

**SUBMISSION for 2015**

**Presented to**

**THE RIGHT HONOURABLE KATHLEEN WYNNE**

**Premier of Ontario**

**By**



**THE BUSINESS & PROFESSIONAL  
WOMEN'S CLUBS OF ONTARIO**

Member of the Canadian and International Federation of

Business and Professional Women

October 2015



## **INTRODUCTION**

The Business and Professional Women's Clubs of Ontario (BPW Ontario) is the coordinating organization for the active membership of dedicated working women in clubs across the province.

BPW Ontario membership represents a diverse group of women, in both the public and private sectors of business, industry, and the professions. Our members hold positions as business entrepreneurs, CEO's, managers and employees across a full range of occupational sectors.

Individual clubs within the provincial organization are members of the Canadian Federation of Business and Professional Women (BPW Canada) founded in 1930, and the International Federation of Business and Professional Women (IFBPW) has members in over 100 countries around the world and maintains Consultative Status in the United Nations Economic and Social Council.

Since 1910 BPW Ontario has worked to promote the interests of working women. We have made submissions to government, addressing issues of equal pay and benefits, employment opportunities, employment equity, part time work, child care, maternity leave, pension reform, health issues and other areas of concern to women. BPW Ontario promotes equality as a basic human right, ensuring the full participation of women who comprise 52% of the population. It is believed that through the realization of their full potential, Ontario working women will continue to drive the thriving business and economic climate of today and ensure prosperity for the generations to come.

For continued improvement in the status of women and betterment of the economic, political, employment and social aspects of daily living, BPW Clubs from across the province meet annually to discuss and approve resolutions submitted by individual clubs. The resolutions included in this brief were approved by our membership at the 69th Annual Conference held in Nottawasaga Inn, Ontario, May 22 – 24, 2015.

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## Business and Professional Women's Clubs of Ontario

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## Provincial Action on Missing and Murdered Aboriginal Women



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The Missing and Murdered Aboriginal Women: A National Operational Overview Report identified that as of 2014, 1,181 indigenous women were missing (164) or murdered (1,017) with 225 of these cases unsolved.

Indigenous women represent 4.3% of the Canadian population, and 11% of the total number of missing women. In 2009, the rate of victimization of indigenous women was reported to be three times higher than non-indigenous women. Tragically while both indigenous and non-indigenous women homicide victims knew their offender, indigenous women are more likely to be killed by a male acquaintance. Key risk factors associated with murdered indigenous women include employment status, social assistance, use of intoxicants, and sex trade involvement (Note: these numbers were not significantly higher than non-indigenous women).

Recommendations have included: enhancing the efforts to solve these cases including sharing of information with all police jurisdictions, focus on prevention efforts especially in high risk communities/areas, increase public awareness, and strengthening the data (Royal Canadian Mounted Police, 2014).

An Amnesty International 2004 Report stated that root causes of increased vulnerability of indigenous women to violence are racism, discrimination, social and economic marginalization, and poor government policy that promotes a history of discrimination. Disproportionate number of indigenous women live in extreme poverty and homelessness thus making them vulnerable to exploitation and extreme brutality by men who escape justice due social indifference to indigenous women's safety and welfare (Amnesty International 2004; Inter-American Commission on Human Rights (IACHR), 2014). This history of discrimination has resulted in indigenous females constituting, "one of the most disadvantaged group in Canada" (IACHR 2014, p. 12).

Amnesty International in 2004 urged Canadian officials at all levels of government to implement the required measures to eliminate the marginalization of indigenous women in Canada and to build better relations between indigenous people and the justice system. Development of specific protocols were recommended for all police forces and the inclusion of designated personnel to handle missing persons' cases and address the specific concerns and circumstances when missing indigenous women are reported (Amnesty International, 2004).

Canada as a member of the Organization of American States (OAS) has a legal obligation under, "the OAS Charter and the American Declaration of the Rights and Duties of Man" (IACHR, 2014, p 12) to perform due diligence and implement measures to address these social and economic disparities. These measures must also address the factors associated with the racial and gender discrimination as a result of past and current institutional and structural inequalities. The IACHR has stated that a national coordinated response to implement these policies must include the consultation of, "different parties involved, especially including indigenous women, indigenous women's groups, civil society organizations and families and relatives of missing and murdered indigenous women, in order for those mechanisms to be successful" (IACHR, 2014, p 13).



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**THEREFORE BE IT RESOLVED** that BPW Ontario urges the Government of Ontario and in particular the Attorney General, the Minister Responsible for Women’s Issues, the Ministers of Aboriginal Affairs, the Minister of Community and Social Services, the Minister of Children and Youth Services, and the Minister of Community Safety and Correctional Services to immediately adopt and implement cross-jurisdictional collaboration on information regarding missing and murdered indigenous women; and

**FURTHER BE IT RESOLVED** that BPW Ontario urges the Government of Ontario and in particular the Minister of Aboriginal Affairs, the Minister of Community and Social Services, and the Minister of Children and Youth Services to provide the necessary social and supportive services to all affected family members and indigenous women wishing to leave an abusive situation; and

**FURTHER BE IT RESOLVED** that BPW Ontario urges the Government of Ontario and in particular the Minister of Aboriginal Affairs, the Minister of Community and Social Services, and the Minister of Children and Youth Services use a collaborative and holistic approach to address the underlying factors of discrimination and longstanding social marginalization which promotes violence against indigenous women as outlined in the reports by Amnesty International, and IACHR; and

**FURTHER BE IT RESOLVED** that BPW Ontario urges the Government of Ontario to work collaboratively with representatives from the indigenous organizations, especially indigenous women, and encourage the federal, provincial and territorial governments to create and implement an action plan to ensure policies are implemented to address the racism, discrimination, and marginalization experienced by indigenous women.

## Provincial Action of Prevention of Sexual Harassment

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In the Ontario *Human Rights Code* (the *Code*), sexual harassment is “engaging in a course of vexatious comment or conduct that is known or ought to be known to be unwelcome.”<sup>1</sup> The Code protects both men and women from sexual harassment, but women are more affected than men. International Human Rights conventions and Canadian legal decisions have recognized sexual harassment as an abuse of power that can reinforce a woman's historic lower status compared to men. Sexual harassment can happen in all social and economic classes, ethnic groups, jobs and places in the community. Most sexual harassment, and its more severe form as sexual violence, are perpetrated by someone known to the victim, making reporting and other actions problematic.

Over the years many actions have been taken by governments, advocacy groups, volunteers, association and media to raise awareness, state consequences, and point to societal harm, we have a long way to go to eliminate such behaviours. Sexual harassment is the slippery slope of behaviour which can open the door to more violent behaviours such as sexual abuse and violence.

The time has come to reenergize the campaign against sexual harassment – raising awareness, educating each other, enforcing legislation, developing and applying appropriate policies, creating and maintaining safe environment for reporting incidences, and monitoring degree of success of such public policy actions.

Three in 10 Canadians (mostly women) say they have been on the receiving end of unwelcome sexual advances, requests for sexual favours, or sexually charged talk while on the job or at an office function — but the vast majority prefer to deal with it on their own rather than report it to an employer, says a new Angus Reid poll.<sup>4</sup>

Fourteen per cent of those harassed also told the Angus Reid Institute that the experience was much more intense than mere innuendo or talk: it ranged from sexual touching to more serious unwanted sexual contact over their working lives.<sup>4</sup>

Affirmative consent, also known as the “Yes means Yes” bill, is now the law in California. The U.S. state made history in 2014 when it passed the new law, aimed at preventing sexual assault on campuses. It mandates all colleges and universities in California to have policies requiring students to have “affirmative, conscious and voluntary agreement” from their sexual partners. Canadian campuses have seen a series of disturbing incidents in recent years. Students and universities across Canada took note of California's “Yes means Yes” bill with great interest.



**THEREFORE BE IT RESOLVED** that BPW Ontario urges the Government of Ontario and, in particular, the Premier of Ontario to continue the multi-pronged approach recently undertaken to promote the understanding and prevention of sexual violence and harassment, and work with the Ontario Human Rights Commission, law enforcement agencies, educational institutions, and the media; and

**FURTHER BE IT RESOLVED** that BPW Ontario urges the Ontario Association of Police Services Boards to undertake a policy campaign to educate police on sexual violence and harassment laws and ensure they are upheld; and

**FURTHER BE IT RESOLVED** that BPW Ontario urges the Minister of Training, Colleges and Universities to implement and enforce clear policies against sexual violence and harassment on university and college campuses throughout Ontario, working in conjunction with local police and campus security; and

**FURTHER BE IT RESOLVED** that BPW Ontario urges the Ontario Association of Colleges and Universities to undertake an awareness campaign on avoiding sexual violence and harassment, and “Yes Means Yes” or a similar program as a guide to consent; and

**FURTHER BE IT RESOLVED** that BPW Ontario urges the Ontario Human Rights Commission undertake a public awareness campaign on avoiding sexual violence and harassment, and “Yes Means Yes” or a similar program as a guide to consent.



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## 2015 Brief Reference/Source Data

### 1. Provincial Action on Missing and Aboriginal Women

Amnesty International (2004). Stolen sisters: Discrimination and violence against Indigenous women in Canada: A summary of Amnesty International's concerns. Retrieved from <http://www.amnesty.org/en/library/asset/AMR20/001/2004/en/48f05a31-d589-11dd-bb24-1fb85fe8fa05/amr200012004en.pdf>

Inter-American Commission on Human Rights (2014). Missing and murdered Indigenous women in British Columbia, Canada. OEA/Ser.L/V/II., Doc. 30/14, ISBN 978-0-8270-6324-2

Royal Canadian Mounted Police (2014). Missing and murdered Aboriginal women: A national operational overview. Retrieved from <http://www.rcmp-grc.gc.ca/pubs/mmaw-faapd-eng.pdf>

### 2. Provincial Action of Prevention of Sexual Harassment

Ontario Human Rights Code: <http://www.ohrc.on.ca/en/learning/human-rights-101/ontario-human-rights-code>

Ontario Human Rights Commission: <http://www.ohrc.on.ca/en>

<http://www.theglobeandmail.com/globe-debate/wynnes-plan-to-combat-sexual-violence-is-bold-and-hopeful/article23354454>

Three-in-ten Canadians say they've been sexually harassed at work, but very few have reported this to their employers <http://angusreid.org/sexual-harassment/>