



Gender Equality  
Network Canada

Réseau d'égalité  
des genres Canada

## Recommendations for Federal Government response to #MeToo

From leaders in the Gender Equality Network Canada (GENC)

Submitted to: Minister Maryam Monsef, Status of Women of Canada

### Summary of Responses from Leaders in GENC

**“A social media movement enables regular citizens to collectively vocalize issues they feel need to be recognized and addressed by those in power. It is then incumbent upon those in power to hear the call and respond...through implementing the strategies that prevent and eliminate rape culture and gender-based violence at its root.”**

Shanly Dixon, Eileen Kerwinjones, Brenda Lamb

**Atwater Library GENC Leaders**

#### The #MeToo Moment - A Tipping Point

Leaders in GENC working on sexual assault and sexual harassment report that the breadth and depth of the #MeToo movement is indicative of how ubiquitous sexual harassment and violence are in Canadian society. The federal government should view the movement as a clear indicator of a culture shift. Canada is facing a cultural tipping point. It is crucial that the federal government support and believe survivors and view #MeToo as a call to action requiring their response.

#### Rise in Demand for Services

With #MeToo, more people are talking about sexual violence and seeking help than ever before. Historically, attention to sexual violence and investments in services and programs addressing it have lagged behind those for intimate partner violence. When the level of public discourse on sexual violence rises as it has with #MeToo, sexual assault and abuse services - already overstretched and under resourced - experience a crisis of demand. In the wake of #MeToo, sexual assault centres are struggling to meet the needs of Canadians.<sup>1</sup>

#### Immediate and Systemic Action

Given the extent of sexual violence, no single system can successfully address the problem. The federal government should respond to the #MeToo movement by investing resources to effect systemic change through awareness, education, policy and legislation, and ensuring services can meet demand.

#### Recommendations

Take a Strategic Approach to increase resources for:

1. **Services for Survivors:** Ensure community-based services can provide support to survivors and conduct education to prevent sexual assault and harassment, and all survivors have access.

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<sup>1</sup> In Alberta, counselling clients increased by an average of 53% across the province in the year prior to #MeToo. See comments of Corinne Ofstie, Association of Alberta Sexual Assault Services on page 6.

2. **Prevention:** Use education, training and data to support the culture shift underway.
3. **Access to Justice:** Shift the legal system to increase support for survivors to navigate the legal system and access to justice.

#### 1. Services for Survivors:

##### **Increase access to specialized and community based sexual assault/abuse services:**

- Collaborate with provinces and territories to ensure a financially stable, specialized, comprehensive and coordinated continuum of services and supports to address sexual violence across Canada, including community-based sexual assault/harassment services and rape crisis centres.
- Position sexual violence as a public health issue.
- Assist violence survivors from marginalized communities to ensure their voices are including providing funding to Indigenous and newcomer women's organizations.
- Increase First Nation survivor support with on-reserve survivor support programs.
- Meet proactively with women<sup>2</sup> from diverse groups touched by sexual violence, such as women with disabilities, immigrant women and Indigenous women to hear their recommendations arising from their lived realities.
- Collaborate with provinces and territories to ensure survivors have access to paid time off work and/or support with caregiving responsibilities to access support and/or participate in the criminal justice system.

#### 2. Prevention: Education, Training and Information

##### **Training**

- Ensure mandatory education and training on an informed response to sexual harassment and violence for police, prosecutors, members of the private bar, judges and others working in law enforcement and the justice system covering at least these key issues:
  - Dynamics of sexualized violence
  - Trauma informed responses
  - Interview techniques
  - Charter issues and strategies to address (for prosecutors, lawyers and judges)
  - Anti-racist/anti-oppression approaches and issues specific to marginalized communities.
- Establish a sexualized violence training fund to facilitate the ongoing sexual harassment and violence training for police, prosecutors, members of the private bar, judges and others working in law enforcement and the justice system.
- Implement sensitivity training for police services (local, provincial and national) to ensure Indigenous women don't experience double discrimination when reporting an assault.

##### **Information & Data**

- Develop a centre to collect data on sexual harassment and violence in the workplace.
- Conduct an in-depth Statistics Canada report on sexual assault, with police and victimization data.

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<sup>2</sup> This document uses an inclusive definition of women encompassing trans women, genderqueer women and non-binary people.

- Ensure research privileges survivors' perspectives, knowledge mobilization, awareness building and education, policy-making and implementation that begins with language that recognizes and clearly denotes the broad spectrum of gender-based sexual violence and the role of rape culture.
- Conduct studies to see if different groups have different expectations when reporting, such as whether Indigenous communities prefer restorative and therapeutic options in their communities, rather than the criminal justice approach.

#### **Education**

- Include education and awareness campaign led by men and targeted specifically at young men in the federal government response.
- Conduct a scan of successful education resources on sexual misconduct and sexual assault and collaborate to make available to schools, post-secondary and adult education institutions, community groups and individuals.
- Conduct a public education campaign on consent, and encourage provinces and territories to incorporate consent into the provincial education curriculums.
- Collaborate with provinces and territories to implement mandatory courses on gender/feminist studies for all post-secondary students, with at least 3 credits in human rights and criminology.
- Collaborate with provinces and territories to create more spaces in nursing programs to train forensic nurses who can administer sexual assault kits.

#### **3. Invest in Access to Justice:**

- Work with provincial/territorial governments to ensure adequate legal aid coverage for survivors to have independent legal representation in criminal sexual offence cases.
- Work with provincial/territorial governments to develop a fund to support sexual offence victims to pursue civil redress for incidents of sexualized violence.
- Collaborate with the Federation of Law Societies of Canada, provincial and territorial governments on new procedural guidelines in sexual assault cases.
- Provide funds to provincial and territorial justice ministries to assist victims, increase reporting, and implement the Philadelphia Model to review cases deemed unfounded.
- Create or fund creation of a guide or manual for survivors on the different options available for redress: criminal, civil, community.
- Work with provincial/territorial counterparts on pilot projects on restorative justice options for survivors.
- Increase access to expert witnesses in sexual assault trials with expertise on witness trauma and behavior, and assist in developing these experts through funding.
- In judicial appointments, continue to work to ensure a broader range of skills on the bench, including expertise in human rights law, Charter litigation and sexualized violence.
- Work with policing agencies and the anti-violence sector to explore strategies such as Third Party Reporting, which connects apprehensive survivors to initial support and encouragement from a skilled advocate, who can act as a potential bridge into the criminal justice system. (BC Reporting Protocol model)

## Full Responses from Leaders in GENC

**From GENC Leaders: Joan Andersen, *Equal Press: Promoting Gender Equality through News Media*, MOSAIC**

**Tracy Porteous and Ninu Kang: *Creating Safe Workplaces and Communities*, EVA-BC  
Nominated to GENC by: Multilingual Orientation Service Association for Immigrant Communities (MOSAIC), Vancouver, BC**

Recognizing that sexual assault and harassment stems from inequality among genders and a power imbalance that strongly favours white men, we recommend that the federal government support the #MeToo campaign by reviewing the previous submissions to SWC already provided by organizations across Canada and by:

Acknowledging that:

- Much work on equality for women has been done and will continue to be done by feminists across Canada who are addressing the issue of harassment, sexual assault and domestic violence in their diverse communities in partnership with police, health care and child protection agencies among others, developing coordinated, community-based services for women and girls at the local level.
- Sexual Assault Centres and Community Based Victim Assistance Programs have been at the forefront of this work for 40 years, supporting surviving and pushing for social change and oddly, they are often left out of mandate letters and national conversations. There is a new national body created to ensure the wealth of knowledge these programs have to give is tapped into; that being the Ending Violence Association of Canada.
- Provincial anti-violence organizations have supported communities in urban and rural areas to establish community coordination tables that have developed local and regional protocols to create strong networks of services for survivors of sexual violence.
- Issues impacting Indigenous and immigrant women require culturally sensitive education and specialized intervention for individuals and support for communities to build their own capacity to combat sexual violence against women.

Increasing resources for:

4. Existing community-based services to provide support to survivors and conduct education in the community to prevent sexual assault and harassment.
5. Prevention programs with a focus on putting youth in leadership roles to come up with solutions and reaching bystanders to speak up and not stay silent any longer
6. Legal support for survivors to navigate the legal system.
7. On Reserve survivor support programs
8. Provincial and national infrastructures whose members are front line service providers that support survivors of sexual violence so that training, best practises, policy and cross sector work can take place

Strongly encouraging:

- Corporations to ensure they have and apply policy related to sexual harassment at work through collaborating with anti violence organizations
- Corporations to financially support bystander programs and other prevention programs as part of their good corporate citizen work
- At the community level, all key stakeholders to make referrals to the local programs in the community.
- At the national and provincial level, unions and governments to create sexual harassment policies and training to ensure they are applied.

**From GENC Leader:** Corinne Ofstie, Strategic Initiatives Coordinator, Association of Alberta Sexual Assault Services

**Nominated to GENC by:** Association of Alberta Sexual Assault Services, Calgary, AB

### **Recommendations:**

In response to #MeToo #MoiAussi, the Government of Canada must increase access to specialized and community based sexual assault/abuse services:

- Build the capacity of the provinces and territories to both respond to sexual violence and work to actively address it through public policy, education and outreach.
- Increase awareness of the unique and pressing needs in each province/territory for a specialized, comprehensive and coordinated continuum of services and supports to address sexual violence.
- Actively influence provincial/territorial leaders, policy and decision-makers to take concrete actions to address the unique and pressing needs in each province/territory for a specialized, comprehensive and coordinated continuum of services and supports to address sexual violence.

### **Background**

Sexual violence is a public health crisis of epidemic proportions. This crisis is demonstrated by recent statistics generated by the General Social Survey on Victimization (conducted by Statistics Canada every five years). The survey asks Canadians, aged 15 and older, to self-report victimization for eight offence types including sexual assault in the year previous. Data from 2014 reports 22 incidents per 1,000 people. The crime of sexual violence presents a major risk to public safety. According to the General Social Survey, only 5% of sexual assault survivors in Canada report the incident to police. This means that 95% of sexual assault offenders are not held accountable for the crimes they committed. Although the rate of all violent crimes in Canada has decreased over the past 10 years, sexual assault has not. Further, Canada has a national police unfounded rate of 19.3% - nearly twice as high as it is for physical assault (Globe & Mail, 2017). This problem is compounded by a low conviction rate. According to recent research, the national conviction rate is only 0.3% (Johnson, 2012).

For over the last forty years, sexual assault centres across Canada have witnessed the effects of myths and stereotypes about sexual assault on the health and safety of sexual assault

survivors, as well as on the health and safety of Canadian communities. The health effects of sexual assault on survivors and their families are numerous and include addictions, mental health decline, and suicide. The economic costs of these crimes are estimated to be in the billions. As long as the myths and stereotypes exist, the justice system fails to prosecute which lets assailants walk free, the victims of sexual violence along with their families and the wider community are denied justice.

Over the past decades, much attention has been given to victims of intimate personal violence and many efforts by governments have been devoted to addressing this issue and making the consequent investments in resources and policies. In comparison, attention to sexual violence has lagged behind and services and programs as well as the understanding and knowledge about the issue have not evolved at the same pace. For example, relative to the domestic violence shelter system, sexual assault centres have received much less investments from provincial/territorial and the federal government leaving the sector at a deficit to provide the level of services required as well as ensuring reasonable access to services and supports for victims wherever they live.

The Ending Violence Association of Canada (EVA CAN) inventoried and catalogued services and programs addressing violence against women across Canada for the purposes of the EVA CAN web-site (<http://endingviolencecanada.org/getting-help/>). This listing of services clearly highlights the inconsistency and paucity of specialized sexual assault services across Canada.

Considering the above-mentioned conditions, when sexual violence rises to the level of public discourse as it did with #MeToo, this has contributed to a crisis of demand on specialized and community based sexual assault/abuse services - who were already overstretched and under resourced.

What we are seeing with #MeToo is that more people are talking about sexual violence and seeking help than ever before. Sexual assault centres are struggling to meet the needs of Canadians following decades of underfunding. For example, in Alberta last year new counselling clients increased by an average of 53% across the province - and that was before the massive #MeToo movement. Sister organizations across Canada express the same demand for services and urgent need for additional resources.

The culture of disclosing and help seeking that we saw with #MeToo is a positive development, yet requires immediate action to meet the growing need for services. Sexual assault service providers across Canada need more funding to address this public health crisis.

Sexual assault services must be identifiable specifically as “sexual assault” services; specialized; evidence based; offered to survivors as well as their support networks; provided by qualified professionals to survivors of all gender identities; and accessible across the life span. This continuum of services includes: service coordination and collaboration, crisis intervention, counselling, education, outreach, volunteer support, and police and court

support. Together these service areas provide a seamless and coordinated response to sexual violence.

In order to increase access to sexual violence services in Canada, we recommend the Government of Canada: build the capacity of the provinces and territories to both respond to sexual violence and work to actively address it through public policy, education and outreach; increase awareness of the unique and pressing needs in each province/territory for a specialized, comprehensive and coordinated continuum of services and supports to address sexual violence; and actively influence provincial/territorial leaders, policy and decision-makers to take concrete actions to address the unique and pressing needs in each province/territory for a specialized, comprehensive and coordinated continuum of services and supports to address sexual violence.

**From GENC Leaders:** Delphine Melchert, Bonnie Jeffery, Donna Brooks, Melanie Pederson, Jocelyn Balzer, Prince Albert, SK

**Nominated to GENC by:** Catholic Family Services of Prince Albert, Prince Albert, SK

**Background:**

*Community organizer Tarana Burke founded the MeToo Movement in 2006, in order to spread awareness and understanding about sexual assault in underprivileged communities of color. Now, her organization coordinates outreach in local schools and provides educators with resource kits to use in their classrooms.*

*“[Me too] was a catchphrase to be used from survivor to survivor to let folks know that they were not alone and that a movement for radical healing was happening and possible,” Ms Burke said.*

Although celebrity attention has revived and catapulted MeToo to an entirely new level, we believe that at its core, the issue of sexual violence, whether against women or men, is one of cultural norms and deeply rooted beliefs/paradigms. Sexual violence is perpetuated when these norms are safe-guarded by:

- A veil of silence: society won't talk about it out loud.
- Lack of results when the victim tries to take legal action and is often labeled and shamed.
- The notion that victims are “asking for it” and have been provocative in the way they act, dress or speak.
- Popular culture that portrays men/boys “having a good time” that includes sexual exploitation in many forms. It normalizes these behaviors and berates those that don't participate.
- Living and/or working in a situation where others have power and control over you. This happens from the poorest communities to the most affluent board rooms.
- Lack of education and awareness of the dynamics of sexual violence.
- Lack of resources often forces those experiencing sexual violence to stay in the situation and learn to cope with it.

**Ideas and Suggestions:** Because the current #MeToo movement has raised the profile of Sexual Misconduct, now is the time to look at how to remove some of the safeguards mentioned above. Here are some thoughts/ideas:

- The veil of silence has been lifted by the #MeToo movement and the federal government can keep that going by continuing a national discussion on sexual misconduct.
- It seems onerous when contemplating legal action for victims of sexual assault/misconduct as past experience tells us that the victim is rarely successful in court. It is a hard thing to prove and the victim is dragged through the mud in the process. It is not appropriate that legal counsel are allowed to ask questions about how a victim was acting, speaking, dressing, drinking, their weight, level of attractiveness and so forth, implying that they are precursors that justify misconduct and assault. The Federation of Law Societies of Canada, the federal and provincial government should be collaborating on new procedural guidelines in sexual assault cases. Hopefully, this would increase the success rate of victims in court and encourage more to do so.
- Public shaming of celebrity perpetrators has recently brought many high-powered names down, but the reality for the ordinary victim is still very grim. This is the challenge if there is to be real change - how can the victim be supported once they come forward and successfully deal with what has happened to them in a way that insures justice?
- As mentioned above, the Me Too movement founder has chosen education and awareness as the most effective way to deal with prevention in the future and support/advocacy in the present. The federal government could do a scan of successful education resources in the area of Sexual Misconduct/Sexual Assault and lead a national campaign that makes these resources available to schools, universities, adult education institutions, community groups and individuals. There will never be any meaningful change for the ordinary victims of sexual assault/misconduct without a fundamental paradigm change brought about by education and a shift in the beliefs/culture of society. As a result of this, society will begin to see changes in the way that popular culture portrays the way that men/boys have a good time, how society views/tolerates those that perpetrate these acts, and results for those that are dealt with by the legal system.
- Included in the federal government's response should be an education and awareness piece targeted specifically at young men by men. Awareness and advocacy are being championed by women, and that the movement is missing half of the mark. Survivors and women aren't the only important stakeholders are. Young men need role models who are not only talking about sexual misconduct and consent but championing the cause. These deeply embedded norms and behaviours will never be addressed without appropriate representation from all parties.
- The federal government should also be addressing some of the systemic issues that place women in vulnerable positions where they don't have the agency to participate in the #metoo campaign. Education and awareness are always very important - this could be supplemented by policy decisions that address the issues that some women face - lack of housing, income, education, etc. The federal government needs to step up with more

concrete interventions that could support education and awareness activities. And they could be bringing more pressure on provincial governments to address these issues.

**From GENC Leader:** Jodie Bakker

**Nominated to GENC by:** Association of Alberta Sexual Assault Services, Calgary, AB

I work on issues related to sexual assault every day in the justice system! I truly believe that the #MeToo movement is empowering victims to speak out regarding sexual assault, and that all sectors working to assist victims are experiencing an increase in demand right now. If I had to summarize recommendations in terms of a federal gov't response, I would suggest:

- Provide grants to increase access to specialized sexual assault/abuse services across Canada. Most people triggered by the #MeToo movement will first go to a sexual assault centre in their community. I know here in Alberta demand is up and waitlists are long. The more funding the government can provide to front-line services, the better.
- Provide grants aimed at the Provincial Justice Ministries across Canada. Ensure the grants are about assisting victims, increasing reporting, or doing things differently, and emphasize the importance of collaboration and partnerships.
- Get Statistics Canada to do an in-depth special report on sexual assault, including both police and victimization data.
- Create a guide or manual for victims on the different options available (criminal, civil, community). Sometimes the criminal justice system is not the best solution.
- Look into creating some pilot projects on restorative justice options for victims.
- Assist victims from marginalized communities in having their voices heard. Provide funding and grants to Indigenous and newcomer organizations. Conduct studies to see if different groups have different expectations when reporting. For example, Indigenous communities may wish to see more restorative and therapeutic options in their communities, rather than the criminal justice approach.
- Increase access to expert witnesses in sexual assault trials. Who are the experts on witness trauma and behavior that the Crown can call on, to help explain why victims delay reporting, act in unexplained ways, etc.? Can the federal government assist in developing these experts?
- Conduct a public education campaign on consent, and encourage provinces to incorporate consent into the provincial education curriculums.

**De REGC Leader:** Joannie Dione

**Nommée à REGC par:** Maison Isa-CALACS, Chicoutimi, QC

Nous accueillons positivement la demande de la ministre Monsef de prendre en considération notre vision concernant la façon dont le gouvernement fédéral devrait réagir face à #Moiaussi/#Metoo. Il est en effet important que ce mouvement soit pris en considération par

nos instances démocratiques et j'espère qu'il aura consolidé leur volonté d'agir sur la problématique de la violence sexuelle.

Tout d'abord, il est primordial de mentionner que depuis plusieurs années, un grand nombre de groupes féministes à travers le Canada ont soumis leurs recommandations au gouvernement fédéral concernant les actions à apporter contre la violence sexuelle. Des recherches ont aussi été réalisées sur le sujet. Nous jugeons nécessaire que la ministre prenne connaissance de ce qui a déjà été produit, car les recommandations émises par ces divers groupes sont pour la grande majorité toujours d'actualité.

Ensuite, nous souhaitons tout de même spécifier à la ministre que des actions concrètes devront être apportées par le gouvernement pour envoyer un message clair aux Canadiens et Canadiennes concernant la violence sexuelle. Par exemple, le gouvernement fédéral devrait mettre sur pied une loi-cadre sur les violences faites aux femmes afin qu'elles soient reconnues comme un crime dans le Code criminel canadien comme violence basée sur le genre. De plus, nous considérons que le gouvernement fédéral a la responsabilité de la mise en place de normes strictes et claires en ce qui concerne les violences sexuelles dans les établissements régis par l'État, tel que le milieu des médias. Aussi, nous pensons que gouvernement fédéral se doit d'encourager le Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) d'élaborer des normes plus strictes sur la diffusion de matériel où il y a présence de violence faite aux femmes et de propos sexistes et discriminatoires.

Le mouvement #Moiaussi/#Meto0 a démontré la triste réalité auxquelles les intervenantes en agression à caractère sexuel composent dans leur quotidien, mais aussi la réalité de plusieurs victimes qui n'ont pas accès aux ressources nécessaires pour faciliter leur guérison. Nous savons que plusieurs ressources en agression sexuelle à travers le Canada ne reçoivent aucun financement de base pour assurer leurs services de base. Ils survivent avec des collectes de fonds et des dons. Nous croyons que le gouvernement fédéral démontrerait son appui aux victimes en mettant en place les ressources nécessaires pour assurer un financement de base aux organismes d'aide en agression sexuelle, et ce, partout au Canada.

Finalement, nous croyons essentiel de rappeler que le mouvement #Moiaussi n'a pas donné la parole aux femmes de groupes de la diversité qui sont elles aussi touchées par la violence sexuelle, tels que les femmes ayant un handicap, les femmes immigrantes et les femmes autochtones. Nous recommandons à la ministre Monsef d'être proactive et d'aller rencontrer des représentantes de ces groupes pour entendre leurs recommandations en lien avec leur réalité.

**From GENC Leader:** Gisela Ruebsaat

**Nominated to GENC by:** Multilingual Orientation Service Association for Immigrant Communities (MOSAIC) - Vancouver, BC

**Sexualized Violence: The Social Context**

As Canadians, we need an acknowledgement that:

- The problem of sexualized violence - everything from sexual harassment to sexual assault - is rampant in all systems and sectors and across all classes and cultures.
- Any unwanted sexual touching/contact is a crime and a risk factor for further violence
- This type of violence is not a product of individualized mental illness or instability but is rooted in fundamental power imbalances.
- These imbalances foster a sense of “sexual” entitlement by those with more social/economic/political/cultural capital in relation to those with less power
- Marginalized communities are more vulnerable due to social isolation and the fact that they face potential challenges accessing support systems and also because they are specifically targeted by perpetrators
- This type of violence will not be tolerated and we must work together to hold perpetrators accountable
- Given the extent of the violence, no single system can successfully address the problem, rather, a combination of sectors, agencies, systems and communities must work together to attempt to lay the groundwork for a profound shift in the way men, women and non binary gendered individuals, work and play together
- Both the federal and provincial/territorial governments can play a critical role in supporting such a cultural shift and assisting communities to both prevent and respond to incidents of sexualized violence.

It has become clear that most victims have not felt that it is safe for them to formally report either sexual harassment in the workplace, or sexual assault, to their employers or police. The reasons for this have been well documented in the research and include fear of reprisal, distrust of the legal system, a sense that they will not be believed, and that their own personal history will be put on trial, and feelings of shame. More recently, we have witnessed a groundswell of women coming forward, many via digital platforms and some via civil or criminal legal processes.

The issue of sexualized violence is not new. Anti violence workers, feminists, academics and others have been working in this area for years in the shadows. Whatever we do, it is important to build on this foundation of knowledge rather than reinventing the wheel.

### **Recommended Responses**

#### **Leadership**

1. The Minister Responsible for the Status of Women, along with the Prime Minister and other key Ministers including Justice, Indigenous Affairs etc. to make a joint public statement acknowledging the context (as outlined above) and indicating that they intend to show strong leadership by working together with their provincial/territorial counterparts, with indigenous communities, with feminist leadership across the country, with NGOs active in the antiviolence sector, indeed with all involved systems, to develop a strategic action plan. This process should be fast tracked. A key component of the plan would be a commitment from all the involved sectors to address prevention and response, rather than viewing the issue as the sole responsibility of the justice system. Some additional items to be included in the action plan are outlined below.

#### **Support and Advocacy for Victims/Survivors**

2. The federal government, in collaboration with provincial/territorial counterparts, to provide adequate support and resources for programs and agencies which provide support and advocacy for victims/survivors.
3. These funded programs should be community based and staffed by individuals with specialized training on the dynamics of sexualized violence, trauma informed responses, and civil and criminal justice systems.
4. Certain provinces already have existing community based anti violence networks which provide such services to survivors. The federal initiative should build on the strength of these existing programs/networks.

The #MeToo discussions, as well as celebrity cases profiled in the media, have highlighted the fact that the majority of survivors do not feel safe formally reporting incidents of sexual assault or harassment directly to police or to their employer/institution. Whether or not a survivor reports, support and advocacy should be made available to them.

#### **Building Bridges into the Justice System**

5. The federal government should work with policing agencies and the antiviolence sector to explore strategies such as Third Party Reporting, which encourage fearful victims/survivors to come forward, receive initial support and encouragement from a skilled advocate, and have the advocate act as potential bridge into the criminal justice system. BC's provincial Third Party Reporting Protocol could be used as a potential model.

In BC, the Ending Violence Association has developed a provincial Third Party Reporting Protocol in collaboration with Municipal Police, RCMP E Division and the BC Ministry of Justice. Third Party Reporting of sexual assault is a process which allows adult victims to report details of a sexual offence/assault to police anonymously through a third party agency (a specialized community based victim assistance program). This Third Party Report is an option of last resort for victims who would not otherwise provide information to police. It is not a substitute for a 911 call, nor is it, in and of itself a police investigation. The intent of Third Party Reporting is not to circumvent the criminal justice system but to build a bridge, better enabling particularly vulnerable victims to access the system. The hope is that the existence of this option may encourage victims/survivors to seek the help of a community based agency and build a relationship of trust with that agency rather than remaining invisible and unsupported by any response system. With enough information and support, some victims involved in third party reporting may ultimately choose to make a full police report.

#### **Access to Justice**

6. The federal government should work with provincial/territorial counterparts to ensure adequate legal aid coverage for victims to have independent legal representation in criminal sexual offence cases where defence counsel seeks access to the victim's Third Party records (such as counselling records or school records) or raises the victim's previous sexual history as an issue in the case.
7. The federal government should work with provincial/territorial counterparts to develop a fund which would allow sexual offence victims to seek financial assistance to pursue civil redress for incidents of sexualized violence.

## **Training**

8. The federal government should establish a sexualized violence training fund to facilitate ongoing in-service training for police, prosecutors, members of the private bar, and judges with the training to address the following key areas:
  - Dynamics of sexualized violence
  - Trauma informed responses
  - Interview techniques
  - Charter issues and strategies to address (for prosecutors, lawyers and judges)
  - Issues specific to particularly marginalized communities.

## **Judicial Expertise**

9. The federal government, in making judicial appointments, should work to ensure that a broader range of skills is reflected in the make-up of the bench, with those who have a background in human rights law, Charter litigation and sexualized violence cases being given more serious consideration. (Note: Recent judicial appointments were an excellent example of this.)

## **Consultation**

10. In developing the national strategic action plan, the federal government should consult with and build on the work of existing national and provincial antiviolence networks such as the Ending Violence Association of Canada.

**From GENC Leaders:** Harmy Mendoza, Rupaleem Bhuyan, Carla Neto, Fatima Valentim, Leila Sarangi, Silvia Samsa

**Nominated to GENC by:** Woman Abuse Council of Toronto, Toronto, ON

We are pleased at the opportunity as leaders in the Gender Equality Network Canada (GENC) to provide input into the federal government's response to #MeToo. The #MeToo movement has provided empowerment and supported individuals to come forward and recount their stories of sexual harassment and violence. The #MeToo movement has provided a space to do so as well as provided a form of collective empathy for survivors. We believe it is imperative that the Government of Canada continues to create spaces for this important dialogue to continue - a dialogue that will help with learning, healing and will continue to put pressure on the culture of silence and shaming. However, we believe that when individuals come forward with a story or simply a #MeToo, they are asking for action as well as acknowledgement. Therefore, we recommend that the Government of Canada takes this opportunity to address the systemic nature of this sexual harassment and violence and from a perspective of gender-based violence and other forms of discrimination.

## **Recommendations:**

- We recommend that the Government of Canada take a #notonourwatch stance to sexual harassment and violence by ensuring that people working in law enforcement and the justice system receive mandatory education and training to respond to sexual harassment and violence with Trauma-Informed, Anti-Racist/Anti-Oppression approaches.

- We recommend that the Government of Canada engage in rigorous and comprehensive prevention strategies to address the culture of misogyny by offering educational curriculums (J-K to grade 12) that include: building healthy relationships, consent, men and masculinity, gender identity rights, responsibilities and accountabilities.
- We recommend that the Government of Canada continues to increase consultation and engagement with those with lived experience, particularly those most marginalized, including women from immigrant, refugee, precarious immigration status communities, women with physical and mental disabilities, LBTQ women and those with non-binary gender identity and Indigenous women, to develop solutions that will bring about systemic and lasting change.
- We recommend that the Government of Canada increases investment in the collection and analysis of data on violence against women in Canada. We strongly urge the Government of Canada to develop a central body or mechanism to collect data on sexual harassment and violence in the workplace. In order to understand the nature and prevalence of gender-based violence in Canada, we need robust and disaggregated data.
- We recommend that legislation on workplace harassment and violence is extended beyond federal workplaces. In addition, we recommend that workplaces across all industries receive education on their rights and obligations regarding harassment and violence as well as preventing, responding to and the reporting of sexual harassment and violence in the workplace.
- We recommend that the Government of Canada increases the support and resources available to survivors. We need to ensure survivors are informed of their choices and able to make informed decisions. Further, we need to ensure that survivors are able to access free and timely trauma-informed holistic (medical, psychological e.g.) support.
- We recommend that the Government of Canada develops and implements access without fear policies at all levels of government, including policies for police, health and social services to ensure all survivors have access to services regardless of their immigration status. Survivors often do not access services because of their precarious immigration status or out of fear of deportation, reprisal by employers or jeopardizing their immigration status. In some cases, the abuser is aware of this fear and may exploit it.
- We recommend that the Government of Canada continues to build upon strategies that increase survivors' access to justice and holds perpetrators accountable. We recommend that these strategies include training for all criminal justice professionals, increasing public legal education

**From GENC Leader:** Annie Chau

**Nominated to GENC by:** Antigonish Women's Resource Centre & Sexual Assault Services Association, Antigonish, NS

**Feedback re: Federal response to #MeToo:**

- Expand proposed changes to the Canada Labour Code, i.e. "provide federally regulated workers with unpaid leave to seek care if they are victims of family violence", to include

victims of workplace violence AND offer paid leave for both (<http://www.swc-cfc.gc.ca/violence/strategy-strategie/fs-fi-4-en.html>).

- Expand programming on judicial education, ethics, and conduct to include more than judges, i.e. police (<http://www.swc-cfc.gc.ca/violence/strategy-strategie/fs-fi-4-en.html>).
- Require rcmp to open "unfounded" cases for review by key stakeholders, i.e. sexual assault centres,
- Federally legislate all employers to implement prevention programs and ensure appropriate investigations, as was done in Ontario in 2016,

**From GENC Leader: Samantha Folster**

**Nominated to GENC by: Assembly of Manitoba Chiefs (AMC), Winnipeg, MB**

My name is Samantha Folster, an Aboriginal woman selected as one of the Gender Equality Network Canada. As a women leader of my community I have felt the oppression as a women leader and always felt that I needed to fight to be heard. I continue to stand on my two feet, remain grounded and continue the battle of being heard as a woman and most importantly an Aboriginal woman of this country. Across this country we have made been brutally beaten, murdered and outright disrespected. When I first had received that I was going to be a member of this fascinating project I had taken the opportunity to sit and ponder about the many obstacles and also the gracious times I have spent empowering women to be strong, vocal and advocating for the rights of us powerful beings. In our culture we are the most powerful as we carry our children in the beautiful waters that has been given us to carry. I have been numerously told by my grandmothers, if the women do not heal in our community and in our country this world will continue to suffer. Our role is significantly of importance for a balance, for every powerful man should stand a very powerful women to be certain there is balance at every level of government in this country. As women nationally we are provided with a voice into social analysis and supported by government at a micro and macro level. I leave with you a quote I had written when I was provided this opportunity:

“As there is a paradigm shift happening within our existence as first nation women in our province and in our country. We claim the knowledge of our grandmothers and grandfathers, that history has shown us the four directionS we must take to prohibit change within our context of society for a balance between genders. As women leaders the teachings that women are the home fire of the family, we carry our children, so therefore we are given the bond stronger than anyone. Women must be strong and protected by our warriors, at a micro and macro level in society, from family, community, provincially and Canada wide for a better tomorrow for our future generations to come. This provides a stepping stone for our grandchildren and great grandchildren of empowering change that there is no struggle for our women to take part in all aspects of workmanship across this country and a strong advocate in change also in our first nation communities. Dreams are made to come true, the dreams of our ancestors will be answered and given fruition.” Councillor Samantha Folster

**From GENC Leaders: Shanly Dixon, Eileen Kerwinjones, Brenda Lamb**  
**Nominated to GENC by: Atwater Library, Montreal, QC**

The Atwater Library and Computer Centre's Women Leaders Response to the question of how we recommend that the federal government respond to the #MeToo Movement:

Social media movements can be powerful indicators of a community's concerns or values at any given moment. They can be very effective in raising awareness about a social issue or problem, starting a collective discussion or inspiring a culture shift. The appeal of the #MeToo movement is that it is so broad and inclusive that it has effectively illustrated the pervasiveness of the issue (for those who needed to have that demonstrated). It has also served as a vehicle to amplify the voices of all those who have experienced harassment and sexual violence providing the feeling of safety in numbers.

Conversely, the limitation of the #MeToo movement is that it is so broad, vague and inclusive that it potentially conflates the wide range and manifestations of gender-based sexual violence and rape culture, making it challenging to use the correct language and terminology required to truly educate, engage in productive discourse and develop effective strategy.

Social media movements are not a panacea to complex deeply rooted social problems that require wide-spread systemic strategies and responses to effectively address them. A hashtag or social media movement is a symptom of an underlying social issue or problem. While the hashtag is indicative of the widespread misogyny, harassment and sexual violence that exists in our society, it lacks the specificity and nuance that are essential to move the conversation forward. Additionally, social media movements can be fleeting and unpredictable. Arguably, governments should be attentive to the volatile nature of social media movements.

The federal government should use the movement as a clear indicator that a culture shift is occurring, that rape culture is the air we breathe and people around the world are demanding that their leaders address this pressing social issue.

We can't expect a social media movement to address the complex, systemic inequality or sexual violence that girls, women, LGBTQQI2S, and gender non-conforming people experience. The #MeToo is indicative that sexual harassment and violence is ubiquitous in Canadian society and that we are facing a cultural tipping point. Therefore, the federal government should view it as a call to action. The #MeToo movement should be seen as a call to people in power to ensure that work and education environments are devoid of all forms of sexual abuse and harassment. It is crucial that the federal government support and believe survivors. The federal government should respond to the #MeToo movement by investing resources to effect systemic change through awareness, education, policy and legislation. A social media movement enables regular citizens to collectively vocalize issues they feel need to be recognized and addressed by those in power. It is then incumbent upon those in power

to hear the call and respond, not through jumping on the social media bandwagon, but instead through implementing the strategies that prevent and eliminate rape culture and gender-based violence at its root.

The #MeToo movement relies on survivors to come forward. This places the burden on the survivors, to share that they have been victims of harassment or assault, sometimes to prove what they are saying is true, to justify that their assault is serious enough to count. While high profile celebrities and those with social power often receive accolades and support for coming forward, we often don't see the consequences to more marginalized people who may have their revelations met with backlash and gender-based cyberviolence. Additionally, historically when social gains or progress is made in areas of gender equality some people in society feel threatened or are uncomfortable with the culture shifts, resulting in backlash. This can happen online and manifests as cyberviolence. We saw this with Gamergate as women began to make inroads into technology and video game industries. The danger is that when the public loses interest in the topic, when the social media movement runs its course, the backlash results in girls, women, LGBTQQI2S, and gender non-conforming people facing this backlash with no institutional support. The Federal government should be aware and prepared to provide support for those who may experience backlash for their participation in the #MeToo movement. We need to shift the burden from the survivors to the systemic structures that facilitate rape culture, and that create the environment that enables sexual violence to happen.

This is where government has the opportunity to respond to the #MeToo movement by investing in programs, policy and legislation that will create the changes that can end gender-based sexual violence. With this in mind, it is important to invest the resources in research that privileges survivors' perspectives, knowledge mobilization, awareness building and education, policy-making and implementation that begins with language that recognizes and clearly denotes the broad spectrum of gender-based sexual violence and the role of rape culture. This approach would demonstrate that the government recognizes the significance of what this movement is truly indicative of and advocating for through answering this call to action with appropriate, concrete and direct responses.

**De REGC Leader:** Lily Christ

**Nommée à REGC par:** Société Inform'Elles Society, Vancouver, BC

Le gouvernement Trudeau peut agir sur les volets suivant qui sont sous-jacents de ce mouvement populaire.

En Éducation:

- Offrir des cours sur les études féministes de genre- Le consentement les relations saines (même en ligne) formation même brève 1 h en ligne à tous les étudiants qui finissent leur secondaire.
- Offrir des cours obligatoires du genre/ études féministes à tous les étudiants. Offrir 3 crédits de ses cours aux étudiants en droit et en criminologie.

- Former les juges, policiers, procureurs de la couronne sur la réalité des victimes d'agressions sexuelles et comment bien accompagner les victimes.

Une politique claire de soutien des victimes:

- Plus de financements de base aux groupes travaillant avec les victimes.
- Plus de financement à l'aide juridique.
- S'assurer que les législations reflètent les besoins sur le terrain.
- Créer des forums d'écoute pour les femmes et les victimes.
- Prendre une position claire et répétée pour que chacun puisse voir le leadership du gouvernement dans ce domaine.
- Créer un PSA et une ligne nationale d'écoute dans les langues parlées au pays pour les victimes.
- Créer plus de places dans les collèges pour la formation des infirmières (Forensic nurses) qui administrent les rape kits- en ce moment, je dois attendre 4 ans sur une liste pour continuer mes études afin de travailler avec les victimes.
- Offrir plus de services de counselling et de santé mentale.
- S'assurer que les femmes autochtones ne sont plus doublement discriminées quand elles essaient de porter plainte. Politique de sensibilisation et d'éducation auprès de la GRC/ police locale.

Le gouvernement ne peut pas prendre la place des mouvements populaires mais il peut démontrer son engagement à la cause par des actions qui soutiennent les individus qui vivent ses choses.

**From GENC Leaders:** Darcie Bennett, Dalya Israel

**Nominated to GENC by:** WAVAW Rape Crisis Centre-Vancouver, Vancouver, BC

We at WAVAW believe that all survivors respond to sexual violence differently, and have the right to choose their own path to healing and justice. While we recognize the courage of survivors and the significance of the #metoo movement in many survivors' lives, our culture also should not expect or require survivors to share their stories as a way to "prove" that sexualized violence is a problem. As Matilda Dixon-Smith said in her article "Will We Ever Stop Asking Women And Survivors To Fix Rape Culture?":

"We all know that sexual misconduct is a widespread epidemic in our world. So, why are we still asking women and other survivors to rip open their traumas to prove to us there is a problem we already know exists? And when will the problem finally be laid at the feet of those responsible to solve, instead of burdening survivors who have already endured so much?"

We should know that sexualized violence against women, non-binary, trans and Two-Spirit folks is a systemic and widespread issue, and that rates are even higher against racialized and Indigenous people. This is something feminists have been arguing for decades.

Many of the women that access our services at WAVAW have spoken about the difficulties they have with social media movements such as #metoo. Often survivors feel that people say they want to hear about their experiences when it is a social media trend, but they do not actually invest in supporting survivors in meaningful ways. This begs the question: what does REAL solidarity look like? How do we step beyond the computer screen?

Survivors are never responsible for the sexual violence committed against them. When a movement like #metoo is reignited, we can and should see it as a wake-up call. Instead of expecting survivors themselves to yet again prove that sexual violence is something worth caring about, we should be asking ourselves: what can we do to end sexualized violence in our communities?

At WAVAW we believe that systems, institutions and individual perpetrators must be held accountable for perpetuating violence. We understand what the real implications are when we expect survivors to disclose their experiences online: often, there is little to no support in place, and it may open up survivors to further victim-blaming, scrutiny, or harassment. We know that bigger changes need to happen in order to truly support survivors and shift society. In addition to committing to offering ongoing, nonjudgmental support to the survivors in our lives as individuals, we need to resource that support as a society. We must consider that, although speaking out as an individual survivor may feel incredibly empowering and cathartic, further to speaking out survivors need connection. Sexual violence is an isolating experience; it is not an isolated experience. The antidote to isolation is connection. Survivors need connection and look for it. So, when campaigns and movements like #metoo arise we must also remember that it is local Rape Crisis Centre's, like WAVAW, that survivors turn to. In order for organizations to respond to needs, we must have the funds to hire, train, grow, change, and stay well in the work while delivering the absolute best to survivors. This reality is often forgotten when we consider the impact and implication of movements such as #metoo. We need to fund rape crisis centres and other essential support services with core funding to ensure that all survivors can find connection and access nonjudgmental support informed by and grounded in feminist principles without delay and in their community.

We also need to advocate for changes in our criminal legal system and change to our workplace policies, including ensuring that survivors have access to paid time off work and/or support with caregiving responsibilities in order to access support of their choosing and/or participate in the criminal justice system. We must also demand accountability from family and friends, and stand up against misogyny and rape culture in our communities. In particular, men, masculine people and boys have a central role to play in ending rape culture by holding themselves and each other accountable.

It is only by focusing our efforts on these larger systemic changes that we can truly move from #metoo to #iwill.