

# Not Another Royal Commission!

*By Kay Sigurjonsson*

***The following article has to some extent been overtaken by events. In August, the federal government established the Canadian Panel on Violence Against Women, with a mandate similar to the one proposed in this article. No one working in the women's movement is naive enough to believe that solutions to huge social problems come fast or easily, but many of us are optimistic about the work of this Panel because of the people appointed to it: activists, experts, front-line workers. Their work alone will not — could not — end violence against women, but it may move our country along the way to becoming a safer place.***

The nature and extent of violence against women (and children) in Canada have been documented in study after study in the last decade, and the murder of fourteen young women at an engineering school on December 6, 1989, led to soul-searching even among people who had previously been unaware of or unmoved by the staggering statistics on abuse of women.

When a group of feminist activists in Toronto, led by the Federation of Women Teachers' Associations of Ontario (FWTAO), called for a Royal Commission on violence against women last December 6, deep distrust of the whole idea was a not unnatural reaction from a few women's organizations and some gov-

ernments. Royal Commissions in Canada have a long and admittedly mixed history. Why seek solutions to such a huge and tragic problem through such a dubious institution?

The group's discussion of a Royal Commission on violence began in the spring of 1990 in the context of two approaching anniversaries: the tragic first year since the Montreal massacre, and the twentieth year since the publication of the *Report of the Royal Commission on the Status of Women*. In the immediate aftermath of the killings in December 1989, vigils had been held, money had been raised for scholarships, works of art had been commissioned, even a few programs had been started to encourage women to go into engineering. But soon after some universities seemed to erupt into orgies of hatred against women, and there was no pause in the wife-beating, child abuse, random violence, murder of women that have always gone on, but have seized public consciousness in recent years. In 1990, women — and men — all over Canada were still trying to find understanding: what causes such violence, where does it begin, why is there so much of it in so many forms, how can it be stopped?

In relation to the Royal Commission on the Status of Women, cynical women in 1990, weary of the unending struggle for equality, asked themselves how much the Commission had accomplished and whether it had been worth, not just the millions of dollars a Royal Commission costs, but the thousands of person hours preparing briefs, responding to the recommendations, and lobbying forever for implementation.

Many of us remembered the estab-

lishment of the Royal Commission in 1967, and recalled very clearly, not just the cynicism that greeted its establishment, but the amusement on the part of many, in particular the media. What could possibly be wrong with the status of women? Why don't women stop whining and get on with it? But as the Commission began its public hearings in the late sixties, women came forward who did not belong to the large and sophisticated women's organizations (who also, of course, presented very important briefs). These women spoke, often for the first time in public, and what they said changed the attitude to the Royal Commission and eventually changed the country. They told of poverty, especially in old age, of lack of training and lack of opportunity, of low pay and low esteem, of fear for their future. The Royal Commission and its indefatigable chair, Florence Bird, responded with a thoroughly researched and powerfully persuasive report, and 167 recommendations on almost every aspect of women's lives.

Looking at the Report in 1990, it is easy to see what has *not* been achieved: we still have no national child care plan, no pensions for homemakers, no equality of pay or opportunity. But what *has* been accomplished is formidable. In the late sixties, women could not borrow money, open a bank account, or get a mortgage without a husband's signature. Not only was birth control illegal, disseminating information about it was illegal until 1969. Almost no churches ordained women. Divorce was a long, messy and embarrassing matter, dependent in most provinces, until 1968, on proof of adultery. The great majority of people believed that women's place was

in the home, that she might have a "little job" but she would certainly stop working when she got married or at the very least when she became pregnant. If she did not think of doing so herself, it was perfectly legal for her employer to fire her for either of the sins of marriage or pregnancy.

It is almost impossible for young women to believe, or for older women to remember, what a "Father Knows Best" world it was. The Royal Commission was not the only instrument of transformation of that

done on so many other subjects two decades ago?

### The Pros and Cons of a Royal Commission

The small group of women (who had by now met several times in the spring of 1990 to talk about solutions to the problem of violence) had, of course, repeatedly reminded themselves of the disadvantages

*Response:* What may be needed is a comprehensive look at all the studies, bringing together all the disparate elements these studies represent: the role of education in preventing violence, media and violence, the churches and violence, and so on. And perhaps the other element a Royal Commission could provide is a much higher level of publicity than these individual studies attained.

The *ad hoc* committee finally agreed

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world, of course. Women everywhere were beginning to notice their disadvantage in such a society. International Women's Year in 1975 encouraged world-wide attention to the second-class position of women. But the Royal Commission offered a quintessentially Canadian approach, an approach which distinguished the women's movement in this country from that of other countries and particularly from the United States. Governments at all levels were called on to change laws and structures and to be an example to the private sector. Governments did act: establishing Advisory Councils on the Status of Women and eventually naming Ministers responsible for women's issues; enacting equal opportunity legislation and making sex a prohibited ground of discrimination; examining legislation for outright discrimination and removing the most blatant examples.

A great deal of beneficial change took place in direct response to the Report, and its indirect impact in raising consciousness and changing attitudes is incalculable but surely significant. However, one subject was hardly mentioned by the Royal Commission, because nobody talked about it then. Violence. So in the spring of 1990, FWTAO and its allies asked themselves: Would it be useful to have a Royal Commission, Part II, to turn the spotlight on this subject as a Royal Commission had

and potential dangers of a Royal Commission. The dialogue went like this:

*Statement:* A Royal Commission will cost millions of dollars which should be spent on front line service.

*Response:* Governments are increasingly reluctant to fund services properly now. Maybe a Royal Commission would build so much public support that funding would become easier to achieve.

*Statement:* A Royal Commission would take a long time and might get in the way of actions to prevent violence or to aid victims. It would be an excuse for government inaction.

*Response:* There is no reason that action should stop while a Commission goes on. Both can happen simultaneously. Anyway, what action?

*Statement:* Royal Commission recommendations are just shelved anyway.

*Response:* The recommendations of the Royal Commission on the Status of Women were not shelved. Women would have to agitate for implementation, as we did after the previous Royal Commission, but perhaps it would be worth it.

*Statement:* There are innumerable studies now of the problem of violence. Why do we need another one?

that the potential outweighed the dangers, and began to call itself the Committee for a Royal Commission on Violence Against Women. They canvassed many other national women's and service organizations by mail, and received only three or four negative responses.

A large number of the organizations responded quickly in support of the idea. Among other things, they said:

*We are naturally very disturbed that the most extreme recent example of violence against women occurred on December 6 last year in an engineering school and that most of the victims were young female engineers. Our concern does, however, extend far beyond choice of profession to any violence against women.*

— Women in Science and Engineering

*MATCH has adopted the issue of violence against women as its main program area, looking at it from a global perspective. From our work we have learned that it is an issue which demands public scrutiny and which should be examined and analyzed in a detailed and co-ordinated matter.*

— MATCH

*The increase in domestic violence is of great concern to all of us. People need to be educated about this serious prob-*

lem, and solutions must be found.

— Federated Women's Institutes of Canada

*In the past year SAFSS has received over three hundred calls from women who have been abused. Seven of these women were killed by their spouses. It seems that violence against women has become an epidemic and a way must be found in the very near future to end this violence in our homes and neighbourhoods.*

— South Asian Family Support Services

*We have found that violence against women affects us not only personally, but also in our work lives. The dimensions of the problem seem to be growing continuously, and the solutions involve fundamental changes in women's roles in society. It is our hope that this joint recommendation of women's groups will spur the government into action. The resulting dialogue and publicity from such a commission would help to identify the roots of the problems and lead to some solutions.*

— Canadian Association of Women Executives and Entrepreneurs

### Terms for a Royal Commission

The committee was painfully aware that the wrong Commission could be worse than none at all. We also wanted a Commission with the broad mandate, financial support and research capacity of other major Commissions, without the alienating pomp and formality of some. We therefore developed a fairly detailed proposal for the mandate, process and composition that we believe would produce a useful, effective Royal Commission.

### Mandate

A Royal Commission on violence against women should examine and document women's experience of violence, including physical assault, sexual assault and sexual harassment. The causes of violence against women should be explored, including, among other things, the influence of home, school, media, pornography. The effects of violence against women should be examined, including the effects on children who are victims or witnesses.

The response of the community should be studied, including the criminal justice system, education system, health care system, organized religion, government agen-

cies, quasi-judicial bodies and media.

Supported by strong research, the Commission's report should include specific recommendations, time-lines for achievement of change, and a process for implementation and review.

### Process

The Royal Commission should be as accessible and unthreatening as possible, and should:

- accept both written and oral submissions;
- travel to all regions of Canada;
- have adequate staff and resources;
- provide translation, signing and transcribing for those with special needs;
- make hearings accessible, in terms of physical locale, times, child care;
- make hearings wheelchair accessible;
- have hearings which are sensitive and informal;
- make provisions for in-camera sessions;
- conduct extensive outreach to all possible participants to include victims of violence, frontline workers, other community members, professionals and agents in the field. The outreach should be active and adequately financed;
- provide funding for the collection of testimony, by audio and videotape if desirable;
- provide adequate funding for extensive research, both as backup to the Commission process and on an ongoing basis;
- allow adequate time between the notice and the date of hearings, as well as for the hearings to occur;
- hold hearings over a two year period, and report within a year after that, for a total of three years from the naming of the Commission;
- hold hearings with a friendly and humane approach, "goal-driven" rather than "Commissioner-driven";
- make the final report to Parliament and provide it to the public.

### Composition

We recommend approximately seven people rather than a single Commissioner. The Commission should be either entirely or predominantly female.

The members of the Commission should have a demonstrated understanding of and sensitivity to the issues of violence against women and children. They should have a demonstrated commitment to so-

cial reform aimed at achieving equality for women. Candidates must be able to commit both the time and high level of energy required for their tenure on the Commission.

The following constituencies should be considered: French and English language communities; Native community; lesbians; rural and urban communities; regions; disabled women; immigrant women; visible minority women; women of various ages. Hearings could take place with panels of three or four Commissioners, to increase accessibility.

With the support of over twenty organizations, we wrote to the Prime Minister and the Minister Responsible for the Status of Women. Among other things, we said:

*As you know, this year is the 20th anniversary of "The Report of the Royal Commission on the Status of Women" ... which helped to raise the consciousness of Canadians about previously unacknowledged discrimination against women, and led to some significant legislative change. It did not, however, deal with the subject of violence. We are now proposing a "Royal Commission, Part II."*

*The Montreal massacre was followed by increased public attention to violence against women; evidence of an appalling degree of such violence continues to mount. We have concluded that the situation is so desperate that it warrants a Royal Commission. Every social institution from the schools to the criminal justice system has been identified both as problem and solution. We think a high-profile, public investigation with strong recommendations might have an impact similar to that of the original Report.*

Other support emerged. The mayor of Toronto wrote to the mayors of all Canadian cities for endorsement of the idea and to date 41 cities have agreed. At Queen's Park on December 6, the Ontario Minister responsible for Women's Issues spoke in the legislature in favour of a Royal Commission and the premiers of Ontario and Newfoundland have written to add their support. Representatives of both federal opposition parties spoke on December 6 in the House of Commons calling for a Royal Commission.

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