



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Sixty-fifth session**

Summary record of the 1434th meeting

Held at the Palais des Nations, Geneva, on Tuesday, 25 October 2016, at 3 p.m.

Chair: Ms. Hayashi

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined eighth and ninth periodic reports of Canada (continued)
(CEDAW/C/CAN/8-9; CEDAW/C/CAN/Q/8-9 and Add.1)

Articles 7 to 9 (continued)

1. *At the invitation of the Chair, the delegation of Canada took places at the Committee table.*
2. **Ms. Savoie** (Canada), replying to questions posed at the previous meeting, said that, although 64 per cent of federally appointed judges were female, that statistic was not representative of the country as a whole because it did not take provincially or territorially appointed judges into account. In the foreign service, women accounted for 48 per cent of all officers, including 42 per cent of officers in the rotational management group and 15 per cent of officers in other management categories. In the Permanent Mission of Canada to the United Nations Office at Geneva, 70 per cent of all employees were women.
3. **Ms. Brady** (Canada) said that, when the Parliament of Canada had been in the process of adopting the Protection of Communities and Exploited Persons Act of 2014, parliamentarians had been issued with a document setting out the Government position on prostitution to assist them in the deliberations. That document, which detailed the research that had guided the Government's approach and provided information on the international models used as points of comparison, would be made available to the Committee after the meeting.

Articles 10 to 14

4. **Ms. Gbedemah**, noting that considerably fewer indigenous women attained their high school diploma than their non-indigenous counterparts, asked what proportion of the Can\$ 8.4 billion allocated for investment in indigenous communities would be set aside for the education of indigenous women; what strategies were in place to ensure that the educational needs of indigenous women were being met and that they had access to the full range of educational programmes and services available to non-indigenous students; and whether a time frame had been set for the achievement of equal educational outcomes for indigenous and non-indigenous students. She would appreciate information on the impact on indigenous women of funding cuts in post-secondary education; on the link between child welfare and access to education for women; on the number of indigenous women on the waiting list for post-secondary education; and on any impact assessments conducted to measure the success of initiatives designed to improve the education of indigenous women. In connection with those points, she noted the lack of information provided by the State party about the career paths pursued by indigenous women following the completion of post-secondary education. She also wished to know whether any action had been taken to remove the funding cap on the Post-Secondary Student Support Programme; whether the Government intended to increase educational grants in order to reduce overall student debt; and whether the Government had taken measures to address the barriers faced by Aboriginal dropouts who attempted to resume their education. She would also appreciate more data on educational indicators such as absenteeism in schools, numbers of female teachers, and student-teacher ratios.
5. **Mr. Bruun** said that, although the International Labour Organization (ILO) had asked Canada to ensure that all territories under its jurisdiction recognized the principle of equal pay for work of equal value, legislation to that effect was currently in place only in

the provinces of Quebec and Ontario. Since ILO had also asked the State party to repeal the Public Sector Equitable Compensation Act of 2009, he would appreciate information on any Government plans to repeal that Act and the legislation that would be introduced in its place. He also enquired as to how the State party ensured the effective enforcement of employment legislation, noting that in the case of *Public Service Alliance of Canada v. Canada Post Corp* it had taken 28 years of deliberation for the courts to finally uphold the claims of discrimination filed by the latter's female employees — a situation which highlighted the inefficiency of legislative enforcement.

6. A number of structural issues needed to be addressed in order to improve the position of women in the labour market. For instance, the State party should ensure that affordable childcare services were available, as less than 25 per cent of childcare needs were currently being met; it should develop and implement a human-rights and gender-based anti-poverty strategy, in view of the large number of single mothers living in poverty across the country, particularly in British Columbia; and it should make efforts to help women with the transition from part-time to full-time work and to assess the needs of women with disabilities and indigenous women in the workplace. He was concerned about the vulnerable position of temporary foreign workers employed as caregivers who found themselves dependent on one employer as a result of their employer-specific work permit and wondered, in that connection, whether the Government intended to ratify the ILO Domestic Workers Convention, 2011 (No. 189) in order to improve the situation of such workers.

7. **Ms. Arocha Dominguez** said that she shared the concerns raised by the Committee on Economic, Social and Cultural Rights in March 2016 regarding the lack of access to abortion services for women in certain territories of Canada. She enquired as to the causes of that problem; what the State party was doing to ensure access to such services even in cases of conscientious objection on the part of health-care professionals; and whether it had any plans to investigate the negative implications of conscientious objection for women who found themselves either unable to have an abortion or forced to have an unsafe abortion as a result.

8. Noting that the number of abortions taking place in the State party was worryingly high, she asked whether abortion might be being used as a form of contraception — a premise which, in turn, led her to question the effectiveness of sex education and the availability of contraception in Canada. Data provided by the State party indicated that over 60 per cent of women aged between 18 and 44 used some form of contraception: she wondered why no such data was available for girls under the age of 18. The lack of information was particularly alarming in view of the fact that girls were engaging in sexual activity at an increasingly young age and therefore required effective access to contraception. She enquired as to the quantity, quality, cost and overall accessibility of contraception for all persons in Canada, regardless of their socioeconomic status, and asked whether the State party had recorded any cases of forced sterilization, particularly among indigenous women, women of African descent, women with disabilities or women in prison. Lastly, she would welcome information on the strategy used by the State party to address increasing opioid addiction in Canada.

9. **Ms. Priest** (Canada) said that the federal Government was working with provincial and territorial authorities and indigenous groups to guarantee educational support for women; it provided financial assistance to provincial and territorial governments, and grants and loans to individuals. Significant funding increases had recently been announced in order to help poorer Canadians access educational services.

10. **Ms. Buist** (Canada) said that Indigenous and Northern Affairs Canada was working to implement Government strategies that entailed considerable investment in First Nations education. It was also working with First Nations and Inuit communities and, in particular,

with survivors of the residential school system, to ensure that education about residential schools and indigenous contributions to society were included in all school curricula.

11. Between 2006 and 2011, the number of First Nations women on reserve who had attained a high school diploma had increased. First Nations women were more likely to attain such diplomas than their male counterparts but the rate of high school completion was considerably lower among First Nations women than among non-Aboriginal women. The 2016 budget had set aside over Can\$ 2.5 billion to be allocated over five years to the education of First Nations students. Considerable investment in educational infrastructure and special needs education was also planned. As regards post-secondary education for indigenous persons, student grants had been increased by 50 per cent and the Government was working with indigenous communities to expand the scope of the Post-Secondary Student Support Programme. In addition, a plan to improve the quality of First Nations primary and secondary education was soon to be established. In British Columbia, a framework and action plan had been developed to increase access to post-secondary education for Aboriginal students.

12. **Ms. Neveu** (Canada) said that the Government of Quebec had made efforts to encourage women to pursue careers in traditionally male-dominated sectors through higher education and vocational training, offered grants to women who chose careers in science and technology, and had adopted various measures to support vulnerable women such as single mothers or indigenous women in their pursuit of a career.

13. **Ms. Mitchel** (Canada) said that the federal Government was working with its provincial and territorial counterparts and with indigenous communities to finalize its new Early Learning and Child Care Framework. An initial amount of Can\$ 500 million would be invested in the Framework. The Government was also considering parental leave and flexible working arrangements as a means to increase the labour market participation of women. The development of a discussion paper on poverty reduction had also been announced, and the Government was currently engaging with stakeholders in that connection. An initiative to tackle poverty and identify the key issues to be included in any future poverty reduction policy had already been launched in six communities across Canada. As regards pay equity, the federal Government had accepted the recommendations contained in a recent parliamentary report and would revise existing legislation in order to reduce the pay gap between men and women. The revised legislation should be implemented in the course of 2018.

14. **Ms. Neveu** (Canada) said that the Government of Quebec had introduced a number of measures to improve the participation of women on the labour market. For instance, the Parental Insurance Plan, introduced in 2006, provided support to new mothers and fathers, and a subsidized day-care network, which had also been running for a number of years, offered lower cost childcare to parents with children aged 5 years and under. Studies had been conducted to assess the impact of such measures and the findings indicated that single mothers had a stronger presence on the labour market and that the average income of both single parent and two-parent families had increased as a result.

15. **Mr. Scoffield** (Canada) said that, in Canada, all migrant workers, including migrant domestic workers, enjoyed the same rights and protection as Canadian citizens under applicable federal, provincial and territorial labour standards and occupational health and safety laws. Since 2014, a number of measures had been taken to reduce migrant domestic workers' vulnerability to abuse and exploitation. For example, the requirement for migrant domestic workers to reside with their employer had been waived, and an emergency system had been introduced whereby migrant domestic workers who urgently needed to leave their employment could submit an application for a new work permit, which would be processed within 10 days. Migrant domestic workers whose previous work permit had expired or was

no longer valid had a 90-day window during which they could apply for restoration of status without facing immigration consequences.

16. In September 2016, federal and provincial ministers had adopted a workplan to examine the feasibility of ratifying a number of ILO conventions. However, the conventions selected for consideration did not include the ILO Domestic Workers Convention, 2011 (No. 189).

17. **Ms. Savoie** (Canada) said that, although the provision of sexual health education fell within the jurisdiction of the provincial authorities, there were federal guidelines on that subject which served to frame the national sexual health education curriculum. The guidelines had been revised in 2008 and supplemented over time to cover emerging issues such as gender identity, sexual health education for young persons with physical disabilities and the prevention of sexually transmitted and blood-borne infections among ethnocultural minorities and older adults. To date, users of the guidelines had not requested the addition of any further content.

18. **Ms. Priest** (Canada) said that, in the province of Ontario, the sexual health education curriculum had been overhauled in September 2015 to provide students with more accurate and up-to-date information on existing and emerging issues such as healthy relationships, sexual consent, online safety and the risks of sexting. Sexual health education was taught to a wide range of students in 11 languages, including Arabic, Chinese, Farsi, Korean, Polish, Punjabi, Somali and Urdu.

19. **Ms. Savoie** (Canada) said that the Minister of Health had announced a five-point action plan to tackle the current opioid overdose crisis and to prevent the misuse of such drugs. The action plan's objectives were to better inform persons living in Canada about the risks of opioid misuse; to promote better prescribing practices; to curb easy access to unnecessary opioids; to support alternative treatment options; and to improve the national evidence base on which policy decisions were taken. Under the action plan, the user-friendliness of naloxone hydrochloride nasal sprays for the emergency treatment of an opioid overdose had been reviewed and the use of diacetylmorphine to treat the chronic relapsing of opioid dependents had been authorized in emergency situations.

20. **Ms. Priest** (Canada) said that, in the province of Ontario, the Minister of Health and Long-Term Care had announced a new strategy on opioids that was focused on the provision of quality care, comprehensive harm reduction and overdose prevention. The interim measures provided for under the strategy included delisting high-strength formulations of long-acting opioids from the Ontario Drug Benefit Formulary as of January 2017; increasing annual investment in Ontario's chronic pain network in order to open new or upgrade existing chronic pain clinics; broadening access to naloxone hydrochloride in the case of opioid overdoses; and imposing restrictions on prescribing and dispensing fentanyl patches.

21. **Ms. Savoie** (Canada) said that the federal Government was committed to making funded abortion services available in every province and territory of Canada in the near future. However, guaranteeing access to abortion for women who lived in rural or remote areas of the country remained a challenge, as many of those women still had to travel long distances to access sexual and reproductive health services. As to the issue of conscientious objection as a barrier to abortion, medical regulatory bodies were developing codes of ethics and standards of practice for physicians and other health-care professionals as a means to ensure that all women had access to the sexual and reproductive health services to which they were entitled.

22. **Ms. Priest** (Canada) said that, in the province of Ontario, there was a policy whereby physicians who were unwilling to provide certain health-care services for reasons of conscience or religion were required to communicate their objection directly to existing

and prospective patients, without promoting their personal moral or religious beliefs, and to inform the patients concerned that their objection was based on personal and not clinical reasons. After making their objection known, physicians were required to provide patients with a timely and effective referral, in good faith, to an available and non-objecting physician or health-care professional; to maintain an effective referral plan for frequently requested health-care services that they were unwilling to provide; and to provide health-care services in an emergency to prevent imminent harm, even when the services in question conflicted with their conscience or religious beliefs.

23. **Ms. Savoie** (Canada) said that young girls under the age of 18 did have access to contraception; the lack of statistical data in the periodic report (CEDAW/C/CAN/8-9) could be attributed to issues of confidentiality and the fact that such data were not being collected consistently across the country. However, the delegation would provide further information on the subject in writing.

24. **Ms. Schulz** said that the Committee had been informed by alternative sources that the number of arrests and prosecutions for non-disclosure of HIV-positive status — which was usually prosecuted as aggravated sexual assault and carried a maximum penalty of life imprisonment — was extremely high. Furthermore, persons convicted of that offence were registered as sex offenders and could therefore experience difficulties in accessing employment and housing upon leaving prison. The Committee had also received reports that persons could be sentenced even when there was no significant risk of HIV transmission, and that the disclosure criteria set out in court decisions were unclear and inconsistent, making it difficult for people living with HIV to know what information they were required to disclose before engaging in sexual acts. She asked whether the State party had considered prosecuting only cases of intentional HIV transmission, as recommended by the Joint United Nations Programme on HIV/AIDS. While she welcomed the State party's new approach to drug use, she would be interested to know whether it planned to decriminalize drug use fully in the future.

25. **Ms. Gbedemah**, noting that the delegation had not responded to her earlier questions regarding investment allocated to the education of indigenous women, strategies adopted to close the education gap between indigenous and non-indigenous women, and the impact of the education initiatives mentioned in paragraphs 49, 52 and 53 of the periodic report, said that its reply could be submitted in writing if necessary.

26. **Mr. Bruun** asked how the State party's employment policy, which included poverty reduction and childcare strategies, would be implemented, in view of the federal system of shared competencies and responsibilities.

27. **Ms. Arocha Domínguez** said that the State party should take steps to ensure that the examples of good practices from the different provinces and territories that had been provided by the delegation were implemented across the whole country, and to remedy the lack of statistical data in key areas, which prevented the Committee from assessing the degree of implementation of the Convention on the ground. She asked whether the State party had considered doing more to promote the use of medical methods of abortion, as opposed to surgical methods, as a means of extending access to abortion to women living in rural or remote areas.

28. **Ms. Brady** (Canada) said that the federal Government's new approach to drug use was focused on addressing the negative health and social consequences of problematic drug use while ensuring respect for human rights. The new approach included harm reduction initiatives, such as supervised drug consumption sites, and measures to address the disproportionate impact of criminal justice processes on vulnerable groups, such as culturally sensitive rehabilitation and correctional programmes for indigenous women. A ministerial working group had been mandated to review the use of mandatory minimum

penalties for drug-related offences in order to ensure that existing sentencing laws were in full compliance with the Canadian Charter of Rights and Freedoms after the Supreme Court had ruled in a number of cases that such sentencing policies were unconstitutional. The federal Government was also taking steps to legalize and regulate access to marijuana. A private member's bill known as the Good Samaritan Drug Overdose Act, which, if passed, would grant individuals immunity from minor drug possession charges when seeking assistance for someone who had taken a drug overdose, had been submitted to Parliament and enjoyed government support.

29. **Ms. Savoie** (Canada) said that the delegation would reply in writing to the questions about HIV status disclosure. The childcare strategies that were part of the national employment policy would be implemented by means of bilateral agreements between the federal Government and various provincial governments, as such an approach would allow each province to adopt a system that met its specific needs. Indigenous communities would be duly consulted during that process.

30. **Ms. Nadaraia** said that the State party was to be commended on its efforts to provide a sufficient number of affordable childcare places and affordable and adequate housing options, including in Aboriginal communities, and on giving priority to women with low incomes, who were particularly disadvantaged in those areas. However, information from alternative sources suggested that around 13.5 per cent of women in Canada still lived in poverty, with indigenous and immigrant women, women with severe disabilities, single women over the age of 65 and single mothers being disproportionately affected. It would be useful to receive more information on the policies and programmes adopted to promote the economic and social empowerment of those groups of vulnerable women. The delegation should also outline the measures taken to remove the obstacles faced by rural and indigenous women in accessing water, adequate sanitation, health-care services, transportation, affordable housing, employment, childcare and education; to curb further deterioration in their living conditions and state of health; to lift them out of poverty; to preserve their cultural identity; to reduce the high incarceration rate among them; and to protect them from violence. She also enquired whether the federal Government intended to increase public spending as a share of gross domestic product in order to guarantee the progressive realization of the economic, social and cultural rights of all women in Canada.

31. **Ms. Arocha Domínguez** said that women living in rural or remote areas of the country often fell victim to multiple discrimination and that their needs were seldom taken into account when rolling out large-scale projects to develop those areas, particularly projects involving the exploitation of natural resources. The Committee was particularly concerned about the impact of such projects on the welfare and way of life of indigenous women, who might be evicted from their traditional lands, feel intimidated at work by the sudden arrival of a male-dominated workforce and suffer violence and/or abuse, while remaining underrepresented in consultations and negotiations concerning their lands. She enquired as to the steps taken by the State party to ensure that all new large-scale development projects included a gender perspective; to guarantee indigenous peoples, particularly women, access to affordable housing, drinking water, employment and childcare; to prepare indigenous women to deal with the impact of such large-scale development projects; to protect indigenous family structures; to obtain the consent of indigenous peoples prior to appropriating their traditional lands; and to involve women at all stages of the related decision-making processes.

32. **Ms. Savoie** (Canada) said that the federal Government was committed to ensuring that vulnerable groups of women benefited on an equal footing from the policies and programmes that it had adopted to address the problems impeding the full enjoyment of their rights. Going forward, the Government hoped to take a more intersectional approach

to tackling poverty among women and to include a gender perspective in its poverty reduction strategies.

33. **Ms. Buist** (Canada) said that the historic Can\$ 8.4 billion investment allocated to improve the socioeconomic conditions of indigenous peoples would be spent on child welfare, housing, infrastructure improvements, cultural and recreational facilities and community solutions. In 2016 alone, the new funding would support, inter alia, the construction or renovation of 2,700 housing units, 195 water projects and 118 schools. The Income Assistance Programme, the Urban Aboriginal Strategy and the Assisted Living Programme, provided through Indigenous and Northern Affairs Canada, all addressed poverty in indigenous communities. In 2014-2015 the federal Government had invested Can\$ 910 million in income assistance support payments to approximately 163,000 beneficiaries living on reserve, 44 per cent of whom were women. It had also funded pre-employment support to help women move proactively from income assistance dependency through skills training. In the past two years, the Urban Aboriginal Strategy had funded 647 off-reserve projects, run by organizations such as Pauktuutit, the representative organization of Inuit women, the Ontario Native Women's Association and the Native Women's Association of Canada. In 2016, extensive consultations, including 21 round tables, had been conducted nationwide to ensure that the Strategy better met the needs of urban indigenous people. The Assisted Living Programme provided funding to on-reserve persons with disabilities to enable them to obtain non-medical social support and in-home care.

34. Under the new water and wastewater funding programme, Can\$ 570 million would be allocated over the next five years to bring water and wastewater systems up to standard, resolve infrastructure gaps, meet future growth needs and support training and capacity development. Health Canada was providing over Can\$ 300 million in 2016 to support culturally relevant mental wellness programmes and services in First Nation and Inuit communities, including addiction and suicide prevention programmes, crisis response services, and treatment and after-care supports for eligible former students of Indian residential schools. Under the National Aboriginal Youth Suicide Prevention Strategy, Health Canada supported 138 community-based suicide prevention programmes across the country. In response to the recent suicide crisis among young persons on reserve, the federal Government had announced a further investment of Can\$ 69 million over three years for immediate interim measures, which would increase the number of mental wellness teams in First Nation and Inuit communities from 11 to 43 and fund additional mental health crisis intervention teams and a 24-hour crisis support line.

35. **Ms. Mitchel** (Canada) said that the federal Government had already put in place a number of measures to address poverty, including the Canada Child Benefit, a tax-free payment of a maximum of Can\$ 6,400 annually to support families raising children, which benefited 9 in 10 families. The income supplement provided to seniors had been increased by almost Can\$ 1,000 per year and benefited 900,000 persons, 600,000 of whom were single women. Spending on social housing would also be increased over the next two years.

36. **Ms. Savoie** (Canada) said that the federal Government was aware of the disruptions caused to communities by major infrastructure projects and large-scale mining, forestry and fishing activities, and also of the need to investigate the link between those activities and gender-based violence. The Government worked in close partnership with civil society to identify innovative solutions that could inform policymaking in that area. Efforts had been made to identify ways not only of encouraging more women to enter the mining, forestry and fishing industries but also of making changes to the traditionally male-dominated working environment that might help to improve retention rates among women. Status of Women Canada, in collaboration with Indigenous and Northern Affairs Canada, endeavoured to create opportunities for indigenous women's voices to be heard. In the first

half of 2016, a call for proposals had been launched to invite funding applications for projects designed to bring indigenous women into leadership positions and equip them to address issues of relevance within their communities. The Government fully acknowledged the need to refine interventions at the policy and programme levels in order to ensure that the most disadvantaged women were brought into the mainstream.

Articles 15 and 16

37. **Ms. Halperin-Kaddari**, noting with concern that the Family Homes on Reserves and Matrimonial Interests or Rights Act did not apply to those First Nation reserves that had enacted their own legislation on the subject and that the application of matrimonial property laws and emergency protection measures was therefore uneven, asked why the Government had not provided guidelines or set minimum standards of protection for women and children that could be adopted by First Nations when developing their own matrimonial property regimes. On the issue of domestic violence, she wondered what was being done to enhance communication between the criminal law courts and family violence courts, so as to guarantee the protection of children and their caregivers. She would also be interested to know what was being done to remedy the lack of harmonization between federal and provincial legislation on child custody, particularly in relation to issues such as domestic violence and the best interests of the child. Perhaps the strong provisions of the Family Law Act of British Columbia might be used to guide future law reform? She wondered whether there were any policies or guidelines providing safeguards against strategic or opportunistic claims for shared custody that were motivated by the desire to decrease child support payments. Noting lastly that the family patrimony property regime in Quebec did not cover *de facto* unions, she invited the delegation to provide an update on the work of the advisory committee on family law established to assess the possibility of reforming Quebec family law.

38. **Ms. Buist** (Canada) said that, in cooperation with the Native Women's Association of Canada and the Assembly of First Nations, the federal Government had conducted extensive consultations across the country for two years prior to passing the Family Homes on Reserves and Matrimonial Interests or Rights Act. The negotiations had been facilitated by a ministerial special representative and the legislation adopted sought to balance individual rights, specifically the need for spouses and common-law partners on reserves to have matrimonial protection, with the collective interests of indigenous people in their reserve lands. Self-governing First Nations and those that came under the First Nations Land Management Act were not covered by the provisional federal rules established in the Act unless they specifically chose to enact their own legislation. First Nations that were not under those regimes — which was the majority — and chose not to enact their own specific laws were covered by the federal rules. Eleven First Nations had exercised their law-making powers on the matter. A centre of excellence funded by the federal Government and hosted by the National Aboriginal Lands Managers Association assisted First Nations in building their capacity to pass their own laws. The Government was working in partnership with the provinces and territories to implement the Act. To date, only New Brunswick had designated judges for the purpose of making the emergency protection orders provided for under the Act.

39. **Ms. Savoie** (Canada) said it was true that Canada lacked a homogeneous system of family law and that many aspects came under the jurisdiction of individual provinces or territories. However, the best interests of the child was the underlying principle informing the decisions of all courts across the country when it came to family law. Several small-scale pilot projects were being conducted to better understand how the criminal law and family law systems might work better together. More specific information on certain issues could be provided subsequently in writing if necessary.

40. **Ms. Halperin-Kaddari** said that she was concerned about the alarming overincarceration of indigenous women, which was a form of systemic discrimination, and the fact that, although women prisoners posed a low risk to public safety and were less likely than men to return to prison on new charges, Correctional Service Canada continued to use the same needs and risk assessment tools for both men and women. Recalling that a number of human rights bodies had called on the State party to stop the use of solitary confinement for women prisoners, especially indigenous women and those with disabling mental health issues, she asked what steps were being taken to ensure that all justice and law enforcement officers fully understood the need to ensure that women with mental health issues were offered appropriate support and treatment instead of being criminalized and incarcerated. She would appreciate details of the criteria used to validate the security classification system for women detainees and the measures being used to remedy the current overclassification of indigenous women. She would welcome further information in writing on the harmonization of the federal Divorce Act with the different provincial family law acts with respect to the definition of the best interests of the child in situations of family violence and the guidelines for judicial determination of custody when allegations of family violence were made.

41. **Ms. Lavoie** (Canada) said it was true that indigenous women were overrepresented in correctional institutions, accounting for more than 36 per cent of the incarcerated women's population, even though indigenous people represented only 4.3 per cent of the total population. In the case of adult women who received sentences of 2 years or more, the custody rating scale was used to determine the appropriate classification on initial admission, taking into consideration the seriousness of the offence, the woman's social and criminal history, physical or mental health, potential for violent behaviour and continued involvement in criminal activity. The security reclassification scale for women had been revalidated most recently in 2013, and was due to be revalidated in the next evaluation cycle. Canada did not practise solitary confinement as defined in the Standard Minimum Rules for the Treatment of Prisoners, but used administrative segregation. Measures were in place to ensure that inmates who were removed from the general population for safety and security reasons had regular meaningful contact with a range of individuals, including management, health-care personnel, chaplains, correctional officers and representatives of advocacy groups, as well as personal visits, telephone calls and writing materials. Nonetheless, it was acknowledged that administrative segregation was not ideal.

42. A new framework for administrative segregation had come into force in October 2015 and a structured assessment tool had been introduced to ensure that all policy and legislative requirements were met; that necessary consultations had taken place; and that all viable alternatives to administrative segregation had been considered. Other improvements made included provision for the review of mental health cases, allowing inmates with significant mental health concerns to engage an advocate to assist them in the review process, and requiring that a mental health professional sit as a permanent member on all institutional segregation review boards. Those changes had resulted in an 18 per cent decrease in admissions to administrative segregation for women in 2015-2016.

43. **Ms. Priest** (Canada) said that, although female youth in general were not overrepresented in the Ontario justice system, indigenous female youth were, accounting for some 16 per cent of all girls admitted to the justice system in 2014-2015. The authorities were working closely with indigenous community partners on prevention, diversion, rehabilitation and reintegration. Gender considerations had been incorporated into policy development, facility planning and design, staff training and programming. Training had been provided in detention facilities on gender-responsive approaches to issues such as eating disorders, vicarious trauma and self-injurious behaviour.

44. **Ms. Savoie** (Canada) said that the importance of the review process with the Committee could not be overstated. The Committee's conclusions would be used as a tool for dialogue across Canada, as the State party strove to make progress and address the areas in which gaps persisted.

45. **The Chair**, thanking the delegation for the constructive dialogue, which had provided further insight into the situation of women in Canada, said that the Committee commended the State party on its efforts and encouraged it to take all necessary measures to address the various recommendations that would be issued.

The meeting rose at 4.55 p.m.