



Charitable Registration
#119292464RR0001

WEST COAST LEGAL EDUCATION AND ACTION FUND (LEAF)
555 – 409 GRANVILLE STREET
VANCOUVER, B.C. V6C 1T2
TEL: (604) 684-8772
FAX: (604) 684-1543
E-MAIL: info@westcoastleaf.org
WEBSITE: www.westcoastleaf.org

Select Standing Committee on Finance and Government Services
Room 224, Parliament Buildings
Victoria, B.C., V8V 1X4

Sent via email: clerkcomm@leg.bc.ca

October 16, 2013

**West Coast LEAF's Submission to the
Standing Committee on Finance and Government Services:
Prioritizing Women's Equality**

The West Coast Legal Education and Action Fund (West Coast LEAF) urges the Select Standing Committee on Finance and Government Services (the Finance Committee) to make investing in women's equality a budget priority for 2014. It is our submission that investing in women is a matter of fairness, equality, and human rights, and is essential to keeping our democracy strong and upholding our commitment to the rule of law.

Introduction

West Coast LEAF formed in 1985, the year the equality guarantees of the *Canadian Charter of Rights and Freedoms* came into force. Our mission is to achieve equality by changing historic patterns of discrimination against women through BC-based equality rights litigation, law reform and public legal education. West Coast LEAF is an incorporated non-profit society and federally registered charity, and an affiliate of LEAF National. We are governed by an elected Board of Directors and supported by members, volunteers, and staff. For more information about West Coast LEAF and our work on these and other issues, please visit our website at www.westcoastleaf.org.

Every year, West Coast LEAF produces its annual CEDAW Report Card, in which we assess how well BC is measuring up to international legal standards of women's equality set out in the *UN Convention on the Elimination of all forms of Discrimination against Women* (CEDAW). The Report Card assigns the provincial government a grade in eight areas that are key to women's

equality, and which were identified as priorities by the CEDAW Committee in its most recent review of Canada's compliance with the treaty. This year, we have chosen to rely on the CEDAW Report Card in making our submissions to the Finance Committee. In our view, the Report Card captures the main areas that we believe should receive priority funding in next year's budget, and which have been particularly hurt by years of government cutbacks and restraint policies. We attach a copy of the Report Card for your consideration. **Please note that the Report Card is under embargo until October 18 at 8am**, at which time it will be publicly released.

Below is an overview of the Report Card and West Coast LEAF's submissions on how government spending priorities should be allocated to better respect, protect and fulfill the rights of women and girls in BC.

Legal Aid and Access to Justice: As West Coast LEAF has detailed in its previous submissions to the Finance Committee, a decade of underfunding for legal aid has resulted in a crisis that disproportionately impacts women, and marginalized women in particular. The cuts to family law services in 2002 have undermined women's equality rights and prejudiced women in critical court proceedings affecting their safety, access to their children, and economic rights. The Legal Services Society (LSS) reports that its current levels of funding do not allow it meet the demand for legal services across the province, and without additional investments it will have to significantly reduce important client services later this year.

Priorities for the 2014 Budget:

- At a bare minimum, inject an immediate \$5 million into LSS's legal aid budget and commit to an additional \$18 million over the course of the next election cycle, as recommended by the Canadian Bar Association's 2013 Platform for Justice report.¹ In order to ensure equal access to justice in civil matters and protect the rule of law, an additional \$50 million is required to restore legal aid to pre-2002 funding levels, and government should begin planning now for how to prioritize this funding in future budgets.
- Allocate sufficient funding to the mediation, arbitration and other out-of-court dispute resolution mechanisms emphasized in the new *Family Law Act* to ensure these are accessible to all family litigants on an equal basis.
- Implement and fund the recommendations of the Missing Women's Commission of Inquiry aimed at improving women's access to the justice system and police protection, as a matter of urgent priority.

Social Assistance and Poverty: Social assistance rates keep recipients in poverty, and the minimum wage is insufficient to allow individuals and families to live healthy lives. BC's child poverty rate is the worst in the country, and the poverty rate for children in lone-mother-headed households leapt from 16.4% to 24.6% in 2011 (the most recent year for which

¹ Online: <http://cbabc.org/CBAMediaLibrary/cba_bc/pdf/Initiatives/cbabc_an_agenda_for_justice.pdf>.

statistics are available). Poverty rates for Indigenous women, immigrant and visible minority women and women with disabilities are particularly high, and BC's has no comprehensive plan for addressing women's economic inequality across the province.

Priorities for the 2014 Budget:

- Raise social assistance and minimum wage rates to realistic levels that allow recipients to live healthy and dignified lives, and peg further increases to the cost of inflation.
- End the practice of clawing back child support payments made to parents receiving income assistance or, at the very least, implement an exemption allowing children to receive at least some of the benefit of these payments, which are intended for them.

Missing and Murdered Aboriginal Women and Girls: The Missing Women's Commission of Inquiry published its final report in December 2012 and, despite the Inquiry's many substantive and procedural flaws, the report makes a number of strong recommendations for important systemic reforms. The crisis of missing and murdered Indigenous women and girls continues, and will require concerted efforts from all levels of government, informed by Indigenous women and girls and their communities, to address it.

Priorities for the 2014 Budget:

- Make the implementing the Missing Women's Commission of Inquiry recommendations a matter of urgent priority. An important first step would be to develop and implement an enhanced public transit system to provide safer travel along Highway 16 (the Highway of Tears).
- Address the social and economic factors that make Indigenous women in BC particularly vulnerable to violence by investing in housing and social supports particularly focused on the needs of Indigenous communities.

Women and Housing: While renovations of existing Single Room Occupancy hotels are important, there has been insufficient provincial government investment in new affordable housing initiatives to meet the need for safe, appropriate and affordable housing in the province. Affordable options are being lost at an alarming rate in Vancouver's Downtown Eastside, and the Vancouver homeless count found more women living on the streets than in any previous year.

Priorities for the 2014 Budget:

- Commit funding to new affordable housing developments throughout the Lower Mainland and across the province.
- Ensure that the expiry of federal assistance for co-op housing residents does not result in homelessness or the loss of these important affordable housing options.
- Invest in second-stage transitional housing for women fleeing abuse

Women and Girls in Prison: The conditions endured by women held in remand on Vancouver Island are atrocious and, in our submission, constitute a grave human rights violation. This shocking violation of women's equality rights must be remedied as a matter of urgent priority.

Priorities for the 2014 Budget:

- Build new facilities, or adapt existing facilities to house women held in remand on Vancouver Island.
- Invest in mental health and substance abuse programs to address some of the underlying reasons for women's incarceration.

Violence Against Women and Girls: In one 24-hour period in BC, the BC Society of Transition Houses reported that 663 people had to be turned away from transitional housing services due to a lack of resources. Government cuts to women's centres and anti-violence programs over the last decade have increased women's vulnerability to violence and left service providers scrambling to meet the demand. The three-year action plan for addressing domestic violence being developed by the Provincial Office of Domestic Violence is long overdue; any recommendations it makes to provide funding and improve services for victims of violence should be immediately implemented by government.

Priorities for the 2014 Budget:

- Increase funding for women's centres, transition houses and crisis services for women who are abused or assaulted.

Access to Child Care: BC's lack of affordable child care denies women an equal opportunity to participate in the paid labour force and undermines their economic empowerment. The Early Childhood Tax Benefit announced this year, which will provide families with \$55/month for each child under age 6, will make barely a dent in the cost of child care in BC, and does nothing to create new affordable spaces.

Priorities for the 2014 Budget:

- The Coalition of Child Care Advocates of BC and Early Childhood Educators of BC have developed a comprehensive plan for a provincial child care system that would provide low-cost, high quality care to all children in BC. Government should work with these experts to begin setting up this plan, with a goal of full implementation by the time of the next election.

Women and Health Care: BC is not keeping pace with per capita health care spending; by 2011, BC had fallen to the second lowest level of health care spending per capita in Canada—the result of ten years of restraint policies. Insufficient investment in our public health care system has resulted in a number of closures and cutbacks this year, including the closure of the Rainier Women's Treatment Centre for women with addictions living in poverty in Vancouver's Downtown Eastside, a surcharge on seniors who use wheelchairs, lack of home care services,

*West Coast LEAF's Submission to the Standing Committee on Finance and Government Services:
Adequate Funding for Legal Aid*

reduction of hours in mental health clinics, and challenges for women living in remote and rural communities to access abortion.

Priorities for the 2014 Budget:

- BC must ensure sufficient funding for the health system, and should prioritize the needs of particularly vulnerable individuals including senior women, women with addictions and mental health issues, and women living in remote communities.

Conclusion

BC is a prosperous province in a wealthy country. The fact that tens of thousands of women and children live in poverty, victims of violence cannot access the help they need, women on remand are subject to inhumane and unequal treatment, and Indigenous women and girls face third world living conditions and outrageous levels of violence, tells us that the provincial government must do more, as a matter of urgent priority, to meet its human rights obligations to respect, protect and fulfill women's equality rights.

We call on the Finance Committee to urge government to make investing in women's equality a focus of the 2014 BC Budget. Thank-you for considering our submission.

Yours truly,



Laura Track
Legal Director
West Coast LEAF