

# **Gender and Public Consultations: Canadian Experiences**

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## **Introduction**

A commitment to gender equality constitutes a core value within Canadian public policymaking. As a signatory to United Nations commitments to gender equality such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Beijing Platform for Action, and the Millennium Development Goals, the Canadian government is committed to eradicating gender inequalities within Canadian society. Under Canada's Federal Plan for Gender Equality adopted in 1995, all federal government departments and agencies are required to implement a systematic assessment of all future legislation and policies to identify any potential differential impacts of policies and programs on women and men. Consultative mechanisms are a pivotal tool in achieving the successful integration of gender analysis into the policy process.

In recent years, escalating demands for citizen participation in the policy process through mechanisms such as public consultation have grown exponentially. In Canada, research institutes such as the Canadian Policy Research Network argue that increased citizen involvement in the policy process is critically important to stem the tide of growing distrust between citizens and their governments, heighten the legitimacy and sustainability of policies and programs and generate more effective and efficient public policies (MacKinnon, 2005). Currently, governments both in Canada and abroad are experimenting with consultative models to facilitate substantive citizen involvement in governance. Many countries, including Canada, now recognize the need not only to consult with citizens for their opinion on policies, but also to engage citizens as active participants throughout the entire policy process, including at the early stage of defining policy priorities and developing policy options.

Another insight that informs this new approach to public consultations is an acknowledgement that women have been marginalized from public policymaking and decision-making processes.<sup>1</sup> Although there is now widespread acceptance of the need to increased public involvement in the policy process, women continue to experience under-representation in consultative forums. Many governments also do not recognize gender as a critical factor to consider in public policymaking. The lived experiences of men and women, however, may mean that policies and programs can affect men and women differently in ways that compromise the effectiveness and efficiency of policies and programs. Consequently, ensuring that women are involved as equal participants in public consultations regardless of the policy under discussion and that gender analysis becomes an accepted methodological tool for consultation exercises are key to maximizing the success of public consultations.

This paper outlines the issues involved in achieving equal participation by women in public consultations and ensuring that gender concerns are integrated fully into public consultation processes. The paper summarizes two recent Canadian public consultations to determine how women can best participate in consultative forums and highlights some of the better practices with respect to generating meaningful inputs from women's groups that can both promote women's equal access to consultation as well as strengthen linkages between positive policy outcomes and gender equality. The paper ends by offering some lessons learned from the

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<sup>1</sup> Globally, women account for only 16.6% of the world's parliamentarians (Interparliamentary Union, 2006, [www.ipu.org/wmn-e/world.htm](http://www.ipu.org/wmn-e/world.htm)).

Canadian context for consideration in discussions around gender and public consultations in China.

### **Why is Gender an Issue for Public Consultations?**

Women's under-representation in public consultations stems from several factors. Women's lower levels of representation as parliamentarians and high-ranking public servants can translate into a lack of direct input into decision-making around public consultations processes and methodologies. Lack of knowledge about the gendered nature of public policy may mean that women are not invited to participate in consultations unless the subject under debate is defined narrowly as a 'women's issue.' Such a bias may exclude women from substantive participation across a range of consultation topics, such as macroeconomic or foreign policy. Women's organizations frequently confront resource issues that may inhibit their capacity to intervene effectively in public consultations. Women's groups may be perceived as having less expertise than more highly-organized and better-funded stakeholders. Individual women may face cultural and attitudinal discrimination that discourages their participation in the public sphere. Some women also may be socialized to think that government activity does not concern them. Constraints related to the timing, location, and language may also impede women's active participation in public consultations.

Involving women in public consultations, therefore, may require different strategies to engage them effectively. It is incumbent on parliamentarians and senior officials to recognize that public consultations will be more successful if all citizens can participate equally. This will require the design of alternative ways to communicate with and involve women citizens. As well, gaining expertise in how public policy can have a differential impact on women and men will result in a deeper understanding of the need to have the views of both men and women represented in the consultation process.

### **Government-Led Consultations on Gender Equality**

Within the Government of Canada, Status of Women Canada (SWC) is the federal agency responsible for coordinating government initiatives on gender equality. This agency reports to a federal Cabinet Minister, the Minister Responsible for the Status of Women. Its responsibilities encompass policy coordination and analysis, research, funding and technical assistance for women's organizations, and consultations related to the promotion of gender equality. In 1997, SWC undertook a process to establish a formal consultative framework with its constituents. The agency began with a series of meeting with constituents across the Canada in order first to seek advice on various aspects of its mandate, and then developed a Discussion Paper that could be shared with women's organizations and other groups committed to gender equality. The agency later assembled a small group of representatives from across the country to provide early feedback on this preliminary version of the Discussion Paper. Comments from that group were used to revise the Discussion Paper which was then released to the general public for further feedback. A second consultative process then ensued, in which groups and individuals were invited to offer comments and suggestions on the Discussion Paper, by answering a series of

specific questions. Out of that process, SWC adopted a Consultation Protocol, guided by four central principles:

1. Consultation must occur before decisions are made and before SWC proceeds to further action on issues.
2. Consultation must be a two-way communication process in which all parties listen and contribute views, information and ideas.
3. Consultation leads to action. This does not necessarily mean that every suggestion made in a consultation is implemented, but that input will always be taken into account.
4. Consultation is part of the ongoing relationship between Status of Women Canada and its constituents in which mutual trust and understanding is built up over time, through a continuing process of discussions, decisions, and follow-through. (SWC, 1997).

One of the key insights that emerged from that process was the critical need to recognize that women are not a homogeneous group; to be appropriately representative of Canada's diverse populations, any consultations with women must incorporate age, class, national and ethnic origin, sexual orientation, disability, region, language and religion differences. As well, SWC identified the need to set goals of *transparency*, *accountability*, *mutual respect* and *accessibility* for any consultative process. In other words, SWC committed itself to consultations in which both the objectives of the consultation and the process to be followed would be communicated clearly from the beginning. Evaluative mechanisms would be included at each stage of the consultative process. Consultations would occur in a climate of shared respect for all participants and potential barriers to participation would be removed by providing financial support to participants for travel as needed, holding consultations in locations convenient for women, supplying childcare, using alternative formats and media, and offering linguistic support if required. This protocol now serves as the template for all public consultations undertaken by Status of Women Canada.

More recently, between September and November 2005, Status of Women Canada held a country-wide consultation on gender equality designed to solicit views about how best the Canadian government could achieve its goal of gender equality. The consultative process employed a number of methodological techniques: live consultations with women's organizations led by professional facilitators; interviews with selected individuals; and an on-line, electronic consultation forum. The on-line consultation involved a website where anonymous respondents could register their responses to a series of questions covering the development of both a new gender equality strategy and specific policy and program priorities. Visitors to the website also were encouraged to supply additional commentary if they so wished. Responses were tabulated by an independent consultant and then published on the internet.

It is important to note that this on-line consultation was open to both men and women. The on-line component provided regional representation and an opportunity to hear from individuals not directly involved in gender and women's issues in any organized manner. It also drew participation from participants who did not agree with the goal of gender equality and thus offered a broad representation of public opinion.

### **Consultations on Women's Role in Municipal Decision-Making**

In June 2003, the Federation of Canadian Municipalities, a national organization of local municipal governments, launched a year-long, nation-wide consultation designed to produce a National Strategy to increase the involvement of women in local government and encourage municipalities to adopt gender analysis in their decision-making processes. Recognizing that municipalities tend to take a gender-neutral approach to planning and policy development and that “a gender analysis of issues such as housing, transportation, public safety and social services has been quite peripheral to Canadian mainstream urban planning [and] governance,” the consultation was an ambitious effort to address these complex issues (FCM, 2004: 41). The consultation used a combination of quantitative and qualitative methodologies, including a national survey of 1074 municipalities, workshops with leaders from major women’s organizations, academic research and participatory research in six communities. At the community level, the consultation included focus groups, workshops, information sessions, interviews and partnership approaches. Organizers of the consultation carefully solicited the views of women and men to help identify the barriers faced by women in municipal politics. The project used an 18-member National Steering Committee to develop the research framework and a 5-member Working Group to provide direction and support. In addition to producing a concrete National Strategy, the process concluded that:

1. Inclusive, meaningful and accountable consultation processes at the community level are an effective and powerful link between women and municipal government.
2. The need to design consultative practices that involve women successfully and use gender-disaggregated data becomes evident when the differences between men and women’s experiences of policy are recognized.
3. Beliefs and values about how women are viewed in a society, the value of their contributions and their right to full participation will affect the extent to which public consultations are fully inclusive of all women.

Following the consultation, the FCM released a major report containing findings and recommendations which was also published on-line, along with a Resource Kit to be used by municipalities and women interested in participating in municipal politics. This consultation is noteworthy because it resulted in a series of recommendations about what factors contribute to inclusive consultations with women. Those recommendations included:

- Provide information about consultation opportunities in plain language to women and women’s organizations, informing them of how they can be involved and what will happen with their input;
- Use various ways of getting information to women including websites, newspapers, media, information to women’s groups;
- Hold consultations in places where women gather already;
- Make full use of partnerships with local women’s organizations;
- Practice proactive strategies to reach marginalized women;
- Consult in the language with which women are most comfortable;
- Ensure that the information gathering process is safe for women;
- Engage women from women’s organizations to assist with facilitating the consultation;
- Provide women with adequate information to allow them to participate fully;

- Use the information women provide and follow-up decisions that are reached so women know that their input is valued and used;
- Avoid defining “women’s issues” narrowly as restricted to areas such as childcare, women’s safety or labour issues; women are affected by all public policies.

### **Lessons Learned and Conclusions**

Writing about Canada, Peter Puxley asserts that “this diverse society is too complicated for governments to plan and act effectively without the social intelligence that comes from public involvements” (2002: 10). Certainly, the Canadian experience confirms that drawing on women’s knowledge and experience enriches the consultative process and results in better governance practices. Involving women in consultations also helps to address a common tendency among governments to fail to actively recruit a diverse set of opinions. As Turnbull and Aucoin note: “If a public involvement exercise does not represent a population’s demographic diversity it runs the risk of alienating the groups that are not represented and thereby undermining the legitimacy of the entire project” (2006:8).

In Canada, addressing the specific challenges associated with increasing women’s involvement in public consultations and applying gender analysis to such consultations demand different methodological tools and practices. The SWC and FCM examples provide many concrete suggestions of how women can be engaged more directly in consultations. Other less successful Canadian public consultations indicate that there are costs associated with failing to incorporate a gendered understanding of issues in consultative exercises. For example, a 2001 public consultation considering reforms to family law in the areas of child custody, access and child support received strong negative criticism from women’s groups who felt that women’s roles with respect to parenting and childcare had been ignored in the initial consultation document. Women’s groups accused the government of undertaking a consultation process that was undemocratic because of the time limits imposed on citizens’ responses, and the lack of attention to the specific needs of mothers with disabilities. Many women also critiqued the absence of gender analysis from the consultation document which they argued asked Canadians to evaluate choices around custody and access, such as shared parenting, without any consideration of the conditions and the context of women’s lives and acknowledgement of the differential impacts of violence and poverty among women as opposed to men. This controversy generated significant media attention and highlighted the need for careful attention to consultative practices prior to the launch of any public consultation.

Certainly, comparative examinations of consultations are useful in developing strategies that can ensure the adequate participation of women in public consultations. Recently, Canadian commentators have expressed interest in the German government’s approach to public consultations, for example, which involves the use of both a male and a female “process steward” who manage discussions, rather than facilitate the deliberation, thus recognizing the legitimate participation by both genders in the consultative process (Turnbull and Aucoin 2006: 21).

While the examples outlined in this paper provide a starting point for discussions around gender and public consultations, governments must first identify institutional, cultural and attitudinal barriers that discourage women's participation in public consultations and then work to develop national strategies to address incorporate gender analysis in meaningful ways. Developing specific protocols for engaging women in public consultations and institutionalizing gender analysis as a tool for public consultations will be important steps in establishing viable models for successful public consultations that engage all citizens.

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