The following table indicates the percentage of women participating in various employment programs in 2005-2006.

	Women	Aboriginal Women
National Child Benefit Employment Program	80%	20%
Employment and Training Services	45%	10%
Skills Development Program	55%	11%
Self-Employment Program	40%	5%

### Aboriginal women

465. Programs benefiting Aboriginal women, in addition to those described above, include:
- the *Manitoba First Nations Health Human Resource Regional Strategic Framework* benefits include expanded opportunities for First Nation health care workers, many of whom are women, and First Nation health care workers delivering care to First Nations communities;
  - the *Civil Service Renewal Strategy – Aboriginal Employment Strategy* component;
  - Aboriginal Employment Partnership Agreements with major private sector employers;
  - funding towards Mothers of Red Nations' *Journey to Success Workshop* in 2004;
  - funding for Ka Ni Kanichihk Inc.'s Aboriginal Women's Self-Employment program.

## Affordable childcare

466. New childcare initiatives in 2005-2006 included:
- a nine per cent increase in wages for child care workers, increased college training seats and a forgivable loan program (tuition support);
  - funding for 2,500 existing spaces, a commitment to create 750 new spaces and a capital program of \$2.7 million;
  - a new nursery school subsidy.
467. Additional information on childcare initiatives can be found in *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights* (paragraph 304) and at <http://www.gov.mb.ca/childcare>.

## Article 12: Health

### Access to health care

468. Some initiatives focussing on women and access to health care include:
- expansion of Health Links-Info Santé throughout the province;
  - expansion of the Manitoba Breast Screening Program;
  - 10 major construction projects in acute care, long-term care and primary health care;
  - opening the first Health Access Centre, which provides one-stop access to a range of health and social services, including primary health care;
  - opening the Manitoba Breast Cancer Research Centre in Winnipeg;
  - opening a Sexual Assault Unit at the Health Sciences Centre in Winnipeg;
  - expanding educational and outreach efforts by the Manitoba Cervical Cancer Screening Program throughout Manitoba, focussing on access for under-served women (e.g., Aboriginal, low income, and immigrant and refugee women);
  - the Aboriginal Midwifery Program, a four-year university degree program designed to train Aboriginal students, particularly those living in Northern Manitoba, and to make maternal-child services accessible to Northern Aboriginal women and children.
469. The impact of these measures and other measures on the level of access to health care has been positive. The (2003) Canadian Community Health Survey and the Health Services Access Survey included a number of questions about the perceived quality of different types of health care services, both community-based and in hospital, and patient satisfaction with these different types of care. Overall, a large proportion of Manitobans appear to be satisfied with the services they received and the quality of care provided. In 2003, an estimated 95 per cent of Manitobans reported receiving some kind of health care service in the preceding 12 months. About 83 per cent said that they were very or somewhat satisfied with the way health care services were provided. An estimated 85 per cent of Manitobans rated the quality of care they received to be excellent or good. See Manitoba's *Comparable Health Indicator Report*, November 2004 (<http://www.gov.mb.ca/health/documents/pirc2004.pdf>).

470. In November 2005, the report *Sex Difference in Health Status, Health Care Use, and Quality of Care: A Population-based Analysis for Manitoba's Regional Health Authorities*, funded by Manitoba, was released ([http://www.umanitoba.ca/centres/mchp/reports/reports\\_05/sexdiff.htm](http://www.umanitoba.ca/centres/mchp/reports/reports_05/sexdiff.htm)). The report indicates that causes of death are much the same for both sexes; physician visits and hospitalisations are comparable when rates are adjusted to exclude reproductive issues; there doesn't appear to be sex bias in treatment; overall, men and women in Manitoba appear to be similarly healthy; and on the whole, the health care system is responding.
471. Following the release of the Manitoba *Women's Health Strategy* in 2000 (<http://www.gov.mb.ca/health/women/>), a gender-based analysis project was undertaken which included funding for the document *Including Gender in Health Planning: A Guide for Regional Health Authorities* (<http://www.pwhce.ca/pdf/gba.pdf>) and workshops between 2003 and 2005, primarily with Regional Health Authorities. This contributed to a stronger emphasis on women's health issues in the *2nd Comprehensive Community Health Assessments* in September 2004 (<http://health.internal/cha/index.htm>). The Women's Health Strategy identified the need for a Women's Health Profile to identify useful health indicators for Manitoba girls and women. The Government of Manitoba and the Government of Canada are funding a report featuring over 100 indicators of women's health.

### Specific health issues

472. Some new measures introduced to address particular women's health issues include:
- monitoring the move of emergency contraception medication from prescription to non-prescription status, including price and access issues;
  - the Reproductive Health Strategy;
  - initiatives to reduce wait times in key surgical and diagnostic areas (e.g., joint replacement) and initiatives with a prevention focus (e.g. falls prevention, particularly among seniors; vision screening; etc.);
  - the Mental Health and Addiction Strategy;
  - *Healing Choices* – a Fetal Alcohol Spectrum Disorder prevention resource for professionals, aimed at hard-to-reach populations (e.g., women with low literacy levels).
473. Efforts under the Provincial Sexually Transmitted Diseases Prevention and Control Strategy focus on youth, corrections, the North, and those living in low-income areas of the City of Winnipeg. Measures include:
- the Aboriginal Strategy on HIV/AIDS;
  - education, testing, counselling and resources for offenders upon release;
  - funding a co-ordinator position in a northern regional health authority to engage in primary prevention efforts;

- the *Manitoba Harm Reduction Network* – involving over 60 organizations with the goal of reducing harm associated with problematic substance abuse and high risk sexual behaviour, and aligned with mental health and addiction activities;
- funding for the Gay, Lesbian, Bi-sexual, Transsexual, Two-Spirited Community Coalition in 2005 to address the educational needs of at-risk populations regarding syphilis and HIV outbreaks, and related sexual health issues;
- funding for the *Partners in Caring* conference in 2004 and the *Living Well with HIV* conference in 2005.

### **Aboriginal women**

474. New policies and programs adopted to improve the physical and psychological well-being of Aboriginal women include locating training sites for the Aboriginal Midwifery Program in Northern Manitoba and the development of a provincial framework for suicide prevention, with community partners.
475. In early 2005, Manitoba released the report *As Long as the Waters Flow: An Aboriginal Strategy on HIV/AIDS* (<http://www.gov.mb.ca/health/aids/a224933.pdf>). The Strategy is being developed in collaboration with Aboriginal communities.

## **Article 13: Economic and Social Life**

### **Measures to fight poverty**

476. Improvements in income assistance and support services in Manitoba are outlined in paragraphs 300 to 302 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights*. Programs are targeted to assist low-income families in poverty to achieve self-sustainability. Additional examples include increases in the board and room rates for individuals requiring care and supervision or living in residential care facilities (in April 2006) and the Northern Energy Cost Benefit for employment and income assistance participants living in northern and remote Manitoba. Ongoing initiatives include the cross-sectoral government estimates process that, in 2005, focused on addressing the needs of low-income children and families.

### **Support programs and services**

477. While not specifically targeted, women and girls benefit from programs and services for persons with disabilities. Program direction and funding is provided by Manitoba for services to children with disabilities, for supported living services for adults with a mental disability and for vocational rehabilitation services, employment and income support services to persons with disabilities.
478. The Entrepreneurs with Disabilities Initiative provides funding for training, start-up loans and mentorship opportunities. The Manitoba Civil Service Commission created an



internship program to raise the number of civil servants with disabilities; 65 per cent of the participants are women.

479. Some provincial programs may not be available on-reserve and First Nations women and children who live off-reserve may not be eligible for federal benefits and services available for to those living on-reserve. Manitoba's *Closing the Gap* plan includes working in partnership with the Government of Canada, Aboriginal peoples and organizations to close these gaps, specifically in the areas of education, health, housing and economic opportunities. An Aboriginal women's perspective will be applied as needed.

## Article 14: Rural Women

480. Flexible and affordable childcare in rural areas is a challenge in improving the economic security of rural women. Seven hundred and fifty new spaces will be available and priority will be given to communities with the greatest need. With the availability of nursery school subsidies and reduced fees, spaces are more accessible to low-income families.
481. The Canadian Agriculture Skills Service program began in the fall of 2005 and provides funding to farmers and their spouses, with a net family income of less than \$45,000 per year, towards learning opportunities, including formal training and informal learning, that will bring more choices and sources of income. Of the 757 applicants as of July 31, 2006, approximately 210 (28 per cent) were female.
482. In the Manitoba Agricultural Services Corporation's lending portfolio of over 4,000 clients, 62 are female clients. Joint loan applications (from a male and a female) are now in the majority, comprising 60 per cent of loan applications.
483. From October 1, 2005 to March 31, 2006, the Rural Entrepreneur Assistance Program, which guarantees individual business loans between \$10,000 and \$100,000, issued a total of 20 loan guarantees; nine involved women entrepreneurs owning at least a 50 per cent interest.

## Saskatchewan

### Article 2: Anti-Discrimination Measures

484. The Family Justice Services Branch and Dispute Resolution Office of Saskatchewan Justice provide services to individuals who need help in dealing with the difficulties arising from family breakdown, separation and divorce. Services include:
- voluntary and court-ordered *Parenting After Separation* information sessions which include information on separation and divorce, options for resolving disputes, the

- impact of separation and divorce on children, and options for parenting in a way that keeps children out of parental conflict;
- an information and resource centre in the area of family law;
- mediation of all types of family law issues, including custody and access, and child and spousal support;
- monitoring and enforcement of support orders and agreements, including reciprocal enforcement of support orders and agreements with other jurisdictions;
- a service that provides help and resources to individuals wanting changes to their support orders;
- supervised access/exchange services;
- a pilot project in Saskatoon that assists parents in developing or maintaining appropriate access arrangements without going to court.

### **Legal aid**

485. In 2005-2006, approximately 36 per cent of about 20,400 clients of the Saskatchewan Legal Aid Commission were female. In criminal matters, 23 per cent of clients were female, and in family matters, 72 per cent were female. From fiscal year 2001-2002 through to 2005-2006, the number of family law matters has averaged 4,892. In 2005-2006, the Commission approved 4,827 full service family law matters and closed 4,775 family law files. This represents about 24 per cent of all matters handled by the Commission. In addition, the Commission provided 2,698 pieces of summary advice for family law matters.
486. To improve services to family law clients, the Commission designates lawyer positions for family law. It also surveys and consults with family law clients and service providers, to identify and address barriers to service for clients, especially in rural and remote communities. Results of a Client Satisfaction Survey completed in January 2006 indicated that almost 84 per cent of clients were satisfied or strongly satisfied with the services received. The Commission also implemented its Web site in 2005 ([www.legalaid.sk.ca](http://www.legalaid.sk.ca)) to increase information available to clients and potential clients.

### **Complaints of gender-related discrimination**

487. In 2005-2006, 17.6 per cent of allegations of discrimination, made to the Saskatchewan Human Rights Commission (SHRC), were based upon on the ground of sex (7.2 per cent based upon sexual harassment; 6.4 per cent based upon pregnancy; and 4.0 per cent based upon other forms of sex discrimination).
488. In May 2006, the SHRC, in partnership with Saskatchewan Labour and Service Canada, released a handbook entitled *Pregnancy, Parenting and the Workplace*, to assist employers and employees in understanding pregnancy and parental rights in the workplace. A copy is available at <http://www.shrc.gov.sk.ca>.

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### **Aboriginal women**

489. The SHRC has incorporated Aboriginal talking circles into its complaint resolution process, to make it more culturally relevant. It also travels to communities in the far north of the province, providing information about its services and learning about the unique human rights issues facing northern residents, who are primarily of First Nations, Métis or Dene ancestry. For more information on the SHRC's activities in overcoming cultural barriers and geographic distances to improve services to Aboriginal and northern communities, see paragraph 265 of the *Seventeenth and Eighteenth Reports of Canada on the International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD Reports).

### **Aboriginal women in custody**

490. Aboriginal women are significantly over-represented in prisons. Although about 10 per cent of Saskatchewan's adult population is Aboriginal, about 80 per cent of those in custody are Aboriginal. For Aboriginal women, this figure is approximately 85 per cent.

491. Measures to address the situation are included in the overall approach to reducing the proportion of Aboriginal people as a whole who are involved in the justice system, as recommended by the Commission on First Nations and Métis Peoples and Justice Reform, in its final report released in 2004. The Government of Saskatchewan's Action Plan was released in May 2005 in response to the Commission's report. Specific actions are being undertaken to address the underlying causes of crime, increase the involvement of Aboriginal people in justice processes, use alternatives to court and incarceration, and improve justice system responses. For further information, see paragraphs 261-263 of the ICERD Reports. Two of the targeted outcomes of the Action Plan are reduced contact with the Justice system for First Nations and Métis people, and reduced levels of incarceration.

### **Article 3: Measures to Ensure the Advancement of Women**

492. As indicated in paragraph 249 of the ICERD Reports, the Government of Saskatchewan proclaimed 2005 as the Year of First Nations and Métis Women. The same year, the Government hosted a Symposium on First Nations and Métis women, aimed at assisting government officials in developing effective policies and programs to meet the needs of First Nations and Métis women. Key speakers and panel members were from First Nations and Métis communities. About 130 Government staff attended the symposium, interacting with Aboriginal women and hearing about their challenges and accomplishments. Themes were drawn from the Action Plan for Saskatchewan Women: economic equality and security, safety, health and well-being, and equitable participation in leadership and decision-making.

**Violence against women and girls**

493. See paragraphs 247 and 248 of the ICERD Reports for information on the Domestic Violence Treatment Option Court that has been operating in North Battleford since April 2003; the Domestic Violence Court that has been operating in Saskatoon since September 2005; victims services programs, including the Aboriginal Family Violence Initiative; and the development of a Provincial Community Plan (Protocol) on Relationship Violence and Abuse.
494. See also paragraphs 270-275, on Family Violence, in *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights* (ICESCR Report).
495. The final report of the Commission on First Nations and Métis Peoples and Justice Reform spoke to the issue of violence – particularly domestic violence. The Saskatchewan Action Plan released in response contains initiatives to address issues of violence, and to address the underlying causes of crime, including those that make Aboriginal women vulnerable to violence (see paragraphs 261-263 of the ICERD Reports). To be effective, the development of approaches targeted to reduce violence and misconduct needs to incorporate the diverse cultural needs of the offenders.
496. One of the initiatives identified in the Action Plan was the creation of the Domestic Violence Court in Saskatoon. Another was the implementation, by Saskatchewan Corrections and Public Safety, of a Violence Reduction Strategy. The strategy's goals are to reduce facility misconducts, decrease recidivism, increase employment, implement a risk assessment tool for domestic assault offenders and increase functional literacy skills to assist with employment opportunities.
497. In 2005, the Government of Saskatchewan began implementing a three-year program to enhance the response to missing persons cases. The Missing Persons Task Force involves three elements: increased policing resources to investigate missing persons cases; resources to support a review and redevelopment of police policies; and a strengthening of partnerships among government, police and Aboriginal and community groups to support families and communities in identifying and responding to missing persons cases. The Provincial Partnership on Missing Persons Committee, established by the Saskatchewan Government, with support from the police and Aboriginal and community organizations, is reviewing the issues arising from all missing persons cases and considering responses both to prevent people from going missing and to better respond when they do go missing. There is recognition that while the overall number of long-term missing persons cases (male and female) involves an equal number of Aboriginal and non-Aboriginal cases, Aboriginal women are disproportionately represented among missing women.
498. The SHRC has been active in raising awareness of the issue of violence against Aboriginal women. It chose Violence against Aboriginal Women as its theme on two anniversary dates: December 6, 2005 – National Day of Remembrance and Action on

Violence Against Women; and December 10, 2005 – International Human Rights Day. The Commission also participates in a community group, Iskwewuk E-wichiwitochik (“Women Walking Together”), which aims to provide moral support to the families of missing Aboriginal women and to put an end to violence against Aboriginal women. The group hosted a public forum at White Buffalo Youth Lodge in Saskatoon on December 10, 2005, to publicize the issue of missing Aboriginal women.

### **Shelters for victims of violence**

499. Funding for women’s crisis centres and shelters increased by 17 per cent from 2002-2003 to 2006-2007, with \$5.5 million being provided in 2006-2007. All women are eligible to access ten shelters and 21 crisis services in Saskatchewan. The Government of Canada provides additional funding for four First Nations shelters, one of which is co-funded by the Government of Saskatchewan. Challenges are in providing services in a province with a large and varied geographic area with a small but culturally diverse population. Needs of women include financial resources, transportation, and accommodation. This can be especially challenging for families with large numbers of children, for northern and rural residents who have to leave the community to ensure safety, and for disabled persons who need services tailored to meet their needs.
500. The confidential toll-free Farm Stress Line for rural residents, referred to in paragraph 943 of the Fifth Report of Canada under this Convention, continues to provide counselling assistance, referrals and information specifically tailored to the needs of rural callers. About one-half of the callers to the service are women. Approximately 22 per cent of Saskatchewan farm operators are women.

## **Article 6: Trafficking of Women and Exploitation**

### **Sexual exploitation of children and youth**

501. See paragraph 272 of Canada’s Fifth Report on the ICESCR for information on *The Emergency Protection for Victims of Child Sexual Abuse and Exploitation Act*.
502. In 2006, the Government of Saskatchewan announced that it is expanding its strategy on Child Sexual Exploitation by:
- funding five new municipal police positions (two in Saskatoon, two in Regina, and one in Prince Albert) to work closely with community organizations and government agencies, in dealing with street level sexual exploitation of children;
  - establishing a specialized unit staffed by two prosecutors and one assistant coordinator to strengthen the Province’s ability to use the National Flagging System to identify long-term offender or dangerous offender cases. One new Royal Canadian Mounted Police investigator will work closely with the prosecutors.
  - developing a public education campaign aimed at prevention of child sexual exploitation.

**Article 7: Women in Politics and Public Life**

503. Nine out of 57 (16 per cent) of members elected to the Saskatchewan Legislature are women. There is one vacancy. Three out of 19 (16 per cent) Cabinet Ministers are women. Eight of 21 Deputy Ministers are women (38 per cent). Women comprise about one-quarter of Saskatchewan's judiciary: 11 of 47 (23.4 per cent) on the Provincial Court, 12 of 40 (30 per cent) on the Court of Queen's Bench and three of nine (33 per cent) on the Saskatchewan Court of Appeal.
504. In 2003-2004, 34 per cent of public servants in senior management in Executive Government were women. In 2005-2006, that figure had increased to 37.8 per cent. In 2003-2004, 32.1 per cent of those in middle management and other management positions were women. In 2005-2006, the percentage was 33.1 per cent.
505. One of the four goals of the Action Plan for Saskatchewan Women is the equitable participation of women in leadership and decision-making in all sectors of society and the economy (see paragraphs 508-510 of *Canada's Fifth Report on the International Covenant on Civil and Political Rights*). Gender-based analysis has been offered to key Government staff and Departments since 2003. Saskatchewan has appointed 32 Advisors on Women's Policy – one in each Government Department and Crown Corporation. Decisions that go before Cabinet are scrutinized by senior advisors with a gender and diversity lens. Other initiatives under this goal were reported in the Progress Report on the Action Plan for Saskatchewan Women (<http://www.swo.gov.sk.ca>).

**Aboriginal women**

506. Through the First Nations and Métis Women's Initiative, funding support is provided to First Nations and Métis women's provincial organizations to assist them with undertaking projects and policy development activities of benefit to their respective members. Funding is currently provided to the Saskatchewan First Nations Women's Commission, an arm of the Federation of Saskatchewan Indian Nations (FSIN), as well as the Saskatchewan Aboriginal Women's Circle Corporation, the provincial representative for the Native Women's Association of Canada, to address priority issues identified by their members.
507. Women's voices and participation in self-government negotiations are increasing. Both the FSIN and the Métis Nation – Saskatchewan have women's organizations that were created to provide input into processes such as self-government negotiations, and negotiations and agreements related to employment, health, education and child and family services. The Meadow Lake Tribal Council has a Tribal Chief who is a woman and a First Nation woman is leading negotiations on behalf of the First Nations at the Federal/Provincial/Meadow Lake First Nations governance table. There are approximately 15 women Chiefs out of approximately 75 Chiefs representing First Nations – more than at any other time in the past. It is hoped the growing number of women Chiefs will lead to more equitable representation at negotiating tables and

discussions on agreements for service delivery. This trend has been noted in local level Métis political organizations as well.

## **Article 10: Education**

### **Aboriginal women and girls**

508. Saskatchewan's curriculum articulates meeting the needs and interests of each individual student through the Adaptive Dimension to help each progress toward her potential. In addition, curriculum and policy advocate for First Nations and Métis content, perspectives and ways of knowledge.
509. Although there are few data indicators specific to Aboriginal girls, available indicators show Aboriginal girls achieving at least similar results as Aboriginal boys. For example, in 2003, significantly more grade 12 females than males intended to attend post-secondary education following graduation. Also, unpublished secondary analysis of provincial assessments show that Aboriginal girls perform about the same in mathematics as Aboriginal boys, and perform much better than Aboriginal boys in reading. These patterns are also seen in the overall population.
510. Other Saskatchewan indicators that compare gender outcomes to the overall student population indicate girls tend to have higher grade 12 marks than boys in virtually all subject areas, have greater representation than boys in post-secondary education, have greater representation than boys in scholarship awards and in professional faculties at universities, and have lower secondary school dropout rates than boys. The extent to which these comparisons exist between Aboriginal girls and boys is not known; however, anecdotal evidence suggests a similar directional advantage in favour of Aboriginal girls.
511. 2001 Census data from Statistics Canada compares the overall educational achievement of Aboriginal and non-Aboriginal females in Saskatchewan. Looking at the age group of 15 to 24 year olds, 54 per cent of Aboriginal women were in school full time or part time, compared with 60 per cent of non-Aboriginal women. With respect to achieving some post-secondary education, the gap for this age group widens between Aboriginal and non-Aboriginal women. In 2001, 14 per cent of Aboriginal women had some post-secondary education, compared to 23 per cent of non-Aboriginal women.

## **Article 11: Employment**

### **Employment measures**

512. Barriers to employment include a lack of adequate day care, costs involved in maintaining employment, transportation costs and housing issues. The Government of Saskatchewan is addressing these barriers through the Building Independence Strategy, through which low income families can receive financial benefits to assist in addressing these costs.

**Aboriginal women**

513. Aboriginal women off reserve are eligible to apply for the same programs and services as non-Aboriginal people. Increases to provincial income support programs provide additional income benefits. Basic children's benefits are provided to all low-income parents through the integrated federal-provincial child tax benefits. Residential School Survivor Payments for Aboriginal people are exempt from inclusion in income for basic social assistance programs.

**Affordable childcare**

514. Saskatchewan has implemented the following childcare enhancements:

- elimination of the childcare waiting list for children with a high level of disability;
- child care worker wage lifts of an average of three per cent effective April 1, 2005; six per cent effective November 1, 2005, and nine per cent effective April 1, 2006;
- childcare subsidy enhancements of an average of \$20 per month, effective June 1, 2005 and additional subsidy enhancements to increase coverage to over 85 per cent of 2005 fees, extending the income cut-off as well;
- expansion of licensed child care spaces by 1,450 in the period from January 2003 to May 2006.

**Article 12: Health****Access to health care**

515. Saskatchewan has established 38 primary health care teams that provide increased access to health care services. A coordinated professional health care team approach, coupled with the necessary technologies, support continuous improvements in the quality and coordination of care.

516. Saskatchewan's TeleHealth Network has 26 sites throughout the province that provide teleconference education sessions for health care workers and members of the public, and specialist clinics that reduce the hardships and costs of travel to larger centres to receive care. Saskatchewan also has a toll-free, 24-hour, seven-days-a-week health information line, staffed by specially trained registered nurses. In 2005-2006, HealthLine managed 85,000 calls from every health region in the province, and became the access point for concerns related to crystal methamphetamine. It is expanding capacity to provide 24/7 mental health and addictions support, and to include an on-line component.

**Specific health issues**

517. The Community Oncology Program of Saskatchewan, a partnership between the Regional Health Authorities and the Saskatchewan Cancer Agency, has 16 centres with



- specially trained professionals to provide chemotherapy and supportive care to cancer patients, reducing the need for patients to travel to major centers for therapy.
518. The Saskatchewan Surgical Care Network includes a province-wide surgical registry that tracks all patients needing surgery. Since March 2004, it has reduced the waiting list in the seven largest regions by approximately 3,100 cases.
519. Midwifery services are being introduced for the care of low-risk birthing women. The model of care is based on principles of informed choice and informed consent, choice of birthplace, respect for normal birth, continuity of care, judicious and appropriate use of medical technology, and evidence-based practice (meaning that midwives are professionally trained health care providers with university degrees, who incorporate the latest scientific evidence and best practices into their work).
520. Pregnant women who are HIV positive participate in a prenatal program to reduce the risk of HIV perinatal transmission, and to facilitate post-delivery follow-up with the infant and mother. All HIV positive women can access case management services in Regina, Saskatoon and Prince Albert, to assist with life functioning and to improve treatment compliance.

## **Article 13: Economic and Social Life**

### **Measures to fight poverty**

521. Saskatchewan has increased social benefits, particularly those outside of income assistance that support employment. The impact is that women have more money to support their families and are less dependent on government assistance. A single parent with two children received \$7,549 more from social assistance in 2006 than they did in 1997. A single parent with two children, working at minimum wage, received \$8,620 more in 2006 than they did in 1997. Minimum wage has increased and may be supplemented by income supports such as the Saskatchewan Employment Supplement and the Family Rental Housing Supplement. In 1998, there were 28,696 women in Saskatchewan who received social assistance. In 2005, this number had decreased to 24,234.
522. In 1998, 12.1 per cent of Saskatchewan women were considered low-income; in 2004, this percentage was 10.1 per cent. In 1998, 12.4 per cent of females less than 18 years old were considered low-income, as were 13.8 per cent of females aged 18-64, 5.1 per cent of females aged 65 and older, 8.9 per cent of females in married or common law families, and 31.4 per cent of single females. In 2004, 12 per cent of females less than 18 years of age were considered low-income, as were 11.4 per cent of females aged 18-64, 2.3 per cent of females aged 65 and older, 7.7 per cent of females in married or common law families, and 24.2 per cent of single females.

**Support programs and services**

523. Saskatchewan has made increases to most of its income assistance programs, including the Social Assistance Program, Saskatchewan Employment Supplement, Child Care Subsidy Program and Child Nutritional Development Programs. Additional disability supports are provided for health, employment income supports and taxation. Saskatchewan has also introduced new income assistance programs to support people moving to employment, housing and increased service responses for people with cognitive disabilities.
524. Fewer Saskatchewan women are in receipt of social assistance, indicating that programs outside of social assistance are working to help people find employment and become self-sufficient. In 1997, a single parent with two children received \$15,536 annually; in 2006, this family received \$23,085 annually.
525. Saskatchewan has increased basic income assistance benefits and the earnings exemption for persons with disabilities so they retain more of their earnings to help with the costs related to their disabilities. The Disability Housing Supplement has also been introduced, to ensure that persons with disabilities have access to quality, affordable housing. Employment support programs help those with disabilities remain in the workforce and access jobs in the public service.

**Women's access to housing**

526. Available social housing units are allocated to applicants on the basis of the greatest need, taking into account existing shelter conditions, costs, and social and health factors (e.g. victims of domestic violence). Social housing in Saskatchewan serves primarily women – largely households headed by lone mothers or lone seniors. New policies have been put into place, including a quality shelter supplement that is available to low-income families and people with disabilities, contingent on quality housing choices. A series of educational modules will support clients in addressing their housing needs.

**Article 14: Rural Women**

527. Farm safety net programs (e.g. crop insurance) help provide an income safety net for farmers and farm families. All farmers who meet eligibility criteria may participate in the programs. Statistics are not collected on gender of participants. Approximately 22 per cent of Saskatchewan farm operators are women.
528. The Canadian Agricultural Skills Service Program provides support to farm families for training and education. The program is fully funded by the Government of Canada and delivered by provincial governments. The program was implemented in Saskatchewan in June 2005. Once a farm unit (which includes a farmer and the farmer's spouse) is qualified, both spouses are eligible for training benefits. If their three-year average net income is less than \$35,000, both spouses qualify for separate benefits of \$16,000 each; if

between \$35,000 and \$40,000, they qualify for \$12,000 each; if between \$40,000 and \$45,000, they qualify for \$8,000 each. To date, approximately 39 per cent of approved applications have been for spouses, which primarily have been women.

## Alberta

### Article 2: Anti-Discrimination Measures

#### Legal Aid

529. Legal Aid Alberta (LAA) collaborates with Alberta Justice to improve access to the justice system. LAA initiatives include:

- The Edmonton Protection Order Program, operated by the Family Law Office, enables LAA to improve access to justice for women by providing information and court assistance in obtaining protection orders. These services are provided to all individuals requiring assistance without regard to financial need and are provided to married, unmarried, and persons experiencing elder abuse. In 2005 and 2006, 95 per cent of clients using this services were women; in 2003 and 2004, 99 per cent of clients were women.
- The Alberta Law Line was created to fill gaps in legal services and help overcome barriers to access such as delay, lack of awareness/understanding and affordability. The following is a breakdown of calls to the Alberta Law Line by gender and case type for January 1, 2003 to May 31, 2006.

	<b>Total Female</b>	<b>Total Male</b>	<b>Total Calls</b>
Number	11,134	6,839	17,973
%	62%	38%	100%

<b>Case type</b>	<b>#</b>	<b>%</b>	<b>Case type</b>	<b>#</b>	<b>%</b>
Administration	180	2	Health	583	5
Consumer Rights	554	5	Housing	977	9
Criminal law	989	9	Human Rights	25	0
Debt	433	4	Immigration	49	0
Employment	493	4	Income	82	1
Family	5,993	54	Other	776	7

- A certificate is a document that is issued by Legal Aid to a lawyer, authorizing him/her to act on the behalf of a client.

	<b>Total female certificates</b>	<b>Total male certificates</b>	<b>Total certificates</b>
Count	46,029	109,705	155,734
Per cent	30%	70%	100%

	<b>Criminal</b>	<b>Civil</b>	<b>Youth</b>
Count	13,994	28,217	3,818
Per cent	30%	61%	8%

### **Complaints of gender-based discrimination**

<b>Period</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006 (to May 31)</b>	<b>Total 2003- 2006</b>
Complaints accepted citing gender	213	243	188	93	737
Total complaints accepted in period	852	907	776	285	2,820
* Note that each complaint may cite multiple areas (Employment, Tenancy, etc.) and may also cite other grounds (Race, Mental or Physical Disability, etc.)					

### **Aboriginal women in custody**

530. Statistics show that since 2003, the percentage of Aboriginal female young offenders has risen from 43.2 per cent to 49.1 per cent. The rate for adult female offenders has decreased from 52.6 per cent to 49.3 per cent over the same time frame. Nevertheless, the Aboriginal female population in both age groups comprises almost half the female offender population in Alberta.
531. In April 2004, a new program "I Can" was implemented at Fort Saskatchewan Correctional Centre. This program is aimed at women who are involved in prostitution, but targets related behaviour patterns and underlying factors that result in prostitution and poor life choices. A formal evaluation has not been conducted to date.

## **Article 3: Measures to Ensure the Advancement of Women**

### **Violence against women and girls**

532. In May 2004, family violence and bullying stakeholders convened for the Alberta Roundtable on Family Violence and Bullying. Stakeholders agreed on five key areas of action: social change, provincial leadership, a collaborative and coordinated community response, services and supports, and accountability through improved outcomes. As a result, the Government of Alberta approved a province-wide Strategy for the Prevention of Family Violence and Bullying, which is being implemented. An Ethnocultural Committee on Family Violence was established in 2005, to advise the implementation of the Strategy.
533. In 2005-2006, Alberta's Community Incentive Fund provided grants to 130 projects in 62 communities to support local action on the prevention of family violence and bullying; four of these grants went to projects in ethnocultural communities. It is expected that

- communities will establish coordinated and collaborative responses to prevent and intervene in violence, including violence against women.
534. In October 2005, Alberta hosted the World Conference on Prevention of Family Violence, which brought together international leaders, researchers and policy and program experts to share best practices in family violence prevention, intervention and follow up supports.
535. Alberta has invested \$1 million annually in developing services for individuals presenting with sexual assault issues in the context of family violence.
536. A primary focus of Alberta Health and Wellness is the implementation of a treatment program aimed at perpetrators of family violence (predominantly male) who are mandated for assessment and, where indicated, treatment through the criminal justice system or the *Protection Against Family Violence Act*. In 2005-2006, \$3.995 million was allocated to the Alberta Mental Health Board to coordinate implementation of the Provincial Family Violence Treatment Program. The goal of the program is to hold perpetrators accountable for their actions and to provide assessment, treatment, rehabilitation and follow-up services that assist perpetrators to change their behaviours and reduce re-offence/recidivism rates with the same and/or subsequent partners.
537. The funding provided in 2005-2006 allowed treatment services to be maintained (Calgary) and implemented in cities with specialized family violence courts, including Lethbridge, Red Deer, Medicine Hat and Edmonton. Expansion of the treatment program to other communities with specialized family violence courts is being explored.
538. The Government provides Victims of Crime Fund grants to organizations that provide direct assistance to victims throughout their involvement in the criminal justice process. Several grants are provided to organizations that deliver specialized services to victims of domestic violence and/or victims of sexual assault and to immigrant and refugee clients.
539. Communities Against Sexual Abuse received \$20,000 in 2005 to cover the costs of a community development coordinator/trainer, outreach/education programming, and travel to pilot the development of a comprehensive sexual assault response team model.
540. The Government developed standardized training for advocates who provide direct services to victims of all types of crime throughout the province, to equip victim advocates with the skills to respond effectively to all victims of crime.
541. A screening tool for front-line police responding to family violence is being researched and incorporated, to provide risk assessment and emergency safety planning for victims.
542. Ongoing family violence training is provided to police throughout Alberta, with continual evaluation and revision of topics and presenters.

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543. The development and implementation of the new Alberta Relationship Threat Assessment Initiative commenced in June 2006. This is a police based unit that will be comprised of police, mental health experts, Crown and family law consultants to provide threat assessments on cases of high-risk relationship violence and assist in safety planning for victims.
544. Alberta Works Income Support program provides benefits to all clients escaping abuse. Telephone and transportation is provided to abuse victims to access supports and services that will help them to secure safety. A benefit is provided to abuse victims to help pay for incidental costs when they are residing in a recognized shelter, and the costs are not covered by the shelter. In addition, damage deposits, and relocation allowances are provided to all people leaving abusive situations, regardless of their relationship to the client.
545. Assured Income for the Severely Handicapped (AISH) provides a benefit related to escaping abuse, for all clients, regardless of gender, who have \$3,000 or less in assets. This includes a \$1,000 benefit to assist with re-establishing a home after fleeing an abusive situation; up to \$500 for moving costs, and any actual damage deposits required to secure accommodation. To be eligible for AISH you must be an adult with a permanent disability that severely impairs your ability to earn a living. This benefit was part of the Personal Support Benefits introduced in October 2005.
546. Persons with Development Disabilities (PDD) has safeguards against abuse, which are outlined in the Abuse Prevention and Response Protocol. The purpose of the Protocol, implemented on January 1, 2004, is to provide a policy framework that identifies processes and accountability measures related to abuse prevention and response. Adherence to the Protocol is mandatory for all parties who are paid to provide PDD funded supports.
547. The Government provides funding assistance to seniors' safe shelters. The shelters provide safe places to stay and supportive counselling for seniors who are experiencing abuse or neglect.
548. Under the *Protection for Persons in Care Act*, all adult Albertans, including women with disabilities, immigrant and refugee women, and other marginalized groups, are protected if they are in receipt of care services from agencies such as hospitals, nursing homes, shelters, group homes, and other supportive living facilities. The Act requires that all complaints be investigated and if the matter is criminal in nature, that it be referred to the police. If a Protection for Persons in Care investigation determines that abuse has occurred, recommendations are made to prevent such incidents in the future.

**Aboriginal women**

549. The Alberta Advisory Committee was established in 2005 to provide advice, support, leadership and strategic direction to Alberta's Strategy for the Prevention of Family Violence and Bullying.
550. In 2005-2006, the Community Incentive Fund provided grants to 23 projects in the Aboriginal community. Funds have been specifically accessed by grass roots organizations to address sexual assault and violence in Aboriginal families.
551. As of May 2006, strategies to support Northern, Aboriginal, immigrant and rural communities to build local capacity for leadership, organizational development and coordinated services were in development.
552. The Government created and staffed a new position of Program Liaison for Aboriginal and Isolated Communities. Although this position does not focus specifically on victims of domestic violence, it does focus on expanding and enhancing services available to Aboriginal victims of crime throughout the province.
553. Bent Arrow Traditional Healing Society received a \$51,192 grant from Victim Services in 2006 to hire a family outreach worker to prevent and reduce the impact of violence in Aboriginal families living in two communities.
554. The Government's Human Rights, Citizenship and Multiculturalism Fund helps Aboriginal women develop human rights resources, increase community capacity and assist others to understand barriers and issues facing Aboriginal women. For details regarding funded projects and amounts of grants please see:  
[http://www.cd.gov.ab.ca/helping\\_albertans/human\\_rights/education\\_fund/financial\\_assistance/recipients/B1.asp](http://www.cd.gov.ab.ca/helping_albertans/human_rights/education_fund/financial_assistance/recipients/B1.asp).

**Shelters for victims of violence**

555. Since 2003, the annual operating budget for women's shelters in Alberta has increased from \$11 million to \$20 million in 2006.
556. New measures have been taken including prioritizing those most at risk, outreach supports and funding three new shelters and additional shelter beds. This has resulted in women accessing the most appropriate supports for their situations as well as increased access to supports.
557. On-reserve shelters are accessible in five First Nations communities. Women in Alberta are free to access shelters in any community across the province (i.e. on-reserve or off-reserve).



558. Transportation in rural and remote areas remains an issue. Language barriers for immigrant and low literacy individuals can also impact access.
559. As of May 2006, a review of Alberta's Women's Shelter Program was in progress, to ensure that shelter services are delivering the right services at the right time for families impacted by family violence in Alberta.

## **Article 7: Women in Politics and Public Life**

560. Thirteen of the 83 members in the Alberta Legislative Assembly, or approximately 16 per cent, are women. Out of a total of 28 cabinet ministers, five, or 18 per cent, are women. There are 25 deputy ministers in the Alberta government of whom five, or 20 per cent, are women.

## **Article 10: Education**

### **Aboriginal women and girls**

561. In early 2006, Alberta launched a province-wide consultation called "Your Future Starts Here" as part of its High School Completion Initiative. The consultation will help generate new, community-based solutions to increase Alberta's high school completion rates. Some of these community-led solutions will target high-risk groups, including Aboriginal girls.
562. There are numerous measures in place to ensure access for Aboriginal women to education. These measures apply to both Aboriginal men and women. By way of example:
- The Niitsitapi Aboriginal Teacher Education program at the University of Lethbridge (in collaboration with Red Crow Community College) began in the fall of 2003 with 12 students admitted to the regular on-campus degree program. A second cohort of 24 students was admitted in the fall of 2004 to a specialized, culturally sensitive Blackfoot teacher education program. Before admission, students must have completed 30 courses of University level study and demonstrate knowledge of Blackfoot language and culture.
  - The Aboriginal Teacher Education Program program at the University of Alberta, launched in 2002, is an off-campus elementary teacher education program designed to improve the educational success of Aboriginal children by increasing the number of Aboriginal teachers in communities in northern Alberta. Examples of progress include: in the spring 2004, 33 students graduate from the first two cohorts offered at Blue Quills First Nation College and Northern Lakes College; in September 2003, one cohort of 22 students began studies in a full four-year community-based program in collaboration with Northern Lakes College in Grouard, Slave Lake, Wabasca, Peace River, and Fort Vermilion.

- The Office of the Aboriginal Health Care Careers Program was instituted by the Faculty of Medicine and Dentistry in 1988, to assist Aboriginal students gain admission and graduate from the Faculty of Medicine and Dentistry, and the other Professional Health Sciences Faculties at the University of Alberta. As of 2001, the Faculty had graduated 23 Aboriginal physicians, five dentists, 11 dental hygienists and three students with a BSc in Medical Laboratory Science. This program has proven successful in adding graduates to the pool of Aboriginal physicians. The program uses incentives and support programs to recruit, retain and support Aboriginal students. In 2003-2004, three students were supported in the program.
- The Aboriginal Practical Nurse Certificate program (Bow Valley College) provides an opportunity for students to acquire the knowledge, skills and values required as a Practical Nurse in the context of Aboriginal culture, values, spirituality and traditional methods of healing. The Aboriginal content of the program is fully integrated into the core curriculum so that concepts of wellness, healing, spirituality, family and community from Aboriginal perspectives are considered alongside non-Aboriginal traditions.

## **Article 11: Employment**

### **Employment measures**

563. In June 2006, the Employment, Training and Transitions Benefit (\$300) was expanded to ensure that it assists clients who are working with costs necessary to maintain or secure better employment. This benefit is available to both men and women.
564. Alberta's 10-year labour force development strategy, *Building and Educating Alberta's Workforce*, outlines how government, business and industry, training providers and communities must work together to meet labour and skill shortages and ensure the province remains globally competitive.
565. Alberta's priority in addressing labour force pressures will be on maximizing the skills and talents of Albertans first. This includes under-utilized groups such as First Nations and Métis peoples, persons with disabilities, recent immigrants, women and youth.
566. Additional measures aimed at removing barriers to standard employment include:
- Eligible Albertans, regardless of gender, in employment and training programs have access to a full range of income support training and health benefits.
  - As a result of the Income and Employment Supports Act learners in training have access to a wider range of income support and health benefits (social benefits).
  - Alberta Works Income Support recipients who leave Income Support due to employment income receive coverage for health benefits for themselves and their dependents through the Alberta Adult Health Benefit program (AAHB). The program

- provides 100 per cent of prescription drugs, dental, optical, ambulance and diabetic supplies with no time limitation as long as their income is low.
- Families who are not eligible for the AAHB, including working parents who were not previously in receipt of Alberta Works Income Support and the children of learners, are eligible for health benefits for their dependent children through the Alberta Child Health Benefit (ACHB) program. The ACHB provides 100 per cent coverage of prescription drugs, dental, optical, ambulance and diabetic supplies with no time limitations as long as the family income is low.
567. In regard to non-traditional employment for women, in some regions, training is provided for women in the trades. For example, the Women Building Futures program has achieved some positive results in this area. For individuals attending full-time training programs, tuition, books, supplies, prescribed fees and monthly income support is provided. The costs of tuition, books, transportation and childcare are also covered for eligible Albertans who are attending part time training, through the Skills Investments Bursary and the Part Time Bursary.

### **Affordable childcare**

568. In 2003, the Government implemented the Accreditation Funding Program to improve standards and promote excellence in childcare. Licensed day care centres and contracted day home agencies are able to access staff funding at enhanced rates to better promote recruitment and retention of qualified staff.
569. Also implemented in 2003 were the Kin Child Care Funding Program and the Child Care Subsidy E-Business Initiative. The Kin Child Care Funding Program enables eligible low-income families to pay non-custodial relatives for childcare. The Child Care Subsidy E-Business Initiative is an online application that provides low-income families with information and easier access to the childcare subsidy program through a Web-based application.
570. Developed in August 2004, standards for licensed Out of School Care Centres, developed under the Child Care Regulation, ensure the development, safety and well being of school age children and expand the range of available options for families with school age children.
571. Based on extensive stakeholder consultations, Alberta released its Five-Point Investment Plan on October 14, 2005. The plan provides funding in the following five areas:
- affordable childcare for low and middle-income families: new income eligibility thresholds and increased subsidy rates;
  - support for parents to stay at home with children: stay at home subsidy introduced in January 2006;

- better access to childcare for children with disabilities: increased funding to provide more childcare spaces and more training opportunities for staff caring for children with disabilities;
- quality childcare services: increase to childcare accreditation funding program for licensed day care centres and contracted day home agencies;
- better supports in their role as primary caregiver and more access to early intervention services;
- in 2006, the Alberta Child Care Professional Awards of Excellence Program was initiated to recognize childcare professionals whose work and contributions have significantly impacted Alberta's childcare community.

## **Article 12: Health**

### **Specific health issues**

572. Alberta is working toward improving access to breast cancer treatment. Wait time goals have been identified and services redesigned to shorten wait times from as long as eight months to a total of 12 weeks from initial discussion with the family physician related to the discovery of a breast abnormality to initiation of oncology treatment.
573. In November 2003, the Alberta Alcohol and Drug Abuse Commission issued a framework for women's services in response to an increased awareness of gender specific issues related to addiction. A combination of services including priority access to treatment for pregnant women with substance abuse problems has resulted in a more responsive program for women with unique addiction issues. The Framework is available at [http://corp.aadac.com/content/corporate/for\\_women/FrameworkESW\\_Nov03.pdf](http://corp.aadac.com/content/corporate/for_women/FrameworkESW_Nov03.pdf).
574. The Alberta Cervical Cancer Screening Program, a province-wide organized screening program is being implemented in Alberta. The aim of the Program is to improve prevention and early detection of cervical cancer by increasing the number of women 18 to 69 years who receive regular Pap tests. The Program will actively support women to participate in screening, including many women who are typically underscreened and will include education, community and outreach programs for "hard to reach" groups of women.
575. Alberta Health and Wellness implemented an "opt out" prenatal HIV testing program in September 1998, which has a testing rate of over 95 per cent. There has been no perinatal transmission in women receiving optimal care. It also supports the cost of formula for infants born to HIV positive mothers.

### **Aboriginal women**

576. With the transfer of responsibility for most mental health services from the Alberta Mental Health Board (AMHB) to regional health authorities in April 2003, the AMHB retained governance responsibility for Aboriginal Mental Health. In 2006, the AMHB

published *Aboriginal Mental Health: A Framework for Alberta Healthy Aboriginal People in Healthy Communities*. The Framework provides strategic direction for service providers to support the mental well-being of all Aboriginal Albertans, including women. It is available at [www.amhb.ab.ca/publications/pdfs/AB%20Framework.pdf](http://www.amhb.ab.ca/publications/pdfs/AB%20Framework.pdf).

577. Through the Early Childhood Development Initiative, Chinook Health Region receives funding to implement the Mental Health Services for Families program with Piikani (Peigan) First Nation. This program provides services to high-risk expectant mothers and parents dealing with stress and multiple issues related to substance abuse, family violence and poverty that affect their mental health and wellness. The program provides early childhood education and parenting skills, respite services, assessment of family functioning and risk factors, home visitation services (a friendly trusting hand to parents identified as high risk or self referrals), weekly group meetings to encourage parent-child interaction, and time-out sessions for young parents.

## Article 13: Economic and Social Life

### Support programs and services

578. The *Family Support for Children with Disabilities (FSCD) Act* was proclaimed August 1, 2004. The Act was created based on input from Albertans during the *Child Welfare Act* review. Parents and stakeholders indicated that the unique needs of children with disabilities could not be sufficiently addressed within the provisions of the *Child Welfare Act*, which led to the creation of separate legislation.
579. The Act better serves children and families, because it recognizes families as partners in planning, choosing and developing services that best meet their needs. The Act provides family-centred services to help families in promoting their child's healthy development. In addition to disability-related needs, the FSCD Act recognizes and considers the needs and circumstances of families.
580. Please see paragraph 211 of *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights* for information regarding changes to Alberta seniors' income support programs.
581. Assured Income for the Severely Handicapped (AISH) provides a living allowance and personal income support benefits to adult Albertans with a permanent disability that severely impairs their ability to earn a living. The AISH living allowance increased to a maximum of \$1,000 a month on April 1, 2006. On October 1, 2005, Personal Income Support Benefits were introduced to help AISH clients meet extra needs like caring for a guide animal, special diets or emergency travel. In addition, a separate employment income exemption was introduced to allow AISH clients to earn more money without it affecting their AISH living allowance.

582. As of January 2006, clients of the Alberta Seniors Benefit and AISH who reside in designated assisted living and long-term care facilities are provided with enhanced financial support and are better able to afford the cost of a private room. Prior to the change, operators were asked to charge lower-income residents the semi-private room rate in situations where only a private room was available. In addition, clients resident in designated assisted living are now funded at the same level as clients in long-term care, thereby increasing lower-income clients' access to this alternative to long-term care.
583. New initiatives implemented under Alberta Works - Income and Employment Support Program include:
- January 2006: Payments under the Alberta Resource Rebate were exempt as income.
  - The Child and Adult Support Regulation was amended and the persons receiving Income Support benefits are no longer defined as having priority. This provides better access to CSS to all Albertans with low-income, who meet program criteria.
  - April 2005: A new one-time, \$100 benefit is available to help offset the costs of setting up a Registered Education Savings Plan to participate in Alberta's Centennial Education Savings program.
  - In 2006: The National Child Benefit Supplement increase and the Universal Child Care Benefit were exempt.
  - July 2006: the Alberta Adult Health Benefit program was extended to all Income Support recipients who leave Income Support due to employment income (see Article 11).

## British Columbia

### Article 2: Anti-Discrimination Measures

584. The Government of British Columbia (BC) funds a province-wide Human Rights Clinic for eligible complainants and respondents that need assistance in taking a claim forward to the BC Human Rights Tribunal. The Clinic provides specialized assistance and representation from start to finish for human rights cases, ensuring access to justice.

#### Legal aid

585. In February 2005, BC provided funding to expand family law services centred primarily on assisting women and families. These new services are focused on summary advice and assistance services such as family duty counsel services, and increased assistance for high conflict families, as well as those that must pursue their disputes in the Supreme Court of BC. Family duty counsel services are available in 46 Provincial Court locations and the 13 busiest Supreme Court locations.

586. BC provides more than \$25 million in programming to support family issues, such as Family Justice Centres and legal education and information initiatives. The Government is researching the feasibility of a number of family justice reforms, and is piloting an access to justice hub that will provide legal information, summary legal advice and dispute resolution services in one location.

587. The table below shows the number of women accessing legal aid in BC.

Period	BC Legal Representation Referrals		
	All	Female	Male
January 1 to March 31, 2003	8,396	2,432	5,964
2003-2004	30,222	9,174	21,048
2004-2005	28,646	8,747	19,899
2005-2006	30,030	9,698	20,332
April 1 to May 31, 2006	4,791	1,585	3,206
<i>Source: Legal Services Society</i>			

588. The BC legal aid program also provides LawLINE, a toll-free telephone service for people who cannot afford a lawyer, that provides general legal information and, in some cases, advice about legal issues, including civil family and poverty law issues. The table below shows access to LawLINE in BC.

Period	BC LawLINE Legal Advice and Information			
	Total	Female	Male	Unknown
February 23 to Mar 31, 2004	1,619	1,003	583	33
2004-2005	14,636	9,191	5,364	81
2005-2006	16,589	10,241	6,203	145
April 1 to May 31, 2006	2,302	1,501	773	28
<i>Source: Legal Services Society</i>				

### Aboriginal Women

589. The Government worked closely with Aboriginal leaders and increased the role and opportunity for Aboriginal people to develop and provide services. There are 25 delegated agencies serving their Aboriginal communities, with others in negotiation. BC also supports the advancement of Aboriginal women and young women as community leaders through networking associations, leadership training and small business development.

### Aboriginal women in custody

590. Aboriginal women are over-represented in BC's provincial custody centres. While persons of First Nations descent constitute four per cent of the total BC population, in 2005, Aboriginal women accounted for 26.4 per cent of the overall female custody population, a five per cent decrease since 2003. Government policy provides for culturally sensitive programs and services within the community for Aboriginal women offenders. For example, BC contracts with 20 Aboriginal communities and organizations to deliver correctional programs, and provides within-custody programs to assist offenders understand and resolve factors that lead to criminal behaviour, links to community resources to enhance community support following release, and programs contracted to Aboriginal service providers.

## Article 3: Measures to Ensure the Advancement of Women

### Violence against women and girls

591. In 2005, an evaluation of the Stopping the Violence Counselling program (for women dealing with current or historical violence) indicated that the program was meeting its contractual objectives to provide services, regardless of race or religion, and in a manner that is sensitive to culture. BC has support services for victims of racially motivated violence against women and girls. In 2005, a significant majority of victim services clients were women receiving services from 153 separate programs.



592. BC's Hate Crime Team ensures the effective identification, investigation and prosecution of hate motivated crimes. It raises awareness in communities so local agencies can effectively respond to hate activity through prevention and appropriate support for victims. BC sponsors awareness of hate motivated crimes through the Community Forum on Hate Crime (2005), the Missing Women Task Force, and supports Justice for Girls, specifically for Aboriginal and other teenage girls who live in poverty.
593. In 2006, the Government delivered training and public forums on the use of testimonial aids in court for vulnerable victims and witnesses. A range of educational resources, training and court supports are being developed. As a result, victims of violence are more informed of their legal rights.
594. In 2003, government-sponsored research on factors in the justice system affecting women victims of violence in relationships led to the development of a tool to empower women by developing effective safety plans. In 2005-2006, the Community Action for Women's Safety program provided over one million dollars in grants to community agencies to prevent violence against women, concentrated on Aboriginal women (50 per cent), immigrant and visible minority women (20 per cent), women with disabilities (four per cent) and older women (3.9 per cent). Other violence prevention activities focus on school districts with high Aboriginal and immigrant/visible minority populations.

### **Aboriginal women**

595. In addition to initiatives funded under the Community Action for Women's Safety program, contributions of \$75,000 are made to each of the three on-reserve transition houses. Transition houses that are not on reserve receive varying amounts of funding depending on bed size and other factors. All other violence intervention programs, such as counselling, are available to Aboriginal women.

### **Funding for women's crisis centres and shelters**

596. In 2005-2006, with the addition of \$12.5 million in new annual funding, the total annual budget for the Stopping the Violence program was increased to \$46.7 million; \$28.6 million of that is provided annually to 63 transition houses, 27 safe homes and nine second stage housing programs.
597. All government-funded services are available to all women who need them, including vulnerable and marginalized groups. All transition houses, safe homes and second stage facilities funded by the Government must ensure that women in need are aware of, and know how to access the facilities. Agencies that provide government-funded transition houses and counselling programs strive to ensure that no systemic barriers exist.
598. In 2003, the Government consolidated funding for crisis lines into one provincial line called VictimLINK, a 24/7 crisis support, help and information line for victims of all crimes including family and sexual violence. VictimLINK ensures women's access to

shelters by transferring calls directly to the shelter or phoning shelters on the victim's behalf and notifying the victim that someone is being released from protective custody. The impacts of consolidation include: more consistent response accessible from anywhere in BC; increased referrals to local programs for assistance and support; and the ability to provide other services 24 hours a day, seven days a week. VictimLINK has responded to over 41,500 calls for support and referral since 2003.

## **Article 6: Trafficking of Women and Exploitation**

### **Trafficking in women and girls**

599. In 2004, provincial and federal governments co-hosted a Roundtable Discussion on Human Trafficking. In 2005, BC held the Pacific North West Conference on International Human Trafficking that provided information on pressing issues and explored the challenges faced by law enforcement in identifying and convicting human traffickers. The Government is leading a Human Trafficking Response Initiative, in collaboration with NGO partners, to ensure that networks of services are in place to respond to the needs of trafficking victims. Numerous meetings have occurred since September 2005 to gather information about existing services and identify gaps; and key BC ministries have committed to review policies and regulations that may need to be modified to allow for service provision to trafficked persons.

### **Sexual exploitation of children and youth**

600. Extensive community consultations resulted in a recommendation that voluntary community services be strengthened, instead of amending legislation that would have enabled involuntary intervention for some sexually exploited youth. As a result, the following steps were taken:

- An additional \$2 million was allocated in April 2005 to fund individualized services for sexually exploited youth.
- Youth shelter and safe house bed capacity was enhanced in 2005-2006 by funding 15 additional beds in two communities.
- Through the Premier's Task Force on Homelessness, Mental Health and Addictions, additional second stage transition housing for youth was implemented, including funding for an additional 10 youth transition beds in one community and an increased allocation of \$1.5 million for transitional housing in 2007-2008.
- An additional \$43 million Child and Youth Mental Health funding was implemented in 2005-2006.
- Funding to enhance youth addiction services was increased by \$6 million in 2005-2006, including providing concurrent disorder treatment programs.
- In partnership with the Crime Prevention Action Fund of the National Crime Prevention Centre, the BC Government is implementing a Community Capacity Building Project fund to increase the capacity of local communities to address the issue of sexual exploitation.

## **Article 7: Women in Politics and Public Life**

601. Twenty-two per cent of BC's 79 elected Members of the Legislative Assembly are women, 22 per cent of BC's Cabinet Ministers are women. British Columbia's Lieutenant Governor is a woman.

### **Aboriginal women**

602. In 2004, the BC Treaty Commission (BCTC) produced "Our Sacred Strength" Video and Facilitation Guide, which highlights 11 Aboriginal women from different regions of BC and is available from BCTC to assist Aboriginal women with starting their own talking circles in their communities.

## **Article 10: Education**

### **Aboriginal women and girls**

603. On July 5, 2006, the Government of British Columbia, the Government of Canada and the First Nations Education Steering Committee signed an Agreement to enhance First Nations education in BC. The framework agreement puts into place a process for the recognition of First Nations' jurisdiction over First Nations' education.
604. The Government provides \$950 per self-identified Aboriginal student in supplementary funding per school year, and facilitates a collaborative partnership through Aboriginal Enhancements Agreements (EAs) among school districts and all local Aboriginal communities to enhance Aboriginal students' educational achievement. In 2004-2005, the Aboriginal graduation rate rose to 48 per cent from 42 per cent in 2000.
605. In 2004-2005, there were over 9,000 Aboriginal women enrolled in BC Colleges and Institutes compared to approximately 6,000 Aboriginal men. Aboriginal and non-Aboriginal women have similar completion and retention outcomes. In 2005, 78 per cent of Aboriginal women completed their program requirements compared to 75 per cent of non-Aboriginal women. The number of credentials earned by Aboriginal women has increased by approximately nine per cent over three years, while non-Aboriginal women show a decreasing trend of -6.4 per cent over the same period.
606. The Government has initiatives targeted at increasing post-secondary education access, participation, retention, and completion of Aboriginal learners. In BC, Aboriginal women are significantly better educated than Aboriginal men.

<b>% of Population Age 25-64 with a High School Diploma plus a Post Secondary Credential</b>		
	<b>Women</b>	<b>Men</b>
North American Indians	32.4	26.7
Métis	41.5	33.6
Non-Aboriginal	55.0	53.8
<i>Source : BC Stats, Earning and Employment Statistics, May 2006.</i>		

607. Statistics indicate that access measures are particularly effective for Aboriginal women. Government initiatives in this area include:
- Targeted funding for public post-secondary institutions to establish First Nations Coordinator positions to support First Nations and Aboriginal student success. In 2006-2007, 26 of the 27 public post-secondary institutions in BC employ Aboriginal coordinators that serve over 16,000 Aboriginal students, over 50 per cent of which are women.
  - Funding through the Aboriginal Special Projects Fund supports initiatives aimed at increasing participation and success for Aboriginal post-secondary learners. Since 2001, about \$7.8 million has been provided to 150 Aboriginal special projects, from which more than 3,400 Aboriginal learners have benefited.
  - The Community Adult Literacy Program (CALP) supports community-based program delivery, regional literacy co-ordination, and province-wide services provided by Literacy BC. Many of its projects specifically assist Aboriginal women in the foundational skills necessary to proceed to post-secondary education programs.
  - One CALP project, the Aboriginal Literacy and Parenting Skills program, is an innovative family literacy program for Aboriginal parents that uses “low-level” literacy materials to strengthen the literacy and parenting skills of participants and provides them with strategies to model exemplary literacy practices with their children.
  - The First Citizens Fund Student Bursary Program provides financial assistance to Aboriginal students enrolled in post-secondary education programs. It recognizes the academic achievements of approximately 110 Aboriginal students each year, helping them gain the education they need for their career choices.
  - The First Citizens Fund Friendship Centre Program supports 24 Friendship Centres to offset the employment costs of program directors, who provide culturally responsive programming for Aboriginal people living in urban areas. Between 2000 and 2003, Program Directors managed 537 programs with 723,019 participants.
  - The BC Loan Reductions program forgave \$67.1 million in student loans to about 28,000 students, including 2,600 students with dependants. Although this funding is

not earmarked for women or Aboriginal people, given that many Aboriginal post-secondary students are women with children, they would benefit from these initiatives.

- In 2005-2006, the adult basic education student assistance program provided \$4.3 million in grants to about 8,000 post-secondary students. As well, 26,846 students were enrolled in adult basic education at BC high schools, which is tuition-free as part of government's commitment to literacy. Forty per cent of Aboriginal students enrolled in post-secondary education are in developmental programs.
- The Draft Aboriginal Post-Secondary Education Plan/Strategy was developed following a review of Aboriginal post-secondary education in 2003-2004. The Strategy proposes a series of action items that will address access, participation, retention, and completion for all Aboriginal post-secondary education learners.
- Annual funding is provided to four Aboriginal post-secondary institutions (two public and two private) that provide a receptive environment where culture is reflected in curriculum, program delivery, and faculty. Many students are enrolled in upgrading courses and transfer to larger Aboriginal or non-Aboriginal institutions after completing access programs. In 2005-2006, approximately 1,050 Aboriginal students were served through these institutions.
- A memorandum of understanding among provincial post-secondary institutions, the federal government and key Aboriginal organizations was signed on March 11, 2005, to improve access to post-secondary education for Aboriginal learners, including women, and streamlining the transition of Aboriginal learners from high school to post-secondary institutions.

## **Article 11: Employment**

608. There are more women working in BC than ever before and nearly half of the new jobs created in BC since 2001 have gone to women.

### **Employment measures**

609. In 2006, BC passed legislation to provide compassionate care leave protection to assist women in retaining standard employment, since they are often called upon to provide care for a dying family member.

610. The BC Government invests more than \$70 million a year on a variety of employment programs to fight poverty and assist employable social assistance recipients to find and keep good jobs.

611. The Bridging Employment Program (BEP), introduced in September 2003, assists survivors of violence and abuse to address employment barriers that prevent them from leaving social assistance for sustainable employment. BEP has components that address the needs of women who receive social assistance and have experienced abuse, with specific components to address additional barriers such as language, immigration, culture, and former experience in the sex trade. BEP provides educational assistance, employment programming, parenting and counselling support, referral to community agencies and financial assistance; 27 per cent of BEP outcomes are employment while six per cent of participants move on to post-secondary studies.
612. The BC Employment Program, introduced in 2006, provides individualized employment programs and services to employable social assistance recipients, with special attention to recipients who have barriers to employment.
613. The new Community Assistance Program (CAP), introduced in 2006, provides a range of lifeskill services and supports to social assistance recipients facing multiple barriers. These services and supports enhance quality of life and help clients participate more fully in their communities with a combination of employment programming and life skills.
614. A revised CAP has also been introduced to provide social assistance recipients with the opportunity to enhance their quality of life and participation in their community by focusing on community involvement, education and training, volunteer placements and personal life skills.
615. The BC Family Bonus program, which includes the basic Family Bonus and the BC Earned Income Benefit, provides non-taxable monthly payments to help low and modest income families with the cost of raising children under age 18. The Basic Family Bonus provides a benefit of up to \$111 per child per month when combined with the National Child Benefit Supplement. Families whose earned income is more than \$3,750 per year may also be entitled to the BC Earned Income Benefit based on the number of children in the family and the family's net income. Benefits paid under the BC Family Bonus program are exempt from consideration as income for social assistance recipients; no deductions from social assistance result from receipt of these benefits. Availability of these benefits, outside the welfare system, removes a major disincentive for women to leave social assistance and enter the workforce.
616. The province provides targeted employment programming and supports through the Employment Program for Persons with Disabilities. An individual does not need to be a recipient of social assistance to access this program.
617. BC's Healthy Kids Program provides basic dental treatment and optical care to children in lower-income families. Children in families receiving any level of Medical Services Plan premium assistance through BC's health ministry are eligible for the Program. Ensuring these benefits are available for social assistance recipients and parents

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participating in the labour force eliminates a major disincentive for women to leave social assistance and enter the workforce.

618. BC now has the highest proportion of women in the workforce and highest percentage of women owning or operating a small business in Canada. The median weekly wage for women in BC has grown at nearly twice the rate for men.
619. Women with low earnings may receive a provincial social assistance top-up to bring their total monthly income up to the legislated social assistance rate.

### **Aboriginal women**

620. The First Citizens Fund Business Loan Program provides Aboriginal women with the opportunity to participate in the market economy as business owner/operators. Aboriginal women's uptake of the program ranges from 30-50 per cent in any one year.
621. The Government encourages the recruitment and retention of Aboriginal citizens in the provision of child and family services. The devolution of child and family services to Aboriginal communities, especially with the planned creation of regional Aboriginal child and family service authorities, is expected to create significant employment opportunities for Aboriginal people.

### **Affordable childcare**

622. BC's Child Care Subsidy Program provides income-tested childcare subsidies to parents. These subsidies assist women to participate in employment. This program was enriched in 2005 with an increase to the qualifying income threshold (from \$21,000 to \$38,000) and increases to subsidy amounts. In all, 10,000 more children will be eligible for a subsidy benefit, while an additional 6,000 will receive a substantial rise in their existing subsidy. The province also provides an exemption for the new federal Childcare Benefit Allowance for social assistance recipients.
623. BC's Supported Child Development program provides consultation and support for children with special needs under age six, including Aboriginal children, and their families to participate in regular community childcare settings. In 2005-2006, the Government increased capacity for the program by funding \$10 million to assist in reducing wait times for services, providing for extra staff, training, support and consultation to families and child care providers.

## Article 12: Health

### Access to health care

624. The BC Women's Hospital participates in three primary health care reform partnerships with the Northern, Interior, and Vancouver Coastal Health Authorities to: strengthen primary health care access for women living in rural communities; and develop sustainable models of primary maternity care. BC will continue leveraging health transition funding to help develop primary care capacity in communities across BC. The three reforms are:
- The Teen Health Web site "Strong, Healthy, Empowered" (SHE) is at the planning stage. It will provide information to help young women make informed, healthy lifestyle choices, and help them access the health care system.
  - In July 2006, BC introduced a \$2.5-million renovation project to increase the number of single-room care units at BC Women's Hospital and Health Centre from six to 17 units;
  - BC's share of the Primary Health Care Transition Provincial/Territorial funding, \$74 million over four years (2002-2006), is targeted to: strengthen family practice and reduce pressure on the acute care system; improve health care delivery and outcomes for women and children; and provide a wider range of options for patients.

### Specific health issues

625. BC invested \$3 million to encourage women to have a screening mammogram every two years.
626. In 2005, BC established the Women's Health Research Institute to promote women-centred research and coordinate efforts to develop women's health provincial networks.
627. In October 2004, BC offered Advancing the Health of Girls and Women in British Columbia: A Provincial Women's Health Strategy (PWHS), a 10-year collaborative women-centred approach to address three priority areas: women's health monitoring; maternity care; and mental health and addiction. With implementation guided by the Provincial Women's Health Network, the strategy intends to advance women's and girl's health, improve the evidence base on their health, and provide gender-sensitive care.
628. Healthy Choices During Pregnancy (ActNow BC), for both the general population and women at risk (e.g., of having children with Fetal Alcohol Spectrum Disorder), focuses on supporting women to make healthy choices during pregnancy, including encouraging healthy eating and reducing or stopping smoking and or the use of alcohol.



629. Government initiatives have shown results:

- A Statistics Canada report showed that BC women aged 50 to 69 years, self-reported the third highest rate in Canada of receiving screening mammograms.
- Widespread use of Pap tests has decreased cervical cancer, leading to a 75 per cent decline in deaths from this disease.
- In 1998-1999, about 84 per cent of women aged 20 to 49 had consulted a general practitioner at least once in the previous year, compared with 66 per cent of men the same age.
- BC women are more likely than men to be in the healthy weight category (52 per cent versus 35.6 per cent).

630. Outside the full spectrum of services that are offered to support the clinical care needs and vulnerabilities of all people living with HIV/AIDS (which includes women), the following services are specifically designed to meet the needs of women:

- Oak Tree Clinic (the Women and Family HIV Centre) provides specialized HIV care for infected women, pregnant women, partners, children and youth, and support services for affected families. The clinic offers assistance to women province-wide, including Aboriginal and marginalized women who are living with HIV/AIDS.
- The BC Health Services Authority funds the Positive Women's Network, a community-based organization providing support, advocacy, resources and connection to women with HIV all over BC. In response to increased demand, the agency initiated "Women and AIDS Virtual Education (WAVE)", to integrate HIV prevention information into the spectrum of care, treatment and support within an online educational resource for positive women living in isolation. WAVE provides online information and resources to health care educators and professionals; support and education to HIV+ women who may not have access to direct support services; and access to Roundtable Treatment through video clips, treatment decision information and strategies for living with HIV medications.
- Research in BC has demonstrated that with appropriate pregnancy care and antiretroviral therapy in pregnancy, during labour and delivery and post-partum, perinatal transmission of HIV can be reduced from 25 per cent to less than one per cent. Since 1996, when combination antiretroviral therapy was first offered to HIV positive women in BC, there have been no mother-to-child transmissions among women who have accessed care.

631. Between 2004 and 2005: the proportion of new HIV infections among women dropped from 25 per cent to 19 per cent (this may indicate a better engagement of women in prevention efforts); and the number of women enrolled in antiretroviral treatment rose by 6.5 per cent.

**Aboriginal women**

632. The Government works in partnership with Aboriginal communities, health authorities and the BC Women's Hospital and Health Centre to improve the health of BC Aboriginal women. In partnership with Lu'ma Native Housing Society, the Aboriginal Health Program has developed an Aboriginal Patients' Lodge, which opened October 2004.
633. Several key initiatives improve prevention of Fetal Alcohol Spectrum Disorder (FASD), such as the Aboriginal Early Childhood Development programs and Building Blocks programs. Researchers at the University of BC, University of Victoria, BC Children's and BC Women's Hospitals are working to co-ordinate and expand collaboration on FASD-related research, through the formation of the *FAS Research Network of BC*. The BC Centre of Excellence for Women's Health has an ongoing program of research designed to support policy and practice relating to health improvement on the part of substance-using mothers.
634. BC's Sheway outreach/drop-in program for very high-risk pregnant women and women with infants who live in or frequent the Downtown Eastside of Vancouver helps women dealing with alcohol and drug use issues have healthy infants and positive parenting experiences. The program is very successful: in 2004, 70 per cent of the program clientele were Aboriginal women; and of all participants, 70 per cent had babies with healthy birth weights; and 62 per cent of babies were born at term.
635. The BC Women's Hospital – Fir Square Program assists substance-using pregnant and early-postpartum women in achieving an optimum level of pre and postnatal health in order to minimize the effects of alcohol, drugs, malnutrition and neglect, on women and their infants. It is also designed to improve both health and social outcomes for infants exposed to drugs.

**Article 13: Economic and Social Life****Measures to fight poverty**

636. BC increased the Disability Social Assistance Rates for Persons with Disabilities (PWD) by \$70 per month in 2005 and earnings exemptions for PWD income assistance recipients in 2003 and 2006. In May 2006, approximately 15 per cent of PWD cases had earnings. Clients with persistent multiple barriers to employment also received an increase to their earnings exemption in 2006 and, in May 2006, approximately seven per cent had earnings. The increases to earnings exemptions mean that eligible clients can earn more employment income without affecting their monthly social assistance.
637. The BC School Start-Up Supplement, provided to families on social assistance with school-age children, was doubled in 2006-2007. This increase is expected to assist over 18,000 families and 29,000 children between the ages of five and 18. In May 2005, the Natal Allowance provided to social assistance recipients was increased.

638. Government employment programs combat poverty by helping employable social assistance recipients find and sustain employment. Since 2001, employment programs have directly helped almost 48,000 employable clients find jobs at an average wage of \$11 per hour. As indicated in the table below, the number of social assistance cases including an adult woman decreased 22 per cent between January 2003 and May 2006, and the number of social assistance recipients decreased 31.6 per cent.

<b>BC Social Assistance Recipients and Caseload</b>		<b>Cases</b>			<b>Recipients</b>		
Case Type	Persons with disabilities (PWD)	Jan-03	May-06	Percentage Change	Jan-03	May-06	Percentage Change
Single women	PWD	17,299	22,228	28.5%	17,299	22,228	28.5%
	non-PWD	16,081	9,500	-40.9%	16,081	9,500	-40.9%
Couples	PWD	2,639	2,923	10.8%	5,278	5,846	10.8%
	non-PWD	2,667	1,175	-55.9%	5,334	2,350	-55.9%
Two parent families	PWD	1,169	1,288	10.2%	4,521	4,968	9.9%
	non-PWD	3,797	1,110	-70.8%	15,653	4,617	-70.5%
Single parent families headed by a woman	PWD	2,542	3,461	36.2%	6,102	8,366	37.1%
	non-PWD	20,567	10,376	-49.6%	55,282	27,973	-49.4%
<b>Total cases with an adult woman</b>		<b>66,761</b>	<b>52,061</b>	<b>-22.0%</b>	<b>125,550</b>	<b>85,848</b>	<b>-31.6%</b>

639. Overall, there are fewer BC women under the poverty threshold since 2002. The incidence of women under the Low Income Cut-Off (LICO) decreased by 1.4 percentage points from 2002 to 2004. This trend is expected to continue based on strong economic growth in BC and lower unemployment rates. This result varies depending on the family unit or age category. The average unemployment rate for BC women from January-July 2006 was 4.9 per cent, compared to 7.1 per cent in 2004.
640. BC restored the Seniors' Supplement in October 2005, a provincial top-up for low-income senior residents of BC who are receiving federal Old Age Security (OAS)/Guaranteed Income Supplement (GIS) payment. This ensures a conditionally guaranteed minimum income level for low-income seniors in BC.

641. In November 2005, the Government introduced and clarified exemptions to the three-week work search requirement for social assistance applicants who: cannot legally work in Canada; are fleeing an abusive spouse or relative; have a physical or mental condition that precludes the applicant from completing a search for employment; or have an immediate need for food, shelter or urgent medical attention. Women applying for social assistance that have recently separated or fled from an abusive relationship are exempt from the work search period and the two-year independence test. Applicants who are pregnant or have dependent children, a foster child or a child in the home of a relative are also exempted from the two-year independence test.
642. Social assistance applicants must complete a Web Orientation that gives an overview of the program and their rights and responsibilities. As of September 2004, it is available in 12 languages in both written and audio format, which provides immigrants with equitable access.
643. The Government funds a variety of programs to address homelessness, mental health and addictions. Examples from early 2006 include:
- \$750,000 for an expanded outreach services project to assist individuals with mental illness in accessing income, health and housing supports;
  - \$450,000 to the Vivian Transitional Housing Program for women with mental health and substance abuse disorders in Vancouver's Downtown Eastside;
  - \$400,000 to the Sheway project to provide comprehensive health and social services to women who are either pregnant or parenting infants and who have current or previous substance use issues;
  - \$100,000 to expand homeless outreach activities to assist homeless individuals with mental health and alcohol and drug addiction issues to access income supports;
  - \$150,000 to the Kamloops Integration Project to help individuals with mental health and drug and alcohol abuse issues re-integrate into the community.
644. The BC government developed a *Guide to Best Practices in Gender Analysis* (see also Appendix 3), which has been issued to all ministries in the government to ensure that policy development takes into account a gender analysis to evaluate impacts to women. Good policy development takes into account 'gender' at all levels of the process, and this fact is stressed in the development of policies/programs government wide. Many of the changes to social programs have evaluated the specific effects to women.

### **Support programs and services**

645. Through the Minister's Council on Employment for Persons with Disabilities (Ministry of Employment and Income Assistance), the Government works in partnership with persons with disabilities and business, education and community-based organizations to increase the employment, employability and independence of persons with disabilities. Workable Solutions, co-sponsored by the Minister's Council and the BC Human Resources Management Association, connects BC employers to persons with disabilities

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by providing valuable employment resources, including a Web site (<http://www.workablesolutionsbc.ca/>), an employer's toolkit, a corporate video and a research report.

646. The annual budget for the Community Volunteer Supplement (CVS) was increased by \$3 million as of April 1, 2006. The CVS is a monthly payment of up to \$100 to assist eligible social assistance recipients with expenses related to volunteering with a non-profit organization in their community. The new money will allow 2,500 more social assistance recipients to receive the CVS.
647. The Disability Supports for Employment Fund increased to \$25 million in 2006. The Fund disburses grants to non-profit, registered charitable community and post-secondary institutions to provide employment supports for people with disabilities in the workplace.
648. In May 2006, the Government introduced a new business process to assist Persons with Disabilities social assistance recipients to apply for Canada Pension Plan Disability (CPPD) benefits to which they may be entitled. The province will continue to top-up CPPD benefits to ensure that an individual's overall net income is at least equivalent to the provincial social assistance rate. Receiving CPPD will result in an individual receiving a higher Canada Pension Plan retirement pension at age 65 than a person who only receives provincial social assistance.

### **Women's access to housing**

649. New BC policies being developed for social housing will give priority to women and their families who are fleeing domestic violence, as one of the groups in greatest need. There is a high proportion of women in BC's social housing portfolio, including a majority of single-parent households, and in senior households receiving rent subsidies. Planning initiatives to address homelessness have included focused analyses on the particular needs of women, and women-specific projects have been constructed.

### **Article 14: Rural Women**

650. Since 2003, BC has introduced and improved alternative service delivery models for social assistance in rural areas (e.g., telephone service and on-line service) to provide equal access to social assistance where offices may not be available. The BC Employment Program for social assistance recipients is designed to support individual client needs, whether in an urban or rural setting.

## Part IV

### Measures Adopted by the Governments of the Territories

#### Nunavut

##### Article 2: Anti-Discrimination Measures

###### Legal aid

651. The Legal Services Board of Nunavut began operating on July 1, 2000. Prior to that date, a joint Board of Directors made up of members of both the Northwest Territories and Nunavut administered the delivery of legal services.
652. The Nunavut Legal Services Board receives 85 per cent of its funding from the Government of Nunavut and 15 per cent from the Government of Canada. The Board provides legal services, education and information for the people of Nunavut and distributes funding to three legal aid regional centers throughout the Territory. These centers provide assistance to all Nunavummut within the legal system and work closely with Inuit court workers who provide education and information on a regular basis.
653. The majority of clients of the Family Law Clinics, established in 2000, are women. In 2005-2006, a poverty law clinic was established as a pilot project. Permanently staffed since October 2006, the Poverty Law Clinic provides legal aid to individuals in non-family civil matters impacting their livelihood, physical or mental health, or ability to provide food, clothing, and shelter for themselves or their families. The primary areas of service:
- Social Assistance
  - Canada Pension Plan – Old Age Security
  - Canada Pension Plan – Disability
  - Disability
  - Employment Insurance
  - Landlord/Tenant
  - Creditor/Debtor
  - Immigration and refugee services

###### Complaints of gender-related discrimination

654. Nunavut's *Human Rights Act* came into effect in November 2004. The Act prohibits discrimination on numerous grounds, including sex, marital status, family status, and pregnancy. Additional information on the Act can be found in *Canada's Fifth Report on the International Covenant on Economic, Social and Cultural Rights* ([http://www.pch.gc.ca/progs/pdp-hrp/docs/fifth\\_iccpr/tdm\\_e.cfm](http://www.pch.gc.ca/progs/pdp-hrp/docs/fifth_iccpr/tdm_e.cfm)).

655. The Human Rights Tribunal began operating shortly after the *Human Rights Act* came into force and began receiving complaints in 2006. Since March 31, 2006, five complaints related to gender were filed with the Tribunal.

### **Aboriginal women**

656. Akitsiraq Law School is an accredited law school (L.L.B) program operated in partnership between the Akitsiraq Law School Society, University of Victoria Faculty of Law, and Nunavut Arctic College. The Government of Nunavut, Justice Canada, the Royal Canadian Mounted Police, and three regional Inuit associations provide sponsorship support to students during the course of their education. Akitsiraq Law School, the first Canadian Aboriginal law school based outside a major university focusing on the educational needs of Inuit in Nunavut, opened its doors in September 2001 with 15 Inuit students enrolled. At the end of 2004-2005, 11 students remained in the program. These 11 students, 10 of whom were women, graduated in June 2005 and are now completing their articling with various program sponsors and some have become lawyers.

### **Aboriginal women in custody**

657. Although very few women are incarcerated in Nunavut, the Baffin Correctional Centre in Iqaluit operates a female unit separate from the main institution but on the same grounds. The unit is staffed by female officers although male officers assist with supervision as required. Female offenders who do not match the criteria of the female unit at Baffin Correction Centre are transferred to institutions in Ontario and the Northwest Territories with whom there are agreements in place.

## **Article 3: Measures to Ensure the Advancement of Women**

658. The Qullit Nunavut Status of Women Council was established under the *Status of Women Council Act* of April 1, 1999, to advance the goal of equal participation of women in society and promote changes in social, legal and economic structures to that end. The objectives of the Council are:
- to develop public awareness of issues affecting the status of women;
  - to promote a change in attitudes within the community in order that women may enjoy equality of opportunity;
  - to encourage discussion and expression of opinion by residents of Nunavut on issues affecting the status of women;
  - to advise the Minister on issues that the Minister may refer to the Council for consideration;
  - to review policies and legislation affecting women and to report its finding to the relevant government departments or agencies;
  - to provide assistance to the Minister in promoting changes to ensure the attainment of equality of women; and

- to provide the appropriate assistance to organizations and groups whose objectives promote the equality of women.

### Violence against women and girls

659. According to Statistics Canada's report *Measuring Violence Against Women: Statistical Trends 2006*, women in Canada's three northern territories, including Nunavut, report higher rates of spousal violence than those living in the provinces. Police statistics also indicate that women in the territories also experience higher levels of sexual assault and homicide.

<b>Selected Criminal Code offences, Canada and Nunavut, 2005</b>		
	<b>Canada</b>	<b>Nunavut</b>
	Rate per 100,000 population	
Crimes of violence	942.9	7,041.9
Homicide	2.0	6.7
Attempted murder	2.4	16.7
Assaults (level 1 to 3) <sup>1</sup>	727.4	5,974.9
Sexual Assault	72.2	796.9
Other sexual offences	8.5	26.7
Robbery	88.8	20.0
Other crimes of violence <sup>2</sup>	41.5	200.1
<p>1. "Assault level 1" is the first level of assault. It constitutes the intentional application of force without consent, the attempt or threat to apply force to another person, or openly wearing a weapon (or an imitation) while accosting or impeding another person.</p> <p>2. Includes unlawfully causing bodily harm, discharging firearms with intent, abductions, assaults against police officers, assaults against other peace or public officers and other assaults.</p>		
Source: Statistics Canada, CANSIM, table 252-0013.		

### Aboriginal women

660. The *Family Abuse Intervention Act*, S.Nu.5.2006, c.18, was introduced in 2005 and subsequently passed by the Legislative Assembly of Nunavut. The Act provides for emergency protection, community intervention, assistance and compensation orders, which would be available to anyone in a spousal, intimate, family or care relationship, as well as victims of stalking. The Government will provide training and educational programs on the Act throughout the territory. This law will come into force in 2007.
661. The Government adheres to the principle of *Inuuqatigiitsiarniq* by identifying the need for healthy communities by closely involving community members in the administration



of justice, providing support to families who are going through difficult times, providing conflict resolution opportunities and the development of culturally relevant programs for offenders.

662. Through inter-governmental working groups and agencies, the Government contributes to fulfilling the Inuit Qaujimajatuqangit principles, partnering with communities, listening to the people, and consulting with Tuttarviit, the Government's Inuit Qaujimajatuqangit working group.

### **Shelters for victims of violence**

663. Qimaavik is the only transition house in Nunavut and employs three full-time and three part-time workers. The Government of Nunavut provides funding for the Nunavut Transition Home as follows: \$632,000 in 2003-2004; \$677,000 in 2005-2006; and \$770,000 in 2006-2007. There are safe homes designated in all 25 other communities of Nunavut.
664. According to Statistics Canada, shelter use in Nunavut rose 54 per cent between 2001 and 2004, compared to 4.6 per cent in the rest of Canada. This increase use was due to increased awareness.

### **Article 7: Women in Politics and Public Life**

665. Of the 18 members of the Nunavut Legislative Assembly, two (11 per cent) are women. The Member of Parliament in Nunavut is a woman.
666. Qullit Nunavut Status of Women Council participated in the Federal of Canadian Municipalities project *Increasing Women's Participation in Municipal Consultation Processes*. Multiple methods, including focus groups and key informant interviews, were employed to learn from Inuit women in particular what barriers they face to participating in the municipal process. Barriers identified included racism, sexism, self-esteem, knowledge, language and childcare. The project report recommends that information from local government be disseminated to women and that a local Inuk women or women facilitate further action.

### **Aboriginal women**

667. There is no data available on the number of women participating in negotiations of land claims agreements. However, it appears that very few women have taken an active role over a sustained period of time for the Nunavut Land Claim Agreement.

## Article 11: Employment

### Employment measures

668. Women make up 73 per cent of the Government of Nunavut workforce and 48 per cent of the Nunavut population. Forty-six per cent of Government of Nunavut staff are Inuit.
669. Since 2004, the Government has encouraged the promotion of flexible working arrangements as one way to help its employees establish a good work-life balance.

### Affordable childcare

670. The Early Childhood Program encourages the development of early childhood programs and licensed childcare facilities. It provides start-up and annual operating funding to eligible non-profit licensed childcare facilities and family day homes. There are 47 licensed programs in 23 communities. These licensed facilities include daycares, preschools, Head Start Programs and after school programs.
671. All licensed childcare facilities in Nunavut must follow the *Child Day Care Act* and *Regulations*.
672. As signatories to the September 2000 First Ministers' Communiqué on Early Childhood Development and the 2003 Early Learning and Child Care Agreement, the Government of Nunavut is committed to the development of an early childhood system grounded in the growing body of knowledge on the importance of the early years.

### Pay equity

673. In 2004, the Government of Nunavut came to a final settlement on employment equity based on the decision *Northwest Territories v. Public Service Alliance of Canada (T.D.)*, [1996] 3 F.C. 182, 1996 CanLII 4055 (F.C.). Following partition of Nunavut in April 1999, employees (resident of Nunavut) of the Government of the Northwest Territories were transferred to the new Government of Nunavut. All collective agreements were transferred also, including the dispute on pay equity.
674. The equal pay settlement reached in 2002 outlined a three-year process to identify eligible employees, verify service, process payments and review disputed services.
675. As of December 31, 2004, the Government of the Northwest Territories had transacted in excess of 10,000 regular, casual, and excluded payments totalling approximately \$49 million dollars. There are no figures for the exact amount the Government of Nunavut employees received from this settlement. The Government of Nunavut is drafting a new *Public Services Act* to support this decision that will include pay equity provisions.

## Article 12: Health

676. Research shows that the overall health and life expectancy of Inuit is lower than the rest of Canada. Changes in traditional diets and housing shortages have contributed to health problems and mental health issues, including increased rates of depression, seasonal affective disorder, anxiety and suicide.
677. In 2004, the Government of Nunavut embarked on the Health Integration Initiative (HII) which involved the Department of Health and Social Services, Nunavut Tunngavik Incorporated and Health Canada's Northern Secretariat working in partnership to develop an action plan focusing on increased integration of federal and territorial health promotion and illness prevention programs in the areas of maternal and child health, mental health and addictions treatment and oral health.
678. In 2004, the Government of Nunavut adopted a Community-Wellness Strategy, designed to increase integration, both at the community level and between federal and territorial initiatives. Overall, community-wellness comes from a population health approach that considers all facets of community life. As such, the Strategy is meant to bring communities together by taking an inclusive, interrelated approach to health, education, justice, recreation and employment. To effectively develop integrated community plans, gaps have been identified that, if addressed, will support the Community-Centered Strategy.

### Aboriginal women

679. In addition to the measures described above, the Government continues to work with Inuit women in supporting and facilitating initiatives that enhance their health and well-being.

## Article 13: Economic and Social Life

### Women's access to housing

680. Situated in a remote, Arctic environment, Nunavut faces particular challenges with regarding to housing. Absolute homelessness *per force* does not exist in the territory. Instead, Nunavut's "hidden homeless" sleep in shifts within already overcrowded homes, homes that average less than 1,000 square feet in size and that offer living space cramped by potable water tanks, washers/dryers, furnaces and hot water makers.
681. Overcrowding – defined within the 2001 Aboriginal Peoples Survey as more than one person per room – affects every community in Nunavut with very significant consequences. A detailed Environmental Scan of the housing situation in Nunavut illustrates how various elements combine to create the current housing shortage in the territory: the level of overcrowding in Nunavut is twice the national average.

682. According to Statistics Canada, 54 per cent of Nunavut residents live in “crowded” conditions. Over half of Nunavut’s Inuit - 14,225 – live in public housing, with 1,000 families on the waiting list. The shortage of housing greatly affects women in Nunavut. Owing to the high cost of construction materials, housing is expensive (construction costs per square foot are roughly three times the Canadian average) and in short supply. Living quarters are cramped: while the average number of occupants in the average Canadian dwelling is 2.39, in Nunavut it is 3.27, and in some communities much higher still.
683. The Government of Nunavut has developed a Ten-Year Inuit Housing Action Plan, that proposes a partnership between federal, territorial and Inuit stakeholders to address the housing need in Nunavut, through the construction of new social housing and additions and/or renovations of existing units. In July 2006, the Government announced a \$200 million Northern Housing Trust, under which approximately 725 new housing units will be built in communities across Nunavut over a three-year period.

## **Northwest Territories**

### **Article 2: Anti-Discrimination Measures**

684. The Government of the Northwest Territories (GNWT) is developing a plain language *Family Law Manual* to assist individuals and community helpers in understanding a person’s rights and responsibilities under Northwest Territories (NWT) Family Law.

### **Complaints of gender-related discrimination**

685. The *NWT Human Rights Act* came into effect on July 1, 2004. From that date to May 31, 2006, 17 per cent (or 14/84) of the complaints received have been gender related.

### **Aboriginal women**

686. While Aboriginal women represent approximately 50 per cent of the NWT female population, on average, 90 per cent of residents in the female facilities (adult and young offender) are Aboriginal. Programs offered to female offenders address education, traditional values, self esteem, cognitive thinking, parenting, addictions and community reintegration.

### **Article 3: Measures to Ensure the Advancement of Women**

#### **Violence against women and girls**

687. Given the small population in the NWT, GNWT resources are available to all women’s groups and individuals regardless of race. Because many Aboriginal women are at high risk for victimization, some of the programs and victim assistance projects mainly serve

Aboriginal women and girls. During this reporting period, the majority of clients accessing community based victim services were Aboriginal women who were victims of violence. 2005-2006 was the fourth consecutive year that showed an increase in the number of these clients impacted by partner assault.

688. A Coalition Against Family Violence, which includes the GNWT and non-government agencies, developed the *Northwest Territories Action Plan on Family Violence* in 2003. The GNWT developed a response to the Action Plan in 2004. This plan contains 72 actions in the following eight categories: policy and legislation, working together, capacity building, training, prevention, education and awareness, services and monitoring, evaluation and accountability. Each action was intended to build partnerships and improve the Government's response to families affected by family violence in the NWT. A *Phase II Action Plan* is being developed to build on the successes of the first action plan.
689. On April 1, 2005, the NWT *Protection Against Family Violence Act* came into force. This legislation provides emergency protection to victims of family violence. Use of the legislation has been higher per capita than other Canadian jurisdictions with similar legislation. A significant majority of applicants are Aboriginal women.
690. In 2006, the Department of Justice, in collaboration with the Coalition Against Family Violence, travelled to 13 northern communities to facilitate one-day workshops on community response to family violence.
691. The *Yellowknife Response to Family Violence Protocol* is in the final stages of development. Interested NWT communities will begin piloting similar protocol development processes.
692. In 2005-2006, the Government of the Northwest Territories produced a series of victims of crime brochures as well as multi-media public education materials that explain the new choices available under the *Protection Against Family Violence Act*. These materials are available in all 11 NWT official languages (English, French and nine Aboriginal languages).
693. The Yellowknife-based YWCA *Children Who Witness Abuse Program* has expanded by providing outreach to other small NWT communities, as requested and as funds permit.
694. The GNWT supports prevention activities during Family Violence Awareness Week and the Day of Remembrance and Action on Violence Against Women.

### **Shelters for victims of violence**

695. In October 2005, the GNWT committed an additional \$100,000 a year to the five family violence shelters (collectively) for five years. These shelters serve 33 communities that are isolated and spread over a large geographic area. Transportation to the shelters can be

delayed and difficult to obtain. Although there are 11 official languages recognized in the NWT, services in shelters tend to be available in one to two languages, including English (typically) and the Aboriginal language most spoken in the community.

## **Article 6: Trafficking of Women and Exploitation**

### **Sexual exploitation of children and youth**

696. On December 15, 2004, the *Sex Offender Information Registration Act* came into force in Canada. The purpose of this Act is to help police services investigate crimes of a sexual nature by requiring the registration of information relating to sex offenders. The GNWT worked with the Royal Canadian Mounted Police to implement the registry in the NWT. The registration of sex offenders will help to protect NWT women and children by providing information on the location of sex-offenders.

## **Article 7: Women in Politics and Public Life**

697. Eleven per cent of the members in the territorial Legislative Assembly are women. Of this total, none hold Ministerial portfolios.
698. Over this reporting period, the number of women in senior management in the NWT public service increased slightly from 31 per cent to 32 per cent. The *Affirmative Action Policy* has been in place in the NWT since 1989. Through the policy, the GNWT gives preference in hiring and developing eligible members of designated target groups. Northern women are a target group for positions in non-traditional and senior management occupations.
699. The GNWT has a *Management Assignment Program* to develop leadership and management skills within the public service. Many employees who take advantage of the program are women. For example, over the reporting period, 50 per cent of the participants were women. Twenty-seven (27) per cent of these women have gone on to accept senior management positions within the government.
700. The GNWT supported the Status of Women Council in the development and delivery of *Women's Voices in Leadership* workshops. From 2003 to 2005, 121 women from across the NWT participated in these workshops. A resource binder is also available.
701. There are a total of 47 women participating in the negotiation of land claims agreements.

## **Article 10: Education**

702. The Government is committed to providing equitable educational opportunities for all students. Under the *NWT Education Act*, every student is entitled to have access to the education program in a regular instructional setting. The Ministerial Inclusive Schooling Directive outlining this requirement is founded on the guiding principle of equal access to

education. This requirement for educational equity is also reflected in how we fund schools.

## Article 11: Employment

### Employment measures

703. The Status of Women Council of the NWT and its partners have received funding under the Government of Canada's *Pan Canadian Innovations Initiative* for a three year research project in supporting women in trades training for the mining and oil and gas sectors. The project will look at career counselling, supports, training and aftercare, explore the success factors for women in non-traditional occupations. The GNWT is a contributing partner.
704. In 2006-2007, the GNWT provided funding to the NWT Federation of Labour to host presentations in Yellowknife and Fort Smith by the leader and founder of *Women in Trades and Technology*. These sessions raised awareness and facilitated discussion among stakeholders.
705. The GNWT continues to promote the participation of women in various occupations:
- In 2006-2007, funding was provided to the Status of Women Council for marketing and promotion activities targeting women in trades.
  - *A Deal Yourself In* public awareness campaign was developed to actively promote women in the trades.
  - Skills Canada-NWT promotes careers in the skilled trades to youth through sponsoring of skills clubs, skills competitions and young women/young men conferences.
  - The *Apprenticeship and Occupational Certification Program* is being reviewed through a program audit, literature/best practice review and stakeholder consultation to determine key success factors and areas for improvement.
706. The GNWT negotiates with industry proponents of major resource development projects for commitments in socio-economic agreements to recruit, train, employ and advance women in all occupations on the projects.
707. A government-wide initiative is underway to review and reform income security programs to better meet the needs of all NWT citizens.

## Article 12: Health

708. The *Midwifery Profession Act* came into force January 2005 and licenses midwives. Future plans may expand access to midwives' services.

## **Article 13: Economic and Social Life**

### **Women's access to housing**

709. The Point Rating System used by the NWT Housing Corporation prioritizes applicants for social housing and now recognizes 25 extra points for victims of family violence. Though the policy does not specifically target women, the majority of victims of family violence are women.
710. The NWT Housing Corporation has approved a change in policy that allows the Local Housing Organization to consider applications for social housing to be in good standing even if the applicant has previous tenant arrears with the organization. This flexibility allows the Local Housing Organization to work in the best interest of the applicant, allowing greater access to public housing.

## **Yukon**

### **Article 2: Anti-Discrimination Measures**

#### **Legal aid**

711. To address unmet needs in areas of poverty law, Yukon Legal Services Society (Legal Aid) introduced the Neighbourhood Law Centre in July 2004 as an Investment in Legal Aid Renewal Fund innovation. The Centre is a community clinic, providing legal aid to individuals in non-family civil matters impacting their livelihood, physical or mental health, or ability to provide food, clothing, and shelter for themselves or their families.
712. Since its inception, the following matters have remained the Centre's primary areas of service:
- Social Assistance
  - Canada Pension Plan – Old Age Security
  - Canada Pension Plan – Disability
  - Disability
  - Employment Insurance
  - Landlord/Tenant
  - Creditor/Debtor
  - Immigration and refugee services
713. The Centre is not specifically geared towards women but the majority of its clients are women. In the two years of operation of the Centre, a total of 155 women accessed its services. Data is not available on the number of women accessing legal aid in criminal matters.



### **Complaints of gender-related discrimination**

714. Since 2003, there have been 24 complaints related to sex discrimination. The annual breakdown is as follows: three in 2002-2003; five in 2003-2004; seven in 2004-2005; and eight in 2005-2006.

### **Aboriginal Women**

715. The Yukon Human Rights Commission presented a session on harassment to the Yukon Aboriginal Women's Circle conference. The commission works with women's organizations within the Yukon including the Aboriginal Women's Circle and the Yukon Status of Women.
716. Due to limited resources, the Commission has not been able to develop specific programs for Aboriginal women. It relies on direct requests from community groups and assists as it is best able. The Commission notes that its general public awareness campaigns on human rights seem to be successful as they are resulting in more requests for information from rural communities and Aboriginal people.
717. The Government sponsored a two-day workshop hosted by the Whitehorse Aboriginal Women's Circle, which brought together First Nation women from across the territory to empower Aboriginal women in becoming advocates against violence in their community; to develop and practice facilitation and group leadership; to develop capacity and support networks in their respective community; to foster an understanding of national issues surrounding violence and to advocate towards "no tolerance."
718. The Government also increased the budget of the Women's Directorate by \$47,000 in its 2003-2004 Budget to increase "women's programming". The Government dedicated the majority of this money in 2004-2005 to the development of a self-advocacy training course (the rest was dedicated to women and the trades). The Government provided a Contribution Agreement for \$40,000 to Yukon Learn and the Yukon Public Legal Education Association to administer the program. Facilitators (lawyers and women's advocates) have combined experiences and backgrounds in women's equality issues, advocacy, human rights and legal education.

### **Aboriginal women in custody**

719. Aboriginal women in the Yukon are over-represented in the Whitehorse Correctional Centre. In 2005-2006, there were 67 admissions of females to the Whitehorse Correctional Centre. Of these, 53 were Aboriginal (79 per cent). Twenty-three per cent of Yukon women are Aboriginal.
720. Measures being taken to address the situation include: in general, the Courts try to avoid the use of incarceration if at all possible; hiring a special First Nations Counsellor to work with the women at the Whitehorse Correctional Centre; a Spousal Abuse Counsellor

from the Victim Services, Family Violence Prevention Unit that visits the Whitehorse Correctional Centre regularly to provide individual counselling to inmates. Additional measures are planned in the Corrections Implementation Plan 2006, such as a special unit and special services designed for and likely delivered by women.

### **Article 3: Measures to Ensure the Advancement of Women**

#### **Violence against women and girls**

721. Accurate data, broken down by sex, is crucial to the ongoing monitoring of the prevalence and severity of violence against women. There are high rates of violence against women in the Yukon, yet due to their small population, it is often difficult to get an accurate statistical picture.
722. The Government is facilitating discussion between the Yukon Bureau of Statistics, transition homes, women's organizations, and victim services to determine the most accurate and accessible statistics on violence against women in the Yukon. Concerns about availability, consistency, use when analyzing key success factors and accuracy of statistics will be addressed.
723. At the Yukon's request, a specific section addressing the situation of women in the North was included in the statistical update entitled *Measuring Violence Against Women: Statistical Trends 2006* (see Introduction to the present report). This section is an important addition to the understanding of the impacts of programming and policy development.
724. The Violence Against Women Statistics Committee, facilitated by the Government's Women's Directorate, is continuing to discuss statistics that are available, as well as data gaps.
725. A Client Satisfaction Survey on the Yukon's Victim Services was completed in 2006 and indicated that there was an overall satisfaction with the services offered to victims of violence (8-9 on a scale of 1-10). There was, however, concern that victims in the smaller Yukon communities did not have sufficient access to counsellors.
726. The Yukon's Domestic Violence Treatment Option court was evaluated in 2005 and concluded that the court system and the Spousal Abuse Program together were very effective in preventing re-assaults.
727. The *Equality Bulletin* of the A Cappella North II project highlighted the need to address discrimination among youth, particularly racism and homophobia. The Government is addressing the issue of discrimination through the development of a bullying policy and safe schools initiative.

728. The Yukon Government has in place, for its employees, a Corporate Health and Safety policy and a Workplace Harrassment policy.
729. The Women's Directorate and the Department of Justice are co-facilitating a working group to develop a long-term public education campaign on the prevention of violence against women and children. This three-year campaign began with a poster campaign in November 2005 and was followed by training and workshops in years two and three. As part of the campaign, the Government worked with youth to develop a photojournalism exhibit focused on prevention of sexualized violence and promotion of healthy relationships.

### Aboriginal women

730. An Aboriginal Women' Forum on Violence was hosted on February 20, 2004, in collaboration with the Yukon Aboriginal Women's Council's Annual General Meeting. Approximately 36 Aboriginal women attended the forum. The purpose was to seek advice on what women need to address violence in their communities. At the forum, women discussed the need for several things including education materials on violence, long, term support and resources to address violence, and treatment for addictions in the Yukon
731. The Yukon Government Women's Directorate sent a five-person delegation to attend a national Policy Forum on Aboriginal Women and Violence. The objectives of the Policy Forum include:
- analysis on policy or legislative issues that are creating barriers to Aboriginal Women's equality;
  - raising awareness;
  - providing recommendations as to how legislation, policies and programs could be improved;
  - sharing best practices on policy and programs that show measurable results;
  - fulfilling Canada's commitments under the *Convention of the Elimination of All Forms of Discrimination against Women*.
732. In May 2005, the Government appointed a First Nation woman as the First Nation Liaison Coordinator. Among other things, this position is responsible for co-facilitating the development of a long-term public education campaign on the prevention of violence against women and children, as well as working with First Nation women on relevant government policies and programs.
733. In 2004, the Government initiated an annual fund dedicated to prevention of violence against Aboriginal women in the amount of \$100,000 per year. The Women's Directorate sought advice from Aboriginal women on how to use these funds through a Violence Prevention Forum. Projects funded under this program are initiated by Aboriginal women to address violence in their communities.

**Shelters for victims of violence**

734. Funding for the Yukon Women's Transition Home is as follows: \$632,000 in 2003-2004; \$677,000 in 2005-2006; and \$770,000 in 2006-2007.
735. Yukon shelters are open to both Aboriginal and non-Aboriginal women. Remaining challenges in ensuring access to shelters include access and/or transportation to shelters from remote communities, as well as safety, confidentiality and stigma in small communities.

**Article 7: Women in Politics and Public Life**

736. Of the 18 members of the Yukon Legislative Assembly, three (17 per cent) are women.
737. The Government is sponsoring an initiative to encourage women to run in territorial and municipal elections.
738. Nominations — the entry point to politics — are the biggest barrier to women's participation in politics. Once nominated in winnable ridings, female candidates are just as likely to succeed as male candidates.

**Aboriginal women**

739. There is no data available on the number of women participating in negotiations of land claims agreements. However, it appears that very few women have taken an active role over a sustained period of time. Many First Nations had women – either beneficiaries or women from other Yukon First Nations – working on their behalf, but in most cases those women were not there for long. In some communities women were very active on self-government, in negotiations and in caucus although they were not the primary negotiators.
740. In response to community women, the Government contracted Legend Seekers to develop and offer a course focusing on women's roles (historically and currently) in the land claims negotiation process and self-governance implementation. The Government will continue to pursue ways to provide continued support to these programs to encourage Aboriginal women to participate in First Nations governance processes.
741. The Government also worked with Aboriginal women's organizations to host the Aboriginal Women and Self-Governance Policy Forum (December 17, 2004), a forum on women, leadership and self-governance. Thirty-five Aboriginal women met to dialogue on social priorities within their communities. The objective of the forum was to provide an opportunity for education and awareness about Aboriginal women in leadership and provide an opportunity for Aboriginal women to come together to develop a "shared vision" on how best to proceed in the areas of leadership and self-governance. This "shared vision" will help to form a framework that clearly outlines the social and

economic policy issues that impact women's lives and strategies and processes for meaningful participation in governance legislation and/or programming.

## **Article 11: Employment**

### **Employment measures**

742. Women make up 63 per cent of the Government of Yukon workforce and 49.8 per cent of the Yukon population.
743. The Government of Yukon has not identified any specific barriers to women entering standard employment within its workforce. Both men and women are employed in casual, temporary, on-call, seasonal and part-time positions. Men make up a greater percentage of the seasonal workforce, women make up a greater percentage of part-time, on-call and temporary positions.
744. Since 2004, the Government has encouraged the promotion of flexible working arrangements as one way to help its employees establish a good work-life balance.

### **Aboriginal women**

745. Eleven out of 14 Yukon First Nations now have self-government agreements that provide First Nations with the authority and responsibility for their citizens, economic development, etc.

### **Affordable childcare**

746. *A Four-Year Plan for Yukon Early Childhood Education and Care* was developed in 2003.
747. The Government of Yukon increased funding to child care initiatives (e.g. over 30 per cent increase – an additional \$675,000 - to the Direct Operating Grant, funding for a public education campaign, and additional funding for the Supported Child Care budget).

## **Article 12: Health**

### **Specific health issues**

748. The Yukon Women's Directorate hosted a women's health forum in 2006. Topics discussed included emotional and mental well-being, sexuality and sexual health, women and addictions, and women and aging. The objectives were to:
- promote self-care so individuals and communities can reduce the need for medical dependency and increase the awareness and understanding of how women's bodies are often medicalized;

- provide practical material and health information for women to take back and share with their communities;
  - influence pivotal players by increasing their understanding of women's needs and encourage a woman-centred approach that revitalizes the health environment for women;
  - ensure participants leave the forum feeling better than when they arrived by incorporating a daily "self-care" component.
749. A medical panel invited delegates to dialogue through a moderated question and answer session and a World Café was designed to address emerging health policy issues and the concept of a "women-centred approach to health".
750. The Government of Yukon organized a drug summit in June 2005, to seek input into the development of an action plan. The action plan was completed in 2006 and implementation continues.
751. A targeted review of the draft action plan was undertaken with stakeholders, including service providers, youth and women's organizations, community groups and the substance abuse advisory committee, on the proposed initiatives within the plan. One of the key issues identified was the need to enhance services rather than develop new programs. The Government has highlighted the relationship between women's experiences of violence and trauma and substance abuse. Another issue is pregnancy and the use of alcohol, which contributes to an increased risk of a child being born with Fetal Alcohol Spectrum Disorder.

### **Aboriginal women**

752. In addition to the measures described above, the Government continues to work with Aboriginal women in supporting and facilitating initiatives that enhance the well being of First Nations women.

## **Article 13: Economic and Social Life**

### **Support programs and services**

753. Allowance for social assistance recipients with disabilities was increased from \$125 per month to \$250 per month in 2005.
754. In 2005, the Government enacted the *Decision-Making, Support and Protection to Adults Act*, which provides more legal tools to assist adults with decision-making and provides a mechanism for responding to allegations of abuse and neglect of vulnerable adults.
755. The Workforce Diversity Employment Office was created in 2004 in part to help people with disabilities get and keep jobs within the Yukon public service. A total of 22 people, including 12 women, have been hired since the Office opened.

**Women's access to housing**

756. In 2004, the evaluation of the Yukon Housing Corporation's Social Housing Program was completed and the consultants recommended that, due to an aging population and housing stock, the Corporation should better target the allocation of units. The issue of priority assessment based on sex was not identified. However, as an outcome of the evaluation, the Board of Directors made changes to eligibility criteria so that victims of violence/abuse receive priority consideration for social housing. In addition, in 2004, the Corporation eliminated the practice of considering child support payments as part of the rent assessment determination.

## Appendix 1 — Public Consultations

Federal, provincial and territorial governments routinely consult members of the public on policies and initiatives that relate to the provisions of the *Convention on the Elimination of All Forms of Discrimination against Women*. The following are examples of consultations conducted during the period of the present report. This list is not exhaustive.

Policy/initiative/issue	Date	Nature of consultations
<b>Government of Canada</b>		
Review of the Live-in Caregiver Program (LCP)	January 2005	A two-day National Roundtable gave stakeholders and NGOs a forum to express opinions, share concerns and discuss options to improve the LCP.
Immigration issues	March 2006	A two-day national roundtable on the humanitarian and compassionate policy was organized, as part of a wider policy review. Participants included NGOs, counsel groups, academia and provincial government representatives. Gender-based analysis considerations were included within the consultative process.
Refugee – Resettlement	May 2004 – May 2006	Consultations/meetings with various NGOs and stakeholders on: <ul style="list-style-type: none"> <li>- a review and gender-based analysis of group processing of refugees from Myanmar, including consultations with UNHCR and Service Provider Organizations;</li> <li>- refugee protection issues, including violence against women with the Canadian Council for Refugees (CCR)</li> <li>- discussions on Assistance to Women at Risk with CCR</li> </ul>
Safe Third Country Agreement	2004-2006	Numerous consultations with NGOs prior to and post implementation of the Agreement, including Amnesty International and the Canadian Council for Refugees
Peacebuilding and human security	Since 1997	Annual consultations with NGOs and academics to discuss current and emerging issues. All sessions have either included a specific session on gender equality or ensured that gender was mainstreamed throughout the presentations and discussions, for example, discussions of “Gender, Peace and Security” in May 2006.



International engagement in human rights	Annually	Designed to inform Canadian policy for United Nations Commission on Human Rights/Human Rights Council, NGOs have opportunity to provide views on key issues, including the elimination of violence against women.
Gender equality in Canadian development assistance	October 2005	Roundtable on Gender Equality convened experts to discuss how the Canadian International Development Agency could best move forward in achieving gender-equality results. Participants included domestic and international NGOs, representatives from international fora.
<b>Government of Newfoundland and Labrador</b>		
Poverty Reduction Strategy	June-October 2005	Twenty-two workshops sessions with organizations that focus on poverty, community-based groups, business and labour were held. Six focus groups were held with individuals living in poverty, including youth at risk, women who have used transition house services, women's centre clients, Income Support clients and persons with disabilities. Consultations also included a toll-free phone line and Email address. Groups also provided written submissions.
Immigration strategy	October 2005	Stakeholder consultations were held on the proposed immigration strategy, including one session on women's issues.
Social assistance	2003	Fifty focus groups and consultations were held with key stakeholders and persons in receipt of Income Support. Consultation resulted in the proclamation of a new <i>Income and Employment Support Act</i> in November 2004.
Aboriginal Women's Conference	March 2006	Conference gave Aboriginal women an opportunity to meet, discuss issues of importance to them and provide the Government with feedback.
Violence Prevention Initiative	2004 and 2006	A Provincial Forum was held in 2004 and included government representatives, Aboriginal community representatives, advocacy groups, women's organization and other community stakeholders. A series of focus groups and consultations were held in 2006 with key stakeholders of the Initiative.

<b>Government of Prince Edward Island</b>		
Status of women issues	November 2004	Meeting to discuss various issues
Electoral reform	2003-2005	Consultations through correspondence and public hearings, included a workshop on Women and Electoral Reform.
Employment Standards Review	March 2006	Consultations through correspondence and public hearings
Maternity and Parental Benefits	December 2004	Meeting to discuss issues related to maternity and parental benefits
<b>Government of Nova Scotia</b>		
Immigration	2004-2006	Two Immigrant Women Roundtables brought women together to discuss issues for immigrants
Economic security	October 2005	Roundtable on Women's Economic Security
Disabilities	2006	Roundtable for women with disabilities (Status of Women and the Cumberland African Nova Scotian Society)
<b>Government of New Brunswick</b>		
Wage gap	2002-present	Ongoing meetings with stakeholders
Violence against women	2000-present	Ongoing meetings with stakeholders
<b>Government of Québec</b>		
Opinion by the Conseil du statut de la femme <i>Vers un nouveau contrat social pour l'égalité entre les femmes et les hommes</i> (2004)	January to September 2005	As a follow-up to the Opinion, which gives a portrait of subsisting inequalities faced by women, consultations were held in Parliamentary Commission. Seventy-five organizations were heard and 107 reports analyzed. One of the major recommendations that can be found in the consultation report pertains to the development of a new governmental policy on the status of women, and of an action plan to ensure its implementation.

Sharing a future... Policy Statement on the Status of Women	March 2003	After 10 years of the policy's implementation, a survey of the evolution of the socio-economic situation of women and men was conducted. Eighty-six non-governmental organizations were consulted. The resulting document, <i>L'avenir des Québécoises : Les suites des consultations de mars 2003</i> , gives a portrait of those inequalities which persist, and of gender-based differences in the way women and men face socio-economic realities
<b>Government of Manitoba</b>		
Amendments to the <i>Domestic Violence and Stalking Act</i>	2003-2004	Input was sought from a multi-disciplinary working group
Gender in health planning issues	2003-2004 and 2004- 2005	Consultation with Regional Health Authorities on gender in health planning issues. Four events were held in 2003-2004 and five events in 2004-2005.
Violence against women	March 2005	Mother of Red Nations national conference <i>Our Healing in Our Hands</i> . Panel of government officials to hear participants' concerns and issues
Amendments to the <i>Employment Standards Code</i>	December 2005- February 2006	Public consultations on proposed changes to the Code (a gender-based analysis was also part of the review). Over 100 submissions received, both in writing and presented at public meetings held around the province.
Health Human Resources	January 31- February 1, 2006	As part of the Manitoba First Nations Human Resource Regional Framework, two forums on health human resources were held. Aboriginal women make up a large part of the health care field.
HIV/AIDS Strategy	Ongoing	Proposed Aboriginal HIV/AIDS Strategy being developed in collaboration with Aboriginal communities
<b>Government of Saskatchewan</b>		
Gaps and improvement in employment and income support programs	October 2005 and June 2006	Two sets of consultations were held in six communities across Saskatchewan, with key community stakeholders including anti-poverty groups, shelters for women, and agencies serving Aboriginal people.

Early learning and child care	January 2003 – May 2006	Targeted consultation and dialogue were held with provincial partners in early learning and child care, particularly as it relates to child care subsidy redesign. Over 40 meetings with provincial and community stakeholders resulted in the establishment of a Minister's Advisory Board on Early Learning and Child Care.
Income assistance policy and practice issue resolution	Bi-annual	Face-to-face meetings are held with provincial advocacy agencies.
<b>Government of British Columbia</b>		
Victim services	2006	A series of roundtable discussions were held with victim service organizations on issues related to program delivery and emerging issues in victimization and recovery.
<b>Government of the Northwest Territories</b>		
NWT Family Violence Action Plan	June 2005 June 2006 September 2006	Three consultations were held with the Coalition Against Family Violence, which includes representatives from non-governmental organizations and community members with an interest in ending family violence, on the development and implementation of a <i>NWT Family Violence Action Plan</i> .
Violence against Aboriginal women	March 2006	The Department of the Executive co-chaired the policy forum on <i>Aboriginal Women and Violence</i> with the Government of Canada. Aboriginal women from across Canada were supported to attend this two-day consultation, and to provide their input into how government legislation, policy and programs could be more supportive to Aboriginal women dealing with violence in their lives.
<b>Government of Yukon</b>		
<i>Decision-Making Support and Protection to Adults Act</i>	2003-2005	Consultations were undertaken through various methods: correspondence, survey and meetings

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Social assistance	2005-2006	Consultations, through correspondence, meetings and teleconference, with Yukon First Nations on changes to social assistance
Education reform	2006	Examination of all aspects of life-long learning which will bring forward changes to the Yukon's education system.

## Appendix 2 — Review of Jurisprudence

### Article 1: Definition of Discrimination

In *Gosselin v. Quebec*, [2002] S.C.J. No. 85, the Supreme Court of Canada (S.C.C.) reasserted that an infringement of human dignity is the fundamental reference point for any evaluation of a discrimination claim. As previously stated in *Law v. Canada (Minister of Employment and Immigration)*, [1999] 1 S.C.R. 497 [Law], the question before the Court in a constitutional equality rights claim is whether human dignity is denied in purpose or effect. In *Gosselin*, the Court set out two broad principles to guide this analysis: (1) differential treatment based on stereotype or prejudice is a determining factor in the finding of an infringement of human dignity in the course of a contextual inquiry regarding discrimination, and (2) the reasonable claimant is the perspective from which to evaluate an equality rights claim (section 15 of *the Canadian Charter of Rights and Freedoms* (Charter)).

In *Vancouver Rape Relief Society v. Nixon*, [2005] B.C.J. No. 2647, the British Columbia Court of Appeal affirmed that, under s. 41 of that province's *Human Rights Code*, non-profit organizations aimed at promoting the interests or welfare of an identifiable group may give preference to certain members of that group for employment purposes, at the exclusion of other members of that group, despite it being a discriminatory practice. The preference must be both rationally connected to the organization's purpose and in good faith. In this case, Ms. Nixon, a post-operative male-to-female transsexual woman was excluded from volunteering for the Society on the basis that she had not been a woman all her life and so had not experienced oppression since birth. The Court found the distinction acceptable. The Society was not required to show that it only served women who had been women all their lives in order to legitimately exclude Ms. Nixon, as it was entitled to exercise internal preference for employment purposes within the group it served.

In *Nova Scotia (Human Rights Commission) v. Play it Again Sports*, [2004] N.S.J. No. 403, leave to appeal to S.C.C. refused, [2004] S.C.C.A. No. 567, the Nova Scotia Court of Appeal upheld a Human Rights Commission decision that the fact that a young Mi'kmaq woman's supervisor repeatedly referred to her as "kemosabe" was not necessarily indicative of racial discrimination, nor of discrimination based on sex. There was conflicting evidence as to whether the word "kemosabe" was offensive to Aboriginal women. The Court found that where the offensiveness of the utterance lay in the eye of the beholder, it was not unreasonable to require that the beholder make known that the conduct was offensive to her. An application for leave to appeal to the Supreme Court of Canada was dismissed.

In *Sagkeeng Child and Family Services v. A.R.W.* [2006] M.J. No. 415 (Manitoba Court of Queen's Bench (Family Division)), a mentally ill mother claimed that the provisions of ss. 41(1) [limits on the period of temporary guardianship] and 45(1) [effect of an order of permanent guardianship] of *The Child and Family Services Act* "discriminate against mentally ill parents whose children are subject to applications for permanent guardianship, and therefore, adoption proceedings when compared with mentally ill parents who are subject to custody proceedings under the Divorce Act". During her argument, the mother raised the question of whether

s. 45(1) of the *Child and Family Services Act* is discriminatory in its effect because of its disproportionate impact on Aboriginal people, particularly Aboriginal women, and therefore was a breach of s. 15 of the Charter. The court agreed with the Attorney General's response that there was no evidence to prove the disproportionate impact. If there were evidence of the impact, the separate First Nations child welfare system was specifically created in Manitoba to respect the disadvantaged position of Aboriginals. Furthermore, the special needs and considerations of the Aboriginal mother were respected in this case as the agency involved was an Aboriginal agency.

*In Québec (Commission des droits de la personne et des droits de la jeunesse) et Giguère c. Montréal (Ville)*, 2003 QCTDP 88, the Québec Human Rights Tribunal concluded that a distinction based on breastfeeding is a distinction based on sex.

The longstanding legal principal that a distinction in treatment need not be intentional to constitute discrimination was affirmed by the Nova Scotia Board of Inquiry in *Daniels v. Annapolis Valley Regional School Board* [2002], 45 C.H.R.R. D/162 (N.S. Bd.Inq.), and by the Canadian Human Rights Tribunal in *Montreuil v. National Bank of Canada*, 2004 CHRT 7.

## Article 2: Anti-Discrimination Measures

### Harassment

In *Mowat v. Canada (Armed Forces) (No. 2)*, 2005 CHRT 31, the Canadian Human Rights Tribunal ordered the Canadian Armed Forces to pay \$4,000 in damages for “suffering in respect of feelings or self respect” to a female former Master Corporal for sexual harassment endured at the hands of another member of the Forces. This sexual harassment violated s. 14 of the *Canadian Human Rights Act*. The complainant had reported the behaviour to her superiors, who failed to take adequate steps to stop the harassment.

In *Yee (c.o.b. Market Place Restaurant) v. McLean*, [2005] ABQB 470, the Alberta Court of Queen's Bench upheld a Human Rights and Citizenship Commission's decision that Mr. Yee, the employer of Ms. McLean, discriminated against her based on her sex by making advances and touching her, and by dismissing her from her job when she complained of his behaviour. Mr. Yee admitted to touching Ms. McLean, but insisted that she had instigated the behaviour. He objected that the Commission had not allowed him to present character evidence about himself and Ms. McLean which he claimed would demonstrate an ulterior motive for her accusation. Erb J. found the exclusion of character evidence was appropriate and that “whatever his [Mr. Yee's] motivations, his conduct was inappropriate in the work place, was of a sexual nature and, in my opinion on a review of the evidence, was unwelcome.” Because of the inappropriate nature of his actions, character evidence would not affect Mr. Yee's case.

In *Québec (Commission des droits de la personne et des droits de la jeunesse) c. Caisse Populaire Desjardins d'Amqui*, 2003 QCTDP 105, the Québec Human Rights Tribunal found that numerous subtle and difficult to define, but unwanted, acts (some of which may have had sexual innuendo) of a male employer towards a female employee amounted to sexual harassment. In addition, the harassment interfered with the employee's right to conditions of

employment free of discrimination based on sex. In this case, the Tribunal examined the standards related to sexual harassment and equality in employment and referred to the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), and also to paragraphs 17 and 19 of the CEDAW Committee's General Recommendation 19, which notes that "sexual harassment in the work environment can be considered discriminatory when a woman is justified in believing that her refusal of such conduct may disadvantage her in her employment.

In *Budge v. Thorvaldson Care Homes Ltd.*, [2002] M.H.R.B.A.D. No. 1, a woman who worked in a personal care home was subjected to sexual harassment over a period of nine months by the maintenance man employed by the home. Her employer was found liable under *The Human Rights Code* of Manitoba for failing to take reasonable steps to stop the harassment once it became aware it was going on and for terminating her employment due to her complaint about the harassment. She was awarded lost income and general damages and the employer was ordered to adopt and post a harassment policy. A subsequent judicial review application and appeal to the Manitoba Court of Appeal by the employer challenging the decision of the independent adjudicator appointed under the Code were both dismissed.

In *D'Heilly v. Neufeld*, [2005] M.H.R.B.A.D. No. 2, a woman who worked in a store that sold communications equipment such as cell phones was subjected to sexual harassment and reprisals by the sales manager. Her employer was found liable under *The Human Rights Code* of Manitoba for failing to take reasonable steps to stop the harassment once it became aware it was going on and for terminating her employment due to her complaint about the harassment. She was awarded lost income and general damages.

### **Protection of legal rights**

In *Québec (Attorney General) v. Québec (Human Rights Tribunal)*, [2004] S.C.R. 223, the Supreme Court of Canada held (four in favour and three dissenting) that complaints of discrimination, such as gender discrimination, could not be brought before the province's Human Rights Tribunal where the legislator intended another body equally empowered to apply the Québec Charter to have exclusive jurisdiction. This case concerned a woman who had been receiving social assistance benefits to complement her salary through a provincial program for low-income families where at least one adult was receiving employment income. In accordance with the legislation, she was subsequently denied social assistance benefits through the program during her maternity leave because the employment insurance benefits that she received as maternity benefits were not considered "income" for the purpose of the program. The majority of the Court believed that there was clear legislative intent that the *Commission des affaires sociales* (CAS, henceforth the *Tribunal administratif du Québec* (TAQ)) should have exclusive jurisdiction to apply and interpret the benefits scheme, and that this tribunal did not lose its jurisdiction just because a human rights issue arose. In fact, the CAS was empowered to decide upon questions of rights in accordance with sections 78 and 81 of the *Act respecting income security*; this power included the consideration of discrimination. As a result, the woman therefore had to bring her sex discrimination complaint to the competent tribunal for adjudication. The dissenting judges considered that because the dispute was essentially about



discrimination on the ground of pregnancy, rather than over a ministerial ruling on security benefits, the CAS could not have exclusive jurisdiction; they found the Human Rights Tribunal to be the “best fit” for hearing the complaint.

### **Article 3: Measures to Ensure the Advancement of Women**

#### **Violence against women**

In *R. v. Humaid*, [2006] O.J. No. 1507, leave to appeal to S.C.C. refused, the Ontario Court of Appeal upheld a conviction of first degree murder for a man accused of stabbing his wife to death upon learning of her infidelity. Both the husband and wife were originally from Dubai and of Islamic faith. The accused contested the conviction on the basis that the trial judge had instructed the jury not to consider evidence of an expert on Islamic religion and culture. Provided in support of a provocation defence, the evidence was about the significant effect of infidelity in Islamic culture, how it is not tolerated and is worthy of punishment by male members of the family. The Court of Appeal held that expert’s evidence could not lend any air of reality to the provocation defence, because an accused who acts out of a sense of retribution fuelled by a belief system that entitles a husband to punish his wife’s perceived infidelity has not lost self-control.

In *R. v. Ashlee*, [2006] A.J. No. 1040, the Alberta Court of Appeal restored a conviction for sexual assault on an unconscious woman. The Court of Appeal clarified that neither implied nor possible prior consent to sexual activity are available legal defences to sexual activity. The Court indicated that even if the complainant had consented to sexual activity prior to losing consciousness, which was not established in this case, once unconscious, the complainant was no longer capable of providing consent.

In *R. v. Dick* [2006], 203 C.C.C. (3d) 365, the Ontario Superior Court of Justice held that the provincial Sex Offender Registry, which requires persons convicted of sex offences to register with the police, did not violate the constitutional right not to be deprived of liberty save in accordance with the principles of fundamental justice. The obligation to register placed only modest restrictions on the offender’s liberty, while the harm sought to be prevented was a reasonable apprehension of serious harm. The measures were not disproportionate to the possible harm.

In *R. v. J.(J.)* [2004], 192 C.C.C. (3d) 30, the Newfoundland and Labrador Court of Appeal considered the applicability of sentencing circles for Aboriginal persons accused of sexual assaults. While the Court agreed with the decision in *R. v. Taylor* (1998), 122 C.C.C. (3d) 376, that a serious sexual assault does not automatically rule out a sentencing circle, it asserted that such an assault should at least require the Trial Judge to address whether or not a sentencing circle should be used. Amongst other factors to consider, the victim must consent to the sentencing circle, and this consent must be given free of pressure.

Under s. 718.2 of the *Criminal Code* of Canada, evidence that the offender, in committing the offence, abused the offender’s spouse or common-law partner is an aggravating factor that

increases a sentence. In *R. v. Chénier* [2004], 191 C.C.C. (3d) 512, the Québec Court of Appeal held that a conditional sentence was insufficient for a man convicted of violent assault and death threats against his ex-common law partner, as it prioritized the sentencing goal of rehabilitation over the goal of deterring the serious problem of domestic violence, and failed to give adequate consideration to the aggravating factors as defined in section 718.2 of the Code.

In *R. v. Morris* [2004], 186 C.C.C. (3d) 549, the British Columbia Court of Appeal determined that a suspended sentence was inadequate for an Aboriginal chief convicted of confining and brutally beating his wife. While Courts must take account of the Aboriginal background of the offender, this is not to the exclusion of all other sentencing objectives. The more serious the offence, the more likely it is that Aboriginal and non-Aboriginal offenders should be sentenced similarly. Furthermore, s. 718.2 of the *Criminal Code* must also be considered in sentencing Aboriginal domestic violence offenders.

In *R. v. B. (K.G.)* [2005], 202 C.C.C. (3d) 521, a young offender was convicted of sexually assaulting a 15-year old girl who had passed out because of alcohol intoxication. The New Brunswick Court of Appeal held that a trial judge had erred by failing to characterize the assault as a “serious violent offence.” The Court recalled that “bodily harm” is defined in the Criminal Code as “any hurt or injury to a person that interferes with the health or comfort of the person and that is more than merely transient or trifling in nature,” and that this hurt or injury may be physical or psychological in nature. A non-custodial sentence was replaced with a custodial sentence.

In *R. v. G.P.J.* [2001] M.J. No. 53 (CA), a sexual assault case, the trial judge found that the production of the complainant’s counselling records were necessary to allow the accused to make full answer and defence. The records were used to assess the complainant’s evidence, which was ultimately rejected. The decision was appealed by the Crown. The Manitoba Court of Appeal upheld this decision.

## **Article 5: Stereotyping**

In *R. v. Hamilton*, [2004] O.J. No. 3252, the Ontario Court of Appeal declared that a trial judge had erred in imposing conditional sentences (non-custodial) on two single young black women with young children, who were convicted of importing cocaine into Canada. The trial judge had concluded, based on his own materials and experience, that Hamilton and Mason were the victims of systemic racial and gender bias which led to their impoverished circumstances and made them vulnerable to those seeking cocaine couriers. He found that this was a mitigating factor in sentencing. The Court of Appeal said that that the trial judge overstepped his power by introducing his own evidence and relying on it so strongly without expert evidence. Furthermore, the fact that an offender is a member of a group that has historically been subject to systemic racial and gender bias does not in itself justify any mitigation of sentence. The Court believed that imposition of conditional sentences for these offences encouraged the recruitment of young black poor women with no criminal records to carry cocaine into Canada from Jamaica and increased the vulnerability of persons like the accused.

In *College of Chiropractors of Ontario v. Kovacs*, [2004] O.J. No. 4353, the Ontario Superior Court of Justice found that the College's Discipline Committee erred in dismissing a case of alleged sexual assault. The Committee's decision rested on stereotypes about both possible victims of sexual assault and possible perpetrators. It assumed that a woman, especially a trained nurse, would have responded in a particular way to sexual assault. The Court said that other factors in the situation had to be considered, such as the woman's age, and the fact that she was alone with the respondent. The Committee had also assumed that a person in the respondent's position would be unlikely to commit the alleged acts. The Court emphasized that "egregious as the alleged acts are, there are many examples of individuals in a position of power who have sexually abused others, whether patients, students or other vulnerable individuals". The Committee should not have treated this as a factor tending to disprove the case.

## **Article 6: Trafficking of Women and Exploitation**

While prostitution itself is not a criminal offence, living wholly or in part off the avails of prostitution is criminalized under s.212(1)(j) of the *Criminal Code*. The Government of Canada continues to prosecute, and the courts continue to impose sentences on persons living off the avails of prostitution (See for example *R. v. Lukacko*, [2002] O.J. No. 1293, Ontario Court of Appeal; *R. v. Thomas*, [2003] O.J. No. 6137, Ontario Superior Court of Justice; *R. v. M.S.*, [2006] O.J. No. 1347, Ontario Superior Court of Justice). Harsher sentences will be imposed on the individual if the women being forced to prostitute themselves are under the age of 18 (*R. v. Bennett* (2004), 184 C.C.C. (3d) 290, Ontario Court of Appeal).

## **Article 11: Employment**

### **Pregnancy**

In *Woo v. Alberta (Human Rights and Citizenship Commission)*, [2003] ABQB 632, aff'd [2005] A.J. No. 232, the Alberta Queen's Bench considered the issue of discrimination in employment because of pregnancy. The *Employment Standards Code* of Alberta provides that women who have worked consecutively for 52 weeks for an employer are entitled to maternity leave without pay. Ms. Woo had been employed as vice-principal for less than this period, but the Court determined that her dismissal upon requesting maternity leave violated her right not be discriminated against because of her sex, and that the school board had a responsibility to accommodate her. The Court further found the school board had discriminated against both Ms. Woo and Ms. Jahelka, a pregnant woman, by failing to consider them for other vice-principal positions and instead giving the position to a less qualified candidate. The employer had a duty to accommodate Ms. Jahelka unless it would cause "undue hardship".

In *Parry Sound (District) Social Services Administration Board v. Ontario Public Service Employees Union, Local 324*, [2003] 2 S.C.R. 157, the Supreme Court of Canada averred that the substantive rights and obligations of the Ontario *Human Rights Code* and *Employment Standards Act* are incorporated into all collective agreements of employment. Under a collective agreement, the broad rights of an employer are subject not only to the express provisions of the collective agreement, but also to statutory provisions of the *Human Rights Code* and other

employment-related statutes. Human rights and other employment-related statutes establish a floor beneath which an employer and union cannot contract. Consequently, the province's Labour Relations Arbitration Board has the power to enforce the rights and obligations of the *Human Rights Code*. In this case, a female employee subject to a collective agreement left on maternity leave while still in her probationary period and was subsequently dismissed. Her terms of employment were governed by a collective agreement, which stated that "a probationary employee may be discharged at the sole discretion of and for any reason satisfactory to the Employer and such action by the Employer is not subject to the grievance and arbitration procedures and does not constitute a difference between the parties". The Supreme Court confirmed the Board's holding that the employee's right under the *Human Rights Code* and *Employment Standards Act* not to be discriminated against on the basis of pregnancy had been violated, despite the collective agreement's probationary provision.

In *Crockett v. Goodman*, 2005 BCHRT 471, the British Columbia Human Rights Tribunal awarded damages to a hairdresser whose employer had failed to reasonably accommodate her by allowing her to take more frequent breaks while she was pregnant with twins. Her employer expected her to carry on as always or go on maternity leave, which ultimately resulted in her taking maternity leave one month earlier than planned, thereby losing income. The employer's anger towards her also made it impossible for her to return to that work environment after her maternity leave, which amounted to sex discrimination. Consequently, the Tribunal awarded her damages to cover revenue lost while she re-established herself and built a new clientele.

In *Sidhu v. Broadway Gallery (c.o.b. Takamatsu Bonsai Design)*, [2002] B.C.H.R.T.D. No. 9, the British Columbia Human Rights Tribunal found that a pregnant woman established a *prima facie* case of discrimination when she showed that her employer substantially reduced her work hours at a bonsai tree nursery immediately after she produced a medical note saying that she should not lift heavy weight or be spraying pesticides. She was entitled to compensation for lost wages and for injury to her dignity.

In *Serben v. Kicks Cantina Inc.* [2005], CHRR Doc. 05-159 (Alta. H.R.P.), a female employee had been dismissed from her work as a bartender just a couple months before she was to go on maternity leave, when the manager found that she could no longer fulfill all her duties. No effort was made to accommodate her. The Alberta Human Rights Panel found the employer had discriminated against Ms. Serben based on her sex, and ordered that damages be paid.

In *Patterson v. Seggie*, 2004 BCHRT 2, the British Columbia Human Rights Tribunal awarded damages to a pregnant woman who was let go from her job at a fish and chips stand after she had to leave work one morning because of nausea. Because her pregnancy was a factor in the decision to fire her, there was *prima facie* discrimination on account of sex, contrary to s. 13 of the provincial *Human Rights Code*.

### **Sex discrimination in the workplace**

In *Mottu v. MacLeod*, 2004 BCHRT 76, the British Columbia Human Rights Tribunal found that nightclub owners had discriminated against Ms. Mottu, an employee, by requiring her to wear an

outfit that was gender-specific and sexual in nature, and by retaliating against her by limiting her shifts and humiliating her when she refused to wear it. The Tribunal ordered the respondents to pay Ms. Mottu compensation for lost wages and tips, and \$3,000 as compensation for injury to dignity, feelings and self-respect.

In *Montreuil v. National Bank of Canada*, 2004 CHRT 7, the Canadian Human Rights Tribunal determined that the Bank had discriminated against Ms. Montreuil, who was physically and legally a man, but who identified herself as a woman, on the basis of sex when it failed to hire her for a call centre position.

In *Repas-Barrett v. Canadian Special Service Ltd* [2003], CHRR Doc. 03-114 (Alta. H.R.P.), the Alberta Human Rights Panel awarded damages for loss of earnings and for indignity and loss of self-respect to a complainant who was discriminated against because of her sex. The Panel found gender discrimination on two counts: first, when her employer made remarks to her on the basis of her gender, and second, when her pregnancy was a direct causative factor in her dismissal.

In *Prince Edward Island Human Rights Panel DeWare v. Kensington* (2003), 45 C.H.R.R. D/244 (P.E.I.H.R.P.), the Prince Edward Island Human Rights Panel ruled that the Town of Kensington discriminated against Lorna DeWare by refusing to employ her as a Summer Constable because of her sex, and by paying her less than a male employee for performing the same work. The Panel ordered the Town to apologize to Ms. DeWare, to compensate her for the financial loss caused by the discrimination, and to pay her \$4,000 as general damages for the injury to her dignity.

In *Dubeck v. Friesen (c.o.b. Vy-con Construction)*, [2002] M.H.R.B.A.D. No. 2, a woman working at a construction firm was awarded general damages and lost income by an independent adjudicator appointed under *The Human Rights Code* of Manitoba on the basis that she was denied work assignments and laid off because she was female.

## **Pay equity**

In *Canada (Human Rights Commission) v. Canadian Airlines International Ltd.*, [2006] SCC 1, the Supreme Court of Canada upheld a Federal Court of Appeal ruling establishing that employees in different occupations governed by separate collective agreements with the same employer may nonetheless be deemed to work in the same “establishment” for the purpose of making pay equity comparisons under the *Canadian Human Rights Act*. The Canadian Human Rights Commission must compare the salaries and working conditions of Air Canada’s predominantly female attendants to those of the airline’s pilots and mechanics, who are mostly male, despite the fact that these groups of employees are governed by different collective agreements with the airline. The Court ruled that they are part of the same “establishment” for purposes of equal pay for work of equal value because they are subject to a “common personnel and wage policy”.

In *P.S.A.C. v. Canada Post Corporation (No. 6)*, 2005 CHRT 39, the Canadian Human Rights Tribunal held that the respondent Canada Post was in violation of s. 11 of the *Canadian Human*

*Rights Act*, which prohibits discrimination on the basis of sex. Canada Post had been paying employees in the female-dominated Clerical and Regulatory Group less than employees in the male-dominated Postal Operations Group for work of equal value. It ordered the respondent to equalize pay, and to compensate the complainants with lost wages dating back to one year before the initial claim was made (1982).

In *Syndicat de la fonction publique c. Procureur général du Québec*, [2004] J.Q. No. 21, a judge of the Québec Superior Court struck down Chapter IX of the province's *Pay Equity Act*, holding that it violated women's equality rights guaranteed by section 15 of the *Canadian Charter of Rights and Freedoms*. The impugned section exempted employers who had established a pay equity plan prior to the Act's introduction in 1996 from complying with provisions of the general regime applicable to other employers. However, they had to demonstrate to the Commission de l'équité salariale that their plan satisfied certain important requirements of the Act, including the requirement that no element of the plan discriminate on the basis of gender. The Government of Québec, as well as numerous municipalities and educational institutions had reported on their pay equity plans, which had generally received the endorsement of the Commission. However, the exempted employers' pay equity plans had not necessarily been elaborated on the basis of applicable requirements of the general regime of the Act. The Court held that the standards for elaborating the plans prescribed by section IX were lower, the effect of which was to create or maintain inequality with respect to the female workers affected, contrary to the *Canadian Charter of Rights and Freedoms*. Neither the Government nor the other employers targeted by the Act, appealed the decision. The employers concerned, including the Government, are subject to the general regime of the Act.

In *Newfoundland (Treasury Board) v. N.A.P.E.*, [2004] 3 S.C.R. 381, the Supreme Court of Canada considered whether the Newfoundland government's deferral of a Pay Equity Agreement in favour of female employees in the health care sector and the extinguishment of three years of arrears owed to the employees violated the women's equality rights under s. 15(1) of the *Canadian Charter of Rights and Freedoms*. The Government took these measures in a period of unprecedented financial crisis. Simultaneously, it took other severe measures to reduce the provincial deficit, including budgetary cuts to hospitals and school; however, no similar cuts were imposed on people working in male-dominated jobs performing work of equal value. The Court found the measures to be discriminatory. However, the Court decided that the discrimination was justifiable under s. 1 of the Charter because the financial crisis was exceptionally severe and addressing it was a "pressing and substantial legislative objective." Deferring pay equity was "proportional to its objective" and tailored to minimally impair rights in the context of the problem (a pay equity program continued to be implemented albeit at a much slower pace). Importantly in this case, the Court found that the financial health of the Government as a whole was at risk, and that the harm caused by the Charter violation was lesser than the harm averted, as the measures helped allow the province to continue to provide essential programs. Despite the fact that the Supreme Court's decision meant that the employees had no legal right to payments of arrears, in March 2006, the Government of Newfoundland agreed to the request of the unions to be granted a \$24 million ex gratia payment.

In *Reid v. Vancouver Police Board*, [2005] B.C.J. No. 1832, leave to appeal to S.C.C. refused, [2005] S.C.C.A. No. 463, the British Columbia Court of Appeal reinstated a Human Rights Tribunal decision that a 40 per cent wage discrepancy between dispatchers for the fire department, who are mostly male, and police dispatchers, who are mostly female, did not discriminate against the women because while fire department dispatchers were City of Vancouver employees, police dispatchers were Police Board Employees. This overturned the B.C. Supreme Court's 2003 ruling that both sets of dispatchers were effectively employed by the City because the City ultimately paid the Police Board's bills. The Court of Appeal found that because the Police Board set the pay scale for the police dispatchers, the City was not empowered to provide a remedy to the Police Board employees and so the salaries of fire department dispatchers and police department dispatchers could not be compared. An application for leave to appeal to the Supreme Court of Canada was dismissed.

## Article 12: Health

In *Jane Doe 1 v. Manitoba*, [2004] M.J. No. 456, rev'd. [2005] M.J. No. 335, leave to appeal to S.C.C. refused, [2005] S.C.C.A. No. 513, the Manitoba Court of Queen's Bench declared that provisions of the province's *Health Services Insurance Act (HSIA)*, which limited insured therapeutic abortions to hospitals, were in violation of security of the person and equality rights under the *Canadian Charter of Rights and Freedoms*. The two litigants were required to pay for their own abortions at the Morgentaler Clinic in Winnipeg after learning of a lengthy wait for a hospital abortion. The Court found that "depriving a woman of her right to decide when and where she will undergo the procedure of a therapeutic abortion threatens the woman in a physical sense and that the agony caused by not knowing whether an abortion will be performed in time is bound to inflict emotional distress and serious psychological harm upon her." The Court declared the HSIA provisions invalid for violating women's rights under sections 7 and 15 of the Charter. This case, which was decided on summary judgment, was appealed by the Crown, and the appellate court ordered that a full trial be held due to the complexity of the issues. An appeal to the Supreme Court was refused. The full trial is still pending.

In *Canada (Attorney General) v. Canada (Human Rights Commission) and Kavanagh*, [2003] FCT 89, the Federal Court Trial Division upheld a ruling by the Canadian Human Rights Tribunal establishing that discrimination on the basis of transsexualism constituted discrimination on the basis of sex as well as on the basis of disability. The Court determined that Corrections Canada's blanket policy prohibiting sex reassignment surgery discriminated against inmates diagnosed with gender identity disorder. Corrections Canada is required to provide essential health care to inmates. Therefore, if sex-reassignment surgery is determined to be essential it would be discriminatory not to provide it. However, male-to-female transsexuals did not have a right to be held in female penitentiary institutions prior to surgery, due to potential risk to female inmates.

In *Hogan v. Ontario (Ministry of Health and Long-Term Care) (No. 3)* [2005], CHRR Doc. 05-702, 2005 HRTO 49, the Ontario Human Rights Tribunal issued an interim decision about whether the provincial government's cutting of public funding for sex reassignment surgery discriminated against transsexual persons because of disability and sex. The Tribunal found that

the new policy was discriminatory on the ground of disability. Whether it is also discriminatory on the ground of sex will be addressed in the final decision, which has yet to be issued. The British Columbia Human Rights Tribunal reached a similar conclusion in *Waters v. British Columbia (Ministry of Health Services)* 2003 BCHRT 13.

### **Article 13: Economic and Social Life**

The Supreme Court of Canada considered the constitutionality of the Government of Canada's parental benefits scheme under the Canadian *Employment Insurance Act* in *Reference re Employment Insurance Act (Can)*, ss. 22 and 23, [2005] S.C.J. No. 57. The Government of Québec argued that this federal benefits program was essentially a social program designed to allow women to prepare for childbirth and to recuperate afterwards. The Supreme Court disagreed, finding that the benefits' primary effect was "to replace, in part ... [the] employment income of women while they are absent from work." Consequently, it fell under the Government of Canada's power to legislate in the area of unemployment benefits. The scheme was deemed constitutional, and so the Government of Canada continues to provide parental leave benefits.

In *Hodge v. Canada (Minister of Human Resources Development)*, [2004] 3 S.C.R. 357, the Supreme Court of Canada considered whether the Canada Pension Plan (CPP) was discriminatory against common law spouses that are no longer cohabiting at the time of the contributor's death, by excluding them from eligibility for a survivor's pension. Ms. Hodge had cohabited with her common law partner, a CPP contributor for over 20 years, when she left because of alleged abuse. Five months later, the contributor died, and the CPP denied Ms. Hodge a pension. She was no longer considered a spouse because, unlike married spouses, common law spouses cease to be "spouses" upon the date of their final separation. However, the Court found that there was no discrimination, because former common law spouses had to be compared to former married spouses rather than to separated married spouses. Former married spouses (divorced) were not entitled to a CPP survivor's pension either.

In *The Métis National Council of Women, Sheila D. Genaille v. Attorney General of Canada*, 2006 FCA, leave to appeal to S.C.C. refused, [2006] S.C.C.A. No. 170, the Federal Court of Appeal dismissed the Métis National Council of Women's (MNCW) challenge to the decision of the Government of Canada not to permit them to become a party to the Framework Agreements of a program created for labour market development for Aboriginal people. Three other Aboriginal organizations were signatories to the Agreements and MNCW brought an application for judicial review and claimed that the Agreements breached the equality rights of Métis women under s.15 and s.28 of the Charter. The Court found that there was insufficient evidence that Métis women were not properly represented by the other Aboriginal organizations party to the Agreements or that Métis women had encountered difficulties in accessing programming or funding under the current arrangements.



## Article 16: Marriage and Family Life

Following Court of Appeal judgments in both Ontario and British Columbia which held that the definition of marriage as only being between one man and one woman violated equality rights of same-sex couples, the Governor in Council put forward a reference on proposed same-sex marriage legislation to the Supreme Court of Canada (*Reference re Same-Sex Marriage*, [2004] 3 S.C.R. 698). The Court determined that expanding the definition of marriage to include same-sex couples did not violate the Constitution, and was consistent with the Charter. The Court further found that the Charter's freedom of religion protected religious officials from having to perform same-sex marriages that were contrary to their religious beliefs. After the reference, the Government tabled legislation expanding the definition of civil marriage to same-sex couples (*Marriage Act 2005 c. 33*).

In *M.D.R. v. Ontario (Deputy Registrar General)*, [2006] O.J. No. 2268, the Ontario Superior Court held that birth registry provisions of the *Vital Statistics Act*, which restricted the particulars of lesbian co-mothers from being included on a child's Statement of Live Birth, infringed their right under s. 15 of the *Canadian Charter of Rights and Freedoms* to be protected against discrimination based on both sex and sexual orientation. The situation of lesbian co-mothers was compared to the situation of heterosexual non-biological fathers who planned a pregnancy with a spouse using assistive reproductive technology. The Act allowed these fathers' particulars to be recorded on the Statement of Live Birth. The distinction was discriminatory due to pre-existing disadvantage and stereotype, the lack of correspondence between the benefit and the needs of lesbian co-mothers who used reproductive technology and their children, and the engagement of core dignity interests. The provisions were not saved by s. 1 of the Charter and were declared invalid.

In *Trociuk v. British Columbia (Attorney General)*, [2003] 1 S.C.R. 835, the Supreme Court of Canada held that provisions of the provincial *Vital Statistics Act* which allowed a mother to register her child's live birth alone, and which precluded a father from having the registration altered, violated the father's right to equality. The impugned provisions discriminated against the father by exposing him to the possible arbitrary exclusion of his particulars from his children's birth registration and, consequently, of his participation in choosing their surname, on the enumerated ground of sex.

In *Morriseau v. Wall (c.o.b. Paisley Park)*, [2000] M.H.R.B.A.D. No. 1, a woman who was asked to move from a seat within an antique shop to one on an outside patio in order to nurse her baby brought a complaint under *The Human Rights Code* of Manitoba. The independent adjudicator appointed under the Code recognized that women who need to breastfeed have a right to be accommodated under *The Human Rights Code*. However, this particular complaint was dismissed because the accommodation offered was reasonable in the circumstances.

In *Canadian Foundation for Children, Youth and the Law v. Canada*, [2004] S.C.J. No. 6, the Supreme Court of Canada cites CEDAW, articles 5(b) and 16(1)(d), for treating "the best interests of the child" as a legal principle. However, the "best interests of the child" failed to meet the second criterion for a principle of fundamental justice: consensus that the principle is

vital or fundamental to our societal notion of justice. It was not a “foundational requirement for the dispensation of justice”.

In *Hiemstra v. Hiemstra*, [2005] A.J. No. 287, the Alberta Court of Queen’s Bench refers to the section of the Supreme Court’s decision in *Canadian Foundation for Children, Youth and the Law v. Canada* that cites CEDAW to stress the fundamental importance of determining child support in “the best interests of the child.

### Appendix 3 — Gender-based Analysis

The following is an overview of federal, provincial and territorial approaches to gender-based analysis.

<b>Government</b>	
Government of Canada	<p>Status of Women Canada (SWC) has responsibility for gender-based analysis from a capacity-building mandate. SWC has created multiple templates and tools for applications, for guidance, for measurement, for evaluating, and for training. The focus has moved from individual capacity to organizational capacity in order to ensure organizations are in a position to make gender-based analysis sustainable. As part of this work, SWC has developed a Gender-Based Analysis Information Kit.</p> <p>Since 1995, various departments have implemented mechanisms and approaches to integrating GBA. By 2005-2006, the approaches departments used covered the full spectrum of activities, from the integration of GBA into departmental strategic frameworks and business lines, to establishing networks of GBA specialists, offering training, and developing tools and resources.</p> <p>In their roles as the federal government’s central agencies, Treasury Board Secretariat, Privy Council Office and Finance Canada each plays a critical “challenge” role in ensuring departments take into account all relevant factors, including gender considerations, in the development of policies and programs. It is, however, the responsibility of individual departments and agencies to ensure the completion of an exhaustive analysis of proposed policies and programs, including the application of GBA and the inclusion of gender considerations.</p>
Newfoundland and Labrador	<p>The application of gender-based analysis is not mandated in legislation but is strongly encouraged in the policy development process. The Women’s Policy Office (WPO) receives copies of all Cabinet and Cabinet Committee agendas. This provides the Office the opportunity to review submissions. Further, Cabinet Secretariat ensures that the WPO is consulted and have an opportunity to provide input into analysis of relevant submissions to Cabinet.</p>

	The Public Service Secretariat and the WPO is piloting new training directed to policy analysts in the application of gender-based analysis developed by Status of Women Canada.
Prince Edward Island	In PEI, all materials requiring decisions from the executive level are reviewed in a manner that includes the application of guidelines for gender and diversity considerations. These guidelines were endorsed in March 2005 and are to be utilized in policy development and implementation.
Nova Scotia	<p>Nova Scotia's Advisory Council on the Status of Women is consulted on an informal basis by departments on the development of policy. The Council is working with the School of Public Administration to strengthen and further explore international experience in various gender mainstreaming approaches.</p> <p>As an example of the use of GBA, Nova Scotia conducted a comprehensive gender-based analysis of its HIV/AIDS strategy.</p>
New Brunswick	Gender-based analysis in New Brunswick is mandated by Cabinet, not legislated. It applies to all departments, policies and programs. The Women's Issues Branch reviews all Executive level submissions for gender impact.
Québec	<p>Gender-based analysis was introduced in the Québec government on an experimental basis from 1997 to 2004, with the participation of 11 departments and agencies, to determine best practices and suggest flexible solutions to ensure effective, efficient implementation of GBA in all government action.</p> <p>In follow-up to the <i>Report on experimentation with gender-based analysis in the Government of Québec: lessons learned and benefits gained</i>, published in 2005, the Government of Québec committed to have all departments and agencies integrate GBA in at least 15 government policies, measures, reforms or services by 2008.</p>
Ontario	The Ontario Women's Directorate reviews relevant proposals brought forward to Cabinet and Cabinet Committees with a view to identify gender issues and implications. In addition, the Directorate leads or supports inter-ministerial committees that work horizontally across ministries on specific policy issues that affect women (e.g. Ministers' Advisory Committee on Domestic Violence and Assistant Deputy Ministers' Committee on Women's Issues, representing approximately 13 ministries addressing gender issues).

	<p>Gender-based analysis is not mandatory for ministries. However, ministries have taken steps to address gender-based issues (e.g. Ministry of Health and Long-Term Care has a longstanding Women's Health Council to monitor, research and advise on health issues from a gender lens; and the Ministry of Labour has produced materials on gender-based analysis for use by government departments).</p>
Manitoba	<p>Manitoba has taken steps to develop a better understanding of both theory and practical application of gender-based analysis. The Women's Directorate is assisting all programs and services, and those developing legislation to incorporate a gender lens to the process. It has established general and group-specific training workshops. It has also conducted a gender-based review of the latest budget; this will be an ongoing process. A booklet, "Gender and Diversity Analysis", was distributed to all deputy ministers, for circulation to policy managers, which sets out the steps involved in conducting both a gender-based and a diversity analysis.</p> <p>In early 2005, Manitoba provided a grant of \$10,000 to the United Nations Platform for Action Committee (UNPAC) and Manitoba government officials have met with UNPAC to discuss options for furthering gender and diversity based budget analysis within government.</p> <p>During the reporting period, the Department of Health sponsored a gender analysis project with regional health authorities. The Department of Labour and Immigration instituted a gender-based analysis as part of the review of <i>The Employment Standards Code</i>. Community budget consultations by the government have involved 200 participants in 21 sessions to date.</p>
Saskatchewan	<p>Decisions that go to Saskatchewan's executive level are scrutinized with both gender-based and diversity lenses. Virtually all senior policy advisors and analysts receive training in gender-based and diversity analysis.</p> <p>Education and training tools and seminars are developed and offered by the Status of Women Office to government employees and external stakeholders. From 2002-2003 to 2006, about 563 people have attended presentations or training sessions on gender-based and diversity analysis.</p>

Alberta	Work on gender-based analysis is being conducted in Alberta on a limited basis. Alberta's status of women officials are part of the Human Rights and Citizenship Branch, Alberta Community Development. Status of women officials integrate GBA into their collaborative and advisory work within their ministry and with other government departments. This is done through internal briefings and policy advice, involvement on interdepartmental committees, and resource development.
British Columbia	In 2003, the Ministry of Community Services provided BC ministries with a <i>Guide to Best Practices in Gender Analysis</i> , as a simple, practical tool to ensure gender considerations in all policy, program and legislative development, implementation and evaluation.
Nunavut	The Government of Nunavut supports Qullit Nunavut Status of Women's Council in its activities to develop public awareness about issues affecting women and women's equality. The Government will continue to encourage Nunavummiut to discuss, exchange views, and to challenge attitudes or situations that are harmful to Nunavut women.
Northwest Territories	The Government of the Northwest Territories (GNWT) is examining approaches to incorporate gender-based analysis in policy, program and legislative development and review.
Yukon	<p>Yukon government departments continue to be required to consider gender issues as part of their policy development and analysis processes.</p> <p>The Women's Directorate undertakes various initiatives aimed at increasing the use of GBA, including development of a 'quick guide' to the key concepts and questions; presentations on its mandate and services (including gender analysis) as part of the Orientation to the Government of Yukon course; development of a course that introduces the concepts of gender and opportunities for policy analysts and directors, communications and program officers to work with gender inclusive analysis in the policy development cycle.</p>

## Appendix 4 — Pay Equity

The following is an overview of federal, provincial and territorial approaches to pay equity.

Government	
Government of Canada	<p>A pay equity task force submitted its report in June 2004. It recommended a stand-alone pay equity legislation, obliging employers and employees together to develop a plan to implement pay equity with dispute resolution and enforcement mechanisms.</p> <p>In September 2006, the Government indicated that it would strengthen support to federally-regulated workplaces to help them meet their obligations under the current federal pay equity legislation through increased education; specialized mediation assistance; and compliance monitoring.</p>
Newfoundland and Labrador	<p>The Government and five unions agreed to conduct a review to the classification system to see if there was systemic discrimination toward female dominated classes. The result of the agreement was that the female dominated classes received pay equity adjustments over a 10-year period starting in 1999. All legal requirements under the original agreement have been met.</p> <p>Government and the unions agreed to implement a gender-neutral job evaluation system. The Government is waiting for a decision from the Nurses Union as to whether they wish to participate in the new system.</p>
Prince Edward Island	<p>Pay equity legislation came into effect in PEI in 1988 and has been fully implemented in the broad public sectors of the province. The province continues to monitor the wage gap.</p>
Nova Scotia	<p>The <i>Labour Standards Code</i>, R.S.N.S. 1989, c.246, requires that men and women be paid at the same rate for work of equal value.</p>
New Brunswick	<p>Pay equity principles are a part of New Brunswick's <i>Employment Standards Act</i>. Between January 2005 and May 2006 (inclusive), the Employment Standards branch received 13 enquiries related to pay equity, which resulted in zero complaints being submitted.</p> <p>New Brunswick is addressing pay equity within the bigger picture of wage gaps. The Wage Gap Roundtable submitted a report in February 2004. The government's response to the report was a five-year voluntary action plan called "Facing the Economic Imperative".</p>

	<p>Implementation of the plan began on April 1, 2005. A launch of tools to assist employers implement pay equity will be held in November 2006.</p> <p>The Plan seeks to address the wage gap by changing societal attitudes with respect to women's roles and their participation in the labour force, and implementing initiatives to increase the sharing of family responsibilities, reduce job clustering and increase the use of gender-neutral pay practices in order to reduce that portion of the wage gap attributable to the under evaluation of women's work.</p> <p>A Ministers' Employer Advisory Group, an Advisory Group with representation from Women's Groups, and a Human Resources Professionals Committee are monitoring implementation of the plan. Government has committed to eliminating the wage gap throughout the public service by 2010.</p>
Québec	<p>Québec has specific legislation on pay equity, the <i>Pay Equity Act</i>. Adopted in 1996, this Act requires employers to redress differences in compensation due to the systemic gender discrimination suffered by people who occupy positions in predominately female job classes.</p> <p>The Government of Québec has implemented additional measures to enable companies to complete and expedite their pay equity exercises.</p> <p>The application of the Act in Québec companies has yielded significant results. Preliminary data indicates that one third of the completed pay equity exercises will lead to salary adjustments representing on average salary increases of between 3.9 per cent and 8.1 per cent. Other positive results include improved working climate and relations, increased productivity, a more positive perception of fairness within companies, a better understanding of jobs involved and updated or newly introduced wage policies.</p>
Ontario	<p>Ontario has complaints-based pay equity legislation. The Pay Equity Commission (<a href="http://www.labour.gov.on.ca/pec/index_pec.html">http://www.labour.gov.on.ca/pec/index_pec.html</a>), is mandated to promote pay equity across the various sectors, and is composed of two separate and distinct bodies. The Pay Equity Office is responsible for implementing and enforcing the <i>Pay Equity Act</i>. It investigates, mediates and resolves complaints and provides programs, tools and services to help public and private sector employers, employees and bargaining agents understand and comply</p>



	<p>with the Act. The Pay Equity Hearings Tribunal is responsible for adjudicating disputes that arise under the <i>Pay Equity Act</i>.</p> <p>Proxy pay equity adjustments are benefiting women workers in the lowest paid female sectors of the broader public sector. 1,002 cases have been resolved since 2003. Over \$400 million has been paid to broader public sector jobs over six years.</p>
Manitoba	<p><i>The Manitoba Pay Equity Act (1985)</i> promotes pay equity principles generally. It applies to Manitoba's civil service, universities, Crown corporations and health care facilities. There is no individual complaint mechanism under Act.</p> <p>Manitoba's <i>Human Rights Code</i> applies to equal pay for equal work. <i>The Employment Standards Code</i> applies to equal pay for equal work for women and men doing the same or substantially the same work in the same establishment.</p>
Saskatchewan	<p>Saskatchewan has no specific pay equity legislation. However, <i>The Labour Standards Act</i> provides that no employer shall discriminate between male and female employees by paying a female employee at a rate of pay less than the rate paid to a male employee, or vice versa, where the employees are employed for similar work that is performed in the same establishment under similar working conditions and the performance of which requires similar skill, effort and responsibility, except where payment is made pursuant to a seniority or merit system.</p> <p>The Government implemented pay equity and internal equity in the public sector, through the 1997 Equal Pay for Work of Equal Value and Pay Equity Policy Framework. Internal equity applies pay equity principles to all jobs, whether male or female dominated. Jobs are classified and compensated relative to all jobs in a single organization on the basis of relative worth. The policy mandate covers Executive government, Crown corporations, and the health sector. There has been some limited, voluntary implementation in the education sector. The Framework has achieved gains for most female employees and some male employees in most organizations, and has narrowed the wage gap in every organization in which it has been implemented.</p>
Alberta	<p>Alberta does not have specific pay equity legislation, however, the human rights legislation provides for equal pay for equal work within the same establishment (i.e. branch office, franchise store).</p>

British Columbia	Equal pay for equal work is protected under section 12 of the <i>BC Human Rights Code</i> , which prohibits discrimination based on gender for similar or substantially similar work. The legislation is supported by education and awareness through ministry-funded activities such as consultations with and training for employers delivered by the Human Rights Clinic, and public information such as pamphlets and Web sites.
Nunavut	The Government of Nunavut is drafting a new <i>Public Services Act</i> that will include pay equity provisions.
Northwest Territories	<p>Equal Pay provisions of the NWT <i>Human Rights Act</i> came into effect during the reporting period. Under this legislation, no person shall, on the basis of a prohibited ground (including gender), pay an individual less for work that is the same or substantially similar.</p> <p>The NWT <i>Public Service Act</i> also contains equal pay provisions that require that there be no difference in the rate of pay between male and female employees of the same establishment who perform work of equal value.</p>
Yukon	The Yukon Government is bound by the provisions for equal pay for work of equal value as outlined in the <i>Yukon Human Rights Act</i> . In addition, the Job Evaluation System used by the government for its workforce is predicated on the notion of equal pay for work of equal value.