

## EXECUTIVE SUMMARY

### ISSUE

The nature and content of the Government's response to the recommendations in the Equality for All Report.

### RECOMMENDATIONS

It is recommended that:

1. The Government table a comprehensive response to the recommendations in Equality for All indicating where the Government has acted and what the Government plans to do to implement the recommendations in the Report.
2. The Government accept the responses to the recommendations in Equality for All as set out in Annex A, except for the response to Recommendation 28 which needs further consideration.
3. The Minister of Justice co-ordinate the implementation of the response to Equality for All and report to Cabinet on June 15, 1986 on the progress of the implementation of the responses to the recommendations.
4. (Financial)

### RATIONALE

5. The Government has already decided that social justice issues are one of its priorities for the coming year. The responses to the recommendations in the Equality for All Report will provide the Government with a key opportunity to indicate its position on a number of important issues in this area.
6. At the time the Discussion Paper on Equality Issues in Federal Law was tabled in the House of Commons in January, 1985 the Minister of Justice indicated that upon receipt of the report of the Sub-Committee the Government would be prepared to make changes in federal laws to ensure conformity with the guarantee of equality rights in section 15 of the Charter. There is a public expectation that the responses to the recommendations of the Equality for All Report will indicate where the Government is prepared to make these changes.
7. The recommendations in the Equality for All Report deal with a number of complex social issues where the opinions of Canadians as to what ought to be done to ensure conformity with section 15 differ widely. In a number of these areas such as mandatory retirement, changes to the Canadian Human Rights Act and women in combat the response sets out a compromise position which takes into account these differing points of view. It is quite clear that in order to ensure conformity with section 15 of the Charter, the Government must act on some of the recommendations in Equality for All.

### POSSIBLE ADVERSE CONSEQUENCES

8. A number of the responses, especially those dealing with changes to the Canadian Human Rights Act, will be controversial with some segments of the Canadian public.

9. Others may perceive that the responses such as those on women in combat, sexual preference and marital or family status do not go far enough to ensure consistency with the equality rights guarantees in section 15.

DEPARTMENTAL POSITIONS

10. The Minister of Justice has co-ordinated the preparation of the response. The appropriate departments were given responsibility for the preparation of the response for each recommendation. In a number of areas (i.e., mandatory retirement, marital status, employment equity, amendments to the Canadian Human Rights Act and pensions) inter-departmental consultations were organized.

11. (set out departmental objections to specific responses)

POLITICAL CONSULTATIONS

12.

COMMUNICATIONS

13. A synopsis and detailed plan (Annex III) are attached.

Major Themes

14. The federal proposals contained in the response satisfy Charter equality guarantees and meet the federal government's stated objective of advancing social justice. Through progressive changes to federal laws and policies in support of equality rights, individual Canadians will be assured of equality of opportunity and will not have to unnecessarily seek protection of their rights in the courts.

Response to Possible Criticisms

15. Q. Why has the federal government chosen not to open all activities in the Canadian Armed Forces to women?

A. We have given careful consideration to allowing women access to combat roles, for example, and to other areas. While women continue to be integrated in non-traditional areas of employment in the Forces, too many concerns remain unanswered to allow us to make major changes to the composition of our armed forces now. Substantial progress has been made in expanding employment opportunities for women in the Canadian Armed Forces and this will be accelerated as rapidly as international conditions will allow.

Minister of Justice  
Ministre de la Justice