

Atlanta Sandy Smith

The Antigonish Women's Association

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PRESS RELEASE

The mandate of the Antigonish Women's Association is to work toward the equality of women. It is in light of this interest that we feel compelled to comment on the court decision rendered by Judge Butler in the case of Mr. Ronald A. MacDonald, The verdict rendered, on Mr. MacDonald's plea of guilty to a charge of spousal assault, was an absolute discharge.

We see this decision as re-opening the debate as to what constitutes and can legally be defined as spousal assault. The decision can be interpreted to mean that assault that is done impulsively, and that is not pre-meditated, does not constitute assault.

Our concern is that a new precedent has been set in this case which can be used in future situations of power inequality, including assault charges. Any person claiming that they hit someone out of impulse can cite this decision as a precedent.

The women's movement for equality has always insisted that matters inside the family such as incest, spousal assault and child abuse need to be brought within the purview of the public domain. We are afraid that Judge Butler's decision will have the effect of pushing these crimes back into the private realm, where the victims are effectively silenced. The message to women wanting to end family violence is not encouraging.

Women's confidence in the law has been eroded by the court's decision to find innocent a man who has pleaded guilty to spousal assault. This confidence will be further eroded if the judicial enquiry returns Mr. MacDonald to the bench.