

A British Columbia judge gave a 33-year old man a suspended sentence for sexually assaulting a three-year old girl. According to the judge: "The child was sexually aggressive."

It is the view of Dr. Steinberg that these events send a message to men and women, young and old, that men have permission to assault women and that women are to blame if they are assaulted. She added: "Violence against women is the only crime where the victim is blamed" (12:47).

In her appearance before the Committee, Sister Cecile Renault, of the New Brunswick Coalition of Transition Houses Against Abused Women, related the experience of one battered woman with the criminal court.

There was a woman who came to the shelter where I work... She had been in the hospital for three days before coming to the shelter...she was really badly battered. The police had laid charges. She went to court about three months later...and there was her husband, the batterer. Of course she was the only witness; therefore, she had to testify. She told me after that she was paralyzed. She could not say anything, and the judge said it was contempt of court. He sentenced her to five days in jail because she would not testify. The lawyer met with the judge and he did not send her to jail... Outside the court, [the judge] said he just wanted to frighten her. She was so frightened that she could not speak. This is what I mean by being sensitive enough to what the woman is going through. (5:119)

Witnesses from the Montreal Urban Community Police Department and the Federation of CLSCs gave evidence concerning the referral mechanism that exists between the two organizations in wife assault incidents. John Kousik, of the Montreal Urban Police Department and Michelle Doyon, of the Federation of CLSCs, in their joint presentation expressed concern over the lack of understanding and sensitivity demonstrated by the judiciary to the problems of victims of wife assault. John Kousik noted that when a judge releases a man charged with wife abuse pending a hearing, the release conditions imposed are often inadequate to protect the victim from further abuse.

Quite often we have to explain why a judge has released someone on bail or on their own recognizance and the types of conditions imposed pending a hearing. Perhaps the judiciary should do this and hear the anguish, fear, and pain in the voice of the victim. (10:8)

Representatives appeared from the Ottawa-Carleton Regional Coordinating Committee on Wife Assault, a coalition of agencies and community-based organizations that serve women, ranging from shelters and support groups for women, through to the police, hospitals and lawyers. Ann Sharp told of two recent judicial judgments rendered in the Ottawa-Carleton region that had had the effect of re-victimizing the women involved and their children (13:44-45).