

all federal legislation must be subject to review for its effect on women's equality. The Committee was told that the process of scrutinizing prospective legislation in this way should incorporate the participation and suggestions of equality-seeking groups.

The alternative to adequate scrutiny of legislation is litigation by equality-seeking groups who are forced to challenge unconstitutional legislation before the courts, or, even more disturbing, to protect the legislative gains already achieved by women which have been challenged by those hostile to women's equality. This places an inordinate burden on non-profit equality-seeking groups, and women's equality should not depend on the litigation capacity of such organizations. Helena Orton, of the Women's Legal Education and Action Fund (LEAF) told the Committee that "equality requires that government respond to the needs of disadvantaged groups" (4:29), and she pointed out that this is a requirement for positive action, because inaction will often reinforce inequality.

In order for Parliament to make clear its message that violence against women is no longer acceptable in Canada, the Committee was advised that any statement to this effect must be accompanied by an allocation of resources to help the most disadvantaged groups in society who are seeking equality. The Committee agrees that the expertise of equality-seeking groups should be sought for timely and meaningful consultations on the drafting of legislation to deal with the problem of violence against women.

### **RECOMMENDATION 18**

**The Committee recommends that an administrative body or task force, comprised of individuals with expertise in law as well as other expertise in areas affecting women's equality, be struck and charged with the task of developing equality-enhancing legislative responses to violence against women, through timely and meaningful consultation with equality-seeking groups. The groups should be provided with funding to enable them to develop their expertise and provide the committee with input and assistance. This task force would be responsible for the screening of all legislative initiatives to determine their consistency with women's equality.**

### **L. PREAMBLES TO LEGISLATION**

Since the advent of the equality guarantee in section 15 of the Charter, women and their advocates, such as LEAF, have demonstrated in the courts some of the many instances of inequality experienced by Canadian women. Witnesses described the