



# Submissions to the Special Rapporteur on Violence Against Women

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## TABLE OF CONTENTS

<b>BACKGROUND ON THE BARBRA SCHLIFER COMMEMORATIVE CLINIC</b>	<b>3</b>
<b>INTERNATIONAL COMMITMENTS REGARDING VIOLENCE AGAINST WOMEN</b>	<b>4</b>
<b>CANADA’S INADEQUATE IMPLEMENTATION OF INTERNATIONAL COMMITMENTS</b>	<b>6</b>
<b>CEDAW, Intersectionality and Canada’s GBV initiatives</b>	<b>6</b>
<i>Recommendations</i>	<b>13</b>
<b>National Human Rights Compliance Mechanism Body</b>	<b>13</b>
<b>Repeal/Modify Portions of the Barbaric Cultures Act</b>	<b>13</b>
<b>Employ a fully Intersectional Framework in A National GBV Action Plan</b>	<b>13</b>
<b>UN Declaration on Rights of Indigenous Peoples and GBV against Indigenous Women</b>	<b>13</b>
<i>Recommendations</i>	<b>14</b>
<b>Migrant Women</b>	<b>14</b>
<b>Immigration Detention</b>	<b>16</b>
<b>Humanitarian and Compassionate Grounds Applications</b>	<b>17</b>
<i>Recommendations</i>	<b>18</b>
<b>Medical Inadmissibility</b>	<b>18</b>
<i>Recommendations</i>	<b>19</b>
<b>Sponsorship Breakdown and Misrepresentation</b>	<b>19</b>
<i>Recommendations</i>	<b>20</b>
<b>Cyberbullying</b>	<b>20</b>

<b>Gender Wage Gap</b>	<b>21</b>
<b><i>Recommendations</i></b>	<b>22</b>
<b>Conclusions</b>	<b>23</b>

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## Background on the Barbra Schlifer Commemorative Clinic

The Barbra Schlifer Commemorative Clinic is the only Clinic of its kind in Canada. We provide legal representation, counseling, and interpretation in over 100 languages, to women who have experienced all forms of violence. We opened our doors in 1985 in the memory of Barbra Schlifer, an idealistic young lawyer whose life was cut short by sexual violence on the night of her call to the bar of Ontario on April 11, 1980.

We assist about 6,000 women every year. We also engage in various educational initiatives, including public legal education, professional development for legal and non-legal professionals, and clinical education for law students. We work on law reform activities both within Canada and internationally, and consult broadly with all levels of government on policy or legislative initiatives that impact on women survivors of violence. In 2017, the Clinic made submissions to the Universal Periodic Review (UPR) as a civil society organization and, in 2018, the Clinic was selected to attend and present at the UPR Pre-Session in Geneva. The Clinic serves women from ethno-racially and socio-economically diverse backgrounds, frequently from highly marginalized communities. Our clients often experience intersecting social inequalities, including poverty, homelessness, racism, and discrimination on the basis of religion, country of origin, newcomer status, mental health, and disability.

## International Commitments Regarding Violence Against Women<sup>1</sup>

It is the Clinic's position that Canada's commitments to international obligations should be strengthened. Specifically, Canada's commitment to, and implementation of, CEDAW should be more robust and reflective of the government's public stance as a feminist administration. Canada simultaneously makes significant contributions to its feminist foreign aid and international policy, while making meagre and incremental contributions to the same pressing GBV matters nationally. One hundred million dollars over five years was allocated to the federal strategy, the equivalent of \$ 5.80 per woman and girl allocated over five years.<sup>2</sup> The Canadian lifetime rates of violence against women are as high as some of the most concerning areas of the globe, with 50% of Canadian women experiencing some form of violence from an intimate from the age of 16.<sup>3</sup> In General Comment 28, the Committee articulates the following as a warning to states: "Article 2 also imposes a due diligence obligation on States Parties to prevent discrimination by private actors. In some cases, a private actor's acts or omission of acts may be attributed to the State under international law."<sup>4</sup> This "due diligence principle" has become the cornerstone and rallying cry for a number of global women's rights organizations seeking legal prohibition for failures of state protection in cases of domestic violence.<sup>5</sup> While its legal enforceability, explored further below, remains tenuous, this principle in international human rights law does embolden and give focus to women's rights activists who continue to experience state complacency or even complicity in the forms of violence that women experience in the privacy of their intimate relationships.<sup>6</sup> In a further elaboration of this principle, the Committee

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<sup>1</sup> This section derives from Amanda Dale, "Women's International Intersectional Human rights: Origins and Impacts", a Dissertation in Partial Fulfillment of the requirements of a PhD, Osgoode Hall Law School: Toronto, 2018.

<sup>2</sup> Women's Shelters' Canada, Ottawa, 2018.

<sup>3</sup> Canada Women's Foundation, "Fact Sheet: Moving Women out of Violence" *Canadian Women's Foundation* (Updated: August 2016) available at: [https://www.canadianwomen.org/wp-content/uploads/2017/09/FactSheet-VAWandDV\\_Feb\\_2018-Update.pdf](https://www.canadianwomen.org/wp-content/uploads/2017/09/FactSheet-VAWandDV_Feb_2018-Update.pdf)

<sup>4</sup> UN Committee on the Elimination of Discrimination Against Women (CEDAW), *General Recommendation No. 28 on the Core Obligations of States parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women CEDAW/C/GC/28* (2010).[GC 28], para 13.

<sup>5</sup> Sally Engle Merry, "Constructing a Global Law-Violence against Women and the Human Rights System" (2003) 28:4 *Law Soc Inq* 941. Merry, *supra* note 165.

<sup>6</sup> See the work of The Due Diligence Project, << "International Human Rights in Context: Law, Politics, Morals : Text and ... - Henry J. Steiner, Philip Alston, Ryan Goodman - Google Books", online: <<https://books.google.ca/books?hl=en&lr=&id=9NKaXYtw9YUC&oi=fnd&pg=PR30&dq=philip+alston+human+ri>

provides a compendium of its meaning and legal authority in its 2017 update to the obligations of States Parties with respect to, what it now refers to as Gender Based Violence.<sup>7</sup> Here the Committee asserts that the obligation of due diligence “underpins the treaty as a whole”, and that “failures or omissions constitute human rights violations”.<sup>8</sup> CEDAW thus extends the range of states’ obligations with respect to protection of women’s rights into both the private sphere and over non-state actors.

The law around women’s rights internationally is inching toward an assumed status of international customary law, particularly when the matter of VAW within state boundaries is at issue.<sup>9</sup> Non-derogability in international human rights law applies generally to the following conditions:

the right to life; freedom from torture, cruel, inhuman or degrading treatment or punishment [...] ; freedom from slavery or involuntary servitude; the right not to be imprisoned for contractual debt; the right not to be convicted or sentenced to a heavier penalty by virtue of retroactive criminal legislation; the right to recognition as a person before the law; and freedom of thought, conscience and religion.<sup>10</sup>

CEDAW arguably takes human rights farthest into the private sphere of all the treaties, finding in *Ms. A.T. v Hungary* that: “[w]omen’s human rights to life and to physical and mental integrity cannot be superseded by other rights, including the right to property and the right to privacy”.<sup>11</sup> Canada is a signatory and, historically, a significant promoter of the treaty in the international sphere. However, Canadian courts routinely interpret their obligations as merely aspirational and decide cases within archaic notions of privacy in matters of VAW, in almost all legal contexts.<sup>12</sup> Additionally, despite significant advances in international human rights interpretations that are

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<sup>7</sup> .General recommendation No. 35 on gender - based violence against women, updating general recommendation No. 19 [advance unedited version] (2017).

<sup>8</sup> *Ibid*, para 24(b).

<sup>9</sup> Connell, *supra* note 109, 14.

<sup>10</sup> UN Commission on Human Rights, ‘The Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights’, 28 September 1984, E/CN.4/1985/4, para 58. United Nations Office of the High Commissioner for Human Rights ‘General Comment 24’ CCPR/C/21/Rev.1/Add.6 (11 November 1994) especially paras 8, 10.

<sup>11</sup> (*Ms. A.T. v. Hungary*, CEDAW Thirty-second session, 10–28 January 2005, 2/2003), para 9.3.

<sup>12</sup>

For example: *Barbra Schlifer Commemorative Clinic v. Canada*, 2014 ONSC 5140 (CanLII), <<http://canlii.ca/t/g8wj7>>, retrieved on 2018-04-12, paras .

grounded in an intersectional approach,<sup>13</sup> Canada remains adverse to this approach in its legal interpretations of rights,<sup>14</sup> even while it has made some advances in its consideration of social policy through a GBA+ approach.

## Canada's Inadequate Implementation of International Commitments

### CEDAW, Intersectionality and Canada's GBV initiatives

More robust national and regional plans are needed in Canada to incorporate international human rights standards effectively. Within the context of a declaration that violence against women constitutes a global health pandemic, the United Nations has called on all countries to have a National Action Plan on Violence Against Women by 2015. Comprehensive national and regional strategies must provide robust frameworks for strengthening the systems that respond to violence against women, as well monitoring and evaluation mechanisms that work constructively with Civil Society (CS) groups. Adequately funded community- based responses are critical to the success of any plan. Adequate must be defined in the context of the scope of pandemic proportions, as well as state capacity, and resourced accordingly.

The Clinic has seen firsthand some of the gaps between international norms and their incorporation into domestic legislation in Canada. We still see a deep reluctance in Canada to engage with international instruments within the national context, including CEDAW and its Optional Protocol.

Feminist scholars observing Canada in its rights record have come to acknowledge "the courts' failure to engage deeply with the equality argument yields an impoverished and

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<sup>13</sup> ; Meghan Campbell, "CEDAW and Women's Intersecting Identities: A Pioneering New Approach" (2015) 11:2 Rev Dierito GV 479.

<sup>14</sup> Fay Faraday, Margaret Ann Denike & M Kate Stephenson, *Making equality rights real: securing substantive equality under the Charter* (Toronto, ON: Irwin Law, 2006); Fay Faraday & National Association of Women and the Law, *The promise of and limitations to human rights discourse for dealing with sexual harassment in the workplace* (Ottawa: National Association of Women and the Law, 1992); "Canada's Constitutional Evolution and the Possibilities and Limits of Legal Pluralism - Dean Sossin's Blog", online: <<https://deansblog.osgoode.yorku.ca/2017/08/canadas-courts-and-the-possibilities-and-limits-of-legal-pluralism/>>; Faisal Bhabha, "International Human Rights in Canada: At the Juncture of Law and Politics" (2014) 17 Osgoode Leg Stud Res Pap, online: <[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2414581](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2414581)>.

decontextualized analysis which allows the differential and prejudicial treatment to persist.”<sup>15</sup> Importantly, this diminished law and legal discourse centres on the stripped-down bearer of legal rights, essentialized to a single axis of identity, often competing against herself for protections that may well apply to her as a complex subject, but which are constructed outside intersectional approaches to be separate and at odds with one another<sup>16</sup>. This is in opposition to the intersectional approach advocated through CEDAW’s authoritative interpretation of Canada’s obligations under article 2 of the treaty.<sup>17</sup> “Intersectionality is an approach to anti-discrimination and equality law that attempts to move beyond static conceptions<sup>18</sup> and fixed ‘identities’ of discriminated subjects, and, based on the metaphor of a traffic intersection, delineates the ‘flow’ of discrimination as multi-directional, and injury as seldom attributable to a single source.”<sup>19</sup> It is a conceptualization of a mutually constitutive form of discrimination that is at once “a product of multiple vulnerabilities and social oppression, but not simply additive”.<sup>20</sup> It is a way of “categorizing complex, violent and systemic

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<sup>15</sup> Fay Faraday, “Envisioning Equality: Analogous Grounds and Farm Workers Experience of Discrimination”. In, Fay Faraday, Judy Fudge & Eric Tucker, eds, *Constitutional Labour Rights in Canada* (Toronto: Irwin Law, 2012), 109 at 111.

<sup>16</sup> A classic example from the international human rights context is ‘Sandra Lovelace v. Canada [1977-1981] and the right to enjoy First Nation (Indian) culture under art. 27 of the International Civil and Political Covenant) 024/1977’. Online at <http://sim.law.uu.nl/SIM/CaseLaw/CCPRcase.nsf/40aef4fd0f005d2d41256c02003>.

Sandra Lovelace presents herself as neither subsumed by nor divorced from culture, but in critical negotiation with it. Lovelace was shut out of her right to ‘access to culture in community with others’ (ICCPR article 27) as an Indigenous person, but on the basis of matrimonial property rights which divested women who married outside of the community differently than it did men who did the same. Lovelace argued her case under ICCPR on the basis of discrimination as an Indigenous person and as a woman experiencing ‘sex discrimination’ (articles 1 and 2). The state’s defense rested on its contention that the patriarchy of her community determined her loss of entitlement, and that, in order to respect their autonomy (group rights), the state could not protect her rights as a woman (individual right). Lovelace countered this by submitting evidence that traditional Indigenous culture was not patriarchal, and that this was a colonial distortion of it. Lovelace thus contested both the colonial state’s definition of (her) culture and the Indigenous male leadership’s collusion with it. Importantly, this complexity of identity, or revelation of symmetry between the patriarchal state and ‘cultural’ leadership was not recognized in the holding by the HRC, although Lovelace did win the case on the basis of article 27 (not articles 1 and 2).

<sup>17</sup> UN Committee on the Elimination of Discrimination Against Women (CEDAW), *General Recommendation No. 28 on the Core Obligations of States Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women*, 16 December 2010, CEDAW/C/GC/28, available at: <http://www.refworld.org/docid/4d467ea72.html>.

<sup>18</sup> Emily Grabham, *Intersectionality and Beyond: Law, Power and the Politics of Location*, Social justice (Abingdon, England) (Abingdon, Oxon: Routledge-Cavendish, 2009). Emily Grabham with Didi Herman, Davina Cooper and Jane Krishnadas, “Introduction”, *Intersectionality and Beyond: Law, Power and the Politics of Location* (New York: Routledge Cavendish, 2009) at 1.

<sup>19</sup> Amanda Dale, “Women’s Intersectional International Human Rights: Origins and Impacts”, A Dissertation submitted to the Faculty of Graduate Studies in Partial Fulfillment of the Requirements for the Degree of Doctor of Philosophy Osgoode Hall Law School, York University: Toronto Ontario, June 2018 [unpublished] 11; See also Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics* 1989 U. Chi. Legal F. 139 1989, at 149.

<sup>20</sup> *Ibid* at 1.

discriminations that attempts to trace the burdens of dynamic disempowerment these create.”<sup>21</sup>

Like many other liberal democracies in the global north, Canada can be seen to mobilize discourses which demonize culture as the explanatory phenomenon for violence against women. Rather than working in an intersectional manner to expose the range of forms of gender-based violence, this serves to exacerbate myths about violence in specific communities.<sup>22</sup> Placed against the backdrop of States evoking notions of ‘reasonable accommodation’,<sup>23</sup> and ‘failed multiculturalism’ as a bolster to populist constraints on pluralism in Western liberal democracies, we note with concern the instrumental uses of women’s equality rights as partial justifications for a roll-back of cultural rights,<sup>24</sup> and the deployment of a form of “feminist” racism.<sup>25</sup> We note that the question of this manipulation of a stagnant and politicized formulation of “culture” takes on urgency for human rights practitioners.

Culture is a notoriously ‘spacious’ concept in human rights, as Patrick Thornberry has noted, and “finding a discrete substance for the right’ to culture is a ‘complex undertaking”<sup>26</sup>. It is, however, worth noting that bundled into the notion are a number of specific and discernible rights, which might well be named concretely, rather than tackled as an amorphous right.<sup>27</sup> Culture as an umbrella concept is particularly unhelpful where “culture is claimed as a justification for practices unlikely to be consistent with human rights,”<sup>28</sup> or where, conversely, it is mobilized as a stand-in for patriarchy, which is thereby obscured as an *aspect* of culture. In our work at the Clinic, we see that women’s negotiations at the intersection of these rights and affiliations are

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<sup>21</sup> *Ibid.*

<sup>22</sup> Geraldine A. del Prado, ‘The United Nations Protection of the Rights of Women: How Well Has the Organization Fulfilled its Responsibility’ (1995) *William & Mary Journal of Women in the Law* 51, 70.

<sup>23</sup> Recent legislative attempts in Quebec to ban the *niqab* in the name of gender equality have prompted feminist opposition of which the author is a part: see John Bonner, ‘Coalition Launches Day of Action’, May 20 2010, *Rabble.ca*, <http://www.rabble.ca/blogs/bloggers/johnbon/2010/05/coalition-launches-day-action-against-quebec%E2%80%99s-proposed-bill-94>, accessed 10 March.

<sup>24</sup> See Volpp L, ‘Feminism versus Multiculturalism’ (2001) 5 *Columbia Law Review* 1181. See also Amanda Dale, ‘Women In Sudan’, *Studio Two*, television program, Television Ontario, broadcast April 18, 2006 on the hypocrisy of international invasion as a strategy to protect women’s rights in Afghanistan and Sudan (Darfur).

<sup>25</sup> “The country we want doesn’t use fake feminism to hate”, *Tor Star* (9 October 2015), online: <<https://www.thestar.com/opinion/commentary/2015/10/09/the-country-we-want-doesnt-use-fake-feminism-to-hate.html>>.

<sup>26</sup> Thornberry P, ‘Confronting Racial Discrimination: A CERD Perspective’ (2005) 5:2 *Human Rights Law Review* 1, page 4.

<sup>27</sup> *Ibid* at 5.

<sup>28</sup> *Ibid* at 6.

complex and painful. Culture in this sense must be examined more critically to “understand the link between culture and relations of power and domination”<sup>29</sup> that so frequently pit a woman as a bearer of individual rights against the claimed requirements of those who get to define culture (the State as well as community and religious leaders) particularly in cases of violence.

Often, conversations about culture exclusively evoke “stereotyped roles [that] perpetuate widespread practices involving violence or coercion, such as family violence and abuse, forced marriage, dowry deaths, acid attacks and female circumcision”.<sup>30</sup> These practices are, to be sure, real and discriminatory, but require some perspective and context to avoid a descent into racist stereotypes. Such commentary has “reinforced the notion that metropolitan of the West contains no tradition or culture harmful to women, and that the violence which does exist is idiosyncratic and individualized rather than culturally condoned.”<sup>31</sup> European or North American forms of violent discrimination against women seldom receive the same international attention, and the preoccupation with the lurid and with “alien and bizarre” forms of gender persecution among human rights advocates and Western states such as Canada, echo former colonial arrogance, and protect states against any national reckoning with the forms of violence that are systemic and condoned within its borders.

For instance, in 2015, the former federal government of Canada passed the *Zero Tolerance for Barbaric Cultural Practices Act*, criminalizing the participation in and support of forced marriage. The government’s statements focussed on the need to “protect women” from polygamy and forced marriage dubbed “barbaric cultural practices”. However, criminalization can become a tool to further target and over-police racialized communities. Survivors of GBV are reluctant to come forward with experiences of forced marriage or trafficking when it means criminal sanctions or deportation for their families. While prevention is essential, a multi-sectoral approach coupled with an intersectional education strategy is the most effective preventative tool.

In addition, debates in Canada about the niqab rely on a convoluted discourse that claims to protect women’s “right to choose” while simultaneously imposing discriminating policies robbing women of this choice. The Clinic was one of three

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<sup>29</sup> Yakin Erturk, Report of the Special Rapporteur on Violence Against Women, its causes and consequences’ (18 May 2009) A/HRC/11/6, para 18.

<sup>30</sup> Radhika Coomaraswamy, “Identity Within: Cultural Relativism, Minority Rights and the Empowerment of Women” (2002) 34 *George Wash Int Law Rev* 483.

<sup>31</sup> B. Winter, D. Thompson and S. Jeffreys, 2002, “The UN Approach to Harmful Traditional Practices”, *International Feminist Journal of Politics*, vol. 4, No. 1, pp. 72-94.

interveners in *NS*, a case involving a Muslim woman's right to testify about a sexual assault allegedly committed by family members while wearing a niqab;<sup>32</sup> the Supreme Court denied this was either a women's or religious right protected under the Canadian Constitution. We argued that preventing this minority group of niqab-wearing women from accessing justice would make them "open season" targets of sexual violence. Both secular and religious proponents as ipso facto incompatible often frame the intersection between religion and women's rights. The intersectional protections named in CEDAW's GR 28 include sexual orientation, gender identity and religious belief; these intersections are likewise named in the first comprehensive commentary on the international protections based on FORB.<sup>33</sup> In the view of its authors, "there is serious risk that women belonging to discriminated religious communities fail to benefit from any anti-discriminatory measures,"<sup>34</sup> and, singling out the intersection of this with sexual orientation, they point out that the human rights protections include a right to an LGBT person's "freedom of thought, conscious, and religion."<sup>35</sup> In this context, it is crucial not to overstate the dichotomy between the rights, to understand the precise nature of the rights themselves, and to understand the intersectional applications of them that seek to protect the most vulnerable, who are not served by grandstanding and the spectacle of inaccurate polarities:

When dealing with complicated conflicts in this area, it seems imperative to avoid an abstractly antagonistic understanding of the relationship between LGBTI rights and freedom of religion or belief. It cannot be reiterated enough that freedom of religion or belief does not protect religious traditions themselves; instead it is a right to freedom held by human beings in the area of religious or other profound convictions.<sup>36</sup>

Moreover, objections couched in terms of "competing" rights to freedom of religion or belief (FORB), fundamentally misconstrue the nature of those rights in international human rights law. "Afterall", as scholar Nazela Ghanea-Hercock and Special Rapporteur Heiner Bielefeldt have both pointed out, "FORB, as a human right, 'does not protect religions per se (e.g., traditions, values, identities, and truth claims) but aims

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<sup>32</sup> *R v NS*, 2012 SCC 72. See also Barbra Schlifer Commemorative Clinic, 2012. "Media Release." (December 20, 2012). Online: Lynda Clarke, *Women in niqab speak: a study of the niqab in Canada* (2013)..

<sup>33</sup> Freedom of Religion or Belief: An International Law Commentary. By Heiner Bielefeldt, Nazila Ghanea, and Michael Wiener. Oxford: Oxford University Press, 2016.

<sup>34</sup> *Ibid*, at 321.

<sup>35</sup> *Ibid*, at 385; Yogyakarta Principles - Principles on the application of international human rights law in relation to sexual orientation and gender identity (2007), Principle 21.

<sup>36</sup> Freedom of Religion or Belief: An International Law Commentary. By Heiner Bielefeldt, Nazila Ghanea, and Michael Wiener. Oxford: Oxford University Press, 2016.

at the empowerment of human beings, as individuals and in community with others. This empowerment component is something that freedom of religion or belief has in common with all other human rights.”<sup>37</sup>

In their *Commentary*, Bielefeldt, Ghanea and Weiner invoke intersectionality as a frame of reference for understanding this complex area of rights, and, to some extent, for seeking a truce between their claims and counter claims,<sup>38</sup> without wishing to deny the “reality of conflicting human rights concerns”.<sup>39</sup> Looking at similar matters as they play out in cases where women seek protection at the intersection with culture and religion, Pok Yin S. Chow has observed that even within the bodies that administer the intersectional treaty protections named above, “the binary logic adopted by the treaty bodies is that it denies that women who engage in or consent to certain cultural practices are legitimate participants in culture or religious life.”<sup>40</sup> Working from an intersectional framework that accounted for these shortcomings, the Clinic developed the in-community leadership of young Muslim women through Outburst! a program, which engaged multimedia campaigns on the issue of Muslim women’s rights. The Clinic continues to engage with young women from diverse backgrounds on issues influencing their self-determination rights and capacity for leadership. The Clinic also presented deputations to the Quebec General Assembly against *Bill 94*, which required women wearing the niqab to unveil when seeking public services.<sup>41</sup> The Clinic was also active in challenging the federal government’s barring of niqabs at the citizenship oath ceremony, advocating through UN Reporting mechanisms.<sup>42</sup> We later sought to intervene in the case of a woman who challenged the government at Federal Court on this administrative directive from the Minister’s office.<sup>43</sup> (The matter was won and the

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<sup>37</sup> Nazila Ghanea, *Women and Religious Freedom: Synergies and Opportunities* (United States Commission on International Religious Freedom, 2017), at 4; See also Heiner Bielefeldt, *Report of the Special Rapporteur on freedom of religion or belief Addressing the Interplay of Freedom of Religion or Belief and Equality between Men and Women*. (2013), para 70.

<sup>38</sup> *Ibid*, at 320; See also Nazila Ghanea, *Women and Religious Freedom: Synergies and Opportunities* (United States Commission on International Religious Freedom, 2017).

<sup>39</sup> Bielefeldt, Ghanea & Wiener, *supra* note 82, at 371.

<sup>40</sup> Chow, *supra* note 53, at 217.

<sup>41</sup> Bill n°94: An Act to establish guidelines governing accommodation requests within the Administration and certain institutions, February 24, 2011. Online: <http://www.assnat.qc.ca/en/travaux-parlementaires/projets-loi/projet-loi-94-39-1.html>. See also: Quebec’s Bill 60, the “Charter affirming the values of State secularism and religious neutrality and of equality between women and men, and providing a framework for accommodation requests” is one of Canada’s most visceral and infamous of such debates. Available at: <http://www.nosvaleurs.gouv.qc.ca/medias/pdf/Charter.pdf>.

<sup>42</sup> Amanda Dale, “The Intersection of Race and Gender in the Matter of the Canadian State’s Ban on Facial Coverings During the Course of Citizenship Oaths”, 2012. Online: [http://schliferclinic.com/wp-content/uploads/2012/09/CERD\\_Citizenship\\_Ban\\_Schlifer.pdf](http://schliferclinic.com/wp-content/uploads/2012/09/CERD_Citizenship_Ban_Schlifer.pdf).

<sup>43</sup> *Ishaq v. Canada (Citizenship and Immigration)*, 2015 FC 156.

requirement reversed, but on the basis of an administrative technicality, and not on the substantive human rights basis.) As it stands, Quebec has banned face coverings for provincial public sector employees, as well as for the citizens seeking their services. We have argued that such State targeting of one class of women amounts to intersectional discrimination of the most direct kind. We have seen violent public attacks on observant Muslim women following the permissive environment created by this direct intersectional (Gendered/Islamophobia) discrimination by the State.<sup>44</sup>

Using such “culture”- and religious based reasoning on the part of the state as the basis for explaining or preventing violence against women, obscures the complexities of women’s experiences of their multiple forms of marginalization and most importantly, prevents them from accessing state protection. In the context of an overarching dominant culture and multiple minority communities, these actions by the state target and isolate women from the very social and protective apparatus the state is obliged to provide, while using a paternalistic “its for your own good” argument to bolster its image as a defender of women’s human rights. It is unclear how the current government views these complex areas of women’s rights.

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<sup>44</sup> Lynda Clarke, *Women in niqab speak: a study of the niqab in Canada* (2013).

Amy Minsky, “Hate Crimes against Muslims in Canada increase 253% over four years”. *Global News* (June 13, 2017) available at <https://globalnews.ca/news/3523535/hate-crimes-canada-muslim/>.

CBC News, “Brother of alleged hate crime victim says sister ‘scared for life’” *CBC News* (Nov 17, 2015) available at <http://www.cbc.ca/news/canada/toronto/muslim-woman-allegedly-attacked-toronto-1.3322298>.

Ashifa Kassam, “Anti-Muslim Train Attack leaves Canadian’s wondering: why did just one man help?” *The Guardian* (9 Dec 2017) available at <https://www.theguardian.com/world/2017/dec/09/muslim-woman-attacked-canada-train>.

Kevin Maimann, “‘Women will bear the brunt of the racism’: Edmonton Muslim Community Feeling Backlash after Saturday Attack” *The Toronto Star* (October 2, 2017) available at <https://www.thestar.com/news/canada/2017/10/02/women-will-bear-the-brunt-of-the-racism-edmonton-muslim-community-feeling-backlash-after-saturday-attack.html>.

Canadian Council of Imams, “Statement by the Canadian Council of Imams to the House of Commons Heritage Committee Studying Systemic Racism and Religious Discrimination” *In Focus* (October 18, 2017) available at <https://muslimlink.ca/in-focus/statement-by-the-canadian-council-of-imams-to-the-house-of-commons-heritage-committee-studying-systemic-racism-and-religious-discrimination>.

## *Recommendations*

### National Human Rights Compliance Mechanism Body

The government of Canada, in collaboration with the governments of the provinces and territories bring together federal, provincial and territorial ministers with civil society representatives to design a new national mechanism for monitoring and implementing treaty rights and treaty body recommendations in a coordinated, effective and transparent way, and that this body specifically highlight the requirements of Due Diligence in cases of gender-based violence.

### Repeal/Modify Portions of the Barbaric Cultures Act

The government of Canada immediately strike a working group with community-based legal experts in GBV to address the negative consequences of the forced marriage provisions in the *Zero Tolerance for Barbaric Cultural Practices Act* (2014).

### Employ a fully Intersectional Framework in A National GBV Action Plan

Canada should design and implement a national action plan on violence against women, designed in collaboration with all levels of government and with women's organizations, that will address the inadequacies in social programs and supports that contribute to and permit violence to continue, as well as failures in policing and justice system responses to violence against women. Further, that the government ensure that their GBV initiatives and frameworks are authentically intersectional and culturally sensitive and respectful without resorting to cultural stereotyping to create false dichotomies between “liberated West” and “backward East”, or resort to oppositional and binary applications of cultural, religious and gender rights.

## UN Declaration on Rights of Indigenous Peoples and GBV against Indigenous Women

In 2016 the Canadian government removed its objector status to the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and moved forward with supporting the declaration. Article 22 of UNDRIP requires that,

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Violence against indigenous women is a pervasive, long-standing and intractable problem in Canada. After years of calls for the establishment of an inquiry into missing and murdered indigenous women and girls, and following the CEDAW Special Procedures Inquiry,<sup>45</sup> the current federal government funded and introduced a national inquiry in September 2016. Despite answering the calls of activists, the Inquiry has been plagued with issues including a failure to adequately consult with families and to work in conjunction with indigenous peoples. The government has concurrently failed to give effect to UNDRIP properly and to live up to the promise of a national inquiry.

### *Recommendations*

Canada should immediately implement the recommendations made by the CEDAW Committee following its inquiry into murders and disappearances of Indigenous women and girls, as well as its 2016 recommendation that Canada establish a mechanism for overseeing the implementation of these recommendations, so that Indigenous women, women's organizations and the public can monitor the progress of governments in addressing the human rights crisis of violence against Indigenous women and girls.

### **Migrant Women**

Women migrants in Canada are overwhelmingly impoverished, underemployed and overworked in low paying, exploitative jobs, facing deteriorating mental and physical health, and vulnerable to violence and abuse<sup>46</sup>. Many of these barriers are created or perpetuated by Canadian immigration law and policy that directly and indirectly discriminate against women, particularly from the Global South. The stated objectives of Canadian immigration law include: pursuing maximum social, cultural and

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<sup>45</sup> CEDAW United Nations, /C/O P.8/CAN/1 *Committee on the Elimination of Discrimination against Women Report of the inquiry concerning Canada of the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women* (2015).

<sup>46</sup> Mary Cornish and Fay Faraday, "Ontario's Gender Pay Gap Cheats Women Workers," *The Toronto Star* (Sept 17, 2008) available at:

[https://www.thestar.com/opinion/2008/09/17/ontarios\\_gender\\_pay\\_gap\\_cheats\\_women\\_workers.html](https://www.thestar.com/opinion/2008/09/17/ontarios_gender_pay_gap_cheats_women_workers.html).

Mary Cornish, Fay Faraday, and Jan Borowy, "Securing Human Rights Justice for Women's Work: the path to a 0% gender pay gap by 2025" *Equal Pay Coalition Preliminary Submissions to the Ontario Gender Wage Gap Review* (January 18, 2016) at 2-5, 16-17, 21-33 available at <http://equalpaycoalition.org/wp-content/uploads/2015/11/Equal-Pay-Coalition-Preliminary-Submissions-to-Gender-Wage-Gap-Steering-Committee-January-18-2016-updated-C1569010xA0E3A.pdf>

economic benefits; reuniting families; and promoting international justice and security by fostering respect for human rights. However, Canadian immigration policy prioritizes prospective migrant wealth (i.e. economic stability), “high skilled” employment, official language fluency, and recognized credentials. Given global inequalities and disparity in access to education, employment and independent wealth particularly for women of colour, women from the Global South, women immigrants are made more vulnerable to violence and abuse through their employment relationships, immigration precarity and gendered pathways to immigration (more on this below) and survivors of GBV, these prospective migrants are categorically disadvantaged and marginalized by Canada’s immigration system. As discussed in more detail below, women who arrive in Canada as sponsored spouses are often unable to leave sponsorship relationships that have become violent as a result of application criteria that fail to consider the realities of abused women. Women are further subject to state scrutiny upon leaving relationships through misrepresentation and fraud investigations looking to the veracity of their marriage. Even where women are not reliant on spousal partners, they are often dependent on employers for their status. Live-in caregivers for instance are dependent on employers for immigration status, and their low wages.<sup>47</sup> In the Schlifer Clinic’s direct client and community work, we have seen up close the pathways into human trafficking that are opened when predators exploit the precarious status of caregivers who have been released on arrival by their putative employers or who have tried to protect themselves from the sexual or labour exploitation of an employer by “going underground”. Caregivers’ lack of assured status independent of their employers places them in a situation of fundamental, perpetual vulnerability.

The Schlifer Clinic has convened the *Migrant Women’s Rights Project* a coalition of concerned services, agencies, and researchers. Most members of the coalition work with women with precarious immigration status who are vulnerable to trafficking with the goal of seeking to improve access to remedy and support as well as primary prevention for women experiencing multiple marginalization and exploitation about their immigration status and their vulnerability to trafficking. The findings of this *Project* will further inform our work in the area of migrant women’s rights from an intersectional and gender-based analysis.

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<sup>47</sup> *Ibid.*

## Immigration Detention

The Federal Government announced on August 15, 2016, that there would be wide-ranging changes to Canada's immigration detention policies.<sup>48</sup> It remains unclear how and when these changes will be implemented, and while there has been a decrease in numbers, children are still being detained by immigration authorities. Immigration detention disproportionately affects racialized people and minorities who make up a majority of detainees.<sup>49</sup> As a legal rule, children and youth should not be held in immigration detention.<sup>50</sup> Canada has ratified the *United Nations Convention on the Rights of the Child* which insists that the best interests of the child always be a primary consideration and that detention must be a "last resort."<sup>51</sup> Pregnant women are also being detained in Canada and some have been forced to give birth while in immigration detention.<sup>52</sup> Despite knowledge of their legal responsibilities as well as the harms experienced by detained children, Canada Border Services Agency (CBSA) detains children with their families. The UN Special Rapporteur on the Human Rights of Migrants, Francois Crepeau has condemned the detention of children.<sup>53</sup> A September 2016 report also called for the end to the detention of children. It has also been acknowledged that children who are separated from their parents because of their parents' immigration detention suffer potentially grave mental health consequences.<sup>54</sup> To that end, as a recent report from the University of Toronto's International Human Rights Program argues the best interests of children should be a primary consideration

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<sup>48</sup> CBC News. 2016. "Canada's immigration detention program to get \$138M makeover." Online: <http://www.cbc.ca/news/canada/montreal/goodale-immigration-laval-1.3721125>

<sup>49</sup> Stephanie Silverman and Petra Molnar. 2016. "Everyday Injustices: Barriers to Access to Justice for Immigration Detainees in Canada," *Refugee Survey Quarterly* 35 (1): 109-

<sup>50</sup> As per Art. 37 of the *United Nations Convention on the Rights of the Child* (1577 UNTS 3, 20 Nov.1989 (entry into force: 2 Sep. 1990. Section 60 of *Immigration and Refugee Protection Act ("IRPA")* affirms "as a principle that a minor child shall be detained only as a measure of last resort, taking into account the other applicable grounds and criteria including the best interests of the child.

<sup>51</sup> *Ibid.*

<sup>52</sup> Amnesty International. 2014. "Canada Submission to the United Nations Human Rights Committee." 112th Session of the Human Rights Committee, London. Online: <https://www.amnesty.org/en/documents/amr20/1806/2015/en/>

<sup>53</sup> Francois Crepeau. 2016. "Any Detention of Migrant Children is a Violation of their Rights and Must End. Online: <https://theconversation.com/any-detention-of-migrant-children-is-a-violation-of-their-rights-and-must-end-64985>

<sup>54</sup> Kathleen Harris, "Canadian Children 'locked up' in Immigration Detention Centres, report says" *CBC News*, February 24, 2017. Online: <http://www.cbc.ca/news/politics/canada-immigration-detention-children-1.3995461>.

in all detention-related decisions that affect children, including the detention of mothers.<sup>55</sup>

### *Recommendations*

Canada should act immediately to stop the practice of detaining children and pregnant women, implement alternatives to detention, such as community release and supervision or tracking mechanisms, and increase oversight and implement independent and effective complaints and monitoring mechanism of CBSA detention policies.

### Humanitarian and Compassionate Grounds Applications

Section 25(1) of the Canadian *Immigration and Refugee Protection Act* allows foreign nationals who are ineligible to apply in an immigration class, to apply for permanent residence based on humanitarian and compassionate considerations. Women survivors of GBV are often compelled to bring humanitarian and compassionate applications (“H&C”) as last resort applications in situations where, for instance, spousal sponsorship relations have broken down due to abuse; live-in caregivers employment relationships are abusive, exploitative or no longer viable for employers; or claims do not meet the immensely high standards required for a successful refugee determination.

Despite frequent use, H & C considerations are not well suited and often disadvantageous to survivors of GBV. Under the current legislative framework, a successful H & C application must establish that applicants face hardship in their country of origin and are established in Canada. It is extremely difficult for women who have experienced GBV to prove establishment based on current criteria and guidelines. For instance, women who have had failed spousal sponsorships may never have had authorization to work and thus become economically established. Moreover, abusive relationships frequently involve the isolation of survivors by their abusers. Isolation can be particularly thorough and effective where survivors are newcomers to Canada who are often separated from their families and social supports in their counties of origin and may face language barriers in Canada. A woman who has been isolated by her abuser is unlikely to be able to demonstrate consistent employment or involvement in the community, isolation and lack of “establishment” is further exacerbated by women’s disproportionate childcare responsibilities. H&C applicants are also unable to

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<sup>55</sup> Hanna Gros, *Invisible Citizens: Canadian Children in Immigration Detention* (University of Toronto Faculty of Law: International Human Rights Program, 2017) at 30-32

increase their establishment during the processing of an H&C application as they are not entitled to apply for work permits until their application is approved, which can take months or years.

Survivors of GBV struggle to fit their experiences of violence and abuse into the “hardship” consideration. Currently, CIC explicitly states that they “will not assess risk factors such as persecution, right to life, cruel and unusual treatment or punishment”. Therefore, women are compelled to try and reframe their experiences as hardships despite the fact that this reframing often obscures the danger faced by survivors. For instance, a woman escaping domestic violence in Canada must focus on “hardship” experienced due to a lack of support in their country of origin. Claimants who have experienced GBV should be exempt from having to satisfy the establishment requirement and an assessment of risk should be included as a relevant consideration for H&C Applications.

### *Recommendations*

The government of Canada should amend that criteria for Humanitarian and Compassionate Grounds applications so that:

- Claimants who have experienced GBV should be exempt from having to satisfy the establishment requirement; and,
- An assessment of risk is included as a relevant consideration for H&C Applications.
- H&C Applicants are able to apply for an open work permit once their claim is submitted.

### *Medical Inadmissibility*

Section 38(1) (c) of the *Immigration and Refugee Protection Act* allows an application to be rejected on the basis that they or a member of their family “might reasonably be expected to cause excessive demand on health or social services”. Under the current system, people who are deemed to be an “excessive demand” on the system have the opportunity provide mitigation plans speaking to the ability of the family to pay for medical and social services costs from private providers. The result is that applicants for permanent residence who have significant wealth can enter Canada despite them or one of their family members being disabled. Women, including single mothers, more often come to Canada to work low wage jobs or as members of the family class. When immigrant women arrive in Canada to work, they are, overwhelmingly, wage earners

who are more likely than men, and Canadian-born women, to work part-time. Like Canadian-born women, the gender wage gap results in immigrant women in the core working age group earned 81% of their male counterparts' earnings. Moreover, 9.8% of immigrant women are single mothers. In the Clinic's experience, we also see women who come to Canada as a result of violence in their countries of origin or who are left in Canada without status as a result of a breakdown of sponsorship relationships. These women are less likely to have the significant liquid or immediately available funds to pay for private services. The result is a two-tier system of immigration for people with disabilities or living with health problems that disadvantage women migrants.

### *Recommendations*

The government of Canada should remove the "excessive demand" clause at section 38(1)(c) of the *Immigration and Refugee Protection Act*.

### *Sponsorship Breakdown and Misrepresentation*

Canada presents itself as an international leader on women's issues, and in many ways, it has a past of being such. For example, Canada has committed to the United Nations 2030 Agenda for Sustainable Development, which includes a target to end child, early, and forced marriage.<sup>56</sup> However, there are profound gaps in its legislative frameworks concerning women, especially those from marginalized communities, such as refugees and sponsored spouses that the Schlifer Clinic frequently works with.

Newcomer women who arrive as sponsored spouses face barriers to accessing justice and services. This often takes the form of lack of access to information on their legal rights and recourse, because of isolation or language barriers. Newcomer women in situations of violence also sometimes fall through the cracks between women's organizations and settlement organizations due to a lack of awareness and training of front-line workers regarding the particular vulnerabilities and problems they face. Here are some of the issues Liberal government has committed to changing and our recommendations for further legal reform in the context of violence against women and Canada's immigration law and policies.

The government had committed to the repeal of conditional permanent scheme in the cases of sponsored spouse and partners and it was repealed with effect from May 3, 2017. Since that time, the Clinic has seen rise in the number of cases where sponsored spouses and partners who leave the relationship due to abuse and violence are

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<sup>56</sup> Government of Canada. 2016. 'Child, early and forced marriage.' Online: [http://international.gc.ca/world-monde/aid-aide/child\\_marriage-mariages\\_enfants.aspx?lang=eng](http://international.gc.ca/world-monde/aid-aide/child_marriage-mariages_enfants.aspx?lang=eng)

routinely investigated for misrepresentation and genuineness of marriage. The Clinic has been advocating for protection for survivors of abuse, violence and forced marriages to be from any possible investigation of misrepresentation and fraud. At the same time knowing that abuse and violence can play a role in sponsorship breakdown where marginalized women are sponsored into the country we propose that the government should also investigate sponsoring spouses who abuse and abandon spouses abroad and advise them of their rights and the supports available to them at the time of arrival in Canada. Additionally, the government should also lift the five-year sponsorship ban on the sponsored spouses in case of domestic violence situations.

### *Recommendations*

The government of Canada should lift the five-year sponsorship ban is currently in effect on the sponsored spouse individuals in cases of disclosure of abuse

The government of Canada should indefinitely suspend the three year sponsorship undertaking in cases of disclosure of abuse

The government of Canada should implement policies and procedures for CBSA officers, or other available settlement serves to advise sponsored spouses and conjugal partners of their rights and supports available to them at the time of arrival in the country.

In cases of abuse, the government of Canada should thoroughly investigate sponsoring spouses who abuse and abandon spouses/partners abroad.

### *Cyberbullying*

The Federal Government's Status of Women Committee's March 2017 Report identifies Cyber violence as a tool of gender-based violence which both contributes to violence against women and girls in the offline world and stands as a unique form of dominance and control exercised by men and boys over women and girls.<sup>57</sup> In 2015, the previous federal government passed Bill C-13 *Protecting Canadians from Online Crime Act* as a penal response to cyber violence.

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<sup>57</sup> Canada, Parliament, House of Commons, Standing Committee the Status of Women, *7<sup>th</sup> report: Taking Action to End Violence Against Young Women and Girls in Canada*, 42<sup>nd</sup> Parliament, 1<sup>st</sup> Session (March 2017) at 32.

While discussions around cybercrime should be encouraged, a gender-neutral approach to cyber violence is inappropriate. Women who seek our support report numerous instances of rape photos being used to extort ongoing sexual favours and protect abusers from women reporting or seeking assistance. In some cases, racialized forms of sexual violence involve “stripping” observant women of religious garb and shaming them into excommunication from their communities. Cyber violence can also be used to intimidate a woman starting family or civil court proceedings against an abuser. Like any other form of violence, cyber violence exacerbates unequal power relations and extends the control of abusers over women who continue to experience violence long after fleeing abusive situations. Any conceptualization of this issue as “cyberbullying” trivializes the problem and erases its gendered nature and the role it plays in a patriarchal society.

The Federal Government has committed to addressing GBV and championing gender equality in all aspects of society. However, the government has persistently failed to effectively incorporate international law and treaties that support the rights of women. As raised in the last CEDAW periodic report on Canada released in 2016, there was persistent concern that the government had not fully implemented the Convention or taken the legislative measures necessary for its effectiveness and justiciability, even while acknowledging that it will do so within a dualist model.<sup>58</sup>

### Gender Wage Gap

The Gender Wage Gap is a persistent barrier to women’s equality and ability to be free of violence. Financial dependency and economic vulnerability are prevalent among our clients. The Clinic knows that there is no justice when choices have to be made between exercising rights or finding housing, childcare and sufficient food. Currently, women continue to make 66.7 cents for every dollar earned by men.<sup>59</sup> Racialized women earn a mere 53.4 cents on the dollar.<sup>60</sup> A 2015 UN Human Rights report raised concerns about “the persisting inequalities between women and men” in Canada, including the “high level of the pay gap” and its disproportionate effect on low-income women, visible minority women, and indigenous women.<sup>61</sup> The gender wage gap exacerbates

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<sup>58</sup> United Nations: Committee on the Elimination of Discrimination against Women, *Concluding observations on the combined eighth and ninth periodic reports of Canada* (United Nations, November 2016). Online: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/402/03/PDF/N1640203.pdf?OpenElement> at 3.

<sup>59</sup> Statistics Canada. 2011. “Average female and male earnings.” Online: <http://www5.statcan.gc.ca/cansim/a26?lang=eng&id=2020102>

<sup>60</sup> Canadian Centre for Policy Alternatives, “Ontario’s Racialized Gap Persists: Study” (June 2, 2010). Online: <https://www.policyalternatives.ca/newsroom/news-releases/ontarios-racialized-gap-persists-study>.

<sup>61</sup> United Nations Office of the High Commission for Human Rights. 2015. “Concluding observations on the sixth periodic report of Canada.” Online:

women's vulnerability to and the consequences of GBV. Inequitable earnings perpetuate the unequal power dynamics between abusers and their victims, and women are often forced to remain in dangerous situations because of financial pressures. Overwhelmingly, women's financial worth is negatively impacted by separation and divorce, particularly where GBV and children are involved.<sup>62</sup> As a result, in addition to rectifying the gender wage gap in Canada, targeted employment supports for women experiencing GBV are also necessary.<sup>63</sup> Additionally, the gendered wage gap reveals and communicates to society more generally the relative valuing of the genders. Undervaluing women exemplifies and maintains women's subordinate position materially, contributing to a generalized vulnerability to violence and marginalization.

### *Recommendations*

The government of Canada should prioritize pay equity and equal rights in the employment context as seen through a gender-based analysis.

The government of Canada should fully implement legislation prohibiting discrimination in employment and the labour market.

The government of Canada should ensure that efforts to promote gender equity in the workplace take into consideration the further disadvantage faced by migrant, indigenous, racialized and disabled women in Canada.

The government of Canada should act immediately to implement funded universal child care that enables women to return to the workforce after having children.

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[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FCAN%2FCO%2F6&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FCAN%2FCO%2F6&Lang=en)

<sup>62</sup> See for example, Anna Aizer. 2010. "The Gender Wage Gap and Domestic Violence," *American Economic Review* 100(4).

<sup>63</sup> See for example Government of Ontario. 2016. "Gender Wage Gap Strategy Consultation." Online: <https://www.ontario.ca/page/gender-wage-gap-strategy-consultation>

## Conclusions

We wish to express that a siloed approach to domestic and sexual violence—dealing with each as separate phenomena, when they are experienced together by women seeking protection—has been shown to have limitations. Though we recognize the challenges in creating a more comprehensive approach, we wish to acknowledge that violence against women is experienced in a continuum and across the lifespan, and in different life situations, often by individual women who may not see the benefit of strict policy and strategy separation. Any “whole of government” approach to addressing violence against women will be necessarily complex. This submission cannot capture the detail and nuance of every aspect of that strategy. Instead we have strived to cover the broad range of issues that must be addressed, and point to the important lessons and recommendations already made. Many of the catalogues of standing recommendations and promising practices across the country have yet to be implemented. In particular, we suggest you see the annotated bibliography of the same in *Policies Matter: Addressing Violence Against Women through Reflection, Knowledge and Action* (2013).<sup>64</sup>

As a final thought, we note with concern that policy regarding violence against women is becoming increasingly gender neutral on the one hand and punitive on the other. This is seen in the discourse and use of terminology such as ‘domestic assault’ whereby victims of violence – women – are rendered invisible. This is also reflected in the penalization women experience when, in trying to create safety in their lives, they are required by intersecting and contradictory program and eligibility requirements to, in effect, give up their homes, their communities and sometimes their children. Gender-based analysis is a process that examines the differences in women and men’s lives and identifies the potential impact of policies and programs in relation to these differences. Gender-based analysis also examines the intersection of gender with other identity factors such as income, race, age, religion, etc. The aim is that this information will support more evidence-based decision-making by both policymakers and service providers, resulting in efficient and effective programs and services that are responsive to the realities of women’s lives. A Gender-based analysis identifies how policies can create barriers to the determinants of safety for women by exposing the ways gender-neutral approaches to issues like immigration detention, cyberbullying, and standards of immigration applications (e.g. H&C applications) disadvantage women; connecting the financial needs and economic/workplace experiences of women to their

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<sup>64</sup> See “Policy Analysis, an Annotated Bibliography”, [http://womanabuse.ca/policiesmatter/docs/PoliciesMatter\\_Final.pdf](http://womanabuse.ca/policiesmatter/docs/PoliciesMatter_Final.pdf) at 22-30.



vulnerability to violence; and, exposing the differential impact of policies not only on women generally but on women who face further disadvantage (e.g. migrant, racialized, indigenous, and disabled women).

**Barbra Schlifer Commemorative Clinic**

Per:

A handwritten signature in blue ink, appearing to read "Amanda Dale", is positioned below the "Per:" text.

**Amanda Dale, Executive Director**

**Deepa Mattoo, Legal Director**

**Amy Voss, Articling Student**