
Participation of Women in Public Life

“Politics is not the possession of those who give it all their time, all their efforts. It belongs to everybody, and everybody ought to be involved in it.”¹

Introduction

1. The political process offers a wide variety of options for personal involvement. To be slightly involved means to vote, to read, and to watch political news reports and television programmes occasionally. At a higher degree of involvement one may contribute time or money to a political party or to an organization with a political objective. Much greater commitment would lead to offering to serve as a candidate for public office. To neglect to participate in any way has a negative impact.

2. Canada could benefit from the contribution of many more women than are now involved in the political process. And women who are politically active gain a personal benefit in achieving a sense of identity with the community to which they belong.

3. We have examined the way women participate at every level of the political process and looked for measures that would help to increase their participation. In this Chapter, we first review the political goals achieved by women and the extent to which they have used their political rights once obtained. In the final part of the Chapter we examine attitudes toward the participation of women in public life.

The Background

4. During the nineteenth century struggle for social justice and equality, women began to organize to demand “female emancipation”. Some were inspired by the democratic climate of the age, given such eloquent expression in the egalitarian statements of the French and American revolutions; some were reacting to economic and social pressures in their own experience. For the first time, women organized for purposes other than religious or charitable works.

¹ Mendès-France, Pierre. “The Mission of Politics”. *Saturday Review*. New York, May 31, 1969.

5. Fragmented at first, the feminist movement reached its peak in the early years of the twentieth century when the cry for women's rights focussed on a single dominant issue—the franchise. Scarcely 50 years, and in some countries less, have passed since the protracted, often bitter and cruel, openly militant battle for women's suffrage raged across several continents. Today, universal suffrage is taken for granted in most countries as a basic democratic right.

6. It is, however, a relatively new concept. In ancient Athens where democracy originated, women, slaves, and people living outside the walls could not vote. Throughout western civilization, wherever the franchise was introduced it continued to be exclusively male and very limited. In Britain, it was established as the privilege and responsibility of men of property and position. In the United States, although the Declaration of Independence proclaimed "all men are born free and equal", negro men, even those who were not slaves, were denied the vote until 1870. In Canada, where the parliamentary system was derived from Britain, only men voted² although from earliest days the property and income qualifications were such that an unusually high percentage of men were enfranchised. Men's struggle to free the federal and provincial suffrage from property and income qualifications took years and came slowly, province by province.

7. Women's struggle for the vote followed as a logical sequence, as part of the continuing democratization of Canadian society. In Britain, women achieved the franchise in 1928. In the United States, they voted for the first time in the territory of Wyoming as early as 1869, and thereafter were given the franchise state by state. They won the federal vote in 1920. In Canada, women obtained the federal vote in 1918, but could vote in some of the provinces before that time. Manitoba, in 1916, was the first province to accord them the vote; Quebec, in 1940, the last.

8. The Canadian movement for woman suffrage was influenced by ideas originating in France, Britain and the United States. In 1789, the egalitarian philosophy of the French revolution prompted a pioneer feminist, Olympe de Gouges, to draft a Declaration of Women's Rights. Condorcet's pamphlet "*L'admission des femmes au droit de cité*"³ was another early statement which failed to win acceptance until much later in the history of France. A woman suffrage movement was launched in 1870, but it was not until 1944 that French women were accorded the right to vote.

² During the period 1809 to 1834 the women of Quebec voted on several occasions, under a liberal interpretation of the word "persons" which appeared in the Constitutional Act of 1791. Woman suffrage was specifically denied in a later act.

³ Condorcet. "*L'admission des femmes au droit de cité*". Paris, 1847-49. (Written 1790).

9. In Britain, as early as 1792, the rights of women became an issue with the publication of a pamphlet by Mary Wollstonecraft entitled "A Vindication of the Rights of Women". The woman suffrage movement gained strength in the mid-nineteenth century and in 1866 a petition, signed by 1,499 women, demanding universal suffrage was presented in the House of Commons by John Stuart Mill. His essay, *The Subjection of Women*⁴, became a feminist handbook. In 1903, the movement took a more militant turn with the organization of the Women's Social and Political Union, largely through the efforts of Emmeline Pankhurst and her daughters, Christobel, Sylvia and Adela. The British "suffragettes" first tried passive resistance such as refusing to register for the census. Later, taking their cue from male protestors of other days, they resorted to violence—disrupting public meetings, destroying mail, setting fire to houses and, when arrested, going on hunger strikes which were countered with forcible feedings. In 1913, the militant Emily Davidson earned martyrdom for the cause by throwing herself under the King's horse at the Derby. However, when World War I broke out the next year, patriotic fervor brought the women's campaign to a standstill. In 1918, women of 30 years of age and over were accorded the vote provided they were married or were householders or university graduates—severe limitations for women in those days. Ten years later, the so-called "Flapper Bill" eliminated the restrictions and lowered the voting age for women to 21 years so that women voted on equal terms with men. Women were not eligible to sit in the House of Lords until a bill to create life peers was passed in 1958. In that year, four women were appointed to the peerage and took their seats in the House of Lords. By the Peerage Act of 1963, the hereditary peeresses became eligible to sit in the House of Lords.

10. In the United States, in 1848, a feminist vanguard held the first recorded convention on the rights of women. By the late 1890's, women were voting in state elections in Wyoming, Utah, Colorado and Idaho, and the intensity and tempo of the demand were increasing. The suffragists organized protest marches, heckled Congressmen and Senators, chained themselves to the railings of the White House and, when jailed, went on hunger strikes. In 1919, the Congress of the United States adopted an amendment to the Constitution which gave women the right to vote in federal and state elections. It was adopted by the required three-quarters of the 48 states and became law in 1920.

⁴ Mill, John Stuart. *The Subjection of Women*. London, Oxford University Press, 1912 (originally published 1869).

11. In Canada, in the nineteenth century, "votes for women" was a topic for debate in many of the women's literary clubs, temperance unions and rural groups. By 1880, campaigns for woman suffrage were well underway. Local groups were formed with the vote their common objective but differing sharply on how to attain it. They met and exchanged information in the kitchens, parlours and drawingrooms of their own homes, for in those days unescorted women did not frequent public places. Their political position was not quite the same in all the provinces. In Quebec, women with property qualifications had voted between 1809 and 1834. New Brunswick and Nova Scotia had not expressly denied women the franchise until 1848 and 1851 respectively, but there was no record that they had ever voted before that. In time, women's wide-ranging discussions brought other legal disabilities to their attention. Delegations of women petitioned governments not only for the franchise but also for reform of the provincial and federal laws that bore heavily on women. "The link between reform legislation and woman suffrage impressed itself on . . . (these women's) committees. By 1911, women were voting in New Zealand, Australia, Tasmania, the Scandinavian countries and the American states of Wyoming, Utah, Colorado, Idaho, Washington and California . . . In each of these areas woman suffrage had been followed quickly by changes in the social laws; by statutes that provided equal rights of guardianship between parents, that raised the age of marriage, protected the marriage survivor from poverty by will of the deceased spouse, enforced maintenance, prevented destitution. Here was *prima facie* evidence that only when women could threaten or cajole with the power of the ballot could they expect immediate sweeping reforms, for elsewhere such legislation lagged. Nowhere in Canada did women vote, and nowhere in Canada did these humane principles obtain in law. It was proof that social reform could not be expected from law-makers who were unjust and unyielding over suffrage, and to the disillusioned women on . . . (these) committees woman suffrage stood revealed as the keystone of the arch of domestic legislation".⁵

12. Women in western Canada were the first to win the provincial franchise. In Manitoba, years of work by Lillian Thomas, Dr. Mary Crawford, Nellie McClung and their supporters ended with the coming to power of a new government pledged to introduce woman suffrage, and the passage of the woman suffrage bill in 1916. The same political pattern was repeated in most of the provinces and by 1919 women were eligible to vote in the provincial elections and sit in the provincial legislatures of all provinces except Prince Edward Island and Quebec. Three years later, Prince Edward Island accorded women voting rights on equal terms with men. In Quebec, Idola

⁵ MacGill, Elsie Gregory. *My Mother, The Judge*. Toronto, Ryerson Press, 1955, p. 122.

St-Jean, Thérèse Casgrain, Flora Martel and others continued their campaign for close to another two decades. To the customary annual delegations to the Premier, they added a petition to King George in 1936 and made known their views through a new medium, radio broadcasting. Following a change of government in 1939, the woman suffrage bill was passed in 1940. The self-governing Dominion of Newfoundland had enfranchised women of 25 years of age and over in 1925. Any concern over the voting age was suspended in the nine-year period, 1934-1946, during which Newfoundland was governed from Britain, but in 1946 the age was reduced to 21 years. This was confirmed in 1948 by the Terms of Union of Newfoundland with Canada.

13. Women obtained the federal vote and the right to sit in Parliament only by stages. As with most extensions of the franchise, the motive behind each stage was to win political support. The Military Voters Act of 1917 which enfranchised soldiers and sailors in the Armed Services who were under 21 years of age, also enfranchised those women, mostly nurses, who were in the Armed Forces. Later in the same year, the government, to insure its return to power in the forthcoming election and support for the issue of military conscription, enfranchised some 500,000 women who had close relatives in the Armed Services, provided the women possessed the same qualifications for provincial voting as were required of male voters in their province or in the Yukon. The latter requirement was added because without it the federal franchise in Quebec would have been wider for women there than for men, since Quebec still retained a property qualification for provincial voting. The government was returned to power in the election of December 1917. In 1918, it kept its electoral promise by passing a women's franchise act which extended the federal vote to women 21 years of age and over who possessed the same qualifications for provincial voting required for the male voters in their province or in the Yukon and Northwest Territories.

14. The passage of the Dominion Elections Act in 1920 freed federal voting from provincial voting qualifications by establishing a separate federal voting list. It also affirmed the right of women to be elected to Parliament. However, it was not until after World War II that universal suffrage pertained in Canada. Until then, Canadians of Chinese, Japanese and East Indian parentage had no vote unless they had served in the Armed Forces. A little later, men and women of certain religious sects that were exempt from military service were enfranchised. On July 1, 1960, the federal franchise was extended to a final group of previously disqualified people, the registered Indians of Canada.

15. Women in Canada received the vote on the following dates:

Manitoba	January	1916
Saskatchewan	March	1916
Alberta	April	1916
British Columbia	April	1917
Ontario	April	1917
Nova Scotia	April	1918
New Brunswick	April	1919
Prince Edward Island	May	1922
Dominion of Newfoundland	April	1925
Quebec	April	1940
Federal	May	1918

16. The reforms in social legislation that followed the enfranchisement of women seemed to justify the expectations of the early suffragists. The advance was more rapid in some provinces than in others. However, by 1928, most provinces had introduced equal guardianship of children; mothers' allowances; maintenance for deserted wives; maternity protection; minimum wages; the protection of labour, including child labour; protection for all children including adopted children, the children of unmarried mothers and juveniles appearing before the courts; and had raised the age for compulsory schooling and the age at which marriage could be solemnized within the province. At the federal level, the divorce law had been amended to establish "equality of cause" between wife and husband, and the Old Age Pensions Act had been passed. Whether or not these measures can be directly attributed to the influence of the woman voter, it is clear that the advent of woman suffrage coincided with the time when the attention of the lawmakers, hitherto preoccupied with economic and financial concerns, turned to social matters.

17. Although the right to vote and to hold public office was won by action in the legislatures, the right to sit in the Senate was won in court. Under Section 24 of the British North America Act, 1867, any qualified person could be summoned to the Senate. However, there was some uncertainty as to whether women could be classified as "persons". Governments, when pressed to appoint a woman to the Senate, took refuge in the ambiguity of the Act. Eventually in 1927, five Alberta women⁶ presented a petition to the federal government asking that the Supreme Court of Canada be required to provide an interpretation of the word "persons". On April 24, 1928, the

⁶ Henrietta Muir Edwards, Emily Murphy, Nellie McClung, Louise McKinney, and Irene Parlby.

court decided that "persons" did not include women⁷. The decision was appealed to the Judicial Committee of the Privy Council and on October 18, 1929, it ruled that "... the word 'persons' in Section 24 of the British North America Act includes members both of the male and female sex... and that women are eligible to be summoned to and become members of the Senate of Canada".⁸

18. The suffragist movement had not envisaged a continuing role to encourage and persuade women to run for office, a right which was granted along with the franchise. Women can and do vote, but few women have been elected to public office, a development which it was assumed would logically follow.

19. In the federal election of 1921 in which Canadian women first exercised the right to vote, Agnes Macphail, a country school teacher, ran as a candidate for the United Farmers of Ontario and became the first woman Member of Parliament. But very few have followed her lead. Between 1920 and 1970 only 18 women were elected to the House of Commons. In the 1968 election, only one woman, Grace MacInnis of the New Democratic Party, won a seat in the 264-member House. No woman sits on the Government benches and no woman is a member of the Official Opposition. Between 1920 and 1970, only 49 women were elected to provincial legislatures, and in June 1970, 12 women were members in the provincial houses. There have been 134 federal and provincial elections between 1917 and June 1970, and 6,845 people have been elected. Of these, 67 were women, just under one per cent of the total.

20. The small number of electoral victories for women is not necessarily a reflection of their unwillingness to run. In many cases women have run in constituencies where their party's chances were slight. For example, the Liberal Party ran a woman against John Diefenbaker in Prince Albert in 1965 and the Progressive Conservative Party put up a woman against Pierre-Elliott Trudeau in Mount Royal in 1968. This sort of "sacrificial lamb" situation is regarded with some resentment by women who are knowledgeable in public affairs. Of a total of 12,262 candidates in 15 federal general elections, 300 or 2.4 per cent were women. In the 1968 election, there were 967 candidates, of whom 34, or 3.5 per cent were women. But those elected were proportionately less, as Table 1 indicates. We discuss this problem further when we consider women's role in political parties.

⁷ "In the matter of a reference as to the meaning of the word 'persons' in Section 24 of the British North America Act, 1867". *Canada Law Reports*. Supreme Court of Canada, 1928, p. 277.

⁸ "Henrietta Muir Edwards and others v. Attorney General for Canada and others." *Law Reports, Appeal Cases*. 1930, p. 124.

Table 1. Women as a Percentage of Candidates and Elected Members, Federal General Elections

Elections	Percentage ... of Women	
	Candidates	Elected Members
Federal general elections 1921-1968 inclusive	2.4%	0.8%
Federal general election 1968 only	3.5	0.4

SOURCE: Reports of the Chief Electoral Officer, Ottawa.

21. Cabinet appointments are the prerogative of Prime Ministers or Premiers. At the national level, two women have been appointed to the Cabinet: Ellen Fairclough in 1957 and Judy LaMarsh in 1963. Two others, Jean Wadds (1962) and Margaret Rideout (1966) have been parliamentary secretaries. At the provincial level, of the 12 women M.L.A.'s in June 1970, one is a Minister of Tourism, Hunting and Fishing; four are Ministers Without Portfolio⁹.

22. Two women have occupied the position of Speaker at the provincial level. One of them, Nancy Hodges, was the first woman in the Commonwealth to fill that position¹⁰.

23. In 1930, Cairine Wilson became Canada's first woman Senator. Since then, 227 men and eight women¹¹ have been summoned to the Senate. There has never been a woman Senator from the provinces of Alberta, Saskatchewan, Nova Scotia and Newfoundland.

24. As of January 1970, there were only four women Senators in a house with 102 seats. Such a situation cannot be explained by a lack of women competent to hold office. The main function of the Senate is to provide regional representation on a non-election basis and to assist in the lawmaking of Canada by providing "a sober second thought" to decisions made by the House of Commons. We cannot believe that it is not possible to find some 50 women in the 10 provinces who could fulfil the duties of a Senator.

⁹ Claire Kirkland-Casgrain serves as Minister of Tourism, Hunting and Fishing in Quebec. Grace McCarthy, Isabel Dawson and Patricia Jordan are Ministers Without Portfolio in British Columbia, while Ethel Wilson holds a similar office in Alberta.

¹⁰ Nancy Hodges became speaker of the British Columbia Legislature in 1949. Thelma Forbes was appointed to the speakership of the Manitoba Legislature in 1963.

¹¹ Cairine Wilson (Ontario, 1930), Iva Campbell Fallis (Ontario, 1935), Muriel McQueen Fergusson (New Brunswick, 1953), Marianne Beauchamp Jodoin (Quebec, 1953), Nancy Hodges (British Columbia, 1953), Florence Elsie Inman (Prince Edward Island, 1955), Olive Lillian Irvine (Manitoba, 1960), Josie Alice Dinan Quart (Quebec, 1960), Mary Elizabeth Kinnear (Ontario, 1967).

25. In our opinion, the comparatively small number of women in the Senate is an example of a social pattern which, even if it has not been purposely established to eliminate women from important offices, nevertheless produces that result. It is probable that in this field, as in so many others, women are overlooked simply because it is not customary to consider that women might be appointed to certain political offices. In our opinion, this amounts to a generally unintentional—although at times intentional—discrimination.

26. According to the criteria and principles we have accepted, in a normal situation women should not have special rights or special advantages and they should be appointed only on a merit basis. But what has happened in the Senate is not a normal situation. On a merit basis, women have been overlooked. A device should therefore be adopted by which the situation could be systematically and progressively corrected.

27. We do not suggest either a change in the constitution or the introduction of a law to determine any strict procedure. However, we think that if any federal political party is seriously considering the importance of the participation of women in public life and the possibility of giving them equal opportunity with men, it should commit itself to supporting a mechanism by which women could have an equitable proportion of the Senate seats, whatever the future of this institution and the evolution of its structure.

28. There are a number of possible mechanisms. We propose one. Therefore, **we recommend that two qualified women from each province be summoned to the Senate as seats become vacant, and that women continue to be summoned until a more equitable membership is achieved.**

29. The property qualification of \$4,000 is a condition of eligibility for membership in the Senate. It would be difficult for many women to fulfil it. It is, in any case, an undemocratic stipulation, a vestige of the property qualification once required for the vote. Therefore, **we recommend that financial qualifications for eligibility for membership in the Senate be abolished.**

30. At the municipal level, the proportion of women holding office appears to be somewhat higher than at the federal or provincial levels. But while information about the numbers of women who are Members of Parliament and Legislative Assemblies is readily available, there are no exact statistics on how many persons hold office in the 4,625 municipalities, large and small, recorded by the Dominion Bureau of Statistics in 1968. The town of Tweed, Ontario, is unique in that its voters elected a fifth woman councillor to form an all-women council in September 1967.

31. Departments of government at all levels appoint committees and advisory bodies composed of people with special expertise or interest pertinent to the work of the department. Sufficient consideration does not seem to have been given to the appointment of qualified women to these positions which fill an increasingly important function in public life. Consequently some half of the population contributes almost nothing to economic and social policy making in Canada. We hope that the time has come when authorities are prepared to make a special effort to correct the imbalance in so far as women are concerned. We have discussed these auxiliary agencies of government in the Chapter on the economy and have made recommendations concerning the appointment of a greater number of qualified women. We consider it of particular importance that several women be appointed to the newly-constituted (1970) federal Law Reform Commission since this Commission will probably set the priorities in law reform for the next decade.

32. The appointment of judges is also the prerogative of government. Women are needed as judges to widen the experience of the judiciary. Furthermore, few other appointments would do more to establish in Canada an image of woman equal in authority to man. In 1969, there were 889 judges and magistrates in Canada; 14 of them were women, of whom only one¹² was a member of a superior court. No woman has ever sat on the Supreme Court of Canada or on any of the provincial Courts of Appeal. In this connection, the Honourable J. C. McRuer, former Chief Justice of the Ontario Supreme Court, stated¹³ in 1968: "There is not one woman on the Supreme or County Court Bench in Canada. I do not suggest that a woman should be appointed to the Bench because she is a woman, but I do say that there are many women who are practising at the Bar of Canada who would make better judges than some of the men that have been appointed. A woman lawyer has the right to be considered for appointment to the Bench on her merits as any other member of the Bar, and only merit should be considered in making an appointment to the Bench". We are in complete agreement with this statement. If the proposed Federal Court of Canada is set up, we hope that qualified women will be considered when appointments are made. We believe that women are needed at all levels of the law to build up faith in the law and the courts as a neutral force that treats all people equally.

33. Therefore, we recommend that the federal government and the provinces name more women judges to all courts within their jurisdictions.

¹² *Madame le Juge* Réjane L.-Colas was appointed a puisne judge of the Quebec Superior Court, February 1969.

¹³ McRuer, The Honourable J. C. "The Task Ahead." An address to the National Conference on Human Rights, Ottawa, December 1968.

34. Legislative and judicial offices held by women in 1969 are summarized in Table 2.

Table 2. Numbers and Percentages of Women in Selected Legislative and Judicial Offices, 1969

	Total	Women	
		Number	Percentage
House of Commons.....	264	1	0.4%
Provincial Legislatures.....	634	14	2.2
Senate.....	102	4	3.9
Federal, Provincial and Municipal Courts*.....	889	14	1.5

*Does not include quasi-judicial offices. Source: Walters, Susan, ed. *Canadian Almanac and Directory for 1969*. Toronto, Copp Clark, 1969.

35. In order to involve young people in political life, a group of parliamentary interns was employed in 1970. They were chosen from among university students whose subjects suggested a possible interest in politics: political science, law, history, and journalism. They were appointed as assistants to Members of Parliament for a period of 10 months, after which a further group was to be chosen. A scholarship of \$6,000 each was contributed by the Donner Canadian Foundation¹⁴ and the programme is administered by the Canadian Political Science Association. The selection committee of men included two chairmen of university political science departments, a political science professor and the Clerk of the House of Commons. Of 129 applicants, 33 were women. Twenty were selected for oral interviews, including four women. Of the 10 hired, one was a woman. We strongly urge that this internship programme be continued and that women be added to the selection committee.

36. One of the important duties of a citizen is to serve as juror in civil or criminal trials. The qualifications for jury duty are determined by provincial laws. In Quebec and Newfoundland, women are not eligible for jury duty. In some provinces, if they do not wish to serve, they are excused solely on the ground that they are women. In others, they are not required to appear unless they give notice of their willingness to serve. In only two provinces, Nova Scotia and British Columbia, do they serve under the same conditions as men. In the Yukon and Northwest Territories men and women are equally

¹⁴ A charitable organization which disperses funds in many fields, such as legal and penal reform, Canadian foreign policy, medical research.

eligible. We see no reason why women should not in all cases carry the same responsibility to perform this important duty as men. In all parts of Canada, people are not required to serve on a jury if they are performing indispensable services or if a conflict of interest may arise. The same grounds of ill health or special obligation that enable men to claim exemption should be applied to women.

37. Therefore, we recommend that the provinces, which have not already done so, require women to be liable for jury duty on the same terms as men.

Other Countries

38. Canada's record in regard to women in public office is similar to that of other western countries. No country appears to approach equality, although in Sweden, 1968 figures show that 25 per cent of the lower House and 10 per cent of the Senate were women. The high status of Swedish women in other aspects of society undoubtedly contributes to their greater acceptance in the political field.

39. In Britain, 4.1 per cent of the Members of the House of Commons (26 out of 630) elected in 1966 were women, and reflected the percentage of women (4.7 per cent) among the candidates. The 1970 election again returned 26 women. Women are very active at the local level in Britain, especially in the London County Council where they have accounted for as much as 40 per cent of the membership.

40. In France, in 1968, the 487-member National Assembly included eight women (about 1.6 per cent). The situation at the municipal level was little better, with women occupying about two per cent of the Council seats.

41. In the United States, there have been 10 women Senators since the election of Anne Martin in Nevada in 1918. After the 1968 election, only one woman, representing one per cent of the membership, sat in the Senate. In 1916, four years before American women received the federal franchise, Jeannette Rankin of Montana became the first woman to be elected to the House of Representatives. After the 1968 election, the 10 women sitting in the 435-member House of Representatives accounted for 2.3 per cent of that body. In the state legislature, women held some four per cent of the total of 9,400 seats. The President of the United States appoints his cabinet from outside the ranks of Congress and up until 1970 only two women had been selected for Cabinet positions.

42. The U.S.S.R. has a much better participation rate, particularly at the lower levels of government. In 1966, women delegates to the Supreme Council constituted 28 per cent of the total membership. On local councils women comprised 42 per cent of the total, while 27 per cent of the members of executive committees of municipal councils were women.

43. As of June 1970 the Prime Ministers of India, Ceylon and Israel were women. Since independence, the women of India have achieved a relatively high participation rate in government and politics. They have been governors of states, and, in 1969, there were 27 women out of a total of 500 deputies (about five per cent) in the lower house of the National Congress and 17 out of a total of 240 (about seven per cent) in the upper house. An Indian woman was president of the General Assembly of the United Nations for the term 1953-54 and a Nigerian woman for the term 1969-70.

Political Parties in Canada

44. Woman suffrage was won by public campaigns, but the election of women candidates depends on party structure and procedure. It is at this point that women have found it exceedingly difficult to progress toward a fairer representation. Women face two obstacles: a reluctance on the part of male party officials to take a chance on admitting women when they are not convinced that women can do the job as well as they can, and a certain reluctance on the part of most established women's organizations to abandon their position of nonpartisanship in political affairs and to support qualified women for public office. According to a study prepared for the Commission: "In general they (women) appear to feel easier in . . . parapolitical involvement than in political commitments in the party sense. This attitude has perhaps been fostered by the women's organizations which are non-partisan for practical reasons, but sometimes seem almost to imply that neutrality is a positive goal." Thus there has been little organized backing for women to encourage their participation in electoral campaigns.

45. Women do, of course, belong to political parties. Three major parties, Liberal, Progressive Conservative and New Democratic, maintain organizations at the constituency, provincial and federal levels, each with elected executive bodies. These organizations maintain the party machinery between elections and intensify their activity during election campaigns.

46. In general, women play a supporting role in the party structure. With few exceptions the Liberal and Conservative parties, following long-established traditions, provide for separate women's associations at each level. Originally established in the 1920's and 1930's, these organizations sought to

provide political education for women as newly enfranchised voters. Within the party hierarchy, women's groups are seen as auxiliary to the main associations. The decision-making powers are vested in what for many years were, and in some places still are, referred to as the men's associations. The activities of women's groups are directed predominantly to study sessions and to servicing the party-staffing committee rooms, canvassing, organizing meetings, sponsoring special functions to raise funds and performing many necessary but routine chores which should be the responsibility of a committee and not specifically allotted to the women's groups.

47. The women's associations have not accepted as part of their function the task of supporting women contestants for election to the top policy-making positions in the party or of supporting women candidates as they do in some countries. None of the women candidates or elected Members, interviewed in the study mentioned earlier, considered that membership in a women's association had been a determining factor in her decision to run for office. Responsibility for election strategy, the development of policy, the advertising campaign, the selection of personnel, the collection and dispersal of party funds rests primarily with men. This division of responsibility does not arise from deliberate policy but results from a general acceptance, by women as well as men, that women's role in politics is primarily supportive. The women's associations constitute basically a group of volunteers dedicated to getting the party's male candidates elected.

48. The impression gained from interviews with men and women active in politics is that the women's associations divert energies into the mechanics of running the party that could be more effectively used at other levels. Some went so far as to state that separate women's associations hinder rather than help the participation of women at policy-making levels; that they are a deterrent rather than an asset to women who wish to contribute in more significant ways.

49. It must be concluded that the women's organizations in the Liberal and Progressive Conservative parties are outside the mainstream of party business. One of the first women's groups to accept this fact and vote to amalgamate with the main association has been the Ontario Women's Liberal Association. But for the most part women appear to have a vested interest in their separate organizations. They are bolstered by the praise, frequently patronizing, of party leaders who pay tribute to their loyalty and devotion.

50. Apart from *ex officio* appointments guaranteed by reason of their position in women's associations, few offices are held by women at the constituency, provincial and national levels of the Liberal and Progressive Conservative parties. Only three women have ever been elected as officers of their

party's senior national body.¹⁵ Until fairly recently the composition of annual meetings and leadership conventions of these two parties was also predominantly male. Although men still constitute a much higher percentage of the delegates than women, the introduction by both parties of a mandatory requirement that at least one delegate from each constituency be a woman has greatly increased the representation of women at national and provincial gatherings. This new regulation was reflected in the 1967 and 1968 leadership conventions of the Progressive Conservative and Liberal parties: 16.5 per cent and 15.3 per cent respectively of the delegates were women.

51. In both parties, a small but growing group of women reject the traditional division of functions between men and women party workers and repudiate the status of second-class membership which the auxiliary organizations carry in relation to the "senior" association. These women are making their way directly into the main constituency associations. They are becoming involved in the formulation of policy and the managing of campaigns. They are extending their interest and influence beyond those matters usually called "women's problems" to every question in the social and economic spectrum.

52. The Co-operative Commonwealth Federation-New Democratic Party (CCF-NDP) has never had a separate women's organization. It has had federal and provincial women's committees which were, in effect, standing committees. Women, as well as men, are full members of the constituency, provincial and federal associations. In theory, men and women are equally responsible for all functions, although in practice women have found themselves assigned more often than men to routine tasks. Three of the national offices are at present held by women¹⁶, and 17 women hold seats on the 109-member Federal Council. An attempt to enlarge this number was made at the 1969 NDP convention when a constitutional amendment was proposed to raise the mandatory representation from five to 25. It was supported by 50 per cent of the votes cast, but failed to gain the necessary two-thirds majority.

53. The fourth party represented in the federal house, the *Ralliement des Cr ditistes*, has two women on its central executive¹⁷.

¹⁵ Pauline Jewett, National Vice-President of the Liberal Party, elected 1966 and still holding that office in June 1970; Gervaise Brisson, National Vice-President of the Liberal Party, elected 1968 and still holding that office; Flora MacDonald, National Secretary of the Progressive Conservative Party, November 1966-March 1969.

¹⁶ Mary Eady, Federal Treasurer; Peggy Prouse, Vice-President; Marian Bryden, member of the Federal Executive.

¹⁷ Judith Richard, National Secretary; Alice Borgia, National President of Women.

54. Voluntary and public bodies in general lose much by the segregation of their members. We believe that the public life of Canada would benefit from the full participation of women and that women should be accorded full access to political affairs through the party structure.

55. Therefore, we recommend that women's associations within the political parties of Canada be amalgamated with the main bodies of these parties.

56. More women have run as candidates for the CCF-NDP than for the Liberal or Progressive Conservative parties. In 1965, 16 women ran as NDP candidates, eight as Liberals, and six as Progressive Conservatives. In the 1968 federal election, out of 34 women candidates, 21 had an NDP affiliation, five were Progressive Conservatives, one was a Liberal and the remaining seven were from smaller parties or were Independents.

57. Figures quoted earlier show that only 2.4 per cent of all candidates in the 15 federal elections since 1921 have been women. Clearly the parties give no priority or planning to the recruitment of women as potential candidates. While no obvious effort is made to discriminate against them, neither is any determined effort made to encourage qualified women to offer to serve as candidates. The history of Canadian political parties is full of examples of the recruitment from outside their own ranks of outstanding men to serve as candidates, often with the expectation of cabinet appointments. We see no reason why outstanding women should not be recruited just as vigorously.

58. The decision to enter the electoral lists is, in the final analysis, up to the individual. Interviews with women who have been successful at the polls federally and provincially indicate the factors which have influenced that decision. The major positive influences cited include: an early environment which provided contact with politically concerned people; personal involvement in community affairs and social issues; prior election to municipal governments (seven of the 27 women interviewed reported such experience); membership in the party organizations and experience as party workers. Of the 18 women¹⁸ who have been elected to the House of Commons since 1921, six were widows of former Members of Parliament and one was the wife of a former Member of Parliament. Two of the widows were also the daughters of former MPs. Occupation does not appear to have been a determining factor in the recruitment of women candidates. Occupations previously held by the women interviewed were varied, but can generally be

¹⁸ Agnes Macphail, Martha Black, Dorise Nielsen, Cora Casselman, Gladys Strum, Ellen Fairclough, Margaret Aitken, Sybil Bennett, Ann Shipley, Jean Wadds, Judy LaMarsh, Margaret Macdonald, Isabel Hardie, Pauline Jewett, Margaret Konantz, Eloise Jones, Margaret Rideout, Grace MacInnis.

described as having a degree of visibility or status. Women are under-represented in law and business, the occupations from which the majority of male Members of the House of Commons are recruited.

59. The interviews revealed a number of impediments to women seeking candidature: in particular, prejudice in the constituency associations, inadequate financial resources and limited mobility. The constituency association has autonomy in the selection of the candidate and jealously guards this right. It is at the constituency level, according to the women interviewed, that disparagement of women candidates and the belief that a woman candidate will lose votes are usually encountered. Women who have been successful at the polls confirm that winning the nomination is a more formidable hurdle than winning the election.

60. Under our present system of financing elections, few candidates come through campaigns without having accumulated sizeable debts. The high cost of running a campaign has been a deterrent to many people who might otherwise have offered themselves as candidates and costs are increasing with each succeeding election, primarily because of the increasing use of television. In the 1965 federal election campaign, the average campaign expenditure was \$6,835 among 454 candidates (out of 1011 official candidates) who answered a questionnaire¹⁹. Five per cent of these candidates reported spending more than \$20,000 on their campaigns. The highest expense reported was \$49,000.

61. It is already apparent that finding sufficient funds to wage a campaign is difficult for most male candidates. For women candidates, the majority of whom are financially dependent or who have less access than men to the economic community, the difficulties of raising funds are multiplied. Several reform proposals have been brought forward by government committees and other bodies to ease the financial burden for candidates.

62. Some Canadian firms have established generous policies that enable their employees to stand for election with minimum risk to their careers. These include leave of absence with pay throughout the election campaign for an employee who is an official party candidate and job security for the legislative term served; and leave without pay if holding a full-time position on a municipal council or school commission or when serving a temporary government assignment. These and other forms of subsidization, along with shorter campaigns, would be especially helpful to women seeking public office.

¹⁹ Committee on Election Expenses. *Report*. Ottawa, Queen's Printer, 1966, p. 411.

63. Mobility is an important factor in the decision of a woman to enter politics as a candidate. It is still considered unsuitable for the mother of young children, but not for the father, to leave home for five days a week for the greater part of the year. It is still usual for the husband's career and not the wife's to determine where the family will live. The number of women who might otherwise be available as candidates is greatly reduced for these reasons. However, it has been estimated that most Members enter the House of Commons for the first time when they are between the ages of 35 and 50²⁰ and women are less likely to have small children in their care at this stage of their lives. A more equitable sharing of the care of children by husband and wife and an extension of child care facilities should help to make possible the candidature of women who wish to enter public life.

Other Voluntary Associations

64. It appears to have been much easier for Canadian women to engage in politics indirectly than to run for elected office. Professional and community organizations of many kinds are constantly in touch with the work of government and exert considerable pressure on the legislative process in matters within their spheres of interest. Such organizations develop public understanding of the subject of their concern by discussing, studying, formulating policies, spotting emerging issues, urging courses of action at all levels of government, sending delegations and presenting briefs, petitioning and canvassing elected representatives. One example that might be cited from among many was the active lobbying of the Canadian Consumers Association, led for the most part by women, which contributed to the establishment of a new government department to deal with consumers' affairs. Another example is the Elizabeth Fry Society which campaigned vigorously until the federal government abandoned its plan to build a woman's prison at Cornwall, Ontario.

65. Another approach to formulating social policy and exerting political pressure is through organized conferences or seminars on particular issues. This process typically brings together a cross-section of government and non-government experts, elected representatives and the public, to discuss and recommend policy. The scale ranges from the neighbourhood to the nation. Within the last few years, there have been national conferences on children, aging, the family, and housing. In each of these, a number of women participated actively in organization and leadership and many women were in attendance.

²⁰ Ward, Norman. *The Canadian House of Commons' Representation*. Toronto, University of Toronto Press, 1950, p. 118.

66. The Association of Women Electors of Metropolitan Toronto sends observers to meetings of official municipal bodies and formulates policy on critical local issues. Other organizations, notably the National Council of Jewish Women, promote study of political structures and procedures through well-developed educational programmes. The Voice of Women, through briefs and presentations to the government, works to promote world peace.

67. Other women's organizations exert political pressure, in varying degrees, through study and discussion. There are 49 national women's organizations listed by the Women's Bureau of the Canada Department of Labour, and most of them consider it part of their function to express their position on various social and economic questions. Among the well-established are the National Council of Women, the Federated Women's Institutes of Canada, the *Cercle de Fermières*, *L'Association féminine d'Éducation et d'Action sociale*, the *Fédération des Femmes canadiennes françaises*, the Canadian Federation of Business and Professional Women's Clubs, and the Canadian Federation of University Women. Reforms have been advocated by such groups in, for example, equal pay legislation, taxation, divorce and abortion laws, penal reform and child welfare. There are other associations that perform similar functions at provincial and other levels. A more detailed review of women's voluntary associations and their role in Canadian society appears in the Chapter on the economy.

68. A characteristic of the 1960's was the emergence of protest groups expressing strong convictions on various social questions and making plain their feeling of frustration both with constitutional government and with established political and social organizations. Large numbers of women, particularly young women, are attracted to this contemporary mode of political expression. Many are not joining the traditional associations, which some of them regard as having a too middle-class and too middle-aged membership, as well as, often, too limited objectives.

69. Other protest groups have been organized by welfare recipients and others with low income in urban centres. The impetus for the organization and leadership of tenants' associations in the larger cities of Canada has come from women who constitute a large part of the membership. Their aims are the establishment and maintenance of low income housing, rent control, and community control over the problems of housing. Women who live on welfare are protesting many aspects of public assistance and other issues affecting poor people. The Just Society in Toronto is one such group in which women are providing vocal and militant leadership.

70. The Women's Liberation Movement in Canada originated in a women's caucus of the Student Union for Peace Action, as a result of dissatisfaction with the clerical and routine chores assigned to young women in the students' peace movement. It has expanded to become a vigorous advocate of a new role for women in every aspect of life. In the spring of 1970, its members demonstrated in the House of Commons and on Parliament Hill for a repeal of abortion laws.

71. Having originated in the student left, the Women's Liberation movement sees its objectives for women as part of a wider social and economic reform. Other groups, including the New Feminists, are not directly concerned with political ideology and are solely dedicated to changing the position of women in society.

72. It is clear that these groups reflect dissatisfaction with the usual channels of political communication. They also reflect a degree of impatience that will not be mollified by efforts to bring them into the established organizations. It seems likely that they will continue independently, and they may radically alter the present array of women's associations.

73. It is too early to say whether they will serve any more effectively than the older voluntary organizations to introduce their members to direct political action—which means election to Parliament, legislatures and municipal councils.

74. Election to political office and having a say in the policy-making of political parties are the main ways of obtaining political power in Canada. Women will not have an equal opportunity to take advantage of these steps to power as long as they are hampered by their own diffidence, the disparagement and hostility of others, or by lack of mobility due to family responsibilities.

Analysis of Involvement

75. Several attempts have been made to analyze the degree of women's interest in politics and the reasons for their non-participation at higher levels. Women's interest is, in general, assumed to be less than men's and most studies of political behaviour reach this conclusion.²¹ However, an analysis of voting and of general political interest in Canada shows a very slight difference between women and men. Voting turnout was examined in

²¹ Regenstrief, Peter. *The Diefenbaker Interlude*. Toronto, Longmans Canada Ltd, 1965, p. 95.

a recent study of voters in the 1968 federal election.²² The study included 1,388 men and 1,379 women eligible to vote. Of these, 86.8 per cent of the men, or 1,205, said they had voted in that election. Among the women, 84.2 per cent, or 1,161, said they had voted. The same degree of similarity emerged when they were asked whether or not they had voted in all federal and all provincial elections for which they had been eligible.

76. In a study of the 1965 general election²³ it was reported that: “. . . about 3 per cent more men than women vote regularly and the difference is constant in both federal and provincial elections. However, when we look at the differences by province, some interesting findings appear. In Quebec and Ontario more men than women vote, but in the Maritimes the position is reversed . . . The differences (between men and women) are not as great as we would have expected . . .” Dealing with the question of interest in politics, the author goes on: “Twelve per cent fewer females than males expressed themselves as being interested in politics. The regional distribution of this particular difference is especially interesting. In Ontario the difference between men and women is only 4 per cent (76 per cent of men and 72 per cent of women expressing interest in politics), but in Quebec the difference rises to 22 per cent, as only 53 per cent of Quebec women expressed an interest in politics . . .”

77. The author claims that in urban industrialized areas the difference in political participation between men and women is vanishing. A survey made for the Commission in Quebec gives added credibility to the difference between the interest levels of women in rural and urban areas.²⁴ Consistently, more women in Metropolitan Montreal reported they were greatly interested in politics than did women outside Montreal. This difference related less to municipal politics (six per cent) than to provincial politics (eight per cent) or federal politics (13.5 per cent).

78. The 1968 Meisel survey indicated that 40 per cent of the 1,379 women in the sample had been very much interested in the federal election that year.

²² Data provided by Professor John Meisel of Queen's University from a study of the 1968 Canadian federal election, based on interviews with 2,767 individuals included in a national sample drawn from the voters' lists. Henceforth data derived from this survey will be identified as the 1968 Meisel Survey.

²³ Van Loon, Richard. *Canadian Political Participation*. an unpublished Ph.D. thesis, Queen's University, 1968. Data derived from a national survey done in 1965 by Converse, Meisel, Pinard, Regenstreif and Schwartz. Henceforth this thesis will be referred to as the Van Loon study.

²⁴ *The Participation of Women in Politics in Quebec*. a research project undertaken by the Quebec Federation of Women, under Professor Francine Dépatie, Royal Commission on the Status of Women in Canada, 1969, based on a survey conducted in the fall of 1968.

79. Another indication of political interest is shown in the Van Loon study with 70 per cent of all women in 1965, as compared with 75 per cent of all men, reporting that they took the trouble to read about politics in the newspapers, while 11 per cent of women as compared with 15 per cent of men said they attended political meetings.

80. In moving up the scale to more aggressive forms of political activity, women's participation in relation to that of men declines. The 1965 national survey, which formed the basis for the Van Loon study, asked respondents whether they tried to convince other people of how they should vote. Such efforts at persuasion require a high degree of conviction and great self-assurance. The study showed that 16 per cent of women, compared to 30 per cent of men, reported this degree of political activity.

81. There is a wide gap between the relatively simple act of voting and the higher levels of political activity, as far as women are concerned. Most of the women eligible to vote in the 1968 federal election did so, but only 3.5 per cent of the candidates were women.

82. The 1968 Meisel survey used a scale of political efficacy, derived from a number of questions probing the confidence people have in their ability to influence politics. According to this scale, of the respondents (1,388 men and 1,379 women) only 123 had an extremely high sense of efficacy. Two-thirds of these very confident people were men; one-third were women. Women were in the majority in the group that set their own efficacy very low.

83. The Commission's survey in Quebec took note of women's view of the competence of women generally to play an important role in politics. When asked why in their opinion fewer women than men became candidates for election, the majority of their responses had to do with women's unsuitability for the position. Of the total number of respondents, 34.1 per cent said women do not have the necessary background to become candidates and 23.5 per cent said that a woman's chief role is to care for her family. Another reason cited was that "They do not have the time" (10.9 per cent) which might also be interpreted as unsuitability, while a minority blamed the political process: 10.4 per cent said: "Men do not encourage their candidacy" and 11.5 per cent said: "They have less chance of being elected." Those who gave other reasons or did not reply were 10 per cent of the total. A great many of the women respondents to this survey indicated their belief that a woman's role is supportive in society generally and that her home responsibilities should be her first consideration. However, it should be pointed out that in the Van Loon study the women of Quebec appeared to have considerably less interest in politics than Canadian women elsewhere.

84. These limited surveys suggest that there is much to be learned of the relationship between political involvement and the self-image of women. Further studies on a wider scale could be usefully undertaken.

85. In February 1969, the Canadian Institute of Public Opinion published a poll which asked: "Do you think Canada would be ruled better or worse if women had more say in politics?" Opinion was divided fairly evenly, with the largest group (36 per cent) claiming it would make no difference. The next group (32 per cent) felt Canada would be governed better if women had more say. They based their opinion on simple justice ("should be equal") and on affirmation of women's good qualities. A smaller group (24 per cent) were against women having more say, giving their belief in men's superiority as their most significant reason, along with the belief that women should be in the home raising their families. Eight per cent had no opinion.

86. In another poll in 1964, the Institute tried out the question: "If your party chose a woman as federal leader, and if she was qualified for the job of Prime Minister, would you vote for her?" Three-quarters of the respondents were willing to vote for a woman under these circumstances. It is possible that party loyalty played some part in the results of this poll, but the two public opinion surveys together suggest that opposition to women in public life is not widespread enough to justify the limited part they now play.

Conclusion

87. The last 50 years, since woman suffrage was introduced, have seen no appreciable change in the political activities of women beyond the exercise of the right to vote. In the decision-making positions, and most conspicuously in the government and Parliament of Canada, the presence of a mere handful of women is no more than a token acknowledgement of their right to be there. The voice of government is still a man's voice. The formulation of policies affecting the lives of all Canadians is still the prerogative of men. The absurdity of this situation was illustrated when debate in the House of Commons on a change in abortion law was conducted by 263 men and one woman.

88. Nowhere else in Canadian life is the persistent distinction between male and female roles of more consequence. No country can make a claim to having equal status for its women so long as its government lies entirely in the hands of men. The obstacles to genuine participation, when they lie in prejudice, in unequal family responsibility, or in financing a campaign, must be approached with a genuine determination to change the present imbalance.

89. In pursuit of this aim women must show a greater determination to use their legal right to participate as citizens. They must reconsider the reasons that have kept them from entering politics. When they join a party they must assess their own potential and refuse to become involved in routine chores to the exclusion of participation on a different plane. Men should be expected to accept their share of party work at all levels. Judy LaMarsh commented on the present distribution of political labour when she said: "Women understand that men must often be kept from soiling themselves with the dirty details of life in order to accomplish the big shiny jobs unimpeded. And women in politics have generally accepted this role—to do all the hum-drum, tedious, must-be-done jobs."²⁵

90. The unthinking assumption that women are not part of the political process shows itself in such statements as this recent example from a report of a study carried out by York University: "It is obvious that democracy is based on the premise of a well-informed body of citizens, who have the knowledge and other resources to participate in their own government effectively . . . We began with two hypotheses: A Canadian's knowledge and attitudes are related to the positions *he* occupies in *his* society—as a *father*, a taxpayer, a *businessman*, an older person, a French-speaking Canadian; . . ."²⁶ (The italics are ours).

91. Very positive measures are needed to break the invisible as well as the evident barriers that now exist. The Commission does not believe that special consideration should be given to women. Nevertheless we are convinced that for at least an interim period it is necessary to correct the present imbalance between the participation of women and of men in public life. A special effort must be made to seek out and encourage competent women in Canadian society to accept appointments to the judiciary, the Senate, government boards and agencies, to accept nominations as political candidates and, when elected, to accept major cabinet posts and other positions of responsibility.

²⁵ LaMarsh, Judy. *Bird in a Gilded Cage*. Toronto, McClelland and Stewart, 1969, p. 36.

²⁶ Institute for Behavioural Research. *Attitudes Toward Government Information*. Toronto, York University, 1969, pp. 2, 9.

Immigration and Citizenship

Immigration

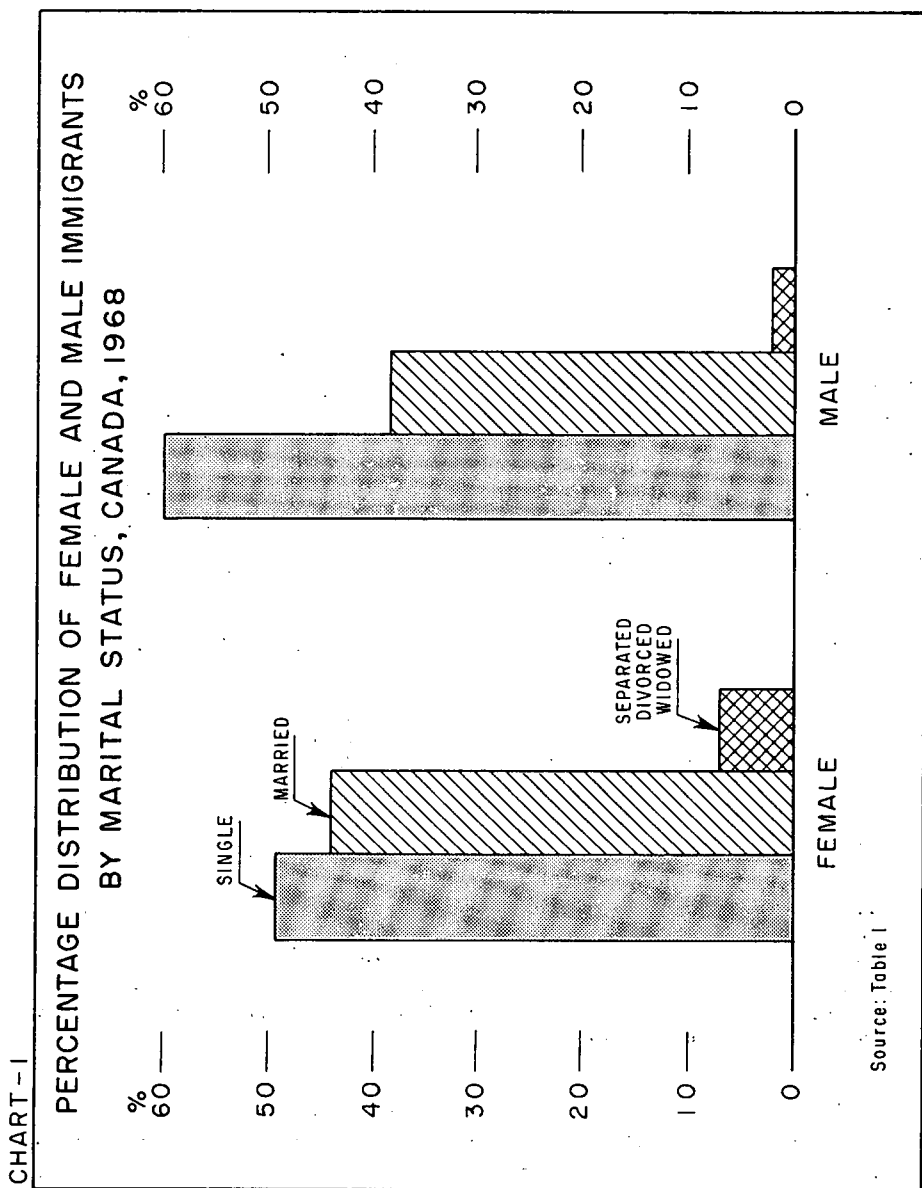
1. Immigration has always been an important factor in the development of Canada. Since Confederation, more than 9,500,000 people of various ages and origins have migrated to this country and a substantial number of them have been females. The latter made up almost one-half of the some three million immigrants admitted since World War II. Table 1 shows the number of immigrants by age, marital status and sex in a year when there was an approximately equal number of males and females.

Table 1. Age Group, Sex and Marital Status of Immigrants, 1968.

Age	Single		Married		Separated Divorced Widowed		Total	
	F	M	F	M	F	M	F	M
0-19.....	24,839	27,667	1,609	84	4	1	26,452	27,752
20-34.....	17,846	26,515	25,513	20,734	638	565	43,997	47,814
35-49.....	1,269	1,516	8,514	10,452	998	487	10,781	12,455
50+.....	502	181	3,982	4,488	4,757	813	9,241	5,482
Total.....	44,456	55,879	39,618	35,758	6,397	1,866	90,471	93,503

SOURCE: Based on Department of Manpower and Immigration. *1968 Immigration Statistics*. Ottawa, Queen's Printer, Table 5, p. 7.

2. There are several categories for the admission of immigrants and applicants must meet certain standards set out in the Immigration Regulations. Some immigrants are admitted as independent applicants who are expected to be able to establish themselves successfully. Others join relatives already in Canada who have sponsored them as dependants or nominated them with the expectation that they will be able to support themselves.



Independent applicants and nominated relatives may bring their immediate families with them. Although the number of women entering as independent applicants is growing, women have traditionally been admitted as dependants.

3. Nonetheless, many women immigrants plan to work and achieve some measure of economic independence. Immigrants are usually asked the occupations they intend to follow in Canada. Of the 115,158 male immigrants and 107,718 female immigrants entering the country in 1967, 82,680 males and 36,859 females said they planned to work.¹ Table 2 shows their work plans by occupation and sex. Of the 32,478 males not planning to work, 29,067 were children. Of the 70,859 females not planning to work, 37,894 were wives and 27,350 were children.

Table 2. Intended Occupations of Male and Female Immigrants Admitted to Canada, 1967

Occupational Group	Males	Females	Per cent of Occupational Group
	Number	Number	
Managerial.....	2,876	147	4.9
Professional and Technical.....	20,205	10,648	34.5
Clerical.....	4,237	12,372	74.5
Transportation and Communication.....	1,581	313	16.5
Commercial and Financial.....	2,388	970	28.9
Service and Recreation.....	4,287	6,429	60.0
Farming.....	3,134	69	2.2
Manufacturing and Mechanical.....	23,763	4,355	15.5
Others.....	20,209	1,556	7.1
Total.....	82,680	36,859	30.8

SOURCE: Based on Dominion Bureau of Statistics. *Canada Year Book 1969*. Ottawa; Queen's Printer, Table 9, pp. 212-214.

4. Table 2 gives only the plans of immigrants which may or may not materialize. A study² conducted by the Dominion Bureau of Statistics, however, showed that many immigrant women do work and probably in proportionately greater numbers than Canadian-born women. It was found that from 1956 to 1967 the participation rate of post-war immigrant women rose from 35.6 per cent to 40.2 per cent. During the same period the participation rate for Canadian-born women rose from 23.1 per cent to 31.5 per cent.

¹ Dominion Bureau of Statistics. *Canada Year Book 1969*. Ottawa, Queen's Printer, Table 9, pp. 212-214.

² Dominion Bureau of Statistics. *Special Labour Force Studies No. 6*. Cat. no. 71-510, Ottawa, 1968.

5. The federal Immigration Act and Regulations contain no provisions that differentiate between the sexes. They do, however, give some discretionary powers to the Immigration Service in its administration of the legislation. Any differential policies or practices can only develop through the exercise of these discretionary powers.

6. One such practice has been brought to our attention that may contribute to the fact that women usually enter the country as dependants. We have been informed that when a husband and wife both seek admission as independent applicants, it is a fairly common practice to consider only the husband's application, presumably on the assumption that his wife will enter the country as a member of his immediate family. If this is the case, we can only conclude that the Immigration Service holds the outmoded view that the husband is always the wage-earner and that a wife should be admitted only if her husband is able to establish himself and support her. Actually a wife will sometimes be better qualified than her husband to become successfully established and the couple should have the opportunity to come to Canada on the basis of her qualifications. Moreover, it is essential that the wife's right to be considered as an independent applicant be respected, and we believe that care should be taken to ensure that wives are aware of this right. **Therefore, we recommend that the Immigration Division of the federal Department of Manpower and Immigration review its policies and practices to ensure that the right of a wife to be an independent applicant for admission to Canada is always respected and that wives are made fully aware of this right.**

7. Although the legislation contains no provisions which suggest that a wife should be regarded as her husband's dependant, it does use a term which might be construed as recognizing this relationship in the family. In a number of clauses, reference is made to the "head of a family". Section 2 (h) of the Act defines head of a family as a "person in the family upon whom the other members are mainly dependent for support." Admittedly, the sex of the person is not specified but it is still all too common in Canadian society for the husband to be viewed as the family head. We believe the term is susceptible to misinterpretation and has a connotation that is incompatible with the concept of marriage as a partnership of two individuals with equal status. **Therefore, we recommend that the federal Immigration Act and Regulations be amended by the elimination of the term "head of a family" wherever it appears in the legislation and by the substitution of the exact meaning which is intended in each case.**

8. An assumption that a wife is a dependant of her husband can not only affect her status for admission into the country but can also have serious implications when she is in Canada and not yet a Canadian citizen. When a deportation order is made against the head of a family under section 37 (1) of the Act, all dependent members of the family may be included in the order and, subject to appeal, deported under it.

9. Women immigrants face problems other than those related to their admission to the country and their right to remain. All immigrants, whether female or male, have problems in adjusting to a new society. But women, especially non-working married women, have particular difficulty. Not only may they encounter discrimination against women, but they may also find themselves effectively isolated from the mainstream of Canadian life. In larger cities, where immigrants tend to live in close communities, Italian, Greek and Portuguese women, for example, are able to use the language of their homeland in their everyday life. But without English or French, they are isolated from the larger society which their husbands and children enter more easily.

10. Immigrant husbands adapt more readily to Canadian life because their need to find employment forces them to learn English or French and to make contact with other Canadians. Immigrant children are helped to adapt through attending school and often a gulf gradually develops between an immigrant mother and her increasingly "Canadianized" children. The social customs of some immigrant communities may not permit the housewife to leave home in the evening to attend the language classes and other courses which she badly needs.

11. A brief³ presented to the Commission sums up the problem very well: "Having little to say in the discussions prior to their coming to Canada, the wives are frequently quite ignorant of the difficulties they will have to encounter in adapting themselves. Often, they speak neither English nor French and, being unable to relate to their environment, they become prey to a psychological solitude which not only crushes their spirit but is also harmful for husband and children . . . In short, women immigrants would be far better off on arrival in Canada if the government took family and social factors, and the fact that they are women, into consideration, along with the economic factors which must of necessity govern immigration policies."

12. Elsewhere in this report we have made recommendations that should help to solve some of these problems. The introduction of training and language programmes for immigrant women and the establishment of Citizens'

³ Brief No. 275.

Information Centres that we have recommended in the Chapter on education, for example, should be of particular value in integrating immigrant women into Canadian society.

Canadian Citizenship

13. Canadian citizenship is acquired as a matter of right, such as in the case of a person born in Canada or a child born outside Canada of Canadian parents. It may be obtained, upon application, as a privilege granted at the discretion of the Secretary of State. In neither case does the sex of a person have a bearing on whether or not that person will acquire Canadian citizenship or lose it.

14. This has not always been the case. Before the Canadian Citizenship Act became law on January 1, 1947, Canadian nationality legislation did not provide for Canadian citizenship status. Persons identified as Canadians were British subjects by birth or by naturalization. Under the terms of the Canadian Naturalization Act in effect immediately prior to January 1, 1947, a woman's status as a British subject could change by marriage while a man's status did not. For example, a woman who was an alien automatically became a British subject when she married a British subject or she became a British subject on her application after her alien husband became naturalized. On marriage to an alien, a woman who was a British subject became an alien if, by her marriage, she automatically acquired the nationality of her alien husband. On the other hand, a man who was an alien did not become a British subject through marriage to a woman who was a British subject nor did a male British subject become an alien through marriage to an alien.

15. The Canadian Citizenship Act does, however, contain remnants of the former discriminatory treatment. Canadian women who became aliens because they married aliens before 1947, do not automatically regain their Canadian nationality. If they wish to become Canadian citizens, under section 10 (3) of the Act they must make application to the Secretary of State who may, by discretion, grant them a certificate of citizenship. The woman must complete a form, pay a fee, have the form attested and, if her application is accepted, take the oath of allegiance.

16. Many women in this category, aware that Canadian women may now marry aliens and remain Canadians, are under the impression that they have gained their citizenship automatically. As a result they encounter difficulties when they apply for passports or when their right to vote and receive certain pensions is questioned. In Great Britain, when a similar change was made in citizenship legislation, women who had formerly married

aliens and lost their citizenship were considered to have retained it. We believe this practice should be followed in Canada. It is inequitable to penalize a woman because she married before the adoption of a more enlightened view of the rights of women as individuals. Therefore, **we recommend that the Canadian Citizenship Act be amended to provide for the automatic resumption of Canadian citizenship by women who lost it because they married aliens before January 1, 1947.**

17. Although women now acquire Canadian citizenship in the same way as men, there are a number of situations under the Canadian Citizenship Act in which a woman's citizenship is less meaningful than a man's.

18. One such situation arises when a Canadian citizen and an alien marry. Normally an alien must have resided in Canada for five years before he may become a Canadian citizen. Under section 10 (1) of the Act, however, an alien wife of a Canadian citizen may be granted citizenship when she has resided in Canada for only one year. No such preferential treatment, on the other hand, is accorded an alien husband of a Canadian wife. The alien husband, like other immigrants, must be a resident of Canada for five years before he can become a Canadian citizen. This differential treatment is inequitable on two counts. Firstly, it discriminates against aliens on the basis of sex. Secondly, it also discriminates on the basis of sex against Canadian spouses since, in the case of a Canadian wife, the fact of her citizenship has no bearing on the residence requirements of her husband. Therefore, **we recommend that the Canadian Citizenship Act be amended so that there is no difference between the residence requirements for the acquisition of Canadian citizenship by an alien husband and an alien wife of a Canadian citizen.**

19. Another situation arises in relation to the citizenship of children. Children born in Canada are automatically natural-born Canadians. But the Canadian citizenship of the mother is less meaningful to the citizenship status of a child born outside Canada than is the Canadian citizenship of the father. Under the terms of sections 4 and 5 of the Act, a child born outside Canada of a Canadian father is a natural-born Canadian regardless of the citizenship status of the mother. A child born outside Canada of a Canadian mother and an alien father, on the other hand, is not a natural-born Canadian unless the mother is unmarried. In all cases, of course, certain administrative requirements must be met for the natural-born child to retain his citizenship.

20. We believe Canadian women and men should have the same right to confer Canadian citizenship on their children. Many countries, for example, The Republic of Ireland, The United States and France, provide for this.

Therefore, we recommend that sections 4 and 5 of the Canadian Citizenship Act be amended to provide that a child born outside Canada is a natural-born Canadian if either of his parents is a Canadian citizen.

21. The greater importance attached to the citizenship of the father does not recognize the equal status of the citizenship of the mother. There are two other areas covered by the legislation in which the failure to recognize this concept is apparent. Both of these have to do with the citizenship of children.

22. The first deals with a child born outside Canada who has not acquired citizenship as a matter of right because, for example, neither of his parents was a Canadian citizen at the time of his birth. Pursuant to section 10 (5) of the Act, if he is a minor child of a naturalized Canadian, he may be granted Canadian citizenship on application by the responsible parent. The differential treatment on the basis of sex results from the definition of the responsible parent. Section 2 (n) of the Act states that "responsible parent" means the father, but where the father is dead or where the custody of the child has been awarded to the mother by order of a court of competent jurisdiction, or where a child was born out of wedlock and resides with the mother, "responsible parent" means the mother. We believe that parents should be regarded as equally responsible for the child and that therefore the wife should also be able to apply for the child's citizenship. Therefore, **we recommend that the Canadian Citizenship Act be amended so that either citizen-parent may apply for the naturalized citizenship of a minor child.**

23. The second situation deals with the application for citizenship on behalf of an adopted child lawfully admitted to Canada for permanent residence. If it is a joint adoption, under the terms of section 11 (2) of the Act, Canadian citizenship will be granted only if the male adopter is a Canadian. We believe Canadian citizenship should be granted the child if either of the adopters is a Canadian citizen. Therefore, **we recommend that section 11 (2) of the Canadian Citizenship Act be amended so that, in the case of joint adoption, the child may be granted Canadian citizenship if either of the adopting parents is a Canadian citizen.**

Criminal Law and Women Offenders

"All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination."
The Universal Declaration of Human Rights, Article 7.

1. The criminal law in Canada is built upon a nineteenth century philosophy of the role of punishment in the control of anti-social behaviour. Behaviour that was considered a threat to society in the nineteenth century and accordingly subjected to the criminal law and its sanctions is not necessarily, in the mid-twentieth century, the kind of behaviour that should be subject to criminal sanctions. Canadian criminal law also reflects a nineteenth century view of the status of women. Women who encounter the criminal law, the administration of criminal justice or ultimately correctional institutions, are treated in accordance with a traditional concept of a woman's role that is no longer necessarily appropriate in the 1970's.

2. Canadian citizens have not been equal before the law or been treated equally in its application. The inequality of rich and poor is a flaw that runs through the fabric of the Canadian system of criminal justice. Here we are specifically concerned with inequalities that discriminate against women, whether their source is historical, social or simply administrative convenience.

3. In this Chapter we examine the position and treatment of women within the criminal justice and correctional systems under the following headings: (1) women as criminal offenders, (2) women under the Criminal Code, (3) the treatment of women within the administration of criminal justice.

Women as Criminal Offenders

Statistics

4. The available statistical information on crimes committed by females is incomplete. Many offences go undetected and others are not prosecuted by police and other authorities because of the nature of the offence and the sex

of the offender. Furthermore it is difficult to determine the number of individuals involved in crime because many of the statistics report convictions, not individuals, and the same individual may appear more than once in the statistics. However, statistics do show that the number of female offenders is small compared with the number of male offenders.

5. The Criminal Code makes a distinction between offences punishable on summary conviction and indictable offences.¹ For offences punishable on summary conviction the sex ratio remained fairly constant from 1950 to 1966: about one woman convicted to every 15 men. Women offenders represented only 12.5 per cent of all persons convicted of indictable offences in Canada in 1967, a ratio of female to male offenders of approximately one to every seven. In recent years, crime rates of females have risen while male rates have remained fairly constant. The slight increase in total indictable offences since 1950 has been caused mainly by increased criminal activity by young people and by women of all ages.

6. Women are rarely convicted of violent offences. The rise in crime by women is related primarily to non-violent property offences such as petty theft, fraud, false pretences and forgery. In 1967, theft accounted for 80 per cent of the rise in the female crime rate and now shows a ratio of one woman to every three men compared to a former ratio of one to eight in 1962. Crimes connected with prostitution and keeping a bawdy house are committed primarily by women. Women are also those generally charged with abortion or attempted abortion, infanticide, concealing the body of a child and child neglect. The total number of crimes related to the female child-bearing function was 29, less than one per cent of the total number of crimes committed in 1967.

7. Women are increasingly convicted of "crimes without victims". These are offences where, if any harm is caused, it is to the offender herself and not directly to others. Convictions for possession of drugs, for vagrancy and attempted suicide seem to involve a higher proportion of women than other offences that are committed by women. The female/male ratio of convictions under the Narcotics Control Act varies annually between one to two and one to four: in 1967 there were 190 female compared to 730 male convictions under this Act. Public intoxication, a summary offence, in 1967 involved 13,410 convictions for women as compared to 134,206 for men, a female/male ratio of one to 10. For the same year there were 3,209 female and 21,394 male convictions for disorderly conduct and vagrancy, a sex ratio of one to seven; while for attempted suicide the numbers were 141 females and

¹ A serious offence deemed to jeopardize the social order, such as rape, murder or theft, as contrasted with offences considered less serious and punishable on summary conviction, such as vagrancy, or disorderly conduct.

299 males, a ratio of one to two. The type of offences common to women has implications for the type of treatment that is most likely to facilitate their rehabilitation and their successful reintegration into society.

8. Offences by female juveniles usually involve behaviour associated with disorderly conduct, incorrigibility and immorality, as the term is used in section 2 (1) (h) of the Juvenile Delinquents Act, and not the violent behaviour often found among male juvenile offenders.

Characteristics of the Female Offender

9. Present statistical data give a breakdown by age, sex, and residence of offenders. Table 1 shows the percentage distribution of persons convicted of indictable offences by age group and sex for 1967.

Table 1. Percentage Distribution of those Persons Convicted of Indictable Offences, by Age Group, and Sex, Canada, 1967.

Age Group	Female	(Number of convictions)	Male	(Number of convictions)
16-19.....	20.6%	(1,206)	33.7%	(13,477)
20-24.....	17.3	(994)	21.9	(8,740)
25-29.....	11.4	(648)	11.0	(4,388)
30-34.....	8.7	(510)	7.2	(2,850)
35-39.....	7.4	(429)	5.7	(2,283)
40-44.....	6.2	(364)	4.3	(1,682)
45-49.....	4.1	(244)	2.9	(1,184)
50-59.....	5.9	(345)	3.3	(1,277)
60 and over.....	2.6	(154)	1.3	(534)
Age not stated.....	15.8	(922)	8.7	(3,472)
TOTAL.....	100.0	5,816	100.0	39,887

SOURCE: Dominion Bureau of Statistics. *Statistics of Criminal and Other Offences*. Cat. no. 85-201, Ottawa, Queen's Printer, 1967, Table 5, p. 42.

10. In the interest of conformity, the Dominion Bureau of Statistics uses 16 as the age dividing the adult from the juvenile, although the provinces use various age definitions. The Juvenile Delinquents Act defines a juvenile as any child, boy or girl, apparently under 16 years of age or such age between 16 and 18 as may be directed in any province. For example, in Quebec, Manitoba and British Columbia, it is 18; in Alberta it is 16 for

boys and 18 for girls. We believe that there should be no age differentiation on the basis of sex, so that males would have the advantage of the juvenile courts to the same extent as females.

11. Another important characteristic of the offender is the place of residence. Statistics show that crime is more prevalent in cities than in rural areas. Female crime may be even more an urban phenomenon than male crime. The urban/rural ratio in 1967 was nine to one for female offenders and five to one for male offenders.

12. Unfortunately, statistics are not broken down by sex for other socio-economic characteristics of offenders, such as their marital status, occupation and education. In 1967, the occupation of 1,973 of the women convicted of indictable offences was described as housewife. This would indicate that about 34 per cent of the women did not have outside employment.

The Criminal Behaviour of Women

13. As we have mentioned earlier, women commit far fewer crimes than men, and these crimes are usually non-violent and often without a direct victim.

14. Many explanations have been advanced to account for the comparatively lower crime rate of women. The different social positions and social expectations of the sexes may be two of the reasons for the ratio. As has been pointed out by the Canadian Committee on Corrections: "Differences between women offenders and men offenders can hardly be discussed adequately without relating them to differences in male and female roles in society generally. The lower incidence of crime involving violence may, to some degree, represent constitutional differences between male and female in terms of physical strength, but appears likely to be still more closely related to difference in social roles and expectations."²

15. Although the ratio of male to female offenders for indictable offences fluctuated between 13 to one and 17 to one in the 1950's, it decreased to seven to one in the 1960's. This increase in the number of offences by women indicates that the distinctions by reason of sex may be undergoing some significant change. As a woman's traditional activities in society change and diversify she has many more opportunities to break the law. Social control in particular seems to have been weakened by the strains of modern living. The urban/rural ratio for crimes by females may support this theory. Women are committing a greater variety of crimes than they have in the past: they are also being dealt with in a special way by the criminal law itself.

² Canadian Committee on Corrections. *Report. Toward Unity, Criminal Justice and Corrections.* (Ouimet Report), Ottawa, Queen's Printer, 1969, p. 391.

Women Under The Criminal Code

Equality Under The Law

16. Generally speaking women and men are held equally responsible for a breach of the Criminal Law and both are liable to prosecution, conviction and penalty. Under the Criminal Code, however, their criminal responsibility may in certain instances differ according to sex, marital status or age. In a few instances, an act may be considered a crime if it is committed by a man and not a crime if it is committed by a woman. The reverse is also true.

17. The Criminal Code usually refers to "every one." For example, murder is a crime whether committed by a man or a woman, and both are liable to a similar sentence if found guilty. In certain cases, however, the law itself applies differently to the two sexes. Some of these differences are based upon what were once considered biological aspects of human behaviour; others perhaps rest more on outdated attitudes than on sex-linked legal grounds.

18. In this Chapter, we review some of the provisions of the Criminal Code which deal with vagrancy, sexual offences and the special relationship created by marriage. Abortion is discussed in the Chapter on the family.

Criminal Sexual Behaviour of Women

19. Women involved in criminal sexual behaviour have traditionally been seen as either victims of men's assaults or sexual exploiters of men for material gain. These traditional views are clearly apparent in the Criminal Code.

20. Problems raised by the law dealing with prostitutes deserve special attention. Prostitution itself is not a crime, and prostitutes are controlled by the vagrancy provisions of the Criminal Code. As the law now stands, prostitutes apprehended by the police are usually charged with having contravened section 164(1)(c) of the Criminal Code: "Every one commits vagrancy who, being a common prostitute or night-walker is found in a public place and does not, when required, give a good account of herself". This provision of the Criminal Code applies only to women.³ While the existence of male prostitutes is now recognized, many people still apply the term only to a female. Even the Oxford Dictionary defines a prostitute as "a woman who" Thus the present law prohibits not prostitution but being unable, if found in a public place, to give a good account of oneself. Prostitutes are ordinarily charged with vagrancy, not prostitution, and men who accept the solicitation

³ The French language version of the Criminal Code uses the expression "*filie publique ou coureuse de nuit*" which leaves no doubt that it concerns women only.

of a prostitute are not prosecuted. A man commits an offence under the law only if he is found in or keeps a bawdy-house; as a rule, the prostitute, not the client, is brought before Court.

21. Section 164(1)(c) of the Code does not respect the liberty of the individual to move about in freedom. Furthermore it opens the door to arbitrary application of the law by the police and it favours setting up traps, sometimes using police officers as *agents provocateurs* to arrest so-called prostitutes. These methods were strongly condemned by the Commission on the Administration of Justice in the Province of Quebec (Prévost Commission), the Wolfenden Report in Great Britain, and the United Nations Economic and Social Council in a study on prostitution.

22. Under Canada's criminal system, prostitutes are charged not for what they do but for what they are considered to be. "Once a prostitute, always a prostitute" appears to be the rationale of the law. This places the woman under the potential control of the police even when she has ceased to be a prostitute, and therefore makes successful rehabilitation more difficult.

23. The legislation is not really effective in carrying out its purpose which is, according to a Court decision, "to prevent the male public from being solicited on the streets or other public places by prostitutes but not to prohibit prostitution".⁴ The law is aimed at preventing prostitutes from using methods of operation that offend the public.

24. Many prostitutes, lacking money to pay a lawyer or the knowledge required to defend themselves, plead guilty in the hope of receiving a light sentence. When the accused is not counselled and no witnesses are available, the procedure is often reduced to a question of veracity between the accused and a police officer. If the accused is convicted, she can be fined or sentenced to a term in jail or both.

25. When authorities, pressed by the public, have tried to clear the streets of prostitutes, women have often turned to operating through intermediaries. A recent study of prostitution in Montreal⁵ shows that, since 1960, arrests for procuring have increased while arrests for loitering and vagrancy have decreased. This suggests that many prostitutes who have been driven from city streets are now operating as "call girls".

26. In the words of the Wolfenden Report, prostitution ". . . has persisted in many civilizations through many centuries and the failure of attempts to stamp it out by repressive legislation shows that it cannot be eradicated

⁴ Regina v. Dubois (1953). *Canadian Criminal Cases*. Vol. 106, p. 150.

⁵ Limoges, Thérèse. *La Prostitution à Montréal*. Montreal, Editions de l'Homme, 1967.

through the agency of criminal law".⁶ The Prevost Commission indicated that the public did not favour the punishment of prostitutes even though it considered prostitution morally wrong. Briefs presented to the Commission pointed out that prostitution is fundamentally a social, not a criminal, problem. We concur in this. To fine a woman \$500 or send her to prison for six months does not necessarily prevent her from returning to her former way of earning her living. On the contrary, it adds the stigma of a criminal record which may make her rehabilitation more difficult.

27. We are concerned about the use of vagrancy in the criminal law in order to regulate the activity of women prostitutes. Therefore, **we recommend that section 164(1) (c) of the Criminal Code be repealed.**

28. If there is evidence that prostitutes, male or female, are disturbing the peace, as defined by the Criminal Code, they should be prosecuted in the same way as any other person found disturbing the peace.

29. Any proposed modification of the law must be followed up with facilities and programmes designed to rehabilitate adult female prostitutes. These women should be protected from the influence of their former surroundings by being given help in finding a different environment and a new way of thinking about themselves and their lives. An important step in this direction is the establishment of half-way houses which we recommend later in this Chapter. Since the socio-economic situation of most prostitutes is a major factor of their way of life, they also need training for work that will enhance their dignity as individuals.

30. Section 164(1) (a) of the Criminal Code⁷ also adversely affects women. This provision is directed at the homeless and transient, both male and female, who have no apparent means of support and cannot justify their presence in the place in which they are found. Even though they have committed no offence, many young girls are arrested and charged with vagrancy, simply because they do not have homes or money or because there is no place to send them for the night. It is relatively easy for homeless men to find shelter in hostels in most large cities but there are few hostels for women. We have made a recommendation regarding this need in the Chapter on poverty.

31. Most charges of vagrancy are not contested and, once convicted, these girls will have a criminal record. They may also have their first encounter

⁶ *Report of the Committee on Homosexual Offences and Prostitution*, (Wolfenden Report). London, Her Majesty's Stationery Office, 1957, p. 79.

⁷ "Everyone commits vagrancy who not having any apparent means of support is found wandering abroad or trespassing and does not, when required, justify his presence in the place where he is found."

with criminals while they wait in prison for their court appearance. The Commission considers section 164(1) (a) of the Criminal Code unsound in its treatment of vagrants because we hold that vagrants are not criminals.

32. Therefore, we recommend that section 164(1) (a) of the Criminal Code be repealed. The Ouimet Report suggested that Canadian society should be "developing alternate social resources for women, particularly for young women who are without lodging or visible means of support under health or welfare, rather than correctional, auspices".⁸

33. The criminal law differentiates between the criminal responsibility of men and of women not only for prostitution but for most of the sexual offences under the Criminal Code. Most of the provisions of the Code dealing with sexual offences were adopted at the end of the last century, when attitudes towards sexual behaviour were different from what they are today. In the eye of the law, women are seen as "victims" of men's sexual assaults. The wording of the provisions of the Criminal Code implies that women cannot be the authors of sexual offences other than incest, buggery, indecent assault on another female (but not on a man) and, since 1954, gross indecency. In law, women cannot sexually assault or seduce men, nor can they be charged with having sexual intercourse with a boy under a certain age.

34. On the assumption that men victimize women, the law protects women according to their age, their marital status and their moral character. We think that the law as it stands is unfair to men. Under the Criminal Code, no form of deception used by a woman in order to engage in sexual relations with a man is punishable. Should her persuasion become too violent, she could be convicted of common assault. In a similar situation, a man can be charged with rape, indecent assault on a female, seduction or sexual intercourse if the female is under age.

35. In sentencing, differentiation is again the rule. For instance, the indecent assault of a man on another man is punishable by a maximum of 10 years in prison and the lash; a woman convicted of an indecent assault on another woman is liable to a maximum of only five years' imprisonment. A man convicted of incest is subject to whipping; a female offender cannot be whipped and she may escape punishment altogether if the court is satisfied that she committed the offence while under restraint, duress or fear. By a further anomaly, the law provides that no male person shall be deemed to commit incest while he is under the age of 14, but does not mention females. According to the law, therefore, a girl under 14 could be convicted of incest. The Commission believes that these inconsistencies

⁸ *Op. cit.* The Canadian Committee on Corrections. *Report*. p. 393.

should be eliminated in order to give equal, just treatment to both men and women. In particular, we believe that corporal punishment is cruel and degrading, its imposition contrary to Article 5 of the Universal Declaration of Human Rights,⁹ and that, therefore, whipping should be abolished. In general, penalties should be equal for men and women convicted of the same offence and their imposition non-discriminatory.

36. The highly protective and often discriminatory character of legislation dealing with sexual offences is further expressed in the Criminal Code in the idea of "previously chaste character". In four sections of the Code,¹⁰ the presumption of chaste character of a girl (up to 21 years of age) before the offence, forms one of the basic elements of the offence. The onus of proving that the girl was not of previously chaste character rests on the accused. This does not mean that the girl has to be *virgo intacta* but rather points "to those acts and that disposition of mind which constitute an unmarried woman's virtue or morals".¹¹

37. It is unjust to define a crime on the basis of the moral character of the victim. A critic of this legislation has commented that: "... the difference between crime and innocence rests in these cases on no predictable foundation. Whether the man commits a crime depends essentially not on his intent or action but on the view which twelve of his fellow citizens will take of the moral stature of his companion. Her reputation, her physical purity, her conduct in the past, her conduct on the occasion do not determine, although they may influence, the matter."¹² Moreover, it encourages the accused male to manufacture evidence to establish the unchaste character of the victim, and forces her to defend her virtue before the Court. Whether or not she is chaste, every young girl should be entitled to the protection of the law.

38. Therefore, we recommend that the words "of previously chaste character" be deleted from all the sections of the Criminal Code.

39. Age raises problems because the criminal responsibility of the offender often depends on whether or not the victim was under age. For instance, sexual intercourse with a girl under the age of 14 is prohibited and is considered to be child abuse, punishable by imprisonment for life and the whip [section 138(1)]. A child under 14 cannot give a valid consent to sexual intercourse or indecent assault. For a man to be held criminally responsible for having sexual relations with a girl over 14 and under 16,

⁹ "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

¹⁰ Sections 138 (2), 143, 144 and 145 (1) (b) of the Criminal Code.

¹¹ *Rex v. Hauberg*, *Canadian Criminal Cases*, Vol. 24, p. 297.

¹² Wright, Peter. "Case and Comment". *Canadian Bar Review*, Vol. 26, 1948, p. 1117.

the girl has to be of previously chaste character, and the maximum penalty for the offence is five years in prison. Moreover, the accused man may be acquitted if the jury finds that he is not more to blame than the girl. [section 138(3)].

40. Age is also of primary importance in cases of seduction. According to the law, which holds that only men or boys can seduce women or girls, there is no offence if the boy is under 18 years or the girl over 18. A 17-year-old boy who seduces a girl over 16 but under 18 does not commit an offence; if he were 18 it would be considered an offence.

41. Although the law was not intended to prohibit sexual relations between two consenting persons, certain provisions have gradually been introduced to prevent the exploitation of young people and women. The law should clearly emphasize protection of everyone, particularly young people.

42. **Therefore, we recommend that the Criminal Code be amended to extend protection from sexual abuse to all young people, male and female, and protection to everyone from sexual exploitation either by false representation, use of force, threat, or the abuse of authority.** In making this recommendation, we realize there are special problems in the case of girls because of the risk of pregnancy.

43. In criminal law, women and men are generally held equally responsible although certain presumptions, based on the special relationship created by marriage, deny or limit the criminal responsibility of those concerned. Most of these exceptions may be traced back to the English Common Law. In common law, for example, married people cannot be convicted of conspiring with each other to commit a crime, or of stealing each other's property during marriage.¹³ These common law rules still apply in Canada unless they are inconsistent with any Act of Parliament, such as section 18 of the Criminal Code which states that no presumption of marital coercion may exist because a married woman commits an offence in the presence of her husband. This means a wife must prove marital compulsion, which must be established as any other defence based on compulsion in criminal law.

44. Although section 18 rejects the presumption of marital coercion, it seems to apply in section 23(3) of the Criminal Code¹⁴ which assumes that a wife is acting under compulsion from her husband when she helps any

¹³ It is not clear whether these presumptions of non-responsibility rest on the theory of the singular identity attached to persons once married (theory of conjugal unity), or on the theory that the wife acted under the authority of or in obedience to her husband (theory of marital coercion).

¹⁴ "No married woman whose husband has been a party to an offence is an accessory after the fact to that offence by receiving, comforting or assisting in his presence and by his authority any other person who has been a party to that offence, for the purpose of enabling her husband or that other person to escape." Section 23 (3) Criminal Code.

other person who has been a party to an offence with her husband. However, subsection (2) provides that no married person whose spouse has been a party to an offence is an accessory after the fact if he helps that spouse to escape. This provision recognizes the special relationship created by marriage and rejects the idea that any married person should be liable as an accessory after the fact if he helps a spouse to escape. It is difficult to understand why neither a husband nor a wife commits an offence when helping a spouse to escape, while a husband, and not a wife, commits an offence by helping his spouse's accomplice to escape.

45. Therefore, we recommend that subsection (3) of section 23 of the Criminal Code be amended to apply to both spouses.

The Treatment of Women Within the Administration of Criminal Justice

The Correctional Process

46. The smaller proportion of women offenders seems to have encouraged a different social attitude towards them. "It is not rare for law enforcement officers to see a complainant drop charges when he finds out the person who victimized him is a woman. The police official may himself be less than zealous to pursue investigation in a minor matter when a woman offender is involved . . . Should the case get to the prosecution attorney level, the same hesitation about applying the full force of the law against the woman is present."¹⁵ The Canadian Committee on Corrections made a similar comment while stressing that there is evidence that some of these differences in treatment are changing. Although a woman is still less likely to be charged than a man, once she is charged, she seems just as likely to be convicted as he is. The kind of sentence received may differ for a variety of reasons. The law enforcement machinery seems sometimes to treat women more leniently than men for the same offence and sometimes more severely. Future research should provide valuable data on how this screening process functions and the criteria which influence police officers when they decide to arrest and prosecutors when they decide to prosecute women.¹⁶

47. Attitudes towards criminal offenders in general are undergoing profound changes which will help women greatly. The number of studies on the treatment of offenders is a sign of society's concern about present correctional methods and the administration of justice. One subject under review is the pre-trial detention of offenders, which is closely related to the ability of some

¹⁵ Brief No. 398.

¹⁶ Grosman, Brian A. *The Prosecutor, An Inquiry Into the Exercise of Discretion*. Toronto, University of Toronto Press, 1969.

offenders, male and female, to obtain bail. Women do not usually have independent financial resources. Present data on the bail system, however, do not distinguish between its effect on men and its effect on women; and suggest only that detention of an accused in custody pending his trial mitigates against his chances of acquittal.¹⁷ Lack of money should not affect the conditions under which a person is granted freedom pending trial. The Canadian Corrections Committee considers "that it is self-evident from the standpoint of human rights that an accused should not be incarcerated pending trial unless it is required for the protection of the public." The injustice of detaining an accused who may be acquitted, or convicted but not sent to jail, affects women proportionately more often because they are not usually sentenced to jail since they are rarely involved in serious crimes.

48. New legislation proposed by the Minister of Justice would change present practices for both women and men. Meanwhile some police departments are successfully following the practice of releasing accused persons on their own recognizance. The release without bail of women offenders awaiting trial will help to compensate for the shortage of adequate pre-trial custodial facilities for women. For the few women who must remain in custody, the Salvation Army now has a limited number of remand homes to which the court can refer a woman awaiting trial. More such homes should be provided.

49. Therefore, we recommend that the provincial and territorial governments either provide or contract with suitable voluntary associations to provide homes for women on remand.

Correctional Treatment of Women

50. The correctional process should respect the dignity of every person, male or female. The preservation of dignity involves the personal appearance of offenders, and each accused woman should be provided with proper clothing and the usual accessories. Briefs to the Commission reported repeated complaints to prison personnel by women inmates concerning treatment by male police officers during investigating procedures. Correctional literature also emphasizes this point. Policewomen should be used to search arrested women. Police administration statistics indicate that very few female police officers are now employed in Canada.

51. Therefore, we recommend that the federal government, provinces, territories and municipalities, whenever possible, assign female instead of male police officers to deal with women taken into custody.

¹⁷ Friedland, M. L. *Detention Before Trial*. Toronto, University of Toronto Press, 1965, p. 202.

52. The nature of offences committed by women has a strong bearing on the kind of sentence they receive. The following figures¹⁸ give a general picture of the distribution of sentences, according to sex, in cases of conviction for indictable offences in 1967:

	Female		Male	
Suspended sentence.....	2,187	(37.6%)	12,199	(30.6%)
Fine.....	2,716	(46.7)	9,920	(24.9)
Imprisonment				
under 24 months.....	837	(14.4)	15,085	(37.8)
24 months and over.....	76	(1.3)	2,676	(6.7)
Death.....	—	—	7	—
All sentences.....	5,816	(100)	39,887	(100)

These figures could indicate that judges take a more lenient attitude towards women. They may in fact show some reluctance to incarcerate a mother of small children, although the sentence is normally related to the offence. Without further data we cannot tell whether men are discriminated against, compared to women, in the kind of sentence they receive. No case is quite identical with another but data on sentences given by sex for each specific offence would provide a better indication of court practices.

53. Criminal justice should deal effectively and helpfully with the offender against the criminal law. Once a person has been convicted, all reasonable care must be taken to impose an appropriate sentence that will serve to rehabilitate the offender. The Commission believes that imprisonment should be used only to segregate dangerous criminals; for the casual offender, imprisonment should be resorted to only if other dispositions are not appropriate. This policy is especially relevant to women offenders who are generally in the category of the casual or harmless offender and are rarely dangerous or professionally criminal.

54. Present correctional policy implies appropriate appraisal of the offender and the way in which more subtle means than punishment can help his re-integration into the life of the community. Increased use of fines or suspended sentences with or without probation would make it necessary to develop an articulated sentencing policy as advocated by the Canadian Committee on

¹⁸ Dominion Bureau of Statistics. *Statistics of Criminal and other Offences*. 1967, Cat. no. 85-201, Ottawa, Queen's Printer, 1969, Table 3, p. 37.

Corrections and the Prévost Commission. Imposition of fines in lieu of imprisonment is based on the assumption that the accused has the financial means to discharge his debt. Time should be allowed for payment of fines. Suspended sentence with probation involves the release of an accused on a conditional basis. Probational services in Canada are under-staffed and yet use of probation for female offenders should be extended. Briefs have pointed out the special problems involved in providing supervision and counselling for women. Probation services should take into consideration the needs of each individual, and caseloads should be arranged accordingly.

55. Therefore, we recommend that the provinces and territories ensure that when the administrative policy of their corrections programme is being determined, the differences in the counselling and supervisory needs of women and men probationers be considered, staff requirements be based on these needs and caseloads be adjusted accordingly.

56. The small number of women in Canadian prisons is shown in Table 2 which includes all women admitted to institutions to serve sentences, await trial or on remand. No figures are available on the exact number of individual women incarcerated each year. The same women may be admitted to prison more than once during proceedings related to the same offence. In spite of the relatively few women convicted, or perhaps because of this, the major problem in the treatment of women offenders is the absence of adequate services. Application of the principle that imprisonment should only be used to segregate the offender dangerous to society will go a long way towards solving it.

57. All correctional authorities dealing with women are aware that they present few custodial problems in prison. This should make it possible to reduce security requirements in prisons for women. Moreover, as the Ouimet Report points out, "the fact that women are involved in a restricted number of offences has implications for treatment". For crimes without a direct victim (vagrancy, public intoxication, drug addiction, attempted suicide), the imprisonment of the offender is inappropriate. Such behaviour does not involve a direct threat to society and should be dealt with by the health and welfare authorities. We entirely endorse the position taken by the Canadian Committee on Corrections that no conduct should be defined as criminal unless it represents a serious threat to society and unless the act cannot be dealt with by other social or legal means. This principle would reduce the prison population and would bear directly on the elaboration of new services for people who commit offences without a direct victim. In 1967 there were about 3,000 female committals to jail for offences related to vagrancy, attempted suicide, public intoxication and drug addiction. The Commission

Table 2. Population Movement in and out of Canadian Prisons
for Women, 1967-1968

Jurisdiction	Movement In During Year	Movement Out During Year	Population as of March 31, 1968
Newfoundland.....	41	41	4
Prince Edward Island.....	14	14	—
Nova Scotia.....	179	180	16
New Brunswick.....	215	219	19
Quebec.....	2,376	2,407	68
Ontario.....	4,851	4,841	214
Manitoba.....	1,016	1,017	43
Saskatchewan.....	564	572	20
Alberta.....	1,162	1,169	54
British Columbia.....	1,117	1,122	106
Yukon.....	399	398	5
Northwest Territories.....	212	212	7
Penitentiaries.....	74	79	108
Kingston.....	(46)	(53)	(74)
Matsqui.....	(28)	(26)	(34)
TOTALS.....	12,220	12,271	664

Figures in the third column indicate individuals. Figures in the first and second columns do not indicate individuals because the same individual may enter and leave more than once during the year.

SOURCE: Dominion Bureau of Statistics Judicial Division, and *Correctional Institution Statistics 1967-68*. Cat. no. 85-207, Ottawa, Queen's Printer.

believes that most offences without a direct victim should not be considered crimes. We have already recommended that vagrancy as such should not be considered a crime. Action on this recommendation would greatly reduce the jail population in prisons for women. Attempted suicide is a manifestation of serious emotional or mental disturbance and should be referred to mental health authorities. It should not be classed as an offence under criminal law. Intervention by the police is authorized under each province's mental health legislation, such as the Mental Health Act of Ontario, and this intervention is justified in the case of suicide because it involves the life of a human being. Police investigation may also be needed to check that attempted murder has not been disguised as attempted suicide.

58. Similar considerations prompt us to recommend that alcoholics be treated not as criminals but as people who need medical help. Although more men than women are convicted of intoxication in public, a proportionately greater percentage of women than men are sentenced to jail for this

offence and these women form a sizeable portion of the female jail population. Public intoxication usually falls under provincial or municipal legislation. One exception which occurs in the Indian Act has recently been declared a violation of the Canadian Bill of Rights by the Supreme Court of Canada.¹⁹ Imprisonment for intoxication, as in the case of vagrancy, often means that a person is sent to jail again and again for periods of two or three months, without any significant improvement: a "revolving door" process.

59. Among women serving jail sentences for liquor offences there is a high proportion of Indians and *Métis*, particularly in western Ontario and the Prairie provinces. As the Canadian Corrections Association pointed out in its survey, *Indians and The Law*, "one sample taken by the field-worker at the Prince Albert Provincial Correctional Institution for Women during the month of August 1966 showed that of the 60 women of Indian ancestry who were serving sentences, 17 were first offenders, 23 had been there between two and 11 times, 16 had been there between 11 and 18 times and

Table 3. Number of Indian and *Métis* Women in Selected Prisons for Women in Canada for Certain Periods in 1965 or 1966

Institution	Period	Total Admitted*	Total in Detention**	Indian or <i>Métis</i> ***	Per cent Indian or <i>Métis</i>
Kenora District Jail, Ont.....	Jan.— June/66	281		266	95
The Pas Correctional Institution for Women, Manitoba	August/66		17	17	100
Portage La Prairie Correctional Institution for Women, Manitoba.....	August/66		63	44	69
Riverside Correctional Centre, Sask.....	August/66	30		24	80
Fort Saskatchewan Provincial Gaol (Women's Section), Alberta.....	August/66	109		81	74
Oakalla Prison Farm (Women's Gaol), B.C.....	April/66	76		35	46

* Number of cases, not individuals, admitted during period of time indicated.

** Number of individuals in jail at the time of the collection of data.

*** Number of Indian or *Métis* cases, not individuals.

SOURCE: Canadian Corrections Association. *Indians and The Law*. Ottawa, Canadian Welfare Council, 1967.

¹⁹ *Regina v. Joseph Drybones*. A judgment of the Supreme Court of Canada pronounced on November 20, 1969 to be reported in the 1970 *Supreme Court Reports*.

four had been there 37 to 42 times".²⁰ Most of these women are clearly not being rehabilitated by jail sentences, and should get more appropriate help from other agencies.

60. Some provinces are now using new methods of dealing with alcoholics: instead of being charged they may be released after they are sober, sent for treatment to appropriate institutions or informed about Alcoholics Anonymous. These enlightened methods should be supported by preventive programmes undertaken in schools at all levels, by alcoholism foundations and community organizations.

61. Alcoholism is still a major unresolved social and medical problem. The number of women addicted to alcohol seems to be increasing. The solution to the problem is the prevention of addiction and the treatment of the addicted.

62. Therefore, we recommend that the provinces and territories (a) develop a health and social welfare policy that would remove from the penal setting the handling of persons found apparently intoxicated and assign the responsibility for diagnosis and treatment to health and welfare administration; (b) ensure that there are treatment facilities for female alcoholics; and (c) in co-operation with health and welfare authorities establish treatment programmes, where they do not now exist, for female alcoholics being now detained in a penal setting for criminal offences.

63. We support a similar approach toward drug addiction. We assume that the special committee²¹ appointed to investigate the non-medical use of drugs has given attention to the needs of women.

64. The introduction of new sentencing and probation policies and the removal of certain types of offences from the Criminal Code will appreciably reduce the jail population. Nevertheless, some women will have to be dealt with in detention either in federal penitentiaries, if they are sentenced for two years and over, or in provincial prisons for shorter sentences. The Penitentiary Act makes no distinction in the treatment of male or female offenders. However, the federal Prisons and Reformatories Act, dealing with provincial institutions, contains discriminatory provisions and requires immediate revision.

65. The Canadian Congress of Corrections held in Halifax in 1967 expressed concern about discriminatory practices under the Act in the

²⁰ Canadian Corrections Association. *Indians and The Law*. Ottawa, Canadian Welfare Council, 1967, p. 47.

²¹ The Commission of Inquiry on the Non-Medical Use of Drugs, appointed by the Minister of National Health and Welfare; a preliminary report was tabled in Parliament on June 9, 1970.

serving of sentences by female offenders in certain provinces. The law's use of the word "refuge" to designate a correctional institution for girls and "industrial school" for a similar institution for boys is indicative of the outdated spirit of this legislation: protection for girls and instruction for boys. Many provisions of the Act discriminate on the basis of sex in determining the minimum age for sentences, the type of imputable offence, and the length of sentence. In some provinces, a woman's religion determines the type of institution to which she may be sentenced.

66. Therefore, we recommend that the federal Prisons and Reformatories Act be revised to eliminate all provisions that discriminate on the basis of sex or religion.

67. In recent years, commissions and committees have made recommendations either in favour of or against the continuation of the division of jurisdictional responsibility for correctional institutions by which all offenders sentenced to prison for a period of less than two years are under provincial jurisdiction while the federal government is responsible for those who are sentenced to two years or longer. Briefs presented to us questioned this division. We are mainly concerned with the welfare of women offenders in detention, and we hope that immediate solutions will be adopted to better their situation without further delay attributed to probable transfer of jurisdiction.

68. Our main concern is that, however small the female jail population, adequate treatment programmes and services should be organized for women. We recognize the difficulty of planning for a small number of inmates but we think correctional authorities should regard the size of the female inmate population as an asset rather than a liability. Most planning seems geared to male inmates and adapted for female inmates. We suggest that the smaller female jail population provides an opportunity to implement new methods of correction. Where there are very few women, as in federal prisons and prisons in the Atlantic Provinces, authorities might provide small cottage-type institutions for women inmates. An arrangement between federal, provincial and territorial governments could be worked out to combine suitable facilities for prisoners under both jurisdictions. At present women in federal custody are sent either to a large maximum security prison in Kingston, Ontario, or to a small drug treatment centre at Matsqui, B.C. This creates undue hardship for prisoners so far from home that family and friends cannot visit them. The federal government should contract services with the appropriate provincial government to accommodate nearer their homes those women who come from outside Ontario or British Columbia. We can, in any

case, see no reason why women, who are little given to violence, should be incarcerated in the maximum security prison at Kingston at a time when the trend of penal reform is toward small, open institutions.

69. Programmes and services for women in the correctional institutions in Canada are very limited. In the prison for women at Kingston, for an average population of 100 women, the only vocational courses available as of March 1968, were commercial, home economics and hairdressing,²² which lead only to jobs traditionally considered "female occupations". Classes in basic academic subjects are also organized. Women inmates spend the rest of their time working in the maintenance or industrial operation of the prison. In contrast, men in all federal prisons at the same time were offered 64 full-time courses providing training in 29 trades or occupations. The fact that men greatly outnumbered women in federal penitentiaries only partly explains the difference in the variety of courses offered.

70. The federal prisons have a greater opportunity to provide vocational training for women than most provincial prisons where the turnover of inmates is more rapid because the terms of imprisonment are always under two years and usually under six months. Vocational courses available in provincial institutions for women include the following: hairdressing, home nursing, commercial laundry and dry cleaning, business course, cooking and kitchen management, industrial sewing or power sewing. Some of these courses are closer to "on the job" training than real vocational training. Most provinces are reorganizing their programmes for women but the vocational courses offered to women compare unfavourably with those offered to men.

71. It is essential that an offender be given the opportunity for further education or to learn a trade in order to be successfully rehabilitated and re-integrated into society. Female offenders have the same need as men for adequate education and training, and should be encouraged to continue their education, to qualify for training where necessary, and to train in fields geared to the labour market and not only in traditionally female occupations.

72. Therefore, we recommend that the federal, provincial and territorial governments co-operate in order to provide flexible and imaginative programmes aimed at the rehabilitation of women offenders which would include (a) a system that provides appropriate living quarters, small "open" institutions where life follows a normal pattern rather than institutional living and is integrated as much as possible with the life of the neighbouring community; (b) programmes and services, such as education and

²² Annual Report of the Commissioner of Penitentiaries for the Fiscal Year ended March 31, 1968.

vocational training, adapted to the needs of individual female offenders and taking full advantage of the resources of that district; and (c) personnel specially trained in dealing with female offenders.

73. Further, we recommend that the federal Women's Prison at Kingston be closed.

Release and After-Care

74. Everyone serving a prison sentence is entitled to a statutory reduction of his sentence. He may also be released on parole before the expiration of his sentence. Under parole, an inmate has a chance to complete his sentence outside prison, thus helping him to re-integrate into the community. We found no differences in the application of the law regarding parole for men and women.

75. Parole services for people of Indian and Eskimo ancestry call for special mention. A survey²³ prepared for the Department of Indian Affairs and Northern Development by the Canadian Corrections Association emphasized that native people could make use of a parole programme only when it was fitted to their general needs.

76. Therefore, we recommend that the National Parole Board make use whenever possible of members of band councils and government personnel, to provide parole supervision especially in rural and remote areas, for women of Indian and Eskimo ancestry.

77. Before being discharged, an inmate may be released on day-parole to participate in a work release programme to work or study outside the prison during the day and sleep in the institution at night. Day-parole has been introduced by federal and provincial authorities but has not yet been fully evaluated. In some cases, arrangements are made in a private household to accommodate offenders if there is no institution near their place of work. These programmes permit women to look after their families, study, or take a job, while serving their sentence. By using the resources available in the community, such programmes can go a long way toward solving the problem of good rehabilitation programmes for women in institutions.

78. On discharge, most offenders find it difficult to become re-integrated into the community. Although the re-organization of correctional services may keep them in touch with the community and reduce the stress of the return to society, further help will always be needed. In major cities across

²³. *Op. cit. Indians and The Law*, p. 50.

Canada, there are now a number of halfway houses where people newly released on parole or discharged from correctional institutions can stay until they have found work and become adjusted to life "outside". These houses, which fill a great need, are run by organizations such as the Elizabeth Fry Society. More of them are needed.

79. Therefore, we recommend that a network of halfway houses for women newly released from correctional institutions be set up in centres across Canada, supported by public and private funds and operated by voluntary groups and agencies, in accordance with approved government standards.

80. Friendship centres are doing a great deal to help rehabilitate offenders of Indian ancestry. One of their greatest values is that they are often run by the native people themselves. We make a recommendation in regard to friendship centres in the Chapter on poverty.

Conclusion

81. We have pointed out that certain laws, practices and correctional programmes should be changed if women are to be treated equally before the law, and if women offenders are to be given a genuine opportunity for rehabilitation. New legislation alone will not offer a complete solution to the problem of the status of women within the administration of criminal justice. Much depends on the people responsible for administering it. High standards in selecting and training these people will help to prevent the perpetuation of the traditional attitudes towards women and their treatment within the system.

1. In the course of our enquiry, the Commission has been made aware of the many immediate changes which should be made in existing laws and practices, to "ensure for women equal opportunities with men in all aspects of Canadian society." We have put forward recommendations concerning these immediate needs. We were also made aware of the social attitudes which cannot be so readily changed. We cannot ignore the larger issues of customs and beliefs which have given rise to discrimination against women in the past, which continue today, and which may impose new forms of injustice in the future. To implement the recommendations in this Report is only a beginning.

2. We conclude that three lines of action are needed. Within an immediate period we hope to see the implementation of our recommendations, which we believe will do much to improve the lives and opportunities of Canadian women. This will be the task of implementation committees working within a limited term. But in our rapidly changing society, new needs will arise. Action that is appropriate today may become obsolete; new approaches may be needed. Moreover there is a need to keep a continuing watch in order that women's rights and freedoms are respected. We propose two other agencies which would be continuing, with a mandate which would develop in accordance with future demands. One would be concerned with the enforcement of existing laws, which protect the rights of women, to ensure that no discrimination occurs in fact or in interpretation of the law. The other would continue the work of this Commission and would be constituted as the principal agency to create a favourable climate for equality of opportunity for the women of Canada. The three agencies would perform distinct and separate functions.

Implementation Committees

3. Most of our recommendations have been made to federal, provincial and territorial governments: they are extensive, and require formal machinery within these governments to co-ordinate and plan their implementation.

We would not, however, regard the machinery as other than temporary. Therefore, we recommend that the federal government, the provinces, the territories and municipalities, each establish an implementation committee, composed of a number of its senior administrators, to (a) plan for, coordinate and expedite the implementation of the recommendations made by the Royal Commission on the Status of Women to that jurisdiction; and (b) report from time to time to its government on the progress it is making.

Human Rights Commission

4. Anti-discrimination legislation as it applies to women is frequently not enforced. There is a need for agencies concerned with enforcement at the federal, provincial and territorial levels which would not only hear and adjudicate complaints dealing with violations of human rights legislation but would also be empowered to investigate and initiate action whether or not formal complaints are made. The functions of these agencies would be roughly analogous to those of the Food and Drug Directorate of the Department of National Health and Welfare which, in regard to specific legislation in this field, acts as a guardian of the interests of the consumer. However, the human rights agencies would not operate within a single department of government but would be directly accountable to the Parliament or legislature.

5. At present, the administration of legislation dealing with fair employment practices for organizations under federal jurisdiction is the responsibility of the Department of Labour. Nova Scotia, New Brunswick, Ontario and British Columbia have set up human rights commissions to enforce anti-discrimination legislation and these operate in relation to provincial departments of governments. Ontario Bill 83, introduced in 1970, proposing a Woman's Equal Employment Opportunity Act, is designed to place responsibility for the protection of women's employment rights in the hands of the Women's Bureau of the Ontario Department of Labour. In our opinion this is an inadequate status for commissions safeguarding human rights. Since governments themselves may sometimes be the offenders, such agencies should be accountable directly to Parliament or the provincial legislative assembly or the council of a territory.

6. We considered recommending the establishment by each government of a commission specifically to protect the rights of women, not only in employment but also under the various human rights instruments to which Canada subscribes. However, we believe that this is a matter of the widest human concern and that the responsibility for the enforcement of such

rights should not be segregated. There is need for Human Rights Commissions with wide powers designed for the protection of all Canadians. Yet because there has been a lack of attention to the rights of women in the past, some special provision, at least for the present, must be made to deal with cases in this area. It will be necessary to set up divisions, for as long as they may be required, to deal specifically with matters of discrimination against women.

7. Therefore, we recommend that federal, provincial and territorial Human Rights Commissions be set up that would (a) be directly responsible to Parliament, provincial legislatures or territorial councils, (b) have power to investigate the administration of human rights legislation as well as the power to enforce the law by laying charges and prosecuting offenders, (c) include within the organization for a period of seven to 10 years a division dealing specifically with the protection of women's rights, and (d) suggest changes in human rights legislation and promote widespread respect for human rights.

Status of Women Council

8. Even when laws regarding discrimination against women are scrupulously observed, there are still social customs and beliefs which relegate women to an unfair position. In the Chapter on society we analyse some of these prevalent attitudes and practices, which began far back in history and are often still accepted without question. Woman has been defined in terms of her sex rather than, first of all, as a human being. Myths surrounding this view of woman will not change overnight.

9. In serious discussion, most people can be persuaded that a particular injustice has been done to a particular woman and would not have happened had that woman been a man. But to suggest to these same reasonable people that women are, over a very wide area, the victims of prejudice and discrimination, is often to encounter resistance, disbelief and even derision. Perhaps no prejudice in human society is so deeply imbedded or so little understood. To create equality it will be necessary to create a totally new climate, a totally new frame of reference against which every question affecting women can be assessed. Such a transformation will not follow the publication of one report. It will be achieved only as a consequence of a continuing study of the position of women in society and continuous efforts to secure justice and equal opportunity. Particular problems may need to be looked at again in a decade in the light of new life styles and conditions.

10. It has been a common reaction in the past, when the problems of any disadvantaged group of society became known, that too much emphasis has seemed to be given to that group instead of to common human problems. The danger of creating ghettos is often mentioned. To consider the needs of women separately raises the same alarm. Such a critical reaction misinterprets our intent since our concern with woman is to place her on equal terms with man. Then women's rights will cease to be an issue. Until this is done, there is an issue. We want for women no special status, only equal status; no separate realm, only full acceptance in the present, human world. To achieve this, the disadvantages which now inhibit women must be removed. This can only be done by an agency charged with that task. We are convinced that the continuing effort to attain and secure equal opportunity for women requires a distinct and specific agency devoted to that purpose.

11. The work of this Commission has convinced us of the need for a Status of Women Council as a permanent body with a national scope and function. We have proposed a women's programme to deal with employment policy within the government service of Canada and we hope that other governments and organizations will put similar programmes into effect. Part of the Council's work would be to evaluate the effect of such programmes, to put forward proposals where needs arise, and to act as a central service for information. It would also serve as a link with the United Nations Commission on the Status of Women and with similar organizations in other countries.

12. The Status of Women Council would be established as a corporation operating under the authority of an independent board of both women and men appointed by the federal government. It would make an annual report to Parliament through a Minister. In some of its functions, particularly in the responsibility for presenting an independent report to Parliament, it would be similar to such public corporations as the Canada Council and the Economic Council of Canada. It would require a small secretariat of highly qualified, innovative women and men and would require initial funds adequate for at least a five-year period.

13. Specifically the Council would inform and advise governments and the private sector. It would not confine itself solely to research but would be concerned with action. It would carry out a publications programme relating to specific studies, in addition to its annual report to Parliament. It would continually assess changing public attitudes toward the status of women and would be concerned with identifying new needs and formulating new

proposals. It would be empowered to set up pilot projects. It would maintain a permanent liaison with the numerous voluntary organizations concerned with the status of women.

14. Other countries have recognized the necessity of setting up organizations to continue, on a permanent basis, the temporary work of commissions such as the Royal Commission on the Status of Women in Canada. In Britain, the Women's National Commission was set up in 1965 to replace the Women's Consultative Council which had been set up three years before. It is made up of representatives of women's organizations, voluntary associations, unions and political parties. Its chairman is a Minister of the Crown and its co-chairman is president of the National Council of Women of Great Britain. It was established following a request by the United Nations Commission on the Status of Women to member states for the appointment of such national bodies. A resolution along these lines was adopted by the Economic and Social Council of the United Nations in 1967.¹

15. In the United States, the Women's Bureau of the federal Department of Labor is primarily concerned with the problems of wage-earning women. In 1963, an Interdepartmental Committee, supported by a Citizens' Advisory Council on the Status of Women, was established to maintain a continuing review and evaluation of the progress of federal departments and agencies in improving the status of American women. The Committee also consults with the permanent State Commissions on the Status of Women which were set up following the publication of the report of the President's Commission on the Status of Women in 1963.

16. In Canada, the Women's Bureau of the federal Department of Labour is the only federal agency specifically concerned with the problems of women. However, its work, which has been of great value to the women of Canada, is directed primarily to employment. Moreover the Women's Bureau is not autonomous to the extent we consider necessary. The work of the Status of Women Council would overlap some of the work now being done by the Women's Bureau, but would also cover a wider field. In order to avoid duplication of effort and unnecessary cost we believe the Women's Bureau should be incorporated into the proposed Status of Women Council.

17. Therefore, we recommend that a federal Status of Women Council, directly responsible to Parliament, be established to (a) advise on matters pertaining to women and report annually to Parliament on the progress being made in improving the status of women in Canada, (b) undertake research on matters relevant to the status of women and suggest research

¹ Women's National Commission. *Background Note*. January 8, 1970.

topics that can be carried out by governments, private business, universities, and voluntary associations, (c) establish programmes to correct attitudes and prejudices adversely affecting the status of women, (d) propose legislation, policies and practices to improve the status of women, and (e) systematically consult with women's bureaux or similar provincial organizations, and with voluntary associations particularly concerned with the problems of women.

18. Several provinces now have women's bureaux or similar organizations within their governments. Where they exist, they are an effective means of protecting the special interests of women. Such organizations are needed at the provincial level and should, as we recommended above, co-operate closely with the Status of Women Council. Therefore, **we recommend that, where it has not already been done, each province and territory establish a government bureau or similar agency concerned with the status of women which would have sufficient authority and funds to make its work effective.**

Conclusion

19. Even in the interval since the establishment of this Commission, there have been signs of change in public attitudes toward many of the problems with which we have been concerned. But the pace is not sufficiently rapid, and there is little public awareness of the extent to which an improvement in the status of women is required or of the over-all impact on society which such a change would bring. At issue is the opportunity to construct a human society free of a major injustice which has been part of history.

20. The extension of "woman's place" to all areas of society is part of the world-wide process of democratization. What we have recommended deals only with a few pressing and immediate problems. But what we have in mind is a releasing of positive and creative forces to take on still larger human tasks. Men, as well as women, would benefit from a society where roles are less rigidly defined.

21. To set the stage for this better employment of human capacities, equality of opportunity for women is a fundamental first step. The effect of our recommendations is likely to be more far-reaching than any one recommendation would indicate. The total impact will be considerably greater than the sum of the changes we propose. But the Commissioners are aware that true equality of opportunity for women and men can only result from radical changes in our way of life and in our social organization and probably must go as far as an equal sharing by parents in the care of their children and a complete reorganization of the working world.

22. The nine-to-five working day and full-time employment are neither sacred nor are they guarantees of efficiency. Productive efficiency may indeed have to yield its place as the sole criterion of employment practices. Human values may assume greater importance. Many rigid constraints that are part of today's economic world may be relaxed, to the benefit of all.

23. We may begin to question why banks, the post office, doctors and dentists are available only during the hours when everyone else is at work. Why is employment so rigidly structured that additional education is almost inaccessible? Should not the educational system stress the need to adapt to a changing society rather than to conform to the habits of yesterday? Flexibility may be introduced in many aspects of social organization as a consequence of the need to establish equality for women. Canada can afford to experiment boldly.

24. Women, as they seek equality, must contend with a society conceived and controlled by men. They require a high degree of resolution to disregard present barriers and to attain the positions which best reflect their ability. But existing structures are not sacrosanct: women must be aware that they are entering a world that can be changed. And men, as they recognize women's claim to equality, may welcome an opportunity to examine Canada's institutions in a new light.

25. We have indicated some of the characteristics of the society that could emerge. The magnitude of the changes that must be introduced does not dismay us, but we are dismayed that so much has been left undone. In terms of Canada's commitments and the principles on which a democracy is based, what we recommend is no more than simple justice.

List of Recommendations

Chapter 2

Women in the Canadian Economy

1. We recommend that the National Housing Loan Regulations be amended so that (a) for purposes of the gross debt service ratio, either husband or wife may be deemed to be the purchaser or owner and (b) up to 50 per cent of the income of the spouse of the purchaser or owner, or of the spouse of the person deemed to be the purchaser or owner, may be included in computing the annual income. (paragraph 32)

2. We recommend that (a) both the Canada and the Quebec Pension Plans be amended so that the spouse who remains at home can participate in the Plan, and (b) the feasibility be explored of

- (i) crediting to the spouse remaining at home a portion of the contributions of the employed spouse and those contributions made by the employer on the employed spouse's behalf, and
- (ii) on an optional basis, permitting the spouse at home to contribute as a self-employed worker. (paragraph 103)

3. We recommend that the federal, provincial and territorial governments (a) make greater use of women's voluntary associations; and (b) increase their financial support to

- (i) women's voluntary associations engaged in projects of public interest, and
- (ii) voluntary associations working in fields of particular concern to women. (paragraph 155)

4. We recommend that the federal, provincial and territorial governments include in their selection standards for appointment to positions in their respective governments, the assessment of volunteer experience in evaluating the qualifications of applicants. (paragraph 161)

5. We recommend that a federal-provincial conference on labour legislation affecting women in Canada be called to prepare for Canada's ratification of the International Labour Organization Convention Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (Convention 100). (paragraph 218)

6. We recommend that the Yukon Territorial Council adopt legislation prohibiting different pay rates based on sex. (paragraph 221)

7. We recommend that the federal Female Employees Equal Pay Act be amended to apply to all employees of the Government of Canada. (paragraph 226)

8. We recommend that the federal Female Employees Equal Pay Act, the federal Fair Wages and Hours of Work Regulations and equal pay legislation of provinces and territories require that (a) the concept of skill, effort and responsibility be used as objective factors in determining what is equal work, with the understanding that pay rates thus established will be subject to such factors as seniority provisions; (b) an employee who feels aggrieved as a result of an alleged violation of the relevant legislation, or a party acting on her behalf, be able to refer the grievance to the agency designated for that purpose by the government administering the legislation; (c) the onus of investigating violations of the legislation be placed in the hands of the agency administering the equal pay legislation which will be free to investigate, whether or not complaints have been laid; (d) to the extent possible, the anonymity of the complainant be maintained; (e) provision be made for authority to render a decision on whether or not the terms of the legislation have been violated, to specify action to be taken and to prosecute if the orders are not followed; (f) where someone has presented the aggrieved employee's case on her behalf and the aggrieved employee is unsatisfied with the decision, she have the opportunity to present her case herself to the person or persons rendering the decision who may change the decision; (g) the employee's employment status be in no way adversely affected by application of the law to her case; (h) where the law has been violated, the employee be compensated for any losses in pay, vacation and other fringe benefits; (i) unions and employee organizations, as well as employers and employer organizations, be subject to this law; (j) penalties be sufficiently heavy to be an effective deterrent; and (k) the legislation specify that it is applicable to part-time as well as to full-time workers. (paragraph 239)

9. We recommend that the minimum wage legislation of Prince Edward Island, Nova Scotia and Newfoundland be amended to require the same minimum wages for women and men. (paragraph 240)
10. We recommend that British Columbia adopt a Minimum Wage Act applicable to both sexes that will require the same minimum wages for women and men and will contain no sex differences in the occupations covered. (paragraph 241)
11. We recommend that the pay rates for nurses, dietitians, home economists, librarians and social workers employed by the federal government be set by comparing these professions with other professions in terms of the value of the work and the skill and training involved. (paragraph 252)
12. We recommend that legislation on the Canada Pension Plan and the Quebec Pension Plan be amended so that the provisions applicable to the wife and children of a male contributor will also be applicable to the husband and children of a female contributor. (paragraph 259)
13. We recommend that the provinces and the territories amend their workmen's compensation legislation so that the provisions applicable to the wife of the person deceased will also be applicable to the husband of the person deceased. (paragraph 261)
14. We recommend that the Unemployment Insurance Act and Regulations be amended to provide a common definition for "dependants" of women and men contributors. (paragraph 268)
15. We recommend that the federal Unemployment Insurance Act be amended to apply to all employees working in an established employee-employer relationship. (paragraph 269)
16. We recommend the amendment of the federal Fair Employment Practices Act and the adoption of provincial and territorial maternity legislation to provide for (a) an employed woman's entitlement to 18 weeks maternity leave, (b) mandatory maternity leave for the six-week period following her confinement unless she produces a medical certificate that working will not injure her health, and (c) prohibition of dismissal of an employee on any grounds during the maternity leave to which she is entitled. (paragraph 284)
17. We recommend that the Unemployment Insurance Act be amended so that women contributors will be entitled to unemployment benefits for a period of 18 weeks or for the period to which their contributions entitle them,

whichever is the lesser, (a) when they stop paid work temporarily for maternity reasons or (b) when during a period in which they are receiving unemployment benefits, they become unable to work for maternity reasons. (paragraph 288)

18. We recommend to the provinces and territories that protective labour legislation be applicable to both sexes. (paragraph 295)

19. We recommend the elimination of any discrimination on the basis of sex in the terms and conditions of employment for air crew on air lines. (paragraph 298)

20. We recommend that the provinces and territories adopt legislation prohibiting the advertisement of a job opening in a manner that expressly limits it to applicants of a particular sex or marital status. (paragraph 301)

21. We recommend that sex-typing of occupations be avoided in the text and in the illustrations of all federal government publications. (paragraph 302)

22. We recommend to the Canada Department of Manpower and Immigration and to the universities that University Placement Offices refuse to make arrangements for firms to interview students in connection with positions for which the firms have specified sex preferences or sex requirements. (paragraph 305)

23. We recommend that all provincial and territorial legislation dealing with equality of opportunity in employment specify that discrimination on the basis of sex and marital status be prohibited. (paragraph 331)

24. We recommend that (a) The Fair Employment Practices Act be amended to

- (i) include "sex" and "marital status" as prohibited grounds for discrimination, and
- (ii) apply to all employees of the Government of Canada; and

(b) The Fair Wages and Hours of Work Regulations be amended to include "sex" and "marital status" as prohibited grounds for discrimination. (paragraph 334)

25. We recommend that the provisions now included in section 22 (2) (b) of the Unemployment Insurance Act, amended to include sex and marital status as prohibited grounds for discrimination, be included in legislation applicable to Canada Manpower Centres. (paragraph 336)

26. We recommend that the federal government increase significantly the number of women on federal Boards, Commissions, Corporations, Councils, Advisory Committees and Task Forces. (paragraph 341)
27. We recommend that provincial, territorial and municipal governments increase significantly the number of women on their Boards, Commissions, Corporations, Councils, Advisory Committees and Task Forces. (paragraph 341)
28. We recommend that the federal government undertake a study of the feasibility of making greater use of part-time work in the Canadian economy. (paragraph 366)
29. We recommend that the differential treatment of Nursing Assistants and Nursing Orderlies in the federal Public Service be eliminated. (paragraph 377)
30. We recommend that the positions of secretaries in the federal Public Service be classified by one of the methods used for other classes in the federal Public Service. (paragraph 382)
31. We recommend that the federal Public Service Superannuation Act be amended so that (a) there will be no differences in the provisions on the basis of sex, and (b) the surviving spouse of a contributor will be paid the supplementary death benefits. (paragraph 386)
32. We recommend that the federal Removal Expenses Regulations be amended so that the expenses paid for the wife of an employee will also be paid for the husband of an employee. (paragraph 387)
33. We recommend that the federal Public Service Terms and Conditions of Employment Regulations be amended by (a) deleting section 50(2), and (b) substituting the provision that, during the six-weeks period preceding the expected date of an employee's confinement, a deputy head may direct the employee to proceed on maternity leave unless she produces a medical certificate that she is able to work. (paragraph 392)
34. We recommend that the federal government continue to pay the employer's contribution to the superannuation and Group Surgical-Medical Plans when an employee is on maternity leave. (paragraph 394)
35. We recommend that federal Public Service bindery positions at levels 1 and 2 be open to women and men on the same basis and that the job title "journeywoman" be eliminated. (paragraph 399)

36. We recommend that, until the sex-typing of occupations is eradicated, the federal Public Service Commission and federal government departments (a) take special steps to increase the number of women appointed to occupations and professions not traditionally female, (b) review and, where necessary, alter their recruitment literature and recruiting programmes to ensure that it is abundantly clear that women are wanted in all occupations and professions, and (c) take special steps to obtain applications from qualified women when appointments for senior levels are being made from outside the service. (paragraph 402)

37. We recommend that the federal Public Service Commission and federal government departments have as an objective the elimination of the imbalance in the proportion of women and men in senior positions and (a) as much as is feasible, emphasize potential rather than experience as a basis for appointment or promotion; (b) ensure that vacancies are open to employees at a classification level low enough to permit consideration of qualified women; and (c) when a job opens, make sure that women candidates get full consideration including the evaluation of their experience in volunteer work and running a household if it is relevant. (paragraph 422)

38. We recommend that the federal Public Service Commission and federal government departments (a) introduce programmes that will ensure the consideration of secretaries for administrative positions, and (b) open up intermediate and senior administrative positions to women in traditionally female professions. (paragraph 423)

39. We recommend that (a) a special effort be made to attract more women applicants for administrative trainee positions in the federal Public Service, and (b) federal government departments ensure that women administrative trainees are given the kind of training assignments that will prepare them for advancement to the senior levels. (paragraph 427)

40. We recommend that action be taken to increase greatly the enrolment of promising women in federal Public Service management courses, including the step of waiving salary floors and age ceilings where necessary in their case. (paragraph 428)

41. We recommend that, for the next 10 years, the number of women enrolled in each course in the Career Assignment Program of the federal Public Service be no less than 10 per cent of the total number of people enrolled in the course. (paragraph 436)

42. We recommend that (a) the federal Public Service Terms and Conditions of Employment Regulations be amended so that part-time employees will receive pay increases on the same basis as full-time employees, and (b) collective agreements for the federal Public Service contain this provision. (paragraph 442)

43. We recommend that federal Crown Corporations and agencies (a) ensure that women scientists and technologists receive equal consideration with men for appointment, and (b) make a special effort to give graduate women employees a chance to take post-graduate degrees. (paragraph 455)

44. We recommend that federal Crown Corporations and agencies (a) develop transfer and promotion measures that will encourage women to move out of the traditionally female occupations into other occupations, and (b) emphasize in recruitment programmes that all occupations are open equally to women and men. (paragraph 458)

45. We recommend that each federal Crown Corporation and agency devise a long-term plan for the better use of womanpower within its organization. (paragraph 459)

46. We recommend that, where the size of staff warrants it, federal Crown Corporations and agencies appoint one or more qualified people whose primary duty for the next five to eight years will be to provide for the training and development of women in their organizations. (paragraph 460)

47. We recommend that federal Crown Corporations and agencies with rotational programmes between field and head offices ensure that women are considered for rotation on the same basis as men and are not judged in advance on their freedom to rotate. (paragraph 461)

48. We recommend that federal Crown Corporations and agencies (a) review their selection procedures to ensure that women are used in recruitment and selection programmes, and (b) have senior women officers on their personnel administration staffs. (paragraph 462)

49. We recommend that different provisions on the basis of sex be eliminated from superannuation and insurance plans for federal Crown Corporations and agencies. (paragraph 466)

50. We recommend that federal Crown Corporations and agencies (a) make clear to educational institutions, and to the public, that career opportunities within their organizations are open to women and that they are

encouraging women to prepare themselves for such careers; and (b) require each private organization with which they do business to include in each contract, a clause that prohibits discrimination in employment on the basis of sex. (paragraph 467)

51. We recommend that sex-typing of the occupations of employees working in the Senate and House of Commons be discontinued. (paragraph 474)

52. We recommend that the Clerks of the Senate and the House of Commons devise a long-term plan for better use of womanpower and for opening senior positions to women as well as to men. (paragraph 475)

53. We recommend that the Royal Canadian Mounted Police Superannuation Act be amended so that its provisions will be the same for both female and male contributors. (paragraph 481)

54. We recommend that enlistment in the Royal Canadian Mounted Police be open to women. (paragraph 484)

55. We recommend that all trades in the Canadian Forces be open to women. (paragraph 488)

56. We recommend that the prohibition on the enlistment of married women in the Canadian Forces be eliminated. (paragraph 490)

57. We recommend that the length of the initial engagement for which personnel are required to enlist in the Canadian Forces be the same for women and men. (paragraph 494)

58. We recommend that release of a woman from the Canadian Forces because she has a child be prohibited. (paragraph 495)

59. We recommend that the Canadian Forces Superannuation Act be amended so that its provisions will be the same for male and female contributors. (paragraph 497)

60. We recommend that (a) the federal government issue a policy statement to the Ministers of all federal government departments, the heads of Crown Corporations and agencies, and the Speakers of the Senate and the House of Commons, expressing its intention to

- (i) ensure equality of opportunity in employment for women and the greater use of womanpower, and

- (ii) undertake short-term special measures where these are necessary to achieve its objectives; and
- (b) an information programme be undertaken so that management and supervisors at all levels in the Government of Canada be made aware of the government's policy regarding its employment of women. (paragraph 501)

61. We recommend that (a) a Women's Programme Secretariat be established in the Privy Council Office for promoting a programme for equality of opportunity for women in the federal Government Service and the greater use of their skills and abilities; (b) a Women's Programme Co-ordinator be appointed to each federal government department, Crown Corporation and agency, to the Royal Canadian Mounted Police, the Canadian Forces, and to the staff of the Senate and the House of Commons to promote within the organization the objectives of the Women's Programme and to maintain liaison with the Secretariat; (c) the federal government organizations referred to above be required to give periodic progress reports to the Women's Programme Secretariat of objectives undertaken; and (d) an annual report be tabled in Parliament on the progress being made in the federal Government Service toward the objectives of the Women's Programme. (paragraph 506)

62. We recommend that Chartered Banks (a) make it known that they intend to give women equality of opportunity; (b) eliminate the practice, where it exists, of requiring a longer attachment period for women than for men before promotion to management; (c) ensure that they have a record of women qualified for promotion to be considered as vacancies occur; (d) provide more opportunities for women to participate in both in-service and outside training programmes with the objective of their constituting at least 25 per cent of those trained by 1975; and (e) encourage their women employees to improve their knowledge and capabilities through management training courses and educational courses, such as those of the Institute of Canadian Bankers, in reasonable expectation that successful completion of these courses will lead to opportunities for promotion. (paragraph 513)

63. We recommend that department stores (a) ensure that women employees are considered for advancement on an equal basis with men; (b) investigate why, in areas where the staff is predominantly female, it is the practice to fill the senior positions with men; and (c) make a special effort to train more women employees for managerial positions. (paragraph 522)

64. We recommend that retail stores review their practices to ensure that exploitation of part-time workers does not exist. (paragraph 523)

65. We recommend that the Canada Department of Labour conduct a survey of the use of homeworkers, including handicraft workers, their wages and their other conditions of employment. (paragraph 533)

66. We recommend to the provinces and territories that household workers be covered by minimum wage laws, workmen's compensation and other labour legislation applicable to other paid workers. (paragraph 545)

67. We recommend that each provincial and territorial government establish a Household Workers Bureau which, with its network of local offices, would be responsible for (a) establishing and promoting employment standards for different categories of household workers; (b) maintaining a list of available workers according to their competence, training, experience, health and other relevant qualifications; (c) directing available household workers to families which require them; (d) maintaining a record of families which use or require the services of the Bureau, with indications of the conditions of work of each of them; (e) supplying these families with information relating to desirable conditions of work and social security benefits; (f) promoting the training of household workers according to the needs of the market; (g) initiating, if necessary, training courses for household workers; (h) ensuring that household workers are not exploited; and (i) conducting studies and providing information on the current market situation of household workers. (paragraph 547)

68. We recommend that provinces and territories promote the establishment of agencies or co-operatives to (a) act as the employer of household workers to be assigned to suitable employment, and (b) collect for the services of the household workers, make income tax, social security, and other payroll deductions, and ensure that they have equitable pay, approved employment conditions and the protection provided by law. (paragraph 551)

Chapter 3

Education

69. We recommend that the provinces and the territories adopt textbooks that portray women, as well as men, in diversified roles and occupations. (paragraph 53)

70. We recommend that women as well as men be admitted to the military colleges operated by the Department of National Defence. (paragraph 68)

71. We recommend that the federal government provide special funds for young women and men to acquire university education, such as is provided for young men who attend military college, leading to a degree in fields designated to be of special interest for aid to developing areas, the terms to include commitment to some specified national or international service. (paragraph 70)

72. We recommend that the federal government, the provinces and the territories set up committees to review all government publications concerned with the choice of occupations and careers in order to select and use only publications that encourage women to consider all occupations, including those which have been traditionally restricted to men. (paragraph 85)

73. We recommend that the provinces and territories (a) provide co-educational guidance programmes in elementary and secondary schools, where they do not now exist and (b) direct the attention of guidance counselors to the importance of encouraging both girls and boys to continue their education according to their individual aptitudes and to consider all occupational fields. (paragraph 87)

74. We recommend that, where they have not already done so, universities establish formal counselling services. (paragraph 88)

75. We recommend that (a) the federal government in co-operation with the provinces and territories set up a career information service in each local Canada Manpower Centre which would

- (i) include personnel specially trained to give information to women on occupations, training requirements, financial help available, and labour market conditions and needs, and
- (ii) insist on the importance of a broad field of occupational choice for girls;

and (b) subject to consultation and agreement with the educational authorities, this career information service be offered to all schools of the area. (paragraph 90)

76. We recommend that, where they have not already done so, the provinces and the territories set up courses in family life education, including sex education, which begin in kindergarten and continue through elementary and secondary schools, and which are taught to girls and boys in the same classroom. (paragraph 96)

77. We recommend that the provinces and territories (a) review their policies and practices to ensure that school programmes provide girls with equal opportunities with boys to participate in athletic and sports activities, and (b) establish policies and practices that will motivate and encourage girls to engage in athletic and sports activities. (paragraph 102)

78. We recommend that, pursuant to section 3 (d) of the federal Fitness and Amateur Sport Act, a research project be undertaken to (a) determine why fewer girls than boys participate in sports programmes at the school level and (b) recommend remedial action. (paragraph 103)

79. We recommend that the federal government, in co-operation with the provinces and territories, ensure that information on the federal Occupational Training for Adults Programme reaches women outside the labour force as well as those employed or actively seeking employment. (paragraph 126)

80. We recommend that the federal government, in co-operation with the provinces and territories, expand and widely advertise the part-time training programmes offered by the Department of Manpower and Immigration. (paragraph 127)

81. We recommend that section 3 (b) of the federal Adult Occupational Training Act be amended so that full-time household responsibility be equivalent to participation in the labour force in so far as eligibility for training allowances is concerned. (paragraph 130)

82. We recommend that the federal Department of Manpower and Immigration, in co-operation with provinces and territories, develop policies and practices that will result in (a) an increase in the number of women undertaking educational upgrading programmes and training for more highly skilled occupations, (b) the enrolment of women in courses in line with their capacities without regard to sex-typing of occupations, (c) an increase in the number of women training for managerial and technical positions, and (d) the consideration by women of the whole spectrum of occupations before choosing training courses. (paragraph 134)

83. We recommend that the provinces and territories and all post-secondary educational institutions develop programmes to meet the special needs for continuing education of women with family responsibilities. (paragraph 143)

84. We recommend that the federal government, in co-operation with the provinces and territories, extend the present system of student loans to include part-time students. (paragraph 145)

85. We recommend that the federal government, in co-operation with the provinces, provide through the Occupational Training for Adults programme (a) training courses which will lead to a diploma for visiting homemakers for emergency assistance, the planning of which will be in conjunction with local welfare agencies, and (b) training courses leading to a diploma for household workers other than visiting homemakers. (Paragraph 148)

86. We recommend that women be given the same opportunity as men to participate in any programmes at present or in the future, that are sponsored by government for the retraining and rehabilitation of rural people, such as those begun under the Agricultural and Rural Development Act (ARDA). (paragraph 169)

87. We recommend that the provinces and territories take appropriate action to study the current educational needs and interests of women in rural areas and, in consultation with local people, introduce more adequate programmes, ensuring that they are available to women. (paragraph 171)

88. We recommend that the Department of the Secretary of State, through its Citizenship Branch, in co-operation with the provinces and territories, (a) conduct surveys in all areas of Canada where immigrants are settling to ascertain the special educational needs of immigrant women, (b) suggest programmes by which these needs could be met, (c) make these needs and programmes known to voluntary workers in the community, and (d) assist volunteers in the implementation of these training programmes. (paragraph 176)

89. We recommend that the federal government, in co-operation with provinces and territories, review language training programmes in order to ensure that the needs of immigrant women are being met. (paragraph 177)

90. We recommend that the federal government, in co-operation with the Northwest Territories, make sure that the education programme in relation to housing is continued. (paragraph 189)

91. We recommend that the Northwest Territories amend its Housing Association by-laws so that both the lessee and the spouse of the lessee are members of the housing associations. (paragraph 190)

92. We recommend that the federal, provincial and territorial governments encourage Eskimo and Indian women to take training in adult education for work in the northern communities. (paragraph 191)

93. We recommend that the federal government, the provinces and the territories co-operate to (a) provide expanded, comprehensive courses for all public officials and employees and their spouses, working with Indians and Eskimos, to familiarize them with the cultures and traditions of the native people, including training in the native languages; (b) make available to Indian and Eskimo women education courses to provide at least functional literacy in either French or English; (c) encourage native women to participate in school planning and programming, and to serve on school advisory committees; (d) where it is not already being done, train native women as teachers and teachers' aides; (e) provide that teachers' colleges give special training courses in the instruction of English or French as a second language to Indians and Eskimos; (f) make sure that teachers' colleges provide courses in Indian and Eskimo culture, including training in the native languages for teachers planning to work with native people; and (g) make every effort to train Indians and Eskimos to provide the educational services in Indian and Eskimo communities now being performed by non-Indian and non-Eskimo public servants. (paragraph 193)

94. We recommend that universities establish or strengthen courses and research in Indian and Eskimo cultures. (paragraph 194)

95. We recommend to private industry that it provide training courses for employees working in the north, and their spouses, to familiarize them with the cultures and traditions of the native people, including training in the native languages. (paragraph 195)

96. We recommend that the federal government, in co-operation with the territories, include individual native women, as well as couples, in the programme under which Eskimos and Indians are brought south on learning trips. (paragraph 197)

97. We recommend that the federal government, in co-operation with the territories, ensure that management training programmes in the operation of co-operatives and small business enterprises be made available to native women as well as to men and be expanded to fit the growing needs of the northern communities. (paragraph 200)

98. We recommend that the provinces and territories, in co-operation with universities, arrange that educational television programmes, including credit as well as non-credit courses at elementary, secondary, general and technical college and university levels, be televised at hours when both housewives and women in the labour force can take advantage of them. (paragraph 209)

99. We recommend that the governments and organizations which plan to use the Canadian satellite telecommunications system (a) consult knowledgeable women as to the types and quality of programmes and the hours of scheduling in order to meet the needs and convenience of women in Canada, and (b) include women professionals and specialists in all branches of programme production and broadcasting so that women will have equal opportunities with men in the development, operation and use of this new medium. (paragraph 212)

100. We recommend that committees, composed of citizens of the community, establish and direct Citizens' Information Centres for the purpose of providing free information on community resources, and that centres (a) maintain offices open to the public; (b) be responsible for the production and extensive distribution of booklets listing community resources; (c) provide for free in-coming long-distance telephone calls from citizens who could not be expected to travel to the nearest centre; (d) provide information by correspondence on request; (e) make full use of radio, television, the newspapers and other mass media to ensure that citizens are well informed on the services provided; and (f) encourage mass media to provide, by means of articles, programme courses, news releases and other techniques, information on subjects that may give rise to problems for citizens. (paragraph 225)

101. We recommend that federal, provincial, territorial and municipal governments provide financial assistance to citizens' committees operating Citizens' Information Centres. (paragraph 226)

Chapter 4

Women and the Family

102. We recommend that the federal government enact legislation establishing 18 years as the minimum age for marriage. (paragraph 39)

103. We recommend that the federal government change its passport application forms in order to indicate that a married woman may obtain her passport either in her maiden surname or in the surname of her husband. (paragraph 44)

104. We recommend that the federal government modify its policy so that a woman need not apply for a new passport after marriage unless she wishes to obtain it in her husband's surname. (paragraph 45)

105. We recommend that the provinces and territories amend their legislation so that a woman, on marriage, may retain her domicile or, subsequently, acquire a new domicile, independent of that of her husband. (paragraph 53)

106. We recommend that the Indian Act be amended to allow an Indian woman upon marriage to a non-Indian to (a) retain her Indian status and (b) transmit her Indian status to her children. (paragraph 59)

107. We recommend that those provinces and territories, which have not already done so, amend their law in order to recognize the concept of equal partnership in marriage so that the contribution of each spouse to the marriage partnership may be acknowledged and that, upon the dissolution of the marriage, each will have a right to an equal share in the assets accumulated during marriage otherwise than by gift or inheritance received by either spouse from outside sources. (paragraph 89)

108. We recommend that the provinces and territories, which have not already done so, amend their laws so that a wife who is financially able to do so may be held to support her husband and children in the same way that the husband may now be held to support his wife and children. (paragraph 98)

109. We recommend that the Criminal Code be amended so that the wife may be held to support her husband in the same way that the husband may now be held to support his wife. (paragraph 99)

110. We recommend that those provinces and territories which have established maximum amounts for maintenance orders remove such ceilings. (paragraph 107)

111. We recommend that the provinces and territories, which have not already done so, adopt legislation to set up Family Courts. (paragraph 111)

112. We recommend that the auxiliary services of Family Courts include an assessment branch dealing with the assessment and payment of alimony and maintenance. (paragraph 112)

113. We recommend that the Divorce Act be amended so that the three-year separation period provided in section 4 (1) (e) (i) be reduced to one year. (paragraph 135)

114. We recommend that the Divorce Act be amended so that the words "educational needs" be added to the list of exceptions where the maintenance of children over the age of 16 years may be ordered as a charge falling to the parents. (paragraph 142)

115. We recommend that fees for the care of children in day-care centres be fixed on a sliding scale based on the means of the parents. (paragraph 167)

116. We recommend that the provinces, where they do not already do so, pay not less than 80 per cent of the provincial-municipal contribution to day-care centres. (paragraph 170)

117. We recommend that the National Housing Act be amended to (a) permit the making of loans for the construction, purchase and renovation of buildings for day-care centres, and (b) permit the inclusion of space for day-care centres in housing developments, including university buildings, for which loans are made under the Act. (paragraph 173)

118. We recommend that the federal government immediately take steps to enter into agreement with the provinces leading to the adoption of a national Day-Care Act under which federal funds would be made available on a cost-sharing basis for the building and running of day-care centres meeting specified minimum standards, the federal government to (a) pay half the operating costs; (b) during an initial seven-year period, pay 70 per cent of capital costs; and (c) make similar arrangements for the Yukon and Northwest Territories. (paragraph 181)

119. We recommend that each province and territory establish a Child-Care Board to be responsible for the establishment and supervision of day-care centres and other child-care programmes, which will (a) plan a network of centres (as to location, type, etc.), (b) set and enforce standards and regulations, (c) provide information and consultants, (d) promote the establishment of new day-care services, and (e) approve plans for future day-care services. (paragraph 187)

120. We recommend that the Department of National Health and Welfare offer an extension of advisory services to the provinces and territories through the establishment of a unit for consultation on child-care services. (paragraph 188)

121. We recommend that birth control information be available to everyone. (paragraph 217)

122. We recommend that the Department of National Health and Welfare (a) prepare and offer birth control information free of charge to provincial and territorial authorities, associations, organizations and individuals and (b) give financial assistance through National Health grants and National Welfare grants to train health and welfare workers in family planning techniques. (paragraph 218)

123. We recommend that provincial Departments of Health (a) organize family planning clinics in each public health unit to ensure that everyone has access to information, medical assistance, and birth control devices and drugs as needed, and (b) provide mobile clinics where they are needed particularly in remote areas. (paragraph 219)

124. We recommend that the criminal law be clarified so that sterilization performed by a qualified medical practitioner at the request of his patient shall not engage the criminal responsibility of the practitioner. (paragraph 223)

125. We recommend that the provinces and territories adopt legislation to authorize medical practitioners to perform non-therapeutic sterilization at the request of the patient free from any civil liabilities toward the patient or the spouse except liability for negligence. (paragraph 224)

126. We recommend that the Criminal Code be amended to permit abortion by a qualified medical practitioner on the sole request of any woman who has been pregnant for 12 weeks or less. (paragraph 242)

127. We recommend that the Criminal Code be amended to permit abortion by a qualified practitioner at the request of a woman pregnant for more than 12 weeks if the doctor is convinced that the continuation of the pregnancy would endanger the physical or mental health of the woman, or if there is a substantial risk that if the child were born, it would be greatly handicapped, either mentally or physically. (paragraph 243)

128. We recommend that the governments of the provinces, territories and municipalities make every effort to integrate the unmarried mother, who keeps her child, into the life of the community, by making sure that she (a) is not discriminated against in respect of employment and housing, (b) receives help with child care if necessary, and (c) has access to counselling to help her with emotional, social and economic problems. (paragraph 254)

129. We recommend that provinces and territories amend where necessary the regulations relating to provincial welfare programmes so as to prohibit the exertion of any influence on the unmarried mother to press for an order of affiliation. (paragraph 257)

Chapter 5

Taxation and Child-care Allowances

130. We recommend that the federal Income Tax Act be amended in order that (a) the extra exemption allowed the taxpayer for the dependent spouse be reduced from the present \$1,000 to \$600 when the dependent spouse is under 60 years of age, and (b) the extra exemption allowed the taxpayer for a dependent spouse be the same as the individual personal exemption, when a dependent spouse is aged 60 and over. (paragraph 50)

131. We recommend that a federal annual taxable cash allowance in the order of \$500 be provided for each child under 16 to be paid in monthly instalments to the mother as under the present Family Allowance system. (paragraph 51)

132. We recommend that the federal Income Tax Act be amended in order that husband and wife form a taxation unit and be permitted to aggregate their incomes, under a special tax rate schedule, in a joint return signed by both spouses with the option to file separately if they so desire. (paragraph 55)

133. We recommend that those provinces that have not already done so amend their respective Succession Duties Acts in order to abolish succession duties on assets passing from one spouse to the other. (paragraph 64)

Chapter 6

Poverty

134. We recommend that the provinces and territories, in co-operation with municipalities and voluntary associations, provide a network of hostels for transient girls and women where counselling services on job opportunities and training facilities are made available. (paragraph 20)

135. We recommend that a guaranteed annual income be paid by the federal government to the heads of all one-parent families with dependent children. (paragraph 48)

136. We recommend that (a) the Guaranteed Income Supplement of the Old Age Security benefits be increased so that the annual income of the recipients is maintained above the poverty level, and (b) the Supplement be adjusted to the cost of living index. (paragraph 66)

137. We recommend that the federal government, the provinces, territories, municipalities and voluntary associations, in co-operation with native people, establish or expand friendship centres directed and staffed by people of Indian, Métis or Eskimo ancestry, to provide needed services. (paragraph 72)

Chapter 7

Participation of Women in Public Life

138. We recommend that two qualified women from each province be summoned to the Senate as seats become vacant, and that women continue to be summoned until a more equitable membership is achieved. (paragraph 28)

139. We recommend that financial qualifications for eligibility for membership in the Senate be abolished. (paragraph 29)

140. We recommend that the federal government and the provinces name more women judges to all courts within their jurisdictions. (paragraph 33)

141. We recommend that the provinces which have not already done so, require women to be liable for jury duty on the same terms as men. (paragraph 37)

142. We recommend that women's associations within the political parties of Canada be amalgamated with the main bodies of these parties. (paragraph 55)

Chapter 8

Immigration and Citizenship

143. We recommend that the Immigration Division of the federal Department of Manpower and Immigration review its policies and practices to ensure that the right of a wife to be an independent applicant for admission to Canada is always respected and that wives are made fully aware of this right. (paragraph 6)

144. We recommend that the federal Immigration Act and Regulations be amended by the elimination of the term "head of a family" wherever it appears in the legislation and by the substitution of the exact meaning which is intended in each case. (paragraph 7)

145. We recommend that the Canadian Citizenship Act be amended to provide for the automatic resumption of Canadian citizenship by women who lost it because they married aliens before January 1, 1947. (paragraph 16)

146. We recommend that the Canadian Citizenship Act be amended so that there is no difference between the residence requirements for the acquisition of Canadian citizenship by an alien husband and an alien wife of a Canadian citizen. (paragraph 18)

147. We recommend that sections 4 and 5 of the Canadian Citizenship Act be amended to provide that a child born outside Canada is a natural-born Canadian if either of his parents is a Canadian citizen. (paragraph 20)

148. We recommend that the Canadian Citizenship Act be amended so that either citizen-parent may apply for the naturalized citizenship of a minor child. (paragraph 22)

149. We recommend that section 11 (2) of the Canadian Citizenship Act be amended so that, in the case of joint adoption, the child may be granted Canadian citizenship if either of the adopting parents is a Canadian citizen. (paragraph 23)

Chapter 9

Criminal Law and Women Offenders

150. We recommend that section 164(1) (c) of the Criminal Code be repealed. (paragraph 27)

151. We recommend that section 164(1) (a) of the Criminal Code be repealed. (paragraph 32)

152. We recommend that the words "of previously chaste character" be deleted from all the sections of the Criminal Code. (paragraph 38)

153. We recommend that the Criminal Code be amended to extend protection from sexual abuse to all young people, male and female, and protection to everyone from sexual exploitation either by false representation, use of force, threat, or the abuse of authority. (paragraph 42)

154. We recommend that subsection (3) of section 23 of the Criminal Code be amended to apply to both spouses. (paragraph 45)

155. We recommend that the provincial and territorial governments either provide or contract with suitable voluntary associations to provide homes for women on remand. (paragraph 49)

156. We recommend that the federal government, provinces, territories and municipalities, whenever possible, assign female instead of male police officers to deal with women taken into custody. (paragraph 51)

157. We recommend that the provinces and territories ensure that when the administrative policy of their corrections programme is being determined, the differences in the counselling and supervisory needs of women and men probationers be considered, staff requirements be based on these needs and caseloads be adjusted accordingly. (paragraph 55)

158. We recommend that the provinces and territories (a) develop a health and social welfare policy that would remove from the penal setting the handling of persons found apparently intoxicated and assign the responsibility for diagnosis and treatment to health and welfare administration;

(b) ensure that there are treatment facilities for female alcoholics; and (c) in co-operation with health and welfare authorities establish treatment programmes, where they do not now exist, for female alcoholics being now detained in a penal setting for criminal offences. (paragraph 62)

159. We recommend that the federal Prisons and Reformatories Act be revised to eliminate all provisions that discriminate on the basis of sex or religion. (paragraph 66)

160. We recommend that the federal, provincial and territorial governments co-operate in order to provide flexible and imaginative programmes aimed at the rehabilitation of women offenders which would include (a) a system that provides appropriate living quarters, small "open" institutions where life follows a normal pattern rather than institutional living and is integrated as much as possible with the life of the neighbouring community; (b) programmes and services, such as education and vocational training, adapted to the needs of individual female offenders and taking full advantage of the resources of that district; and (c) personnel specially trained in dealing with female offenders. (paragraph 72)

161. We recommend that the federal Women's Prison at Kingston be closed. (paragraph 73)

162. We recommend that the National Parole Board make use whenever possible of members of band councils and government personnel, to provide parole supervision especially in rural and remote areas, for women of Indian and Eskimo ancestry. (paragraph 76)

163. We recommend that a network of halfway houses for women newly released from correctional institutions be set up in centres across Canada, supported by public and private funds and operated by voluntary groups and agencies, in accordance with approved government standards. (paragraph 79)

Chapter 10

Plan for Action

164. We recommend that the federal government, the provinces, the territories and municipalities, each establish an implementation committee, composed of a number of its senior administrators, to (a) plan for, co-ordinate and expedite the implementation of the recommendations made by

the Royal Commission on the Status of Women to that jurisdiction; and (b) report from time to time to its government on the progress it is making. (paragraph 3)

165. We recommend that federal, provincial and territorial Human Rights Commissions be set up that would (a) be directly responsible to Parliament, provincial legislatures or territorial councils, (b) have power to investigate the administration of human rights legislation as well as the power to enforce the law by laying charges and prosecuting offenders, (c) include within the organization for a period of seven to 10 years a division dealing specifically with the protection of women's rights, and (d) suggest changes in human rights legislation and promote widespread respect for human rights. (paragraph 7)

166. We recommend that a federal Status of Women Council, directly responsible to Parliament, be established to (a) advise on matters pertaining to women and report annually to Parliament on the progress being made in improving the status of women in Canada, (b) undertake research on matters relevant to the status of women and suggest research topics that can be carried out by governments, private business, universities, and voluntary associations, (c) establish programmes to correct attitudes and prejudices adversely affecting the status of women, (d) propose legislation, policies and practices to improve the status of women, and (e) systematically consult with women's bureaux or similar provincial organizations, and with voluntary associations particularly concerned with the problems of women. (paragraph 17)

167. We recommend that, where it has not already been done, each province and territory establish a government bureau or similar agency concerned with the status of women which would have sufficient authority and funds to make its work effective. (paragraph 18)

List of Recommendations

Chapter 2

Women in the Canadian Economy

1. We recommend that the National Housing Loan Regulations be amended so that (a) for purposes of the gross debt service ratio, either husband or wife may be deemed to be the purchaser or owner and (b) up to 50 per cent of the income of the spouse of the purchaser or owner, or of the spouse of the person deemed to be the purchaser or owner, may be included in computing the annual income. (paragraph 32)

2. We recommend that (a) both the Canada and the Quebec Pension Plans be amended so that the spouse who remains at home can participate in the Plan, and (b) the feasibility be explored of

(i) crediting to the spouse remaining at home a portion of the contributions of the employed spouse and those contributions made by the employer on the employed spouse's behalf, and

(ii) on an optional basis, permitting the spouse at home to contribute as a self-employed worker. (paragraph 103)

3. We recommend that the federal, provincial and territorial governments (a) make greater use of women's voluntary associations; and (b) increase their financial support to

(i) women's voluntary associations engaged in projects of public interest, and

(ii) voluntary associations working in fields of particular concern to women. (paragraph 155)

4. We recommend that the federal, provincial and territorial governments include in their selection standards for appointment to positions in their respective governments, the assessment of volunteer experience in evaluating the qualifications of applicants. (paragraph 161)

5. We recommend that a federal-provincial conference on labour legislation affecting women in Canada be called to prepare for Canada's ratification of the International Labour Organization Convention Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (Convention 100). (paragraph 218)

6. We recommend that the Yukon Territorial Council adopt legislation prohibiting different pay rates based on sex. (paragraph 221)

7. We recommend that the federal Female Employees Equal Pay Act be amended to apply to all employees of the Government of Canada. (paragraph 226)

8. We recommend that the federal Female Employees Equal Pay Act, the federal Fair Wages and Hours of Work Regulations and equal pay legislation of provinces and territories require that (a) the concept of skill, effort and responsibility be used as objective factors in determining what is equal work, with the understanding that pay rates thus established will be subject to such factors as seniority provisions; (b) an employee who feels aggrieved as a result of an alleged violation of the relevant legislation, or a party acting on her behalf, be able to refer the grievance to the agency designated for that purpose by the government administering the legislation; (c) the onus of investigating violations of the legislation be placed in the hands of the agency administering the equal pay legislation which will be free to investigate, whether or not complaints have been laid; (d) to the extent possible, the anonymity of the complainant be maintained; (e) provision be made for authority to render a decision on whether or not the terms of the legislation have been violated, to specify action to be taken and to prosecute if the orders are not followed; (f) where someone has presented the aggrieved employee's case on her behalf and the aggrieved employee is unsatisfied with the decision, she have the opportunity to present her case herself to the person or persons rendering the decision who may change the decision; (g) the employee's employment status be in no way adversely affected by application of the law to her case; (h) where the law has been violated, the employee be compensated for any losses in pay, vacation and other fringe benefits; (i) unions and employee organizations, as well as employers and employer organizations, be subject to this law; (j) penalties be sufficiently heavy to be an effective deterrent; and (k) the legislation specify that it is applicable to part-time as well as to full-time workers. (paragraph 239)

9. We recommend that the minimum wage legislation of Prince Edward Island, Nova Scotia and Newfoundland be amended to require the same minimum wages for women and men. (paragraph 240)

10. We recommend that British Columbia adopt a Minimum Wage Act applicable to both sexes that will require the same minimum wages for women and men and will contain no sex differences in the occupations covered. (paragraph 241)

11. We recommend that the pay rates for nurses, dietitians, home economists, librarians and social workers employed by the federal government be set by comparing these professions with other professions in terms of the value of the work and the skill and training involved. (paragraph 252)

12. We recommend that legislation on the Canada Pension Plan and the Quebec Pension Plan be amended so that the provisions applicable to the wife and children of a male contributor will also be applicable to the husband and children of a female contributor. (paragraph 259)

13. We recommend that the provinces and the territories amend their workmen's compensation legislation so that the provisions applicable to the wife of the person deceased will also be applicable to the husband of the person deceased. (paragraph 261)

14. We recommend that the Unemployment Insurance Act and Regulations be amended to provide a common definition for "dependants" of women and men contributors. (paragraph 268)

15. We recommend that the federal Unemployment Insurance Act be amended to apply to all employees working in an established employee-employer relationship. (paragraph 269)

16. We recommend the amendment of the federal Fair Employment Practices Act and the adoption of provincial and territorial maternity legislation to provide for (a) an employed woman's entitlement to 18 weeks maternity leave, (b) mandatory maternity leave for the six-week period following her confinement unless she produces a medical certificate that working will not injure her health, and (c) prohibition of dismissal of an employee on any grounds during the maternity leave to which she is entitled. (paragraph 284)

17. We recommend that the Unemployment Insurance Act be amended so that women contributors will be entitled to unemployment benefits for a period of 18 weeks or for the period to which their contributions entitle them,

whichever is the lesser, (a) when they stop paid work temporarily for maternity reasons or (b) when during a period in which they are receiving unemployment benefits, they become unable to work for maternity reasons. (paragraph 288)

18. We recommend to the provinces and territories that protective labour legislation be applicable to both sexes. (paragraph 295)

19. We recommend the elimination of any discrimination on the basis of sex in the terms and conditions of employment for air crew on air lines. (paragraph 298)

20. We recommend that the provinces and territories adopt legislation prohibiting the advertisement of a job opening in a manner that expressly limits it to applicants of a particular sex or marital status. (paragraph 301)

21. We recommend that sex-typing of occupations be avoided in the text and in the illustrations of all federal government publications. (paragraph 302)

22. We recommend to the Canada Department of Manpower and Immigration and to the universities that University Placement Offices refuse to make arrangements for firms to interview students in connection with positions for which the firms have specified sex preferences or sex requirements. (paragraph 305)

23. We recommend that all provincial and territorial legislation dealing with equality of opportunity in employment specify that discrimination on the basis of sex and marital status be prohibited. (paragraph 331)

24. We recommend that (a) The Fair Employment Practices Act be amended to

(i) include "sex" and "marital status" as prohibited grounds for discrimination, and

(ii) Apply to all employees of the Government of Canada; and

(b) The Fair Wages and Hours of Work Regulations be amended to include "sex" and "marital status" as prohibited grounds for discrimination. (paragraph 334)

25. We recommend that the provisions now included in section 22 (2) (b) of the Unemployment Insurance Act, amended to include sex and marital status as prohibited grounds for discrimination, be included in legislation applicable to Canada Manpower Centres. (paragraph 336)

26. We recommend that the federal government increase significantly the number of women on federal Boards, Commissions, Corporations, Councils, Advisory Committees and Task Forces. (paragraph 341)

27. We recommend that provincial, territorial and municipal governments increase significantly the number of women on their Boards, Commissions, Corporations, Councils, Advisory Committees and Task Forces. (paragraph 341)

28. We recommend that the federal government undertake a study of the feasibility of making greater use of part-time work in the Canadian economy. (paragraph 366)

29. We recommend that the differential treatment of Nursing Assistants and Nursing Orderlies in the federal Public Service be eliminated. (paragraph 377)

30. We recommend that the positions of secretaries in the federal Public Service be classified by one of the methods used for other classes in the federal Public Service. (paragraph 382)

31. We recommend that the federal Public Service Superannuation Act be amended so that (a) there will be no differences in the provisions on the basis of sex, and (b) the surviving spouse of a contributor will be paid the supplementary death benefits. (paragraph 386)

32. We recommend that the federal Removal Expenses Regulations be amended so that the expenses paid for the wife of an employee will also be paid for the husband of an employee. (paragraph 387)

33. We recommend that the federal Public Service Terms and Conditions of Employment Regulations be amended by (a) deleting section 50(2), and (b) substituting the provision that, during the six-weeks period preceding the expected date of an employee's confinement, a deputy head may direct the employee to proceed on maternity leave unless she produces a medical certificate that she is able to work. (paragraph 392)

34. We recommend that the federal government continue to pay the employer's contribution to the superannuation and Group Surgical-Medical Plans when an employee is on maternity leave. (paragraph 394)

35. We recommend that federal Public Service bindery positions at levels 1 and 2 be open to women and men on the same basis and that the job title "journeywoman" be eliminated. (paragraph 399)

36. We recommend that, until the sex-typing of occupations is eradicated, the federal Public Service Commission and federal government departments (a) take special steps to increase the number of women appointed to occupations and professions not traditionally female, (b) review and, where necessary, alter their recruitment literature and recruiting programmes to ensure that it is abundantly clear that women are wanted in all occupations and professions, and (c) take special steps to obtain applications from qualified women when appointments for senior levels are being made from outside the service. (paragraph 402)

37. We recommend that the federal Public Service Commission and federal government departments have as an objective the elimination of the imbalance in the proportion of women and men in senior positions and (a) as much as is feasible, emphasize potential rather than experience as a basis for appointment or promotion; (b) ensure that vacancies are open to employees at a classification level low enough to permit consideration of qualified women; and (c) when a job opens, make sure that women candidates get full consideration including the evaluation of their experience in volunteer work and running a household if it is relevant. (paragraph 422)

38. We recommend that the federal Public Service Commission and federal government departments (a) introduce programmes that will ensure the consideration of secretaries for administrative positions, and (b) open up intermediate and senior administrative positions to women in traditionally female professions. (paragraph 423)

39. We recommend that (a) a special effort be made to attract more women applicants for administrative trainee positions in the federal Public Service, and (b) federal government departments ensure that women administrative trainees are given the kind of training assignments that will prepare them for advancement to the senior levels. (paragraph 427)

40. We recommend that action be taken to increase greatly the enrolment of promising women in federal Public Service management courses, including the step of waiving salary floors and age ceilings where necessary in their case. (paragraph 428)

41. We recommend that, for the next 10 years, the number of women enrolled in each course in the Career Assignment Program of the federal Public Service be no less than 10 per cent of the total number of people enrolled in the course. (paragraph 436)

42. We recommend that (a) the federal Public Service Terms and Conditions of Employment Regulations be amended so that part-time employees will receive pay increases on the same basis as full-time employees, and (b) collective agreements for the federal Public Service contain this provision. (paragraph 442)

43. We recommend that federal Crown Corporations and agencies (a) ensure that women scientists and technologists receive equal consideration with men for appointment, and (b) make a special effort to give graduate women employees a chance to take post-graduate degrees. (paragraph 455)

44. We recommend that federal Crown Corporations and agencies (a) develop transfer and promotion measures that will encourage women to move out of the traditionally female occupations into other occupations, and (b) emphasize in recruitment programmes that all occupations are open equally to women and men. (paragraph 458)

45. We recommend that each federal Crown Corporation and agency devise a long-term plan for the better use of womanpower within its organization. (paragraph 459)

46. We recommend that, where the size of staff warrants it, federal Crown Corporations and agencies appoint one or more qualified people whose primary duty for the next five to eight years will be to provide for the training and development of women in their organizations. (paragraph 460)

47. We recommend that federal Crown Corporations and agencies with rotational programmes between field and head offices ensure that women are considered for rotation on the same basis as men and are not judged in advance on their freedom to rotate. (paragraph 461)

48. We recommend that federal Crown Corporations and agencies (a) review their selection procedures to ensure that women are used in recruitment and selection programmes, and (b) have senior women officers on their personnel administration staffs. (paragraph 462)

49. We recommend that different provisions on the basis of sex be eliminated from superannuation and insurance plans for federal Crown Corporations and agencies. (paragraph 466)

50. We recommend that federal Crown Corporations and agencies (a) make clear to educational institutions, and to the public, that career opportunities within their organizations are open to women and that they are

encouraging women to prepare themselves for such careers; and (b) require each private organization with which they do business to include in each contract, a clause that prohibits discrimination in employment on the basis of sex. (paragraph 467)

51. We recommend that sex-typing of the occupations of employees working in the Senate and House of Commons be discontinued. (paragraph 474)

52. We recommend that the Clerks of the Senate and the House of Commons devise a long-term plan for better use of womanpower and for opening senior positions to women as well as to men. (paragraph 475)

53. We recommend that the Royal Canadian Mounted Police Superannuation Act be amended so that its provisions will be the same for both female and male contributors. (paragraph 481)

54. We recommend that enlistment in the Royal Canadian Mounted Police be open to women. (paragraph 484)

55. We recommend that all trades in the Canadian Forces be open to women. (paragraph 488)

56. We recommend that the prohibition on the enlistment of married women in the Canadian Forces be eliminated. (paragraph 490)

57. We recommend that the length of the initial engagement for which personnel are required to enlist in the Canadian Forces be the same for women and men. (paragraph 494)

58. We recommend that release of a woman from the Canadian Forces because she has a child be prohibited. (paragraph 495)

59. We recommend that the Canadian Forces Superannuation Act be amended so that its provisions will be the same for male and female contributors. (paragraph 497)

60. We recommend that (a) the federal government issue a policy statement to the Ministers of all federal government departments, the heads of Crown Corporations and agencies, and the Speakers of the Senate and the House of Commons, expressing its intention to

- (i) ensure equality of opportunity in employment for women and the greater use of womanpower, and

- (ii) undertake short-term special measures where these are necessary to achieve its objectives; and
- (b) an information programme be undertaken so that management and supervisors at all levels in the Government of Canada be made aware of the government's policy regarding its employment of women. (paragraph 501)

61. We recommend that (a) a Women's Programme Secretariat be established in the Privy Council Office for promoting a programme for equality of opportunity for women in the federal Government Service and the greater use of their skills and abilities; (b) a Women's Programme Co-ordinator be appointed to each federal government department, Crown Corporation and agency, to the Royal Canadian Mounted Police, the Canadian Forces, and to the staff of the Senate and the House of Commons to promote within the organization the objectives of the Women's Programme and to maintain liaison with the Secretariat; (c) the federal government organizations referred to above be required to give periodic progress reports to the Women's Programme Secretariat of objectives undertaken; and (d) an annual report be tabled in Parliament on the progress being made in the federal Government Service toward the objectives of the Women's Programme. (paragraph 506)

62. We recommend that Chartered Banks (a) make it known that they intend to give women equality of opportunity; (b) eliminate the practice, where it exists, of requiring a longer attachment period for women than for men before promotion to management; (c) ensure that they have a record of women qualified for promotion to be considered as vacancies occur; (d) provide more opportunities for women to participate in both in-service and outside training programmes with the objective of their constituting at least 25 per cent of those trained by 1975; and (e) encourage their women employees to improve their knowledge and capabilities through management training courses and educational courses, such as those of the Institute of Canadian Bankers, in reasonable expectation that successful completion of these courses will lead to opportunities for promotion. (paragraph 513)

63. We recommend that department stores (a) ensure that women employees are considered for advancement on an equal basis with men; (b) investigate why, in areas where the staff is predominantly female, it is the practice to fill the senior positions with men; and (c) make a special effort to train more women employees for managerial positions. (paragraph 522)

64. We recommend that retail stores review their practices to ensure that exploitation of part-time workers does not exist. (paragraph 523)

65. We recommend that the Canada Department of Labour conduct a survey of the use of homeworkers, including handicraft workers, their wages and their other conditions of employment. (paragraph 533)

66. We recommend to the provinces and territories that household workers be covered by minimum wage laws, workmen's compensation and other labour legislation applicable to other paid workers. (paragraph 545)

67. We recommend that each provincial and territorial government establish a Household Workers Bureau which, with its network of local offices, would be responsible for (a) establishing and promoting employment standards for different categories of household workers; (b) maintaining a list of available workers according to their competence, training, experience, health and other relevant qualifications; (c) directing available household workers to families which require them; (d) maintaining a record of families which use or require the services of the Bureau, with indications of the conditions of work of each of them; (e) supplying these families with information relating to desirable conditions of work and social security benefits; (f) promoting the training of household workers according to the needs of the market; (g) initiating, if necessary, training courses for household workers; (h) ensuring that household workers are not exploited; and (i) conducting studies and providing information on the current market situation of household workers. (paragraph 547)

68. We recommend that provinces and territories promote the establishment of agencies or co-operatives to (a) act as the employer of household workers to be assigned to suitable employment, and (b) collect for the services of the household workers, make income tax, social security, and other payroll deductions, and ensure that they have equitable pay, approved employment conditions and the protection provided by law. (paragraph 551)

Chapter 3

Education

69. We recommend that the provinces and the territories adopt textbooks that portray women, as well as men, in diversified roles and occupations. (paragraph 53)

70. We recommend that women as well as men be admitted to the military colleges operated by the Department of National Defence. (paragraph 68)

71. We recommend that the federal government provide special funds for young women and men to acquire university education, such as is provided for young men who attend military college, leading to a degree in fields designated to be of special interest for aid to developing areas, the terms to include commitment to some specified national or international service. (paragraph 70)

72. We recommend that the federal government, the provinces and the territories set up committees to review all government publications concerned with the choice of occupations and careers in order to select and use only publications that encourage women to consider all occupations, including those which have been traditionally restricted to men. (paragraph 85)

73. We recommend that the provinces and territories (a) provide co-educational guidance programmes in elementary and secondary schools, where they do not now exist and (b) direct the attention of guidance counselors to the importance of encouraging both girls and boys to continue their education according to their individual aptitudes and to consider all occupational fields. (paragraph 87)

74. We recommend that, where they have not already done so, universities establish formal counselling services. (paragraph 88)

75. We recommend that (a) the federal government in co-operation with the provinces and territories set up a career information service in each local Canada Manpower Centre which would

(i) include personnel specially trained to give information to women on occupations, training requirements, financial help available, and labour market conditions and needs, and

(ii) insist on the importance of a broad field of occupational choice for girls;

and (b) subject to consultation and agreement with the educational authorities, this career information service be offered to all schools of the area. (paragraph 90)

76. We recommend that, where they have not already done so, the provinces and the territories set up courses in family life education, including sex education, which begin in kindergarten and continue through elementary and secondary schools, and which are taught to girls and boys in the same classroom. (paragraph 96)

77. We recommend that the provinces and territories (a) review their policies and practices to ensure that school programmes provide girls with equal opportunities with boys to participate in athletic and sports activities, and (b) establish policies and practices that will motivate and encourage girls to engage in athletic and sports activities. (paragraph 102)

78. We recommend that, pursuant to section 3 (d) of the federal Fitness and Amateur Sport Act, a research project be undertaken to (a) determine why fewer girls than boys participate in sports programmes at the school level and (b) recommend remedial action. (paragraph 103)

79. We recommend that the federal government, in co-operation with the provinces and territories, ensure that information on the federal Occupational Training for Adults Programme reaches women outside the labour force as well as those employed or actively seeking employment. (paragraph 126)

80. We recommend that the federal government, in co-operation with the provinces and territories, expand and widely advertise the part-time training programmes offered by the Department of Manpower and Immigration. (paragraph 127)

81. We recommend that section 3 (b) of the federal Adult Occupational Training Act be amended so that full-time household responsibility be equivalent to participation in the labour force in so far as eligibility for training allowances is concerned. (paragraph 130)

82. We recommend that the federal Department of Manpower and Immigration, in co-operation with provinces and territories, develop policies and practices that will result in (a) an increase in the number of women undertaking educational upgrading programmes and training for more highly skilled occupations, (b) the enrolment of women in courses in line with their capacities without regard to sex-typing of occupations, (c) an increase in the number of women training for managerial and technical positions, and (d) the consideration by women of the whole spectrum of occupations before choosing training courses. (paragraph 134)

83. We recommend that the provinces and territories and all post-secondary educational institutions develop programmes to meet the special needs for continuing education of women with family responsibilities. (paragraph 143)

84. We recommend that the federal government, in co-operation with the provinces and territories, extend the present system of student loans to include part-time students. (paragraph 145)

85. We recommend that the federal government, in co-operation with the provinces, provide through the Occupational Training for Adults programme (a) training courses which will lead to a diploma for visiting homemakers for emergency assistance, the planning of which will be in conjunction with local welfare agencies, and (b) training courses leading to a diploma for household workers other than visiting homemakers. (Paragraph 148)

86. We recommend that women be given the same opportunity as men to participate in any programmes at present or in the future, that are sponsored by government for the retraining and rehabilitation of rural people, such as those begun under the Agricultural and Rural Development Act (ARDA). (paragraph 169)

87. We recommend that the provinces and territories take appropriate action to study the current educational needs and interests of women in rural areas and, in consultation with local people, introduce more adequate programmes, ensuring that they are available to women. (paragraph 171)

88. We recommend that the Department of the Secretary of State, through its Citizenship Branch, in co-operation with the provinces and territories, (a) conduct surveys in all areas of Canada where immigrants are settling to ascertain the special educational needs of immigrant women, (b) suggest programmes by which these needs could be met, (c) make these needs and programmes known to voluntary workers in the community, and (d) assist volunteers in the implementation of these training programmes. (paragraph 176)

89. We recommend that the federal government, in co-operation with provinces and territories, review language training programmes in order to ensure that the needs of immigrant women are being met. (paragraph 177)

90. We recommend that the federal government, in co-operation with the Northwest Territories, make sure that the education programme in relation to housing is continued. (paragraph 189)

91. We recommend that the Northwest Territories amend its Housing Association by-laws so that both the lessee and the spouse of the lessee are members of the housing associations. (paragraph 190)

92. We recommend that the federal, provincial and territorial governments encourage Eskimo and Indian women to take training in adult education for work in the northern communities. (paragraph 191)

93. We recommend that the federal government, the provinces and the territories co-operate to (a) provide expanded, comprehensive courses for all public officials and employees and their spouses, working with Indians and Eskimos, to familiarize them with the cultures and traditions of the native people, including training in the native languages; (b) make available to Indian and Eskimo women education courses to provide at least functional literacy in either French or English; (c) encourage native women to participate in school planning and programming, and to serve on school advisory committees; (d) where it is not already being done, train native women as teachers and teachers' aides; (e) provide that teachers' colleges give special training courses in the instruction of English or French as a second language to Indians and Eskimos; (f) make sure that teachers' colleges provide courses in Indian and Eskimo culture, including training in the native languages for teachers planning to work with native people; and (g) make every effort to train Indians and Eskimos to provide the educational services in Indian and Eskimo communities now being performed by non-Indian and non-Eskimo public servants. (paragraph 193)

94. We recommend that universities establish or strengthen courses and research in Indian and Eskimo cultures. (paragraph 194)

95. We recommend to private industry that it provide training courses for employees working in the north, and their spouses, to familiarize them with the cultures and traditions of the native people, including training in the native languages. (paragraph 195)

96. We recommend that the federal government, in co-operation with the territories, include individual native women, as well as couples, in the programme under which Eskimos and Indians are brought south on learning trips. (paragraph 197)

97. We recommend that the federal government, in co-operation with the territories, ensure that management training programmes in the operation of co-operatives and small business enterprises be made available to native women as well as to men and be expanded to fit the growing needs of the northern communities. (paragraph 200)

98. We recommend that the provinces and territories, in co-operation with universities, arrange that educational television programmes, including credit as well as non-credit courses at elementary, secondary, general and technical college and university levels, be televised at hours when both housewives and women in the labour force can take advantage of them. (paragraph 209)

99. We recommend that the governments and organizations which plan to use the Canadian satellite telecommunications system (a) consult knowledgeable women as to the types and quality of programmes and the hours of scheduling in order to meet the needs and convenience of women in Canada, and (b) include women professionals and specialists in all branches of programme production and broadcasting so that women will have equal opportunities with men in the development, operation and use of this new medium. (paragraph 212)

100. We recommend that committees, composed of citizens of the community, establish and direct Citizens' Information Centres for the purpose of providing free information on community resources, and that centres (a) maintain offices open to the public; (b) be responsible for the production and extensive distribution of booklets listing community resources; (c) provide for free in-coming long-distance telephone calls from citizens who could not be expected to travel to the nearest centre; (d) provide information by correspondence on request; (e) make full use of radio, television, the newspapers and other mass media to ensure that citizens are well informed on the services provided; and (f) encourage mass media to provide, by means of articles, programme courses, news releases and other techniques, information on subjects that may give rise to problems for citizens. (paragraph 225)

101. We recommend that federal, provincial, territorial and municipal governments provide financial assistance to citizens' committees operating Citizens' Information Centres. (paragraph 226)

Chapter 4

Women and the Family

102. We recommend that the federal government enact legislation establishing 18 years as the minimum age for marriage. (paragraph 39)

103. We recommend that the federal government change its passport application forms in order to indicate that a married woman may obtain her passport either in her maiden surname or in the surname of her husband. (paragraph 44)

104. We recommend that the federal government modify its policy so that a woman need not apply for a new passport after marriage unless she wishes to obtain it in her husband's surname. (paragraph 45)

105. We recommend that the provinces and territories amend their legislation so that a woman, on marriage, may retain her domicile or, subsequently, acquire a new domicile, independent of that of her husband. (paragraph 53)

106. We recommend that the Indian Act be amended to allow an Indian woman upon marriage to a non-Indian to (a) retain her Indian status and (b) transmit her Indian status to her children. (paragraph 59)

107. We recommend that those provinces and territories, which have not already done so, amend their law in order to recognize the concept of equal partnership in marriage so that the contribution of each spouse to the marriage partnership may be acknowledged and that, upon the dissolution of the marriage, each will have a right to an equal share in the assets accumulated during marriage otherwise than by gift or inheritance received by either spouse from outside sources. (paragraph 89)

108. We recommend that the provinces and territories, which have not already done so, amend their laws so that a wife who is financially able to do so may be held to support her husband and children in the same way that the husband may now be held to support his wife and children. (paragraph 98)

109. We recommend that the Criminal Code be amended so that the wife may be held to support her husband in the same way that the husband may now be held to support his wife. (paragraph 99)

110. We recommend that those provinces and territories which have established maximum amounts for maintenance orders remove such ceilings. (paragraph 107)

111. We recommend that the provinces and territories, which have not already done so, adopt legislation to set up Family Courts. (paragraph 111)

112. We recommend that the auxiliary services of Family Courts include an assessment branch dealing with the assessment and payment of alimony and maintenance. (paragraph 112)

113. We recommend that the Divorce Act be amended so that the three-year separation period provided in section 4 (1) (e) (i) be reduced to one year. (paragraph 135)

114. We recommend that the Divorce Act be amended so that the words "educational needs" be added to the list of exceptions where the maintenance of children over the age of 16 years may be ordered as a charge falling to the parents. (paragraph 142)

115. We recommend that fees for the care of children in day-care centres be fixed on a sliding scale based on the means of the parents. (paragraph 167)

116. We recommend that the provinces, where they do not already do so, pay not less than 80 per cent of the provincial-municipal contribution to day-care centres. (paragraph 170)

117. We recommend that the National Housing Act be amended to (a) permit the making of loans for the construction, purchase and renovation of buildings for day-care centres, and (b) permit the inclusion of space for day-care centres in housing developments, including university buildings, for which loans are made under the Act. (paragraph 173)

118. We recommend that the federal government immediately take steps to enter into agreement with the provinces leading to the adoption of a national Day-Care Act under which federal funds would be made available on a cost-sharing basis for the building and running of day-care centres meeting specified minimum standards, the federal government to (a) pay half the operating costs; (b) during an initial seven-year period, pay 70 per cent of capital costs; and (c) make similar arrangements for the Yukon and Northwest Territories. (paragraph 181)

119. We recommend that each province and territory establish a Child-Care Board to be responsible for the establishment and supervision of day-care centres and other child-care programmes, which will (a) plan a network of centres (as to location, type, etc.), (b) set and enforce standards and regulations, (c) provide information and consultants, (d) promote the establishment of new day-care services, and (e) approve plans for future day-care services. (paragraph 187)

120. We recommend that the Department of National Health and Welfare offer an extension of advisory services to the provinces and territories through the establishment of a unit for consultation on child-care services. (paragraph 188)

121. We recommend that birth control information be available to everyone. (paragraph 217)

122. We recommend that the Department of National Health and Welfare (a) prepare and offer birth control information free of charge to provincial and territorial authorities, associations, organizations and individuals and (b) give financial assistance through National Health grants and National Welfare grants to train health and welfare workers in family planning techniques. (paragraph 218)

123. We recommend that provincial Departments of Health (a) organize family planning clinics in each public health unit to ensure that everyone has access to information, medical assistance, and birth control devices and drugs as needed, and (b) provide mobile clinics where they are needed particularly in remote areas. (paragraph 219)

124. We recommend that the criminal law be clarified so that sterilization performed by a qualified medical practitioner at the request of his patient shall not engage the criminal responsibility of the practitioner. (paragraph 223)

125. We recommend that the provinces and territories adopt legislation to authorize medical practitioners to perform non-therapeutic sterilization at the request of the patient free from any civil liabilities toward the patient or the spouse except liability for negligence. (paragraph 224)

126. We recommend that the Criminal Code be amended to permit abortion by a qualified medical practitioner on the sole request of any woman who has been pregnant for 12 weeks or less. (paragraph 242)

127. We recommend that the Criminal Code be amended to permit abortion by a qualified practitioner at the request of a woman pregnant for more than 12 weeks if the doctor is convinced that the continuation of the pregnancy would endanger the physical or mental health of the woman, or if there is a substantial risk that if the child were born, it would be greatly handicapped, either mentally or physically. (paragraph 243)

128. We recommend that the governments of the provinces, territories and municipalities make every effort to integrate the unmarried mother, who keeps her child, into the life of the community, by making sure that she (a) is not discriminated against in respect of employment and housing, (b) receives help with child care if necessary, and (c) has access to counselling to help her with emotional, social and economic problems. (paragraph 254)

129. We recommend that provinces and territories amend where necessary the regulations relating to provincial welfare programmes so as to prohibit the exertion of any influence on the unmarried mother to press for an order of affiliation. (paragraph 257)

Chapter 5

Taxation and Child-care Allowances

130. We recommend that the federal Income Tax Act be amended in order that (a) the extra exemption allowed the taxpayer for the dependent spouse be reduced from the present \$1,000 to \$600 when the dependent spouse is under 60 years of age, and (b) the extra exemption allowed the taxpayer for a dependent spouse be the same as the individual personal exemption, when a dependent spouse is aged 60 and over. (paragraph 50)

131. We recommend that a federal annual taxable cash allowance in the order of \$500 be provided for each child under 16 to be paid in monthly instalments to the mother as under the present Family Allowance system. (paragraph 51)

132. We recommend that the federal Income Tax Act be amended in order that husband and wife form a taxation unit and be permitted to aggregate their incomes, under a special tax rate schedule, in a joint return signed by both spouses with the option to file separately if they so desire. (paragraph 55)

133. We recommend that those provinces that have not already done so amend their respective Succession Duties Acts in order to abolish succession duties on assets passing from one spouse to the other. (paragraph 64)

Chapter 6

Poverty

134. We recommend that the provinces and territories, in co-operation with municipalities and voluntary associations, provide a network of hostels for transient girls and women where counselling services on job opportunities and training facilities are made available. (paragraph 20)

135. We recommend that a guaranteed annual income be paid by the federal government to the heads of all one-parent families with dependent children. (paragraph 48)

136. We recommend that (a) the Guaranteed Income Supplement of the Old Age Security benefits be increased so that the annual income of the recipients is maintained above the poverty level, and (b) the Supplement be adjusted to the cost of living index. (paragraph 66)

137. We recommend that the federal government, the provinces, territories, municipalities and voluntary associations, in co-operation with native people, establish or expand friendship centres directed and staffed by people of Indian, Métis or Eskimo ancestry, to provide needed services. (paragraph 72)

Chapter 7

Participation of Women in Public Life

138. We recommend that two qualified women from each province be summoned to the Senate as seats become vacant, and that women continue to be summoned until a more equitable membership is achieved. (paragraph 28)

139. We recommend that financial qualifications for eligibility for membership in the Senate be abolished. (paragraph 29)

140. We recommend that the federal government and the provinces name more women judges to all courts within their jurisdictions. (paragraph 33)

141. We recommend that the provinces which have not already done so, require women to be liable for jury duty on the same terms as men. (paragraph 37)

142. We recommend that women's associations within the political parties of Canada be amalgamated with the main bodies of these parties. (paragraph 55)

Chapter 8

Immigration and Citizenship

143. We recommend that the Immigration Division of the federal Department of Manpower and Immigration review its policies and practices to ensure that the right of a wife to be an independent applicant for admission to Canada is always respected and that wives are made fully aware of this right. (paragraph 6)

144. We recommend that the federal Immigration Act and Regulations be amended by the elimination of the term "head of a family" wherever it appears in the legislation and by the substitution of the exact meaning which is intended in each case. (paragraph 7)

145. We recommend that the Canadian Citizenship Act be amended to provide for the automatic resumption of Canadian citizenship by women who lost it because they married aliens before January 1, 1947. (paragraph 16)

146. We recommend that the Canadian Citizenship Act be amended so that there is no difference between the residence requirements for the acquisition of Canadian citizenship by an alien husband and an alien wife of a Canadian citizen. (paragraph 18)

147. We recommend that sections 4 and 5 of the Canadian Citizenship Act be amended to provide that a child born outside Canada is a natural-born Canadian if either of his parents is a Canadian citizen. (paragraph 20)

148. We recommend that the Canadian Citizenship Act be amended so that either citizen-parent may apply for the naturalized citizenship of a minor child. (paragraph 22)

149. We recommend that section 11 (2) of the Canadian Citizenship Act be amended so that, in the case of joint adoption, the child may be granted Canadian citizenship if either of the adopting parents is a Canadian citizen. (paragraph 23)

Chapter 9

Criminal Law and Women Offenders

150. We recommend that section 164(1) (c) of the Criminal Code be repealed. (paragraph 27)

151. We recommend that section 164(1) (a) of the Criminal Code be repealed. (paragraph 32)

152. We recommend that the words "of previously chaste character" be deleted from all the sections of the Criminal Code. (paragraph 38)

153. We recommend that the Criminal Code be amended to extend protection from sexual abuse to all young people, male and female, and protection to everyone from sexual exploitation either by false representation, use of force, threat, or the abuse of authority. (paragraph 42)

154. We recommend that subsection (3) of section 23 of the Criminal Code be amended to apply to both spouses. (paragraph 45)

155. We recommend that the provincial and territorial governments either provide or contract with suitable voluntary associations to provide homes for women on remand. (paragraph 49)

156. We recommend that the federal government, provinces, territories and municipalities, whenever possible, assign female instead of male police officers to deal with women taken into custody. (paragraph 51)

157. We recommend that the provinces and territories ensure that when the administrative policy of their corrections programme is being determined, the differences in the counselling and supervisory needs of women and men probationers be considered, staff requirements be based on these needs and caseloads be adjusted accordingly. (paragraph 55)

158. We recommend that the provinces and territories (a) develop a health and social welfare policy that would remove from the penal setting the handling of persons found apparently intoxicated and assign the responsibility for diagnosis and treatment to health and welfare administration;

(b) ensure that there are treatment facilities for female alcoholics; and (c) in co-operation with health and welfare authorities establish treatment programmes, where they do not now exist, for female alcoholics being now detained in a penal setting for criminal offences. (paragraph 62)

159. We recommend that the federal Prisons and Reformatories Act be revised to eliminate all provisions that discriminate on the basis of sex or religion. (paragraph 66)

160. We recommend that the federal, provincial and territorial governments co-operate in order to provide flexible and imaginative programmes aimed at the rehabilitation of women offenders which would include (a) a system that provides appropriate living quarters, small "open" institutions where life follows a normal pattern rather than institutional living and is integrated as much as possible with the life of the neighbouring community; (b) programmes and services, such as education and vocational training, adapted to the needs of individual female offenders and taking full advantage of the resources of that district; and (c) personnel specially trained in dealing with female offenders. (paragraph 72)

161. We recommend that the federal Women's Prison at Kingston be closed. (paragraph 73)

162. We recommend that the National Parole Board make use whenever possible of members of band councils and government personnel, to provide parole supervision especially in rural and remote areas, for women of Indian and Eskimo ancestry. (paragraph 76)

163. We recommend that a network of halfway houses for women newly released from correctional institutions be set up in centres across Canada, supported by public and private funds and operated by voluntary groups and agencies, in accordance with approved government standards. (paragraph 79)

Chapter 10

Plan for Action

164. We recommend that the federal government, the provinces, the territories and municipalities, each establish an implementation committee, composed of a number of its senior administrators, to (a) plan for, co-ordinate and expedite the implementation of the recommendations made by

the Royal Commission on the Status of Women to that jurisdiction; and (b) report from time to time to its government on the progress it is making. (paragraph 3)

165. We recommend that federal, provincial and territorial Human Rights Commissions be set up that would (a) be directly responsible to Parliament, provincial legislatures or territorial councils, (b) have power to investigate the administration of human rights legislation as well as the power to enforce the law by laying charges and prosecuting offenders, (c) include within the organization for a period of seven to 10 years a division dealing specifically with the protection of women's rights, and (d) suggest changes in human rights legislation and promote widespread respect for human rights. (paragraph 7)

166. We recommend that a federal Status of Women Council, directly responsible to Parliament, be established to (a) advise on matters pertaining to women and report annually to Parliament on the progress being made in improving the status of women in Canada, (b) undertake research on matters relevant to the status of women and suggest research topics that can be carried out by governments, private business, universities, and voluntary associations, (c) establish programmes to correct attitudes and prejudices adversely affecting the status of women, (d) propose legislation, policies and practices to improve the status of women, and (e) systematically consult with women's bureaux or similar provincial organizations, and with voluntary associations particularly concerned with the problems of women. (paragraph 17)

167. We recommend that, where it has not already been done, each province and territory establish a government bureau or similar agency concerned with the status of women which would have sufficient authority and funds to make its work effective. (paragraph 18)

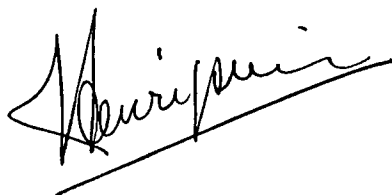
ALL OF WHICH WE RESPECTFULLY SUBMIT FOR YOUR EXCELLENCY'S CONSIDERATION.

COMMISSIONERS:

Florence Bird, *Chairman*

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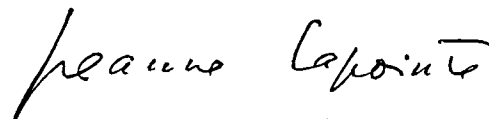
Jacques Henripin

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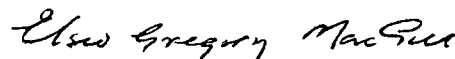
Lola M. Lange

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Jeanne Lapointe

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Elsie Gregory MacGill

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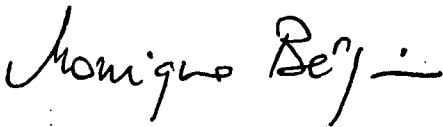
Doris Ogilvie

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Six Commissioners have signed this Report subject to the observations in the Separate Statements by Jacques Henripin, Elsie Gregory MacGill and Doris Ogilvie, which follow immediately.

Commissioner John P. Humphrey has signed a Minority Report which appears on page 433.

EXECUTIVE SECRETARY:

A handwritten signature in black ink that reads "Monique Bégin". The signature is written in a cursive style with a horizontal line at the end.

Monique Bégin

Separate Statement

Commissioner Jacques Henripin

1. Despite the ingenious use of embellishments to camouflage injustice, the women of the Western world, speaking generally, have been and still are given second-class citizen treatment in many areas and, until quite recently, have been deprived of their basic rights and had their activities confined to functions which give them little opportunity for participation in the major institutions of society, let alone a share in their management. It is no exaggeration to refer to centuries of injustice, isolation, humiliation, servitude and domination.

2. Under these circumstances, advocacy of the equality of the sexes under the law and a call for new attitudes and practices based on such equality are not enough. Neutrality is not enough. After such a long and oppressive past, the situation calls for remedies, special measures, careful study and the remodeling of some of our social structures. On these points, I am in full agreement with the majority of the Commissioners.

3. However, while I fully endorse the objectives sought by the Commission, I cannot support some of its recommendations. True, our first duty was to find ways of correcting the deplorable conditions which beset many women, but in our proposals we can afford neither a compromise of principles nor facile solutions. On the other hand, with regard to the changes to be brought about in the working world, I am of the opinion that the Commission has not gone far enough.

4. The following are points on which I feel I must express disagreement.

Salary Adjustments for Five Occupations in the Federal Public Service

5. Recommendation 11, paragraph 252, Chapter 2¹ calls on the federal government to adjust the salaries paid to nurses, dieticians, home economists, librarians and social workers, on the basis of the value of the work performed and of the training and qualifications required. In the discussion leading up

¹ In this statement, recommendations are numbered according to the list at the back of the Report and the appropriate paragraph and chapter numbers are also given.

to the recommendation, it is suggested that, for these categories, the government should abandon its traditional practice of setting salaries at the level paid by the good employer outside the service. In my view, such departure from established practice can only be justified if some defect or malfunction of the labour market prevents it from operating for these professions as it does for others. Such may well be the case, but we received no evidence to this effect, nor did we prove the point. The criteria advanced in the recommendation for salary adjustments are acceptable in principle, but they are incomplete, and one of them—the value of the work—seems little better than a tautology. It should also be said that some of the occupations come under collective bargaining. In short, I believe the government should depart from standard practice only when it is clear that market mechanisms are inoperative. This has not been shown. In my opinion, the only remedy for the situation described in the Report is for women to diversify their occupational choices and to escape, once and for all, from the confines of the so-called “female” occupations.

Abortion

6. I cannot subscribe to the position taken by the majority of Commissioners on abortion (Chapter 4, paragraphs 226 to 243 inclusive), and more particularly to recommendations Nos. 126 and 127, paragraphs 242 and 243.

7. It is not easy to run counter to the trend of a large section of public opinion which is calling with increasing insistence for almost total liberalization of our abortion laws. But not every man or woman shares such views and it should perhaps be pointed out that our Commission heard eloquent, even moving, appeals in favour of the retention of our present law and some even asked for a return to stricter measures. To me, these appeals do not reflect the views of doctrinaires; they are based on respect for human life, which is a fundamental principle in the code of Western ethics, exceptions having been made for legitimate defence, war and the punishment of certain crimes.

8. I am well aware that this is not a simple problem amenable to hard and fast principles. There is some doubt as to when human life really begins and as to whether a foetus becomes a “human being” when it is a day, a week, a month or three months old. It is possible that the concept of human life—convenient in its obvious simplicity—does not in fact correspond to a reality so lucid that what is human and what is not can be clearly defined. The reality interpreted by this concept probably embraces a whole range of intermediary degrees of what we call “human”. In other words, human

life is not—strictly speaking—an absolute. Nor can we close our eyes to the fact that this relative value attached to human life is reflected in the mores of our society: all is not done that could be done to save human lives.

9. But, such uncertainty, such an elusive reality, cannot be answered by attitudes and laws which, in the final analysis, are based only on convenience. In my view, the problem of abortion cannot be resolved by considering solely the psychological and physiological benefits or the advantages for the family which may derive from the destruction of the foetus.

10. Unless we admit the scarcely tenable view that there is no such thing as a human being before birth, we are forced to compare the advantages of such a brutal solution as abortion with the "value" of the being to be destroyed. In each individual case, we must weigh—and it may be a delicate operation—the gravity of destroying a more or less human life against the advantages which the mother, in particular, may gain. I do not wish to minimize these benefits nor the hardships suffered in some cases where an abortion may prove to be the only solution. But I cannot bring myself to deny the respect we owe to living beings in the process of becoming men and women. Unhappily, these are not matters which can be solved by a formula and there is no simple solution which will satisfy everyone. Personally, I must admit that I do not know how serious a situation should be to warrant an abortion.

11. I feel this is no reason for doing away with legislation. We cannot resolve our uncertainties by sweeping away inconvenient restraints. I am therefore of the opinion that our present Canadian law provides an acceptable instrument for regulating the behaviour of Canadians in the matter of abortion, and I am not convinced that there should be further liberalization of the law. What is important now is that an honest effort be made, in hospitals and by doctors, to set up the machinery which the law provides for its application and which is still sadly lacking.

12. This machinery could probably be improved. Hospital committees responsible for making decisions could include not only doctors but also specialists who would perhaps be better able to assess the non-physiological aspects of the cases considered. A woman asking for an abortion should be entitled to a hearing before the committee. I also feel that the present law could be changed in two respects: first, abortion could be allowed in the case of rape or when it is clear that the child will be born seriously deformed; secondly, certain penalties could be reduced.

Federal Legislation Covering Day-care Centres

13. Recommendation 118, paragraph 181, of Chapter 4, dealing with the family, requests the federal government to adopt legislation which would enable it to share with the provinces the capital and operation costs of day-care centres. There would be prior consultation with the provinces. I cannot support this recommendation for the following reasons:

* In order to improve the status of women, we must undoubtedly provide mothers of young children with the services and programmes which will relieve them—if they so wish—of part of the burden of caring for their children. Day-care centres are one such service. The problem is to determine to what extent and under what conditions the government should subsidize them. A subsidy to a day-care centre is an indirect subsidy to the families using it. In my view, such subsidies are warranted under two sets of circumstances: (i) where the majority of the population views day-care centres as constituting a service like elementary and secondary schools which society should make available to all families at government expense, or (ii) where certain families, for various reasons, cannot give proper care and education to their children and it is necessary for society to help them. In the second case, there can be no hesitation. The government should provide assistance, on a sliding scale basis, to families which must send their children to day-care centres, but cannot afford the expense. I therefore fully endorse recommendations 116 and 117, paragraphs 170 and 173 of Chapter 4. Should one go further? Should the government subsidize all day-care centres? In the opinion of the majority of Canadians, at what age should children enter this extension of the school system, which is what day-care centres amount to? The Commission did not make a survey of public opinion regarding these matters. In my view, it would be rash to assume that the majority of Canadian taxpayers would be willing to subsidize families sending children under four or five years of age to a day-care centre rather than caring for them themselves. The government has a clear duty to see that such services exist. But I do not think that, at present, the government should use public funds to subsidize families which prefer to send their children to day-care centres, rather than looking after them themselves or hiring a homemaker. People should be free to make their own decisions, yet I do not think, at present, one alternative rather than another should be singled out for subsidy. In reference to this, the recommendation 131, paragraph 51 of Chapter 5 dealing with taxation, will afford parents an opportunity to exercise a true choice.

* Under the Canada Assistance Plan, the federal government can refund to the provinces half the cost of subsidies given to day-care centres which assist needy families. It is significant that the plan has been used chiefly by wealthy provinces. This seems to be another case of a federal subsidy benefiting the provinces which need it least. The purpose of the Commission's recommendation, however, is to extend the subsidy beyond the scope of the Canada Assistance Plan. This would tend to further accentuate the social and economic disparities between provinces.

* Day-care centres are really an extension of the school system, which is a provincial responsibility. Of course, the federal government would not interfere with curricula or standards, except to set minimum standards. The fact remains that cost-sharing programmes do exert a degree of federal pressure on the participating provinces. They are forced to use their own resources for purposes determined by the federal Parliament, amounting to an indirect encroachment upon their jurisdiction. In the present political context, and more particularly in the light of statements made by the present government, this may not be a wise approach. Clearly, this criticism does not apply to recommendation 119, paragraph 187, which I fully endorse.

* A Commission such as ours, whose primary concern is to suggest ways of improving the status of women, cannot, in making its recommendations, ignore the relation between its mandate and the country's overall social and welfare needs. Any subsidy to day-care centres beyond what is necessary to take care of the requirements of needy families is so much money diverted from other social objectives which may perhaps be in greater need of government assistance.

The Status of Indian and Eskimo Women

14. The Commission's concern for the Indians and Eskimos as expressed in the Chapter on education (paragraphs 178-201 inclusive) is very understandable. The privations endured by these people in many areas—health, education, standards of living—are shocking. Undoubtedly, we all feel that every means should be taken to improve conditions for this neglected group of Canadians. However, the subject is outside the Commission's terms of reference. Furthermore, the Commission is not qualified to deal with the complex problems which arise when attempting to introduce social and economic changes in cultures which are so very different from ours. Goodwill in these matters is often, and sometimes quite rightly, interpreted as a form of paternalism or as a more or less conscious attempt to destroy these

cultures. I very much fear that some of the recommendations (Nos. 90-97) advanced by the Commission in this section may have been drawn up a little too hastily. I am not qualified to assess their worth and therefore, prefer to dissociate myself from them, since good intentions are not substitutes for careful analysis and adequate precaution. It will be noted that most of the recommendations concerning Indians and Eskimos have little to do with women in particular, and deal only with that segment of the population living in the northern part of Canada.

Part-time Work

15. A large number of the briefs sent to the Commission recommended increased opportunities for part-time employment for mothers, particularly those with young children.

16. In Chapter 2, dealing with the economy, the Commission puts forward three recommendations on this point. The first two apply respectively to part-time employment already available in the federal Public Service and in department stores. They suggest that working conditions applying to full-time employment should also apply, on a *pro rata* basis, to part-time jobs in order to protect such employees from being exploited (recommendations 42 and 64, paragraphs 442 and 523). The third recommendation, more general in nature, suggests a study of the feasibility of making greater use of part-time work in the Canadian economy (recommendation No. 28, paragraph 366).

17. I regret that the Commission did not go more fully into this question which I feel is fundamental in achieving true equality between men and women.

18. We must face the issue squarely. There can be no true equality of opportunity for women as long as the prime responsibility for the care of children continues to be generally and systematically left to them; any change in this area involves a complete reorganization of the working world. Indeed, either society must take complete charge of children—and this is not in keeping with Western ideas and feelings in the present day and age—or the methods of the working world will have to become far more flexible than they are at present in order to make it possible for both parents to share this responsibility on a reasonably equal basis.

19. Just what changes are needed? It is of prime importance that a large proportion of jobs should be available to men and women on a part-time

basis and with very flexible working hours, for these are the only conditions under which it will be possible for parents to share in bringing up their children. This may not always be possible, but far more can be done than is generally realized. For example, a law has just been passed in France giving any civil servant who has children under 12 years of age the right to work on a half-time basis for a maximum period of nine years without loss of seniority or pension rights. Possible difficulties in applying this law are foreseen; but the fact remains that a radical change in the organization of the work world is being attempted, a change which until recently would have been thought impossible.

20. It is quite appropriate that the Canadian Public Service should lead the way in such matters, for it is less bound by economic factors than the private sector, and its very size enables it to make adjustments and take calculated risks which might not be so easy for private industry.

21. The Commission could have recommended that the federal, provincial, territorial and municipal governments be asked to pass laws or regulations giving all employees with young children the option to work on a part-time basis.

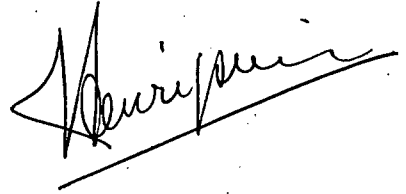
22. However, this flexibility must also extend into private businesses. Few firms will take the step unless they are induced to do so and are offered financial incentives for losses incurred in the experimental stages.

23. We could have recommended that the federal government should develop a programme of financial and technical assistance for private firms willing to introduce flexible working hours, by developing pilot projects. Financial assistance would be based on actual costs incurred.

24. On the other hand, I fully realize that so long as part-time work is considered as a marginal solution, it might present disadvantages, such as the creation of new ghettos, fewer chances for promotions, etc.; women should be informed of these drawbacks. In the initial stages, any such measure will no doubt be of more interest to women than to men. It will give them an opportunity to keep in touch with their trade or profession, thus avoiding subsequent problems of orientation and retraining. In the long run, it might prove to be a milestone for a true social reform which will give both men and women the opportunity to participate more fully, both in the family and in the economy.

25. I regret to have to express disagreement with some of the Commission's recommendations. Actually, these represent a very small percentage

of the total number contained in the Report. This indicates that I endorse practically all its basic contents and that I share my colleagues' sustained concern to find solutions to the problems related to the improvement of the status of women in Canada. My dissent on a very few points should not be interpreted as a lack of involvement.

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Separate Statement

Commissioner Elsie Gregory MacGill

Abortion (Recommendation Nos. 126 and 127—paragraphs 242 and 243 of Chapter 4).

1. Although I support our recommendations on abortion as far as they go, I do not think that they go far enough. I think that abortion should no longer be regarded as a criminal offence but as a private medical matter between patient and doctor. I foresee with fear that unless the prohibitions and penalties provided in the Criminal Code are repealed promptly, they will linger on for a decade or two more to harass and punish women.

Income Taxation (Recommendation No. 132—paragraph 55 of Chapter 5).

2. Income Tax Legislation can encourage or discourage the financial dependency of one group of individuals on another, for example, the child on the father, the wife on the husband. In Canada a great many wives are financially dependent on their husbands and this appears to be a factor in the lower wage rates paid to women as compared with those paid to men. Our findings indicate that anticipation of this dependency often saps the initiative of young girls to take advantage of educational opportunities, and focuses their attention on acquiring a husband-provider.

3. Partly in consequence of this, throughout our Report we emphasize the importance of the independence of the individual. Having particular regard for the individual woman, we seek to strengthen her self-confidence, her self-esteem, her self-reliance, her freedom of choice and action and her economic and psychological independence.

4. The current "individual" basis of taxation accords more nearly with this view than does the "marriage unit" basis. It is a facet of the independence of the individual, and also of tax equity between individuals. For these reasons, I am against the introduction of the "marriage unit" basis. As our Report shows, there are ways other than that of eliminating taxation policies that discriminate against married women.

Elsie Gregory MacGill

Separate Statement

Commissioner Doris Ogilvie

Abortion (Recommendation Nos. 126 and 127, paragraphs 226 to 243 incl. of Chapter 4).

1. In the Chapter of the Report dealing with the family, there is a section on abortion. I do not agree with the recommendations in that section or with the arguments preceding them. When we discuss abortion, either we are talking about a human life separate from that of the mother or we are not. If we are not talking of a separate human life, there is no reason for its protection in the Criminal Code. But if we are talking about a separate human life, and I believe that we are, surely that life should be protected. We cannot leave the protection of a human life to individual conscience and we cannot balance one human life against the social or economic welfare of another.

2. Certainly I agree that the picture of the abortion problem which we report is deplorable. Our laws have not succeeded in eliminating the illegal abortionist nor have they protected the lives of thousands of unborn children each year. But in an age of growing recognition of the value and dignity of every individual, further approval of abortion seems regressive rather than progressive. The time is coming when society will no longer tolerate abortion just as it no longer tolerates infanticide. We are on the threshold of significant discoveries and inevitable decisions in the biological sphere. The breakthrough has been made in the understanding and use of contraceptives. The challenge then is to bring the new knowledge of birth control to all people of all ages.

3. Each year, those who direct, plan, and carry out our social welfare programmes are demonstrating more understanding and greater success in helping with the problems of our society. I would ask that they intensify their efforts and signify their intention to assist those who are finding it impossible to face alone the problem of bearing a child and those who feel that they cannot cope with the additional responsibility of another child. Our society must assert its belief in the value of human life—not abandon it.

Doris Ogilvie

Minority Report

Commissioner John Humphrey

1. I have always defended the rights of women. For 20 years, indeed, I was associated with a United Nations programme which had as its objective the implementing of these rights. Yet because I cannot agree with some of that Commission's recommendations and the arguments leading up to them, I must now dissociate myself from the Report of a Royal Commission which was appointed for the purpose of improving the status and condition of women in Canada. Because, moreover, all except one of the other members of the Commission—as well as the great majority of its staff—are women, my abstention will only too likely be attributed to male prejudice. Unpleasant as that possibility is, I must run the risk.

2. With much of this Report and with most of its recommendations I am in full agreement. But for the reasons explained below, there are some recommendations with which I cannot agree. These weaken the Report because they reduce its credibility, and will probably compromise the adoption of other recommendations with which I do agree.

3. My approach to the many questions dealt with in this Report has been that women are entitled to all the rights possessed by men without any discrimination, as provided by the Universal Declaration of Human Rights¹ for which Canada voted in the General Assembly of the United Nations on December 10, 1948. And I have envisaged the task of the Commission to investigate the actual situation in Canada, with a view to determining whether Canadian women possess these rights in law and in fact, and to recommend changes in the law and in practice in order to bring about equality where it does not exist. It is obvious from our investigation that there still exists discrimination against women in many fields—in many cases

¹ Article 2 of the Declaration says that "everyone is entitled to all the rights and freedoms set forth in this Declaration, without discrimination of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." This is not the only article of the Declaration which prohibits discrimination on grounds of sex. See, for example, Art. 7. And most of the articles which define the various rights make it clear that they are to be enjoyed by "all" or "everyone" without discrimination.

long-standing discrimination with cumulative effects. It was the duty of the Commissioners to make recommendations aimed at the removal of this discrimination. This they have done. But, in some cases, they have gone on to make recommendations which would introduce new kinds of discrimination, not only between men and women but also between different classes of women. These recommendations I cannot support. In a just society, you do not eliminate one injustice by creating another.

4. The Report is unfair to the married woman at home, who, unless she is looking after young children, is made to appear a social parasite. I am not saying that "woman's place is in the home". In my view, her place is wherever she wants to be. She should be free to decide whether or not she should work outside the home; and it is the duty of society to remove any barriers to her free choice. But I cannot support any attempt to force her out of the home and into the labour market. I can see no reason why a married woman should not remain at home if she wishes, even though she has no children in her care. I cannot, therefore, accept the proposal that the income tax laws be amended so as to reduce the exemptions now provided for married status. I object, moreover, to the implication that the contribution of the wife to the family and society should be calculated by reference to the wages she would be paid had she been hired as a servant. Marriage should be a partnership and a wife has a right to be treated as a partner, not as a servant.

5. Nor can I support any recommendation which would put women in a special category in the body politic. I cannot agree that women have the psychological characteristics of a minority or that they should be treated like a minority. I am, therefore, opposed to all quota systems for women, whether in the Senate, in the public service, in political parties, in industry or in education. Such systems are discriminatory and can operate against the real interests of women.

6. This brings me to the question of compensatory and special treatment since these constitute the rationale on which some of the recommendations are based. The two concepts are not the same. By compensatory treatment, I understand privileges extended to make up for bad treatment in the past. To advocate it is tantamount to saying that two wrongs make a right. By special treatment, on the other hand, I understand preferential treatment which is extended to the end that there shall be real equality. This is a valid principle. Thus, the United Nations Convention on the Elimination of All Forms of Racial Discrimination (which has been signed but not ratified by Canada) states in Article 1 that "special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or

individuals requiring such protection as may be necessary in order to ensure such groups, or individuals, equal enjoyment or exercise of human rights and fundamental freedoms, shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.”

7. But the United Nations Commission on the Status of Women (which has been working since 1946 to remove discrimination against women) has never suggested that the above principle should be extended to women. The principle, although valid, is open to abuse and can work against the real interests even of the group which it is meant to protect. Special treatment for women as compared to men comes very near, moreover, to the protective measures to which so many women object. Whatever their situation may be in certain under-developed countries, the present condition of women in this country does not, in my opinion, justify recourse to special treatment. Not only is there a risk that it would slow down the considerable progress that women are now making in many fields, but psychologically it would put them in a position of inferiority. Special treatment could perpetuate the present inferior status of women. The goal, moreover, should be not parity or any other agreed figure but the elimination of discrimination. If, for example, objective recruiting and selection devices were to result in the staffing of a whole government department either by men or by women, the public interest would have been served.

8.) It follows that I cannot accept any recommendations which would explicitly or implicitly create a quota for women in the Senate, in the Public Service or in any other body. Need I add that I would not be alarmed if all the members of the Senate were women, provided they got there on their own steam. Apart from the fact that quota systems are discriminatory, a quota system for women in the Senate would be an insult to Canadian women, who are, in my opinion, quite capable of standing on their own feet. They are not wards of society. It is true that they have not yet played the role in the political and economic life of the country that they should play. But given their will to do so and the removal of the discrimination which this Report reveals, they can, I have no doubt, overcome the disadvantages under which they have traditionally suffered. It is my firm belief that, in the kind of society into which we seem to be moving, the destiny of women is in their own hands. Indeed, I would have wished that this Report constitute a greater challenge to them than, unfortunately, it does.

9. There are two other considerations which have determined my attitude toward the Report. The first is that it does not always take broader social priorities into account. Thus, I have not been able to agree that the federal government should assume a greater burden than it now does under the Canada Assistance Plan, by new federal legislation or otherwise, for the cost of day-care centres. Under the Canada Assistance Act as it now stands, the federal government will pay 50 per cent of the operating costs of day-care centres, when these centres are used for welfare purposes. The balance of the cost is at the charge of the provinces and municipalities. This, it seems to me, is a fair division of responsibility in a matter which is after all under provincial jurisdiction. I believe in day-care centres not only because of their importance to women but because, should they eventually become an extension of the educational system, as I think they should, they will make an important contribution to society as a whole. But I am not prepared to say that they are more important than, for example, increased financial assistance to old people or the rehabilitation of the slums in our cities. It has been suggested to me that it is not the business of a Royal Commission to take into consideration broad questions of social priorities, because these are the responsibility of government. I cannot agree with this view of the functions of a Royal Commission. A Royal Commission is a quasi-judicial body created by the government for the express purpose of studying all aspects of a question and then giving the best possible advice to the government in the light of all the circumstances. It is not a pressure group speaking in the interests of a particular segment—however large—of the community. And it should be judged, in part, by the degree to which its recommendations can be implemented.

10. Finally, I cannot accept some of the recommendations, for example, that family allowances should be greatly increased, since they would encourage larger families at a time when the population explosion has become a major world problem. Even if it can be argued that Canada is not yet over-populated, the world is; and it hardly behooves us to advocate the control of population in the rest of the world while encouraging population growth here. One does not have to be a mathematician, moreover, to realize that even in Canada we are fast approaching a situation where people should be encouraged to limit rather than to increase their families.

11. These are the chief reasons which have impelled me to make a separate report. I will now define my attitude towards a number of specific recommendations.²

² Since this Minority Report had to be prepared before I could see the final text of the Commission's Report, the order in which these recommendations are discussed here does not necessarily correspond to the order in which they appear in the Report.

Compensatory and Special Treatment for Women

12. Because of their relatively large number, I will first deal with those recommendations which contemplate compensatory or special treatment for women. I have already explained why I cannot support them. The Commission has avoided the use of the term "compensatory" but the term "special treatment" is used explicitly in various recommendations. If these words have any meaning, they mean what they say, which is that treatment should be extended to women which is not extended to men. That, however, is not the only reason why I object to the principle. My chief objection is, as I have already indicated, that the principle can work against the real interests of women and is likely to perpetuate their present inferior status.

13. Although not specifically mentioned therein, the same principle is at the basis of other recommendations. There is indeed an element of "special treatment" in some of the recommendations to which I also object on other grounds. The recommendation regarding the Senate, which I shall discuss under another caption, is a good example.

14. The Report goes so far as to recommend that the federal government issue a policy statement expressing its intention, *inter alia*, to undertake short-term special measures where these are necessary to ensure equality of opportunity for women and the greater use of woman power. This would mean that the special treatment of women would become part of public policy and would not be limited to the specific instances to which I will now refer.

15. Recommendation No. 11 (paragraph 252 of Chapter 2) (which I will also discuss separately below) would have the federal government interfere with the market by fixing salaries for public servants engaged in certain but not all traditionally female occupations. This would be special treatment as compared to all other occupations including certain traditionally female occupations within the Public Service itself.

16. Recommendation No. 40 (paragraph 428 of Chapter 2) asks for special treatment for women in that salary floors and age ceilings would be waived in their case when members are being enrolled for federal Public Service managerial courses.

17. Recommendation No. 41 (paragraph 436 of Chapter 2) has the same defect. It is that "for the next 10 years, the number of women enrolled in each course in the Career Assignment Program of the federal Public Service be no less than 10 per cent of the total number of people enrolled in the

course." This recommendation is particularly objectionable from the point of view of women, because the minimum quotas are likely to become the maximum ones.

18. Recommendation No. 36 (paragraph 402 of Chapter 2), while it does not fix a quota, is another example of special treatment. It calls on the federal Public Service Commission and federal government departments to "take special steps to increase the number of women appointed to occupations and professions not traditionally female."

19. Recommendation No. 43 (paragraph 455 of Chapter 2) would have federal Crown Corporations and agencies "make a special effort to give graduate women employees a chance to take post-graduate degrees." This is because, the Report says, only two per cent of the women employed by such corporations and agencies "had a higher degree than a bachelor degree compared to 15 per cent of the men." The "special effort" in this case would be to subsidize the women graduate employees. Since there is no suggestion in the Report that the 15 per cent of the male employees who hold post-graduate degrees were ever subsidized by their employers, it must be assumed that they earned their degrees in the normal way. The recommendation therefore is that a highly valuable privilege be extended to the female employees which would not be shared by their male colleagues.

20. Recommendation No. 46 (paragraph 460 of Chapter 2) would have "federal Crown Corporations and agencies appoint one or more qualified people whose primary duty for the next five to eight years will be to provide for the training and development of women in their organizations." The training and development of men would presumably not be covered by the programme.

21. Recommendation Nos. 26 and 27 (paragraph 341 of Chapter 2) relating to the appointment of women to federal Boards, Commissions, Corporations, councils, advisory committees and Task Forces is another declared application of the same principle. Referring to the fact that appointments to such bodies are made "by Order in Council or by other methods outside the competitive system", the Report says that "the federal government is therefore in an excellent position to take *special measures*, for a time at least, to appoint more women." The discriminatory intention of the Commission could not be more apparent.

22. Recommendation No. 62 (paragraph 513 of Chapter 2) would have the chartered banks "provide more opportunities for women to participate in both in-service and outside training programmes with the objective of their constituting at least 25 per cent of those trained by 1975." This recommendation is vitiated by its reference to a quota.

23. Finally, Recommendation No. 63 (paragraph 522 of Chapter 2), which is directed to department stores, would have them *inter alia* "make a special effort to train more women employees for managerial positions."

24. For reasons which I have now sufficiently explained, I cannot support any of these recommendations. I should add that, if and to the extent that any of these recommendations are interpreted as urging simply the encouragement of women, I would not object to them. However, if I correctly interpret the intention of my colleagues, it is that all of these recommendations contemplate something more than encouragement. There are sentences in the Chapter on politics which sum up the attitude of the Commission. "The Commission does not believe that special consideration should be given to women. Nevertheless we are convinced that for at least an interim period it is necessary to correct the present imbalance between the participation of women and of men in public life." The same intention is explicitly expressed in other Chapters, including the one on criteria and principles, where it is indeed expressed as one of the four principles on which recommendations are based.

Higher Rates of Pay for Nurses, etc.

25. The recommendation is that "the pay rates for nurses, dietitians, home economists, librarians and social workers employed by the federal government be set by comparing these professions with other professions in terms of the value of the work and the skill and training involved."

26. I do not agree with this recommendation. It would have the federal government pay female public servants engaged in traditionally female occupations at higher rates than those obtained in the market with a view to increasing the rates generally paid in Canada to persons engaged in those occupations.

27. The principle that public servants should be paid the going rate outside is still a fairly good one from the point of view of protecting the public. Other considerations might apply in a planned economy in which all salaries are fixed by the government; but I can see no justification for interfering with the market on behalf of certain occupations only. Nor had the Commission any proof before it that the salaries paid to persons engaged in these occupations are unduly depressed when compared to other occupations, having regard to all relevant factors, such as the difficulty of the work, demand and supply, necessary qualifications, etc. It may be noted, moreover, that the list of people who would benefit from the proposal does not include all public servants engaged in traditionally female occupations. If,

as the Commission argues, it is true that all these occupations are under-paid as compared to so-called male occupations, then other female employees such as secretaries should be included.

Paid Maternity Leave

28. The recommendation (No. 17—paragraph 288 of Chapter 2) is that maternity leave be included under unemployment insurance. I am in favour of compulsory maternity leave and support the recommendation to that end. Absence from work due to pregnancy and confinement cannot however be assimilated to unemployment as defined by the Unemployment Insurance Act, since the person affected is not able and willing to work, a fact which the Commission itself recognizes. To amend the Act as suggested would change its purpose and might, indeed, be *ultra vires* the powers of the Canadian Parliament. It would also discriminate against many other people, including other working women who are childless and intend to remain so and also against non-working women, including those who are pregnant, all of whom must contribute their share of the contributions and taxes necessary to make the scheme work.

29. In 1919, when the International Labour Organization adopted Convention number three, concerning the Employment of Women before and after Childbirth,³ the situation of the woman worker was much more precarious than it is today. The risk of an unwanted pregnancy was still a very real threat to her earning power. A very good case could therefore be made in favour of the collectivity assuming a part at least of the financial consequences of that risk. Today, when parenthood is becoming a matter of choice, the case is not so convincing. In these circumstances, it is legitimate to take other factors into consideration, including what I think should be public policy in the matter of population control. I have commented elsewhere on the population explosion. While I do not think that paid pregnancy leave would in itself affect the birth rate, this recommendation must be read in the light of several other recommendations which, taken together, certainly would. The Commission is recommending paid pregnancy leave, greatly increased family allowances, publicly supported day-care centres and the reduction of the married status exemption under the Income Tax Act for childless couples. If all these recommendations were implemented, the State would be taking over a major part of responsibility for raising children.

30. Since the above lines were written, the government has anticipated the Commission's recommendation by announcing its intention to amend the

³ The Convention was revised in 1952.

Unemployment Insurance Act to include pregnancy pay. But I can find nothing in the White Paper on the subject which convinces me that I should change an opinion which I formed before reading it.

Military and Naval Colleges

31. The recommendation (No. 71—paragraph 70 of Chapter 3) is that, because women are not admitted to the military and naval colleges, free education at the university level be provided to young women who are willing to undertake an obligation to serve the State or the international community for a determined number of years. To train both young women and young men at the public expense for national or international service is an attractive idea. But as proposed by the Commission, the recommendation is an application of the principle of compensatory treatment which, for reasons already explained, I cannot support. It would also be discriminatory because the commitments which the young women benefiting from the scholarships would have to undertake could not, as things now stand and in terms of personal risk, be “equivalent” to a commitment to serve in the armed forces.

32. There is still another reason why I cannot support the recommendation. I cannot agree that the State should engage in an operation of such magnitude simply because, having regard to the nature and risks of military service, women are excluded from military and naval colleges. If the State is to engage in such an operation, it should be because there is a demonstrated need to train more women for the careers indicated. I do not say that there is no such need; but the Commission has not demonstrated it. On balance, a better case might be made for admitting women to the colleges.

33. The argument might indeed be made that under modern conditions of warfare there is no reason why women should not serve in the armed forces on the same footing as men with all the risks involved. If that were ever to become public policy in Canada, there would be no reason why women should not be admitted to the military and naval colleges. But pending such a fundamental change in policy, the present practice does not discriminate against women.

Married Status Exemption under the Income Tax Act

34. The recommendation (No. 130—paragraph 50 of Chapter 5) is that the married status exemption under the Income Tax Act be considerably reduced. I cannot escape the conclusion that the assumption on which it is based is that the childless wife who prefers to remain at home is a parasite.

It is calculated to force her out of the home into the labour market. Had the Commission been consistent with this philosophy, it should have proposed the complete elimination of the exemption.

35. The plan would favour rich as compared to poor couples. A rich couple could easily absorb the increased taxes resulting from the loss or reduction of the exemption; or to put it another way, the middle-class wife could easily pay the penalty and remain at home. In the case of a couple not so well off, the difference might be just enough to force the wife out of the home into the labour market. The recommendation is indeed calculated to do exactly that.

36. I understand that one of the reasons for this recommendation is that the Commission wants to remove the "stigma" of dependency from the childless wife. This would be done, however, at the expense of the "dependant". Nor would the childless wife become any less "dependent" by reducing the exemption. If she is in fact financially dependent on her husband, he will still have to pay for her upkeep. The reduction of the exemption would indeed increase his financial burden. So that if a purpose of this recommendation is to remove dependency, the objective would be achieved in words only. It is ironical indeed that one of the principal recommendations of a Commission appointed to improve the status of women would have the effect of taking something away from them.

37. The recommendation must, of course, be read in conjunction with the recommendation that family allowances be considerably increased (No. 131—paragraph 51 of Chapter 3); for it will have the same result. Like that recommendation, it would, if implemented, put a premium on having children.

38. Finally, if this recommendation were implemented, it would follow logically that the obligation in law of the husband to maintain his wife should disappear. As the law now stands, a husband is both criminally and civilly obliged to support his wife whether she has children or not. The cost of maintaining her is therefore a non-discretionary expense and should be deductible from taxable income. The recommendation comes very near indeed to advocating a tax on marriage if it does not indeed do so. It is to be noted moreover that this penalty would mean that many young couples would not be helped at the very time when they need help most.

Family Allowances

39. The recommendation is that family allowances be greatly increased—from the maximum \$8.00 now paid monthly for each child to \$40.00 a month, or nearly \$500.00 a year. This would be approximately half the

amounts now paid (\$79.58 monthly) to old age pensioners. Yet the needs of the latter, many of whom live alone without any other financial resources whatsoever, are certainly greater than the needs of children living in families with one and sometimes two parents in paid employment. The cost of the measure would be astronomical (possibly over two billion dollars annually) and would, of course, be inflationary (family allowances were originally introduced as an inflationary measure). I have discussed the question of social priorities in the introduction of this Minority Report. Having regard to the magnitude of the burden which the proposal, if adopted, would put on all taxpayers, I have yet to be convinced that there are not more imperative needs in Canada to which these resources should be directed. This cost, moreover, would have to be borne by childless taxpayers, both male and female, including childless couples. The measure would therefore be discriminatory.

40. I have also given my views regarding the population problem. This recommendation, if implemented, would encourage large families at a time when, if anything, the State should be discouraging them. Nor can I see any reason why, particularly at a time when parenthood is becoming more and more a matter of choice, the State should compensate couples for having children.

41. There is still another reason why I do not agree with this recommendation. The best current thinking in the matter of welfare legislation and the elimination of poverty now recognizes that the fairest and most efficient way to solve the problem of poverty would be for the State to guarantee a minimum annual income to every citizen. I share this view. The Commission's proposal, however, is a piecemeal approach to the problem of welfare which, if adopted, would probably make it harder to introduce the guaranteed annual income.

42. This recommendation, because some of its consequences would be the same, must be read in conjunction with the recommendation that the married status exemption under the Income Tax Act be considerably reduced. I have already commented on the latter recommendation.

Salaries paid by a Spouse to his Consort

43. It is suggested in paragraph 56 of Chapter 5 that wages or salary paid by a husband to his wife should be deductible for income tax purposes. The reason for the present rule is, of course, to protect the government, and hence taxpayers, against fraud. It does not, as it is sometimes implied, prevent a husband from paying a wage or salary to his wife, but simply from deducting

the amount from his taxable income. The reality of the matter, moreover, is that in the case, for example, of farm work, if a wage is paid to a hired man the money goes off the place, but when it is paid to the wife (if she in fact ever receives it), it remains in the family unit.

44. The correct solution to the problem, if problem there is, would be to permit couples to make a joint return for income tax purposes, something which the Commission does indeed recommend.

Day-Care Centres

45. Under the Canada Assistance Plan, as it now stands, the federal government will pay 50 per cent of the cost of operating day-care centres if the centres are used for welfare purposes as provided by the Act. Under the plan proposed by the Commission, the latter restriction would be removed and the federal government would also be responsible for 70 per cent of the capital costs (No. 118—paragraph 181 of Chapter 4). A considerable amount of money is therefore involved, having regard particularly to the intention that these centres would be established throughout the country at places convenient for their use by all citizens. The Commission calculates that the annual cost would be five hundred million dollars, a figure based on the assumption that only one-fifth of the children who would be entitled to use the centres and whose parents would be taxed to pay for them would use them. Were all Canadian children below the age of six to use the centres, the annual cost would be over five times that amount. And the Commission's calculation does not include the capital cost of constructing the centres.

46. I do favour day-care centres. And I agree that there is an urgent need for more, many more, such centres in Canada. Without them there can be no question of mothers of young children having equality of opportunity in the labour market. This is equally true of a father who is widowed or divorced and left alone with young children. But I envisage these centres becoming eventually extensions of the present school system. This would be desirable for both pedagogical and financial reasons. In any event, whether conceived as extensions of the school system or not, the provision and operation of day-care centres obviously comes under provincial jurisdiction and that is where I think they should remain.

47. I am not saying that the federal government should abandon the field entirely. It is quite proper for the federal authority to assist the provinces under cost-sharing schemes such as the Canada Assistance Plan in matters falling within provincial jurisdiction. That is being done now. It is said, however, that the provinces have not taken sufficient advantage of opportunities

offered under the Plan. There are two possible reasons for this. The first is related to the question of social priorities which I have discussed in the introduction to this Minority Report. The provinces may think that there are more important ways to invest the taxpayers' money. The second possible reason why the provinces have not made more use of opportunities under the Canada Assistance Plan to seek federal financial assistance in the operation of day-care centres is that the need for such centres is primarily felt at the municipal level where the demand for their establishment must be generated. The municipalities, however, also have their priorities and, what is even more important, financial problems which seem to be greater than those of the provinces. The way to encourage the creation of day-care centres would therefore be to have the provinces considerably increase their contributions under the Canada Assistance Plan as compared to those of the municipalities. The problem is at the municipal level. In these circumstances, I cannot agree with the proposal that more of the burden be transferred from the provinces to the federal government.

48. The solution advocated by the Commission would entail the transfer of large sums of money to all the provinces, including the rich provinces. It does not therefore take into account the problem of regional economic disparities. It is of interest to note that the only provinces which have taken advantage of the Canada Assistance Plan in the matter of day-care centres are the two rich provinces of Alberta and Ontario. I have no precise formula to offer; but had the Commission made some attempt to deal with this problem, my attitude towards the proposal might have been different.

49. The intention of the Commission is that a great deal of money should be poured into day-care centres. Note, however, that these centres would be of only marginal benefit to many taxpayers. I am not thinking so much about childless people, both male and female. They have a social responsibility and if, as I think they should be, day-care centres become an extension of the school system, the principle of the responsibility of all taxpayers for such services has already been admitted. I am thinking rather about women in rural areas where there is little likelihood that such centres would be located in the foreseeable future, something which the Commission itself recognizes. These women and their husbands are also taxpayers. This difficulty enforces my opinion that the problem is really at the municipal level. It is also equitable that it should be, because there is no solid reason why people living in areas where they will not benefit from such centres should contribute to their cost (as taxpayers) on substantially the same basis as the people who will use them.

50. The recommendation also requests the federal government, after consultation with the provinces, to obtain the adoption by Parliament of a separate Day-Care Act. This proposal is neither necessary nor realistic. It is not necessary because under the Canada Assistance Plan the federal government can already contribute up to 50 per cent of the cost of the operation of day-care centres. As to the proposed 70 per cent federal contribution for the construction of such centres, the purpose of the Commission could be achieved by an amendment to the Central Mortgage and Housing Act which would permit the making of loans for such purposes at low rates of interest. Since the Commission has been informed that even now interest and amortization payments are included in the federal contribution, under the Canada Assistance Plan, it seems, indeed, that the provinces might recover half of such capital costs.

51. The real purpose of the Commission seems to be to take day-care centres out of the field of welfare, since contributions by the federal government under the Canada Assistance Plan can only be made for welfare purposes. As I have already indicated, I do not think that day-care centres should necessarily be linked to welfare because I think that they should eventually be part of the school system. But education falls within provincial jurisdiction and, given the climate of Canadian opinion, it is likely to remain there. I do not think, therefore, that the federal authority should become more deeply involved even on a cost-sharing basis. And given the political climate it would be unrealistic indeed to think it could do so. For apart from the constitutional issue involved, it is unlikely that provinces which say that Medicare was imposed on them (whatever the merits of the issue may have been) would welcome a new cost-sharing plan of such proportions as is being proposed by the Commission. The whole purpose of the proposal is to influence the provinces, and indeed to force their hands in a matter falling within provincial jurisdiction. This is dangerous advice at a time when in some of the provinces, political parties are challenging the very basis of Confederation.

Alimony

52. The recommendation (No. 114—paragraph 142 of Chapter 4) is that the Divorce Act be amended so that the words “educational needs” be added to the list of exceptions where the maintenance of children over the age of 16 years may be ordered as a charge falling to the parents. This would mean that a court granting a divorce would have the power to order a parent to maintain children (which would include the cost of tuition fees, etc.) even while they are at university. Although my sympathy is with the children, the proposal is patently discriminatory. As the law now stands, parents are

under no obligation to maintain children beyond fixed maximum ages, unless the children are prevented by illness or disability from supporting themselves, nor do parents have any obligation to send their children to university. It would be discriminatory and unfair to impose such an obligation on divorced parents only.

Pension Plans

53. The Commission recommends that women have the same rights under pension plans as men, including the payment of the same survivor benefits to their widowers.⁴ No one could disagree with the principle on which this recommendation is based. Women, however, would have to pay higher premiums for the added protection. The Commission has no convincing evidence before it that women would be prepared to do this; but if in fact they are I would have no hesitation in supporting the recommendation.

Canada (Quebec) Pension Plan

54: The purpose of the recommendation (No. 2—paragraph 103 of Chapter 2) is to make it possible for a spouse who remains at home to participate in the Canada (Quebec) Pension Plan. I would hope that this will be possible. The recommendation says, however, that in determining the means to that end, the federal government explore the feasibility of “crediting to the spouse remaining at home a portion of the contributions of the employed spouse and those contributions made by the employer on the spouse’s behalf.” The idea is that, on the retirement of the employed spouse, the spouse who has remained at home would receive a share in the pension benefits earned by the employed spouse. My attitude towards this part of the recommendation is ambivalent. I agree that something should be done to protect the wife against the possibility of divorce or separation. But the proposal goes too far. If there is any logic in it, that same logic would require that the wife also receive part of her husband’s salary cheque. The proposal goes beyond anything contemplated by the recently adopted amendment to the Quebec Civil Code which provides that failing a marriage contract the spouses will be deemed to be married under the regime of the community of acquests or the new marital regime proposed for Ontario. Under both of these marital regimes, there will be no division of property until the dissolution of the marriage.⁵ It must be remembered, moreover, that as the law now stands, a male pensioner is still both civilly and criminally liable for the

⁴ Recommendation Nos. 12, 31, 49, 53 and 59, paragraphs 259, 386, 466, 481 and 497 of Chapter 2.

⁵ In Quebec, the regime could also be liquidated upon judicial separation or conventional change.

maintenance of his wife. Would it be fair to retain this obligation in a situation where his wife is in full control of a part of his pension cheque? It seems to me that to deliver one cheque to one consort and another to the other will inevitably give rise to difficulties within the marriage. I also wonder whether the State has the moral right to take away from a spouse a benefit which has accrued because of his or her employment and contribution through the payment of premiums. It might be different if the State paid all the premiums.

55. Finally, the proposal would not bring under the Plan all the women who are now excluded because they make no personal contribution to it. These include "non-working" single women, widows and wives of men who for one reason or another cannot or do not work for pay.

56. As I have already indicated, I would be in favour of bringing all women under the Plan if that were possible. It is to be noted, however, that women can purchase Canadian Government annuities as well as annuities offered by commercial companies.

57. There would also be administrative difficulties in operating the plan but these would not, I imagine, be insurmountable.

The Senate

58. The recommendation (No. 138—paragraph 28 of Chapter 7) on the Senate is one of the weakest in the Report. Insofar as it is based on the principles of compensatory or special treatment, I must reject it for the reasons explained in the introduction to this Minority Report. It would have the effect, moreover, of establishing a quota for female members of the Senate. There seems, however, to be another reason for it which I find equally objectionable. It is that sex is a proper basis for political representation. There is no more reason why women should be represented in the Senate by women than that men should be represented by men. A senator represents a constituency made up of both men and women; and if a woman can represent men, women can be represented by men.

59. A woman should not be appointed to the Senate because she is a woman any more than a man should be appointed because he is a man; and there should certainly be no attempt to strike a mathematical balance in the Senate which reflects the proportion of women in the country. Senators should be appointed by reference to their qualifications as individuals, having in mind of course the geographical factors which cannot be ignored in a federation like Canada.

60. Having stated my position in this matter, I hope it will not be distorted to mean that I am opposed to having women in the Senate. The contrary is true and I would hope that many more women will become Senators. But they must owe their appointments to their qualifications as individuals and not simply to the fact that they are women.

Female Directors in Corporations

61. There is a suggestion in Chapter 2 that women shareholders in corporations should vote for women as directors.⁶ Suggestions like this are self-defeating. Would the Commission suggest that men vote for directors because they are men?

Naturalization

62. The law now extends favourable treatment to the alien wife of a Canadian citizen in the matter of naturalization. The recommendation (No. 146—paragraph 18 of Chapter 8) is that the alien spouses of Canadian citizens, whatever their sex, be treated the same. The recommendation is valid in principle and I would like to be able to support it. I am worried, however, by the possibility that if implemented it will probably make it more difficult than it now is for the alien wives of Canadian citizens to become naturalized. The danger is that the government, in order to bring about formal equality, will subject such wives to the same relatively unfavourable residential qualifications now required of all other aliens; and I cannot see how anyone would benefit from such a solution. It is unlikely that the government would reduce the qualifications now required of aliens generally.

63. There is also the possibility that because of her marriage, the alien wife may have become stateless; and in that case the existing rule has the great advantage that it shortens the period of time she will have to remain without a country.

Passports

64. The Commission sees no reason why a woman should have to obtain a new passport on marriage (No. 104—paragraph 45 of Chapter 4). But there is a very good reason for the rule. One of the purposes of a passport is to identify a citizen travelling abroad. This is particularly important because the government is under an obligation to protect the citizen diplomatically

⁶ Paragraph 46.

should this become necessary. Another purpose is to facilitate the return to Canada of the citizen by providing quick identification by the immigration authorities. It is therefore important that all essential factors which would help identify the holder of the passport be indicated in the passport. One of these factors in the case of a woman is her married status, since normally she is known by the name of her husband. But it does not follow that the passport must necessarily be issued in her married name. Under existing regulations, she can, if she so desires, obtain a passport in her maiden name, but in that event, there will be a notation on the passport giving the name of her husband. The Commission feels that this is discriminatory because a man's passport does not have a notation on it indicating the name of wife. The reason for the difference in treatment would seem to be simple: since most women are in fact known by the name of their husbands, a reference to these names helps to identify them; whereas in most cases, a reference on a man's passport to his wife's name would not help to identify him.

Canadian Human Rights Commission and Status of Women Council

65. I endorse the recommendation (No. 165—paragraph 7 of Chapter 10) that a federal Human Rights Commission be created, but I have one important reservation since I think that, in addition to its regulatory and quasi-judicial functions this Commission should promote respect for human rights in Canada through research, the co-ordination of the work of voluntary organizations, the sponsoring of conferences and seminars, etc. I therefore think that the functions of the proposed Status of Women Council (No. 166— paragraph 17 of Chapter 10) could be performed by the Human Rights Commission.

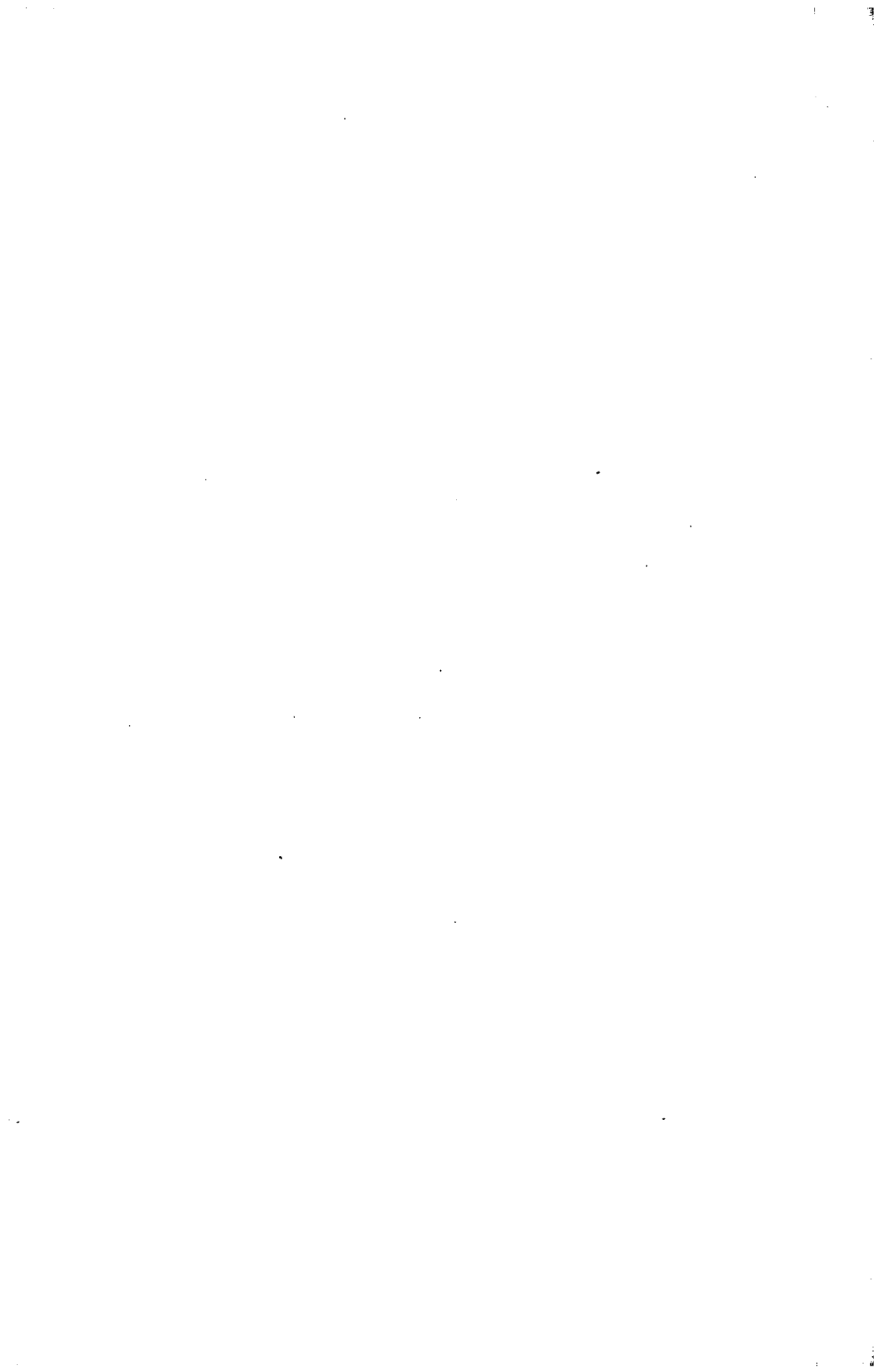
Final Comment

66. I have one more comment which I want to make not in my capacity as a Commissioner, but as a citizen and a taxpayer. I have no doubt that the opinion of a Commission consisting of private, disinterested citizens can be helpful to a government which is developing new or reviewing old policy, or which wants to determine the real facts in a certain situation; but my experience on this Commission has convinced me that the procedures of these bodies must be rationalized and systemized in the interest of economy and efficiency. This could be done without interfering with their essential independence. As things now stand, each new Royal Commission appointed by the government comes into existence as a completely new entity without much benefit of the experience of other Commissions. It must find a locale, employ a secretariat and decide on its methods of work and rules of procedure.

Even its secretariat may have had little or no experience with the work of other Royal Commissions. This is bound to result in delays and possibly in false starts and mistakes with consequent unnecessary expense. My suggestion is that there should be established somewhere in the public service a skeleton staff with responsibility for all Royal Commissions. This staff could be expanded or contracted as circumstances might require. I also think that there should be some officer in the public service with authority to take decisions, under the general supervision of a commission, in all administrative matters. This would free the Commissioners to do the job for which they are appointed, which is to advise the government on the matters covered by their mandate.

67. It has been suggested to me that this comment may be interpreted as a criticism of the officers in the public service now responsible for Royal Commissions. That is certainly not my intention. The Administrative Division of the Privy Council has served the Commission well. My criticism is not aimed at it or any other part of the public service but at a system which, in my opinion, puts too heavy an administrative burden on Commissioners who are appointed not to administer but to advise.

John Humphrey



Secretariat of the Commission

The Commissioners wish to thank the Secretariat of the Royal Commission for their hard work and co-operation in carrying out the research programme and organizing the public hearings, as well as for the writing and editing required for the Report.

We also wish to give special acknowledgement to the Administrative Support Staff. Due to their previous experience with other Royal Commissions, they were able to save us time and trouble from the first days after the Commission was set up until the termination of our work.

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- BOSSEN, Marianne. *Manpower Utilization in Canadian Chartered Banks.*
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- FERGUSON, Edith. *Immigrant Women in Canada.*
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The Commission is indebted to the many specialists and experts who helped in discussions, consultations and correspondence. They include, among others, the following names. It should be noted that the inclusion of a name in this list does not imply that the person concerned necessarily agrees with the views expressed in the Report.

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*Denotes submissions not presented at Hearings

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69. Ontario Federation of Labour,
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72. Nova Scotia Woman's Christian
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167. A Group of Women, Ottawa, Ont.
168. Victoria Day Care Services, Toronto, Ont.
169. The Association for the Modernization of Canadian Abortion Laws, Ottawa, Ont.
170. A Group of Women, Outremont, Que.
171. Professor and Mrs. W. H. Hilborn, Fredericton, N.B.
172. *La Guilde familiale du Domaine St-Sulpice*, Montreal, Que.
173. Voice of Women, Regina, Sask.
174. St. Mark's Women's Association, St. Mark's Anglican Church, St. Laurent, Que.
175. The Women's Institutes of Nova Scotia, Musquodoboit, N.S.
176. The Women's Group of the London and Middlesex Ridings Association of the New Democratic Party, London, Ont.
177. Patience Wanklyn, Montreal, Que.
178. Canadian Committee on the Status of Women, Don Mills, Ont.
179. Alberta Home Economics Association, Calgary, Alta.
180. Christina M. Willick, Vancouver, B.C.
181. The Canadian Home Economics Association, Vancouver Committee, Vancouver, B.C.
182. *Cercle d'études et de conférence Julien*, Trois-Rivières, Que.
183. The Montreal Council of Women, Montreal, Que.
184. United Fishermen and Allied Workers' Union, Vancouver, B.C.
185. Sheila M. Bennie, Vancouver, B.C.
186. *Christiana S. Marshall, Ottawa, Ont.
187. Wilma Brown, Regina, Sask.
188. Children's Aid Society of Vancouver, Vancouver, B.C.
189. Society for the Protection of Women and Children, and the Family Service Association, Montreal, Que.
190. Home Economics Association, Edmonton, Alta.
191. The Board of Directors, Day Nursery Centre, Winnipeg, Man.
192. The Canadian Federation of University Women, Sudbury, Ont.

193. Vera G. Ablack,
Ottawa, Ont.
194. Association of United Ukrainian
Canadians, Women's Committee
of the National Executive
Committee,
Toronto, Ont.
195. Students of Templeton Senior
Secondary School,
Vancouver, B.C.
196. Toronto Home Economics
Association,
Toronto, Ont.
197. The Canadian Physiotherapy
Association,
Toronto, Ont.
198. Ottawa Nursery School Association,
Ottawa, Ont.
199. *Ethel E. Racine,
Ottawa, Ont.
200. Canadian Association for Adult
Education,
Toronto, Ont.
201. Georgina May Rodden,
Montreal West, Que.
202. Rosemarie A. Hoey,
Ottawa, Ont.
203. Margaret M. Van de Pitte,
Edmonton, Alta.
204. Catherine Jones,
Aylmer East, Que.
205. The Street Haven at the Crossroads,
Willowdale, Ont.
206. Cecilia Wallace,
Toronto, Ont.
207. *Dorothy V. Bishop,
Claremont, Ont.
208. Mary E. Hansen,
Prince George, B.C.
209. The St. John's Club,
Canadian Federation of
University Women,
St. John's Nfld.
210. Suzanne Pelletier,
Quebec, Que.
211. Zenny Burton,
Regina, Sask.
212. *The Children's Aid Society of
Western Manitoba,
Brandon, Man.
213. Provincial Council of Women,
New Westminster, B.C.
214. Marianne A. Beichel,
Vancouver, B.C.
215. Hilda A. J. Marshall,
Victoria, B.C.
216. *Mildred H. Marshall,
Toronto, Ont.
217. University of British Columbia,
Committee of Mature Women
Students,
Vancouver, B.C.
218. Mrs. D. Thyer,
Murrayville, B.C.
219. The Dawson Creek Business and
Professional Women's Club,
Dawson Creek, B.C.
220. University Women's Club of
Woodstock,
Status of Women Committee,
Ingersoll, Ont.
221. St. Joan's International Alliance,
Canadian Section,
Toronto, Ont.
222. *Theresa D. Harries,
Calgary, Alta.
223. *Eleanor D. Lynch,
Chemainus, B.C.
224. A Group of Women,
NDP Workshop,
Saskatoon, Sask.
225. Voice of Women,
Calgary, Alta.
226. *Hazel Wigdor,
Toronto, Ont.
227. *Confidential
228. May Taylor and Ruth McGill,
Regina, Sask.
229. Canadian Polish Women's
Federation in Canada,
Toronto, Ont.
230. Hilda Babineau,
Vancouver, B.C.
231. Edmonton Women Teachers' Club,
Edmonton, Alta.
232. The Delta Kappa Gamma Society,
Toronto, Ont.
233. *Confidential
234. The University Women's Club,
Vancouver, B.C.
235. Elaine McAndrew,
Pointe Claire, Que.

236. Grace Worrall,
Nanaimo, B.C.
237. The Delta Kappa Gamma Society,
Burnaby, B.C.
238. Women's International League for
Peace and Freedom,
Vancouver, B.C.
239. The Canadian Dietetic Association,
Toronto, Ont.
240. Raya Longuist,
Burnaby, B.C.
241. Carol J. Hudgins,
Waterloo, Ont.
242. *The Moncton Jaycettes,
Moncton, N.B.
243. The Ontario Association of Social
Workers,
Western Ontario Branch,
London, Ont.
244. Charlottetown Business and
Professional Women's Club,
The Prince Edward Island Branch
of the Canadian Federation of
University Women,
The Zonta Club of Charlottetown,
Charlottetown, P.E.I.
245. A Group of Women from a
Canadian Indian Reserve,
Mary Two Axe Earley,
Caughnawaga, Que.
246. Women's Auxiliary,
United Autoworkers Union,
Local 360,
London, Ont.
247. Sue Sullivan,
Marie Ulyett,
Sylvia M. Williams,
Ottawa, Ont.
248. Voice of Women,
Victoria, B.C.
249. Alberta Women's Institute,
Olds, Alta.
250. Dorothy E. Stogre,
Penticton, B.C.
251. *A Group of Business Women of
Terrace,
Terrace, B.C.
252. Micheline Goulet,
Quebec, Que.
253. Clara Yellowknee,
Slave Lake, Alta.
254. Inez Baker,
Willowdale, Ont.
255. Margaret Torrance Overweel,
Toronto, Ont.
256. *La Fédération des Services sociaux
à la Famille du Québec*,
St. Jean, Que.
257. *Service de Préparation au
Mariage de Montréal*,
Montreal, Que.
258. Mrs. W. E. D'Altroy,
Burnaby, B.C.
259. Izzette Mitchell,
Medicine Hat, Alta.
260. St. John's Club,
Business and Professional Women's
Club,
St. John's, Nfld.
261. Vancouver (Kingcrest),
Business and Professional Women's
Clubs of British Columbia and
the Yukon,
Vancouver, B.C.
262. *Union de Parents du Grand
Shawinigan*,
Shawinigan, Que.
263. *La Ligue des Femmes du Québec*,
Quebec, Que.
264. Lidia Maria Adamkiewicz,
Montreal, Que.
265. Roland Gosselin,
St. Hyacinthe, Que.
266. Mrs. Solveig Ryall,
Don Mills, Ont.
267. *Nursing Students of St. Joseph's
Hospital,
Class of 1969,
Hamilton, Ont.
268. Margaret Henderson,
Calgary, Alta.
269. W. R. S. Henderson,
Calgary, Alta.
270. *Bob Terlesky,
Prince George, B.C.
271. Women of the Saskatchewan
Farmers Union,
Saskatoon, Sask.
272. A Group of University Graduates,
Calgary, Alta.
273. *La Fédération des Femmes
canadiennes-françaises*,
Ottawa, Ont.

274. **Action catholique indépendante*,
Ste. Thérèse, Que.
275. *Le Cercle des Femmes Journalistes
Inc.*,
Montreal, Que.
276. Frances Telford,
Vancouver, B.C.
277. Confidential
278. Wilma Van Nus and
Elaine Moonen,
Vancouver and West Vancouver,
B.C.
279. Bonita M. Bridge,
Winnipeg, Man.
280. Young Socialists,
Toronto, Ont.
281. Marielle Demorest,
Richmond, B.C.
282. Driver United Church Women,
Driver, Sask.
283. Ontario Society of Medical
Technologists,
Toronto, Ont.
284. *Ellen S. Baar,
Vancouver, B.C.
285. *Evva L. Weber,
Terrace, B.C.
286. *L'Association féminine d'Éducation
et d'Action sociale*,
Boucherville, Que.
287. Saskatchewan Home Economics
Association,
Regina, Sask.
288. Alta Vista Women's Progressive
Conservative Association,
Ottawa, Ont.
289. Claire Dawson,
Toronto, Ont.
290. Eleanor E. McMullan,
Victoria, B.C.
291. *Susan McMaster,
Vancouver, B.C.
292. Alberta Women's Liberal Associa-
tion,
Status of Women Committee,
Calgary, Alta.
293. Mrs. P. Stafford and
Mrs. J. Cooling,
West Vancouver, B.C.
294. University Women's Club,
Regina, Sask.
295. Women's Organization of the New
Democratic Party,
Yorkton, Sask.
296. Women's *Ad Hoc* Committee of the
Saskatchewan Federation of
Labour, C.L.C.,
Regina, Sask.
297. *Mrs. L. J. Bach,
Claresholm, Alta.
298. The Family Bureau of Greater
Winnipeg,
Winnipeg, Man.
299. Federated Women's Institutes of
Canada,
Ottawa, Ont.
300. Canadian Library Association,
Ottawa, Ont.
301. The Canadian Teachers'
Federation,
Ottawa, Ont.
302. The Federation of Medical
Women of Canada and other
Canadian Physicians,
Rockcliffe, Ont.
303. *L'Association féminine d'Éducation
et d'Action sociale*,
Montreal, Que.
304. United Church of Canada,
Toronto, Ont.
305. Consumers' Association of Canada,
Ottawa, Ont.
306. The Association of Registered
Nurses of Newfoundland,
St. John's, Nfld.
307. The Board of Notaries of the
Province of Quebec,
Montreal, Que.
308. *Châtelaine*,
Montreal, Que.
309. Canadian Nurses' Association,
Ottawa, Ont.
310. Alberta Native Women's
Conference,
Edmonton, Alta.
311. The Imperial Order Daughters of
the Empire,
Toronto, Ont.
312. Women's Federation,
Allied Jewish Community Services,
Montreal, Que.

313. The Women's Section of the Canadian Religious Conference, Ottawa, Ont.
314. Young Men's and Young Women's Hebrew Association and Neighbourhood House Services, Montreal, Que.
315. The Local Council of Women, Windsor, Ont.
316. Senior Citizens' Forum, Montreal, Que.
317. Professional and Voluntary Social Service, Montreal, Que.
318. The Manitoba Volunteer Committee on the Status of Women, Winnipeg, Man.
319. Parents Without Partners, Ottawa Chapter, Ottawa, Ont.
320. *Dorothy Allen, Ottawa, Ont.
321. Jean L'Espérance, Elizabeth Dohan, and Nancy Phillips, Montreal, Que.
322. Yvonne R. Morissette, Montreal, Que.
323. *Cercle des Fermières*, Alma, Que.
324. Committee of the Day Care Section of the Citizens' Committee on Children, Ottawa, Ont.
325. *La Fédération des Unions de Familles*, Montreal, Que.
326. *L'Association des Religieuses enseignantes du Québec*, Montreal, Que.
327. *Association des Veuves de Montréal Inc.*, Montreal, Que.
328. Canadian Women's Press Club, Regina, Sask.
329. *Joan C. Johnson, Toronto, Ont.
330. Beatrice M. Reeve, Southampton, Ont.
331. *Groupe «échanges culturels» de Québec*, Québec, Que.
332. Mrs. R. A. Bach, Ottawa, Ont.
333. The Junior League of Montreal Inc., Montreal, Que.
334. *Colette Potvin, Montreal, Que.
335. *La Jeune Chambre de Québec, Inc.*, Quebec, Que.
336. *Suzel T. Perron, Westmount, Que.
337. Margaret M. Gaudreau, Ste. Thérèse, Que.
338. B. MacDonald, Ottawa, Ont.
339. Quebec Provincial Council of University Women's Clubs, Dorval, Que.
340. *Groupe personnaliste de Québec*, C. Autin, Quebec, Que.
341. Jacqueline Dineen, Toronto, Ont.
342. Federation of Women Teachers' Associations of Ontario, Toronto, Ont.
343. *L'Association des Femmes diplômées des Universités, Section française du Québec*, Ste. Foy, Que.
344. Medical Students' Society, McGill University, Montreal, Que.
345. *Mrs. W. D. Hall, Weston, Ont.
346. *Chatelaine*, (Toronto Section), Toronto, Ont.
347. *Confédération des Syndicats nationaux*, Montreal, Que.
348. Voice of Women, Montreal, Que.
349. *L'Association des Femmes diplômées des Universités*, (Montreal) Montreal, Que.
350. Mount Saint Vincent University, Halifax, N.S.
351. *Niel T. Hansen, Elsternwick, Victoria, 3185, Australia.

352. Marilyn Assheton-Smith,
Yellowknife, N.W.T.
353. Alison J. McAteer,
Yellowknife, N.W.T.
354. Mildred June Larson,
Sarnia, Ont.
355. Jean Lamartine,
Montreal, Que.
356. Newfoundland Home Economics
Association,
St. John's Nfld.
357. *Camille Duval-Cl  roux,
Montreal, Que.
358. *Muriel Reid,
Pictou County, N.S.
359. Beverley Bendell,
Dartmouth, N.S.
360. *A Group of Women,
Montreal, Que.
361. National Council of Jewish
Women of Canada,
Willowdale, Ont.
362. Committee on the Status of Women,
University of Alberta,
Edmonton, Alta.
363. British Columbia and Yukon
Jaycettes,
New Westminster, B.C.
364. Diana C. Louis,
Montreal, Que.
365. Donald Rosenbaum,
Montreal, Que.
366. National Council of Jewish Women
of Canada (Montreal Section),
Montreal, Que.
367. *Confidential
368. *Le Centre de Planification familiale*,
Montreal, Que.
369. *Edith L. Justin,
Toronto, Ont.
370. Pia Roberts,
Winnipeg, Man.
371. *B'nai B'rith Girls,
(Southern Ontario Region),
Downsview, Ont.
372. The Manitoba Teachers' Society,
Winnipeg, Man.
373. Bonnie Kreps,
Toronto, Ont.
374. United Automobile Workers
Canadian Council,
Windsor, Ont.
375. Edith Rawek,
Scarborough, Ont.
376. *Sophia Dixon,
Saskatoon, Sask.
377. A Group of Women,
Edmonton, Alta.
378. *National Council of Jewish Women,
(Vancouver Section),
Vancouver, B.C.
379. Fay Leslie-Spinks,
Edmonton, Alta.
380. Victoria District Registered
Nurses' Association of British
Columbia,
Victoria, B.C.
381. *Isabel Hauck,
Wainwright, Alta.
382. Vivian Kirk,
Victoria, B.C.
383. Beth-Anne Exham,
Old Crow,
Whitehorse, Y.T.
384. Government of the Province of
Saskatchewan,
Saskatoon, Sask.
385. *M. Lowe,
Victoria, B.C.
386. H. L. Mackenrot,
Prince George, B.C.
387. *Nellie M. Mitchell,
Fiske, Sask.
388. *Norma F. Bicknell,
Edmonton, Alta.
389. *Jan Bevan,
Victoria, B.C.
390. Matilda Stephens,
Oshawa, Ont.
391. *Joseph N. Schauenberg,
Jarvis, Ont.
392. The Honourable Thelma Forbes,
Fort Garry, Man.
393. Quebec Federation of Labour,
Montreal, Que.
394. Marie Anne Lahache,
Oldtown,
Yellowknife, N.W.T.
395. Mrs. J. Sarrazin,
Montreal, Que.

396. A Group of Mothers,
Montreal, Que.
397. Ken Huband,
Ottawa, Ont.
398. Canadian Corrections Association,
Ottawa, Ont.
399. *Betty Cooper,
Calgary, Alta.
400. *Doris Dickson,
Windsor, Ont.
401. *Joan Marshall,
Nova Scotia.
402. Jacques Duchemin,
Hull, Que.
403. *Peggy MacFarlane,
Edmonton, Alta.
404. *Groupe de Femmes francophones
de la Région de Moncton,*
Moncton, N.B.
405. Doris Janes,
Corner Brook, Nfld.
406. *Marjorie Gage,
Vancouver, B.C.
407. *Confidential
408. Yukon Social Services
Organization,
Yukon Territory.
409. Mrs. H. R. Wilson,
Whitehorse, Y.T.
410. Joan M. Veinott,
Yukon Territory.
411. G. Jean Gordon,
Whitehorse, Y.T.
412. Mrs. Lane and
Mrs Thomson,
Yukon Territory.
413. Business and Professional
Women's Club,
Whitehorse, Y.T.
414. Margaret Smith,
Whitehorse, Y.T.
415. Yukon Territorial Government,
Yukon Territory.
416. *Margaret Taggart,
Whitehorse, Y.T.
417. *Margaret Keyes,
Whitehorse, Y.T.
418. Helen Law,
Yellowknife, N.W.T.
419. Rose Mary Thrasher,
Yellowknife, N.W.T.
420. P. B. Parker,
Police Magistrate,
Yellowknife, N.W.T.
421. Mrs. B. F. Watson,
Yellowknife, N.W.T.
422. Harry Leishman,
Yellowknife, N.W.T.
423. Alison J. McAteer,
Yellowknife, N.W.T.
424. Ella Manuel,
Bonne-Bay, Nfld.
425. Ruth Greenspan and
Mary Patterson,
King City and London, Ont.
426. The Council of Associations of
University Student Personnel
Services,
St. John's, Nfld.
427. Nova Scotia Federation of Home
and School Associations,
Truro, N.S.
428. Corporation of Psychologists of
the Province of Quebec,
Montreal, Que.
429. Voice of Women,
Halifax, N.S.
430. Volunteer Bureau of Montreal,
Montreal, Que.
431. Mildred Moir,
Halifax, N.S.
432. The New Brunswick Association
of Registered Nurses,
Fredericton, N.B.
433. The Zonta Club of Halifax,
(Zonta International),
Halifax, N.S.
434. *L'Alliance des Professeurs de
Montréal,*
Montreal, Que.
435. Polly Hill Associates,
Ottawa, Ont.
436. The Nursery Education Association
of Ontario,
Ottawa, Ont.
437. Canadian Union of Public
Employees, C.L.C.,
Ottawa, Ont.
438. Mary Cooper,
Ottawa, Ont.

439. Janice L. Kestle,
London, Ont.
440. Canadian Labour Congress,
Ottawa, Ont.
441. Canadian Air Line Flight
Attendants Association,
Vancouver, B.C.
442. *Le Service social de l'Institut
Albert-Prévost,*
Montreal, Que.
443. Pauline Jewett, Helen McCrae,
Madeleine Gobeil and
Marion B. Smith,
Ottawa, Ont.
444. Arlette J. Johnstone,
Beach Corner, Alta.
445. Germaine Dalton,
Edmonton, Alta.
446. Mrs. Sam Lavallée,
Broadview, Sask.
447. Betty Tait and
Thora Wiggins,
Northside, Sask.
448. Pauline Cadieux-Frégeot,
Montreal, Que.
449. *L'Association des Étudiants
de l'Université d'Ottawa,*
Ottawa, Ont.
450. *Beatrice Hill,
Toronto, Ont.
451. Mrs. B. Mickleburgh,
Winnipeg, Man.
452. Canadian Federation of Christian
Reformed Ladies Societies,
Ottawa, Ont.
453. Adele Willison,
East Saint John, N.B.
454. The Provincial Council of Women,
Halifax, N.S.
455. Single Parents Associated,
Social Action Committee,
Toronto, Ont.
456. *Jean H. Sloan,
Lloydminster, Sask.
457. *Mary Dixon and
Mary Thomas,
Victoria B.C. and Brentwood, B.C.
458. Indian-Métis Association,
Winnipeg, Man.
459. Deirdre Gagné,
Winnipeg, Man.
460. Joan Parfit,
Saint John, N.B.
461. Y.W.C.A.,
Halifax, N.S.
462. Mrs. J. V. Wilde,
Yellowknife, N.W.T.
463. Beatrice Hill,
Toronto, Ont.
464. John Balfour,
Calgary, Alta.
465. Nana Schaer,
Calgary, Alta.
466. Mrs. Trevor G. Anderson,
Edmonton, Alta.
467. Grace Haydee,
Edmonton, Alta.
468. Jack Thorpe,
Edmonton, Alta.
469. Three Students from the
O'Leary High School,
Edmonton, Alta.

NOTE: This list does not include hundreds of letters and documents received by the Commission pertaining to the Status of Women in Canada.

Statistical Tables

Table A-1. Percentage of the Female Population in the Labour Force by Age Group, for Canada*, Urban and Rural, 1961

Age	Rural		
	Urban	non-farm	Rural farm
15-19 years.....	39.7%	24.1%	20.3%
20-24.....	54.6	30.4	39.7
25-34.....	32.8	18.1	22.7
35-44.....	34.1	21.9	23.2
45-54.....	36.5	25.3	24.1
55-64.....	26.8	17.4	19.2
65 years and over.....	7.4	4.0	6.6
TOTAL.....	33.0	19.9	22.0

*Includes the Yukon and the Northwest Territories.

SOURCE: Dominion Bureau of Statistics. *Census of Canada 1961. The Canadian Labour Force.* Cat. no. 99-522, Ottawa, 1967, Table XV, p. 12-32.

Table A-2. Percentage Distribution of Full-time Employees in the Public Service* by Salary and Sex, July 1967

Salary	Male	Female
under \$4000.....	7.1%	41.2%
\$4000-5999.....	51.7	49.0
\$6000-7999.....	22.3	7.7
\$8000-9999.....	8.8	1.3
\$10,000 and over.....	10.1	.7

*Public Service as defined in footnote 89, Chapter 2.

SOURCE: Archibald, K. unpublished data.

Table A-3. Turnover Rates* of Full-time Employees in the Federal Public Service by Sex and Age, 1967

Age	Turnover rate	
	Male	Female
Less than 20.....	44.8%	23.0%
20-24.....	18.2	24.1
25-29.....	9.9	22.0
30-34.....	6.4	15.9
35-44.....	4.2	10.6
45-54.....	3.4	5.9
55 and over.....	11.2	12.6

*Turnover rate is defined in footnote 75, Chapter 2.

SOURCE: Archibald, K. unpublished data.

Table A-4. Turnover Rates* of Full-time Employees in the Federal Public Service by Sex and Salary Range, 1967

Salary range	Turnover rate	
	Male	Female
Less than \$4000.....	21.3%	18.5%
\$4000-5999.....	7.2	12.1
\$6000-7999.....	4.8	7.2
\$8000-9999.....	4.7	9.4
\$10,000 and over.....	4.4	9.0

*Turnover rate is defined in footnote 75, Chapter 2.

SOURCE: Archibald, K. unpublished data.

Table A-5. Cumulative Percentage Distributions of Sample* of Male and Female Public Servants by Total Years of Employment**, 1967

Total Years of Employment	Percentage	
	Male	Female
more than 25.....	37.5%	23.3%
more than 20.....	47.2	35.9
more than 15.....	58.0	47.7
more than 10.....	68.2	61.8
more than 5.....	81.4	74.9
more than 2.....	88.6	85.7

DATA SOURCE: Judek, S. *Women in the Public Service. Their Utilization and Employment*. A study commissioned by the Canada Department of Manpower, Ottawa, Queen's Printer, 1968, p. 52.

*Excludes postal, customs and immigration category, so 80 per cent of the men in Judek's total sample are missing for this reason or as non-respondents, compared to eight per cent of women.

**Respondents were asked to include self-employment and military service but not "summer jobs, casual employment, jobs after school, etc." Experience in the Federal Service is added in.

SOURCE: Archibald, K. *Sex and the Public Service*. A study commissioned by the Public Service Commission of Canada, 1970, Figure IV-4, p. 81.

Table A-6. Cumulative Percentage Distributions of Sample of Male and Female Public Servants by Total Years of Experience in the Federal Service, 1967

Total Years of Experience	Percentage	
	Male	Female
more than 25.....	8.4%	10.0%
more than 20.....	21.5	20.3
more than 15.....	32.3	28.2
more than 10.....	47.9	45.1
more than 5.....	67.6	65.9
more than 2.....	80.1	79.6

SOURCE: Judek, S. unpublished data in computer print-outs.

Table A-7. Estimated Number of Girls and Boys in Secondary Schools Taking Commercial, Academic and Other Courses of Study—Nine Provinces* 1965-69

Year	Sex	Commercial Course		Academic Course		Other**		Estimated Total Number of Girls and Boys
		Estimated Number	Per Cent of Total	Estimated Number	Per Cent of Total	Estimated Number	Per Cent of Total	
1965-66.....	F	92,606	22.2%	294,274	70.4%	31,102	7.4%	417,982
	M	25,277	5.6	305,929	68.1	118,044	26.3	449,250
1966-67.....	F	100,514	23.0	300,875	69.0	34,684	8.0	436,073
	M	11,732	2.5	318,407	68.8	132,637	28.6	462,776
1967-68***	F	109,421	25.3	288,024	66.5	35,525	8.2	432,970
	M	25,858	5.6	316,267	68.7	118,169	25.7	460,294
1968-69.....	F	114,823	23.1	345,356	69.5	36,773	7.4	496,952
	M	26,712	5.1	335,649	64.2	160,511	30.7	522,872

*Excludes Quebec, Yukon and Northwest Territories secondary schools, and all private schools.

**Includes vocational courses, auxiliary classes and other secondary courses.

***Excludes Manitoba enrolment figures.

SOURCE: Dominion Bureau of Statistics unpublished data, February 1970.

Table A-8. Enrolment of Women at Undergraduate and Post-Graduate Levels as a Percentage of Total Enrolment (Full-time Regular Session)

Academic Year	Under-graduate Enrolment	Post-Graduate Enrolment
1920-21.....	16.3%	25.5%
1930-31.....	23.5	26.1
1940-41.....	23.3	20.8
1950-51.....	21.7	15.4
1960-61.....	24.9	15.1
1961-62.....	26.3	16.4
1962-63.....	27.8	15.1
1963-64.....	29.2	16.2
1964-65.....	30.8	16.8
1965-66.....	32.8	18.2
1966-67.....	33.8	18.0
1967-68.....	34.2	19.3

SOURCE: Urquhart, M. C. and K. A. H. Buckley, ed. *Historical Statistics of Canada*. Toronto, Macmillan, 1965, pp. 601-602. Dominion Bureau of Statistics. *Survey of Higher Education*. Cat. no. 81-204, 1961-62, 1962-63, 1963-64, 1965-66, 1966-67, 1967-68.

Table A-9. Distribution of Canada Student Loans By Sex,
1964-65 to 1967-68

Academic Year	Total	Male	Female	Percentage Female
1964-65.....	41,571	30,888	10,683	25.7%
1965-66.....	53,702	38,621	15,081	28.1
1966-67.....	67,401	46,907	20,494	30.4
1967-68.....	94,758	64,945	29,813	31.4

- SOURCES: 1. Department of Finance. *Canada Student Loans Plan Annual Report 1964-65*. Table 7, Distribution of Student Borrowers by Age, Sex and Marital Status, p. 16.
 2. *Ibid.* 1965-66. Table 4, Distribution of Certificate Holders by Age and Level of Study, Sex and Marital Status, pp. 14-15.
 3. *Ibid.* 1966-67. Table 4, Distribution of Certificates by Age and Level of Study, Sex and Marital Status, pp. 16-17.
 4. *Ibid.* 1967-68. Table 4, Distribution of Certificates by Age and Level of Study, Sex and Marital Status, pp. 18-19.

Table A-10. Percentage Distribution of Male and Female Trainees
by Marital Status, 1967-68 and 1968-69

Marital Status	1967-68	1968-69	1967-68	1968-69	1968
	Male Percentage		Female Percentage		Female Labour Force Percentage
Single.....	39.0%	37.0%	43.4%	44.5%	36.4
Married.....	58.8	60.7	31.8	33.0	54.7
Divorced, widowed, or separated.....	2.2	2.3	24.8	22.5	8.9
TOTAL.....	100	100	100	100	100.0

SOURCE: Based on unpublished data received from the Program Development Service, Department of Manpower and Immigration. "Marital Status of Trainees in General Purchase Programs."

Table A-11. Life Expectancy at Birth, Canada, 1931-68, Total Canadian Population and Canadian Indians, by Sex, and Eskimos

Year	Canadian		Indian		Eskimo
	Male	Female	Male	Female	
1931.....	60.0%	62.1%			
1941.....	63.0	66.3			
1951.....	66.3	70.8			
1956.....	67.6	72.9			
1961.....	68.4	74.2			
1968.....	69.0	75.6	60.5	65.6	50.5

SOURCE: Dominion Bureau of Statistics. Abridged Life Tables, 1968, Health and Welfare Division, to be published. Unpublished data forwarded by the Dominion Bureau of Statistics to the RCSWC. Department of National Health and Welfare. *Life Expectancy of Canadian Eskimos*. Canada, 1969.

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