

In 1989, a comprehensive review of the justice system in the NWT and Judge R.M. Bourassa's dismissal from the bench were called for by Pauktuutit and other women's organizations in the North as a result of the following comments made by Judge Bourassa.

The majority of rapes in the Northwest Territories occur when the woman is drunk and passed out. A man comes along, he sees a pair of hips and helps himself... That contrasts sharply to the cases I dealt with before (in southern Canada) of the dainty co-ed who gets jumped from behind.

Aruna Papp, representing the South-Asian Family Support Services, has spent 14 years working with abused women from the South Asian community in Canada. She told the Committee:

The courts are not sensitive to wife abuse, women abuse, period. It does not matter what culture they are...It is very discouraging that not enough education has been done in that area. I do not think that it has to do with culture at all; it just has to do with women. (9:13)

The Committee agrees with the witnesses' assessments that these, and other examples it heard of judicial comment in physical and sexual assault cases, reflect cultural and gender insensitivity based on negative stereotypes and myths about women, sexuality, and violence. These perceptions of judges have had the effect of decreasing or negating the seriousness of violence and its impact on the victim. The Committee believes that until the judiciary responds to these crimes of violence against women in a way that deters and denounces the violence, women will continue to be revictimized by the criminal and family courts in this country.

Each of the witnesses who spoke on the subject of gender issues and the judiciary before the Committee highlighted the need to educate judges about violence against women. Each expressed the viewpoint that judicial education to address and enhance understanding of gender issues must be mandatory or judges would not participate. The Committee agrees with the thrust of these proposals.

The Committee is aware of the existence of the Canadian Judicial Centre which was established at the University of Ottawa in 1989. The mandate of the Centre is to design and coordinate educational services for sitting judges at all levels across the country. The national school is run by judges for judges. It provides both training and refresher courses on legal topics such as writing judgments, criminal evidence, interpreting the *Canadian Charter of Rights and Freedoms* and sentencing. As well, there are professional development seminars that emphasize, among other things, the changing values of society and a focus on wife assault, gender-equality and cultural diversity. Participation of judges is strictly voluntary. The Committee sees the inclusion of courses related to gender equality in the Canadian Judicial Centre curriculum as possibly