

November 30, 2016 – FOR IMMEDIATE RELEASE

A national Coalition of women’s organizations commends today’s decision by an Inquiry Committee appointed by the Canadian Judicial Council that recommends the removal of Justice Robin Camp from his position as judge.

The unanimous five-person committee concluded, “Justice Camp’s conduct is so manifestly and profoundly destructive of the concept of the impartiality, integrity and independence of the judicial role that public confidence is sufficiently undermined to render the Judge incapable of executing the judicial office.”

The inquiry was conducted to determine whether Justice Camp committed misconduct during the 2014 sexual assault trial of Alexander Scott Wagar. In that trial, among other egregious comments, Justice Camp asked the complainant, a 19 year old Indigenous woman who was homeless at the time of the assault, “Why couldn’t you just keep your knees together?”

The committee found that: “Justice Camp’s misconduct is manifestly serious. It caused significant harm to public confidence in the judicial role, in an area of the law in which the courts and Parliament have made concerted efforts to enhance public confidence over the past four decades.” Appropriately, the panel emphasized how Judge Camp’s comments in the *Wagar* trial showed contempt for the law he was obliged to apply: “we find that throughout the Trial, Justice Camp made comments or asked questions evidencing antipathy towards laws designed to protect vulnerable witnesses, promote equality, and bring integrity to sexual assault trials.”

A national Coalition of women’s organizations was granted leave to intervene in the inquiry to ensure that a feminist voice for survivors would be heard at the inquiry.

Quoting from the Coalition’s submissions, the committee wrote: “the reasonable person ‘must include the perspective of survivors of sexual assault, and marginalized women generally, as they are entitled to a judiciary that rejects sexual myths and stereotypes and understands and respects equality’...A judge performs a unique role in society and his or her capacity to continue in the execution of that role cannot be judged without regard to the perspective of those who would most likely be affected by the Judge remaining in office. That is not to say that such a perspective is the sole or the dominant one in evaluating public confidence, but it is one that should be included, and must be understood.”

The committee’s recommendation sends a clear, strong and important message to every Canadian that women are entitled to a fair judicial system untainted by myths about women and sexual assault.

The Inquiry Committee reports to the Canadian Judicial Council, which will now consider whether to recommend to the Justice Minister that Justice Camp should be

removed from the bench. Justice Camp is currently appointed to the Federal Court, but has not been hearing cases during the inquiry process.

The intervener coalition includes Avalon Sexual Assault Centre (Avalon), Ending Violence Association of British Columbia (EVA BC), the Institute for the Advancement of Aboriginal Women (IAAW), Metropolitan Action Committee on Violence Against Women and Children (METRAC), the Women's Legal Education and Action Fund (LEAF), and West Coast LEAF.

The intervener coalition is grateful to *pro bono* counsel for the Coalition, Nitya Iyer of Lovett Westmacott and Alison Gray of Bennett Jones, for their representation.

The committee decision is available here.

The Coalition's submission to the inquiry is available here.

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