

A message from the President and Executive Director



Elin Sigurdson



Raji Mangat

The pandemic laid bare what we'd long known: our systems are tenuous and failing, and socio-economic disparity is growing at an alarming rate. We have reflected deeply on how our work can better serve community and how we can harness our super-power in bridging community knowledge to reform laws, policies, and government action.

COVER PHOTO: PORTEAU COVE, HELEN WILLIAMS/UNSPLASH

TO SAY THAT 2020-2021 WAS AN UNUSUAL YEAR is a

great understatement. We hit many unexpected milestones: our first online AGM and virtual Equality Breakfast, court appearances and government consultations via Zoom (with no cat filters, thankfully!), and finding new ways to engage, inform, and connect with communities.

This year has also been a time of great introspection for us. The pandemic laid bare what we'd long known: our systems are tenuous and failing, and socio-economic disparity is growing at an alarming rate. We have reflected deeply on how our work can better serve community and how we can harness our super-power in bridging community knowledge to reform laws, policies, and government action.

This bridging work is ongoing in our Child Welfare Communities of Practice project, through which we are connecting families and kinship caregivers, Indigenous Elders, frontline workers, legal advocates, and lawyers to share wise practices, skills, resources, and strategies to support system-wide transformation. We believe that by leveraging our collective wisdom and expertise, we can shift from the current system of ongoing colonial intervention to one in which all children, families, and communities will thrive.

Relationships are also at the heart of the unprecedented two BC government report cards we produced last year. We developed robust community engagement and knowledge mobilization strategies to ensure that the report cards were inclusive of all forms of gender marginalization, including the experiences of transgender, non-binary, gender nonconforming, and Two-Spirit people. When we released our BC Gender Equality Report Card in June 2020, the pandemic was only just coming into focus, so we returned to the communities we'd partnered with to produce the COVID-19 BC Gender Equality Report Card. This special report highlighted how the pandemic had exacerbated socio-economic inequality and increased gender-based violence.

Recognizing that a return to the status quo was not good enough, we continued to push those in power to implement a feminist economic framework for pandemic recovery. Our feminist recovery recommendations stem from our decades of work to address economic inequality, including advocating for universal child care; calling for improvements to employment standards, including paid sick leave and increases to the minimum wage; advocating for increased financial supports and the eradication of poverty; and working to eliminate discrimination and harassment at work. We know that the people closest to the harms are often those farthest from the policy-making process. We will keep amplifying and bridging lived experience for systems transformation.

This critical work can only happen in a good way when it is done at the pace of relationships. West Coast LEAF is staying grounded in and connected with communities, bringing people together, and working to break down silos.

This has been a year marked by uncertainty, grief, and loss. But it has also been a year marked by strength, purpose, and heart. We are proud of all we were able to do in this challenging year, but we're prouder still of working alongside you: the staff, board, Indigenous Advisory, volunteers, program participants, and supporters who share so much richness of experience, knowledge, teachings, and curiosity with us, with one another, and in the community. This has been a year marke

As we slow down to appreciate where we've been, we acknowledge with gratitude the people and labour that make this work possible. We are filled with appreciation for the hundreds of people who attended our virtual Breakfast for Dinner event and our This has been a year marked by uncertainty, grief, and loss. But it has also been a year marked by strength, purpose, and heart.

online AGM and stayed connected with us through the year. We breathe a little deeper knowing that we do this work in solidarity with community in the service of equality and justice. Relationships remain at the heart of who we are.

We invite you to stay curious about and engaged with our work and the progress we make in the coming months and year. We could not do our work without the support of our volunteers, donors, funders, members, and the many people who come forward to collaborate in our shared work. We can accomplish big things together.

With appreciation,

Elin Sigurdson, President, and Raji Mangat, Executive Director

In memory of Elder Lillian Howard, who was an incredible Mowachaht with Nuu-chah-nulth, Tlingit, Kwakewelth

roots, Matriarch, advocate, and leader. Her leadership in gender-based violence and her call to take up the work of reconciliation in transformative ways deeply influenced our organization forever.

BOARD OF DIRECTORS

Clea Parfitt, Vice-President Internal, Legal Committee Chair

Elin Sigurdson, President

Frances Rosner

Iman Baobeid

Joana Thackeray

Julia Kwinter, Treasurer

Manjot Parhar

Martina Zanetti

Mélanie Power

Mia Taghizadeh (until September 2020)

Michele Harden (until April 2020)

Naomi Moses

Nina Purewal

Sana Shahram (until February 2021)

Veronica Singer (until November 2020)

INDIGENOUS ADVISORY

Doris Fox Frances Rosner Dr. Jenny Morgan Lillian Howard Lorelei Williams Owen Ballendine Summer Rain Bentham

OUR VISION OF EQUALITY AND JUSTICE

OUR MANDATE IS TO USE THE LAW to create an equal and just society for all women and people who experience gender-based discrimination in BC. In collaboration with community, we use litigation, law reform, and public legal education to make change. In particular, we aim to transform society by achieving access to healthcare, access to justice, economic security, freedom from gender-based violence, justice for those who are criminalized, and the right to parent.

We recognize that gender-based inequalities threaten the safety, well-being, and human rights of women, Two-Spirit people, gender non-conforming people, trans people of all genders (not only women), intersex people, and gender-diverse and non-binary people. West Coast LEAF is committed to an inclusive vision of feminism that defends the right to be free from discrimination based on gender identity and gender expression.

We recognize our responsibility to work for the full realization of the rights of Indigenous peoples. In the context of historic and ongoing colonial violence and injustice, we understand that fulfilling this responsibility requires a deep and continual commitment. We respectfully acknowledge that our office is located in Vancouver on traditional, ancestral, and unceded Coast Salish homelands, including the territories of the xwmə θ kwəyəm (Musqueam), Skwxwú7mesh (Squamish), and səlílwəta?4/Selilwitulh (Tsleil-Waututh) Nations. We recognize that many of us are uninvited to these territories. As an organization that includes many settlers, we take responsibility for learning and seeking long-term transformation in our relationships with Indigenous peoples and land.

West Coast LEAF promotes substantive equality, an approach that recognizes and celebrates differences. Rather than treating everyone the same, substantive equality ensures that historically disadvantaged people can actively participate in society and access justice. We strive to ensure that the equality principles in the *Charter of Rights and Freedoms*, which advance the rights of all disadvantaged and marginalized groups, are fulfilled.

A SPECIAL THANK YOU

Thank you to all our individual donors and project funders for your strong and sustaining support this year. The COVID-19 pandemic has driven home the need for transformative systemic changes to our economic and justice systems. This important change work isn't possible without your continued support. Thank you for continuing to give in these challenging times!



Women and Gender Equality Canada

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We thank the volunteers, donors, funders, members, and the many people who come forward to collaborate in our shared work. We can accomplish big things together.



PHOTO: SOME OF THE WEST COAST LEAF TEAM COLLABORATING ONLINE IN 2021

STAFF

Alana Prochuk, Manager of Public Legal Education

Basya Laye, Director of Development and Engagement

Caitlin Anderson, Bookkeeping and Administrative Coordinator

Caitlin Hurley, Interim Office Manager (until August 2020)

Cat Hart, Manager of Fundraising

Cecile Afable, Public Legal Education Specialist (Youth Programs)

Elba Bendo, Director of Law Reform (until December 2020)

Humera Jabir, Staff Lawyer (from April 2021)

Kate Feeney, Director of Litigation

Raji Mangat, Executive Director

Sharnelle Jenkins-Thompson, Manager of Community Outreach

Sharon Xia, Manager of Donor Support

Victoria Chen, Operations and Finance Manager

LAW STUDENTS AND INTERNS

Amelia Roth, Articling Student (until <u>August 2020)</u>

Bety Tesfaye, Articling Student (from September 2021)

Chelsey Blair, Practicum Student

Kareem Ibrahim, Legal Intern

Whitney Vicente, Articling Student (September 2020 to August 2021)



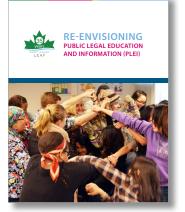
Community Engagement

We engage with community through coalition building, partnerships, and collaborations; taking guidance from advisory committees with lived experience and professional expertise; contributing to public conversations; and listening deeply.

Community outreach and engagement are woven through the programs, projects, and cases we take on, including our Child Welfare Communities of Practice and Re-Envisioning Public Legal Education and Information; our advocacy work on issues such as policing, sex work, and ending sexual assault; and our research reports including the BC Gender Equality and COVID-19 report cards.

Last year, we began a new two-year cycle for the Indigenous Advisory, continuing the work catalyzed in the first cycle to make our organization more inclusive, accessible, welcoming, and accountable, and to put our reconciliation and decolonizing commitments into practice.

We worked with a total of 80 partners this year and were active members of seven coalitions, including the BC Health Coalition; BC Employment Standards Coalition; BC Poverty Reduction Coalition; the



Community outreach and engagement are woven through the programs, projects, and cases we take on, such as the Re-Envisioning Public Legal Education and Information (PLEI) multi-year project, which culminated in a report launched in October.

Coalition on Murdered and Missing Indigenous Women and Girls (MMIWG2S+); Feminists Deliver; First Call: Child and Youth Advocacy Society; and NEVR (Network to Eliminate Violence in Relationships). We shared in-depth analysis, explored resources, and talked to communities in our F This! Blog, publishing on diverse topics:

- A Piece of Feminist History: Celebrating 35 Years of West Coast LEAF
- 21 Days of Paid Sick Leave: A Feminist Issue
- Addressing the Child Support Crisis in Canada
- Six Things to Know About the DTES Ethical Research Manifesto
- Meet the Report Card Partners
- Mind the Pay Gap: How Legislation Could Help End Pay Discrimination In BC
- Community in Action: Ways You
 Can Support Our Most Marginalized
 Communities During COVID-19
- Refugee Rights Are Human Rights: The United States is No Safe Country for Refugee Survivors of Gender-Based Violence

We were featured in local and nation media, including TV, radio, print, and digital outlets, on topics including the BC Gender Equality Report Card, the barriers to reporting sexual assault, our litigation work around child support, the impacts of gender-based violence, police street checks, economic security, and BC's response to COVID-19.



Public Legal Education and Information

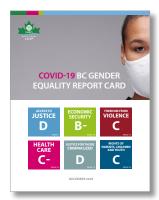
Our workshops, public talks, and webinars offer a feminist, social justice lens on legal topics and empower communities and individuals to understand legal options and make informed decisions in their lives.

During the pandemic, we suspended delivery of our workshops that focus on violence out of concern for participant safety and well-being.

Re-Envisioning Public Legal Education and Information

We worked on our project to re-envision public legal education and information (PLEI) at West Coast LEAF and in the community. We collaborated with community — including volunteers, workshop participants, fellow legal educators, teachers, youth workers, and former staff — to learn about how to better facilitate learning about the law in a way that supports rather than undermines movements for social justice. The wise and ethical practices offered will guide us as we plan our PLEI work for the coming years. We also hope the results will be of use to other PLEI practitioners, teachers, lawyers, youth workers, anti-violence workers, and others who aim to share information about the law in a learner-centred, accountable, and justice-seeking way. The report was launched in October 2021.

Knowledge mobilization for the COVID-19 BC Gender Equality Report Card



We developed and launched eight shareable images to raise public awareness and to amplify the knowledge shared by our community contributors. The images feature beautiful illustrations by Sam Bradd of Drawing Change. We also partnered with Courthouse Libraries BC to offer webinars as part of the knowledge mobilization for both report cards released last year and presented on the report card project at the Community-Based Research Centre Summit,

and annual conference on gay, bi, trans, Two-Spirit, and queer (GBT2Q) health.









- Our website attracted
 30,313 new users and
 86,214 page views.
- More than 6,100 reports and resources were downloaded.
- We reached 511 youth at 45 workshops, including Youth in the Workplace and Power Play, while re-envisioning the future of public legal education at West Coast LEAF and in the community.
- We reached 809 people through 17 talks, presentations, and webinars at 15 host organizations, on diverse topics, including:
 - Employment rights
 - Feminist and systemic advocacy
 - Judicial diversity
 - Shifting the child welfare system
 - Feminist strategic litigation
 - Consent and sexual assault
 - The Gender Equality Report Card
 - Equity and inclusion
 - Allyship in legal practice
 - Actioning gender inclusion



Litigation

A just society supports the human rights of all people. Our strategic litigation program is rooted in our vision of a world where all women and people who face discrimination based on their gender can thrive. We get involved with cases that we believe will make significant changes to the laws, policies, and systems that disproportionately impact people who experience interlocking forms of oppression.

Our strategic litigation in 2020–2021 has been centred on two major areas: supporting families to thrive and empowering sexual assault survivors. We worked on a record 12 cases. Here are some highlights.

SUPPORTING FAMILIES TO THRIVE

We continue to prepare for trial in *Single Mothers' Alliance v BC*, our constitutional challenge to inadequate family law legal aid in BC. Due to COVID-19, the trial was moved to the spring of 2022. Along with pro bono counsel, we are excited to put our strongest case before the court, which will be supported by evidence from both experts and domestic violence survivors with lived experience of BC's legal aid system. We are grateful to pro bono co-counsel, including Monique Pongracic-Speier, Anita Ghatak, and Robyn Trask, for their work on this case.

After 21 hearing days spread over 18 months, the BC Human Rights Tribunal's hearing of *R.R. v Vancouver Aboriginal Child & Family Services Society* concluded in July of 2021. We await the Tribunal's decision on whether the VACFSS, a child welfare agency, discriminated against an Indigenous mother while her children were in their care. We intervened to provide the Tribunal with the social and colonial context of the child welfare system in BC. The parties will be filing their final written submissions about the complaint in fall 2021.

In June of 2021, we intervened before the BC Supreme Court in a constitutional challenge to s. 96 of the *Child, Family and Community Service Act*, which gives child welfare agencies nearly unlimited access to private health records in the possession of third parties such as hospitals, clinics, and health-care professionals. We argued that the constitutionality of s. 96 must be considered in light of the child welfare system's disproportionate involvement in the lives of Indigenous

families and other families who experience systemic discrimination. Limiting child welfare agencies' access to private health records is critical to preventing abuses of power and unnecessary harm to therapeutic relationships. We are grateful to pro bono co-counsel Sarah Runyon of Marion & Runyon.

In June of 2021, the Supreme Court of Canada released its decision in *Colucci v Colucci*, We argued that the constitutionality of s. 96 must be considered in light of the child welfare system's disproportionate involvement in the lives of Indigenous families and other families who experience systemic discrimination.

which updated the law on retroactive changes to child support orders or agreements. We co-intervened with LEAF National to argue that unpaid child support is a chronic problem that contributes to the high poverty levels of single mothers and their children. The Court adopted our proposed test for when and how courts should retroactively decrease a parent's child support obligation, including the principle that such decreases are subject to the applicant providing full financial disclosure. Thank you to Jennifer Klinck and Joshua Sealy-Harrington of Juristes Power | Power Law for their work as pro bono counsel.

EMPOWERING SEXUAL ASSAULT SURVIVORS

In March 2021, West Coast LEAF and WAVAW Rape Crisis Centre were granted leave to jointly intervene in *R. v J.J.* This is an appeal before the Supreme Court of Canada about the constitutionality of *Criminal Code* provisions that apply to sexual assault cases and limit the accused's ability to make use of the complainant's private records. These provisions also allow complainants to participate and be represented by counsel in applications about the accused's use of such records.

After we were granted leave to intervene in *J.J.*, the Supreme Court of Canada decided to hear *J.J.* together with *A.S. v Her Majesty the Queen et al.*, another case that concerns the constitutionality of the evidentiary rules at issue in *J.J.* Unlike *J.J., A.S.* also addresses the constitutionality of of the complainant's participatory rights in applications about the accused's use of information about the complainant's sexual history. In July 2021, West Coast LEAF and WAVAW were granted leave to intervene in *A.S.* and will address the overlapping issues in both cases. Thank you to Gloria Ng of Gloria Ng Law for her work as pro bono co-counsel in *J.J.* and *A.S.*

In June 2021, we were granted leave to intervene in *R. v Kirkpatrick*, an appeal before the Supreme Court of Canada about whether a person can make their consent to sex conditional on their partner's condom use. West Coast LEAF will argue that an overly narrow understanding of the harms of abusive condom practices may revictimize complainants by requiring them to divulge private and highly sensitive health information. Thank you to Jessica Lithwick and Jennifer Crosman of Sugden, McFee & Roos LLP for their work as pro bono co-counsel.

In September 2020, the Supreme Court of Canada released its judgments in *Bent, et al. v Platnick; 1704604 Ontario Ltd. v Pointes Protection Association,*

cases about the interpretation of anti-SLAPP legislation. SLAPPs, or strategic lawsuits against public participation, commonly take the form of defamation claims used to silence opposing views. We intervened in these cases jointly with Atira, BWSS, and WAVAW, focusing on the silencing and punitive impact of SLAPP suits for survivors of sexual and gender-based



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violence. In its judgments, the Court provided clarity on the interpretation of Ontario's anti-SLAPP legislation, which is the model for BC's law. Despite giving the legislation a broad and generous interpretation, the Court declined to address arguments about the specific impacts of SLAPP suits on sexual assault survivors. The Court did recognize in principle that the concerns of equity-seeking groups may be considered in understanding the regime. Thank you to David Wotherspoon and Rajit Mittal of Dentons Canada LLP for their work as pro bono counsel.

We also continued work on **Council of Canadians** with Disabilities v BC, an important case about the ability of public interest organizations like West Coast LEAF to challenge unconstitutional laws on behalf of individuals who experience barriers to bringing their own cases to the courts. We intervened in the appeal, and in August 2020, the BC Court of Appeal unanimously found that courts must remain flexible and generous about allowing public interest organizations to challenge unconstitutional laws on behalf of community members. The Province of BC appealed the case to the Supreme Court of Canada, and West Coast LEAF will again intervene. The case will be heard in early 2022. Thank you to Tim A. Dickson and Jason Harman of JFK Law Corporation for their work as pro bono counsel.



Law Reform

We work to secure substantive equality for women and people marginalized on the basis of gender through legislative advocacy and law reform efforts, specifically through the progressive interpretation and application of constitutional and human rights principles, including international human rights standards.

MAJOR REPORTS

We released two reports monitoring and assessing the province's progress on gender equality: The BC Gender Equality Report Card 2019/2020, along with a social media campaign, and the COVID-19 BC Gender Equality Report Card.

For the first time, these tools were co-developed with communities directly impacted by gender-based discrimination. Heartfelt thanks to PACE Society, the Coalition Against Trans Antagonism, and Urban Native Youth Association for partnering with us in this work.

MEETINGS WITH DECISION MAKERS

- Former Parliamentary Secretary for Gender Equity Mitzi Dean, Ange Liu, and SFU School of Public Policy students regarding pay equity legislation for the province.
- Opposition MLA Stephanie Cadieux and members of the Green Caucus regarding pay equity.
- Members of the Green Caucus regarding proposed legislation concerning mental health detention of youth.
- MP Randall Garrison and members of his staff concerning efforts to develop a new *Criminal Code* offence on coercive control.
- Assistant Deputy Minister Elizabeth MacMillan and Joanna Whittier regarding learnings from the 2019/2020 BC Gender Equality Report Card and the COVID-19 Gender Equality Report Card.

- Parliamentary Secretary Grace Lore concerning the mandate letter for gender equity, including action on pay equity and pay transparency legislation and shifting to a health-focused response to sexual assault in the province.
- Parliamentary Secretary to the Minister of Justice and Attorney General of Canada Arif Virani regarding cross-ministry strategies to combat tech-facilitated gender-based violence and hate speech online.
- Minister of Women and Gender Equality and Rural Development Maryam Monsef regarding the federal government's work toward developing a national action plan on gender-based violence.

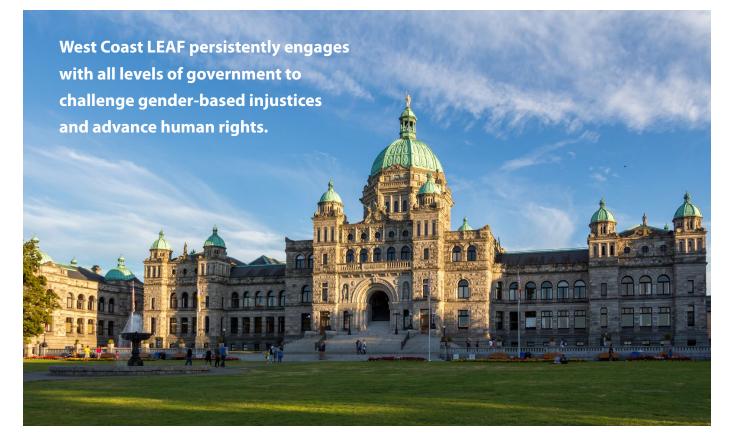
CONSULTATIONS AND COALITION BUILDING

- Collaboration with a group from Urban Native Youth Association to prepare and make budget submissions.
- Consultation with Women's Shelters Canada and several national organizations dedicated to gender justice on recommendations for the justice pillar of the National Action Plan to End Gender-Based Violence.
- Participating in the provincial advisory group for a learning and knowledge exchange project being coordinated by BWSS.
- Participating on the working group on Community Coordination for Women's Safety under the auspices of EVA BC.

LETTERS, SUBMISSIONS, AND BRIEFING NOTES

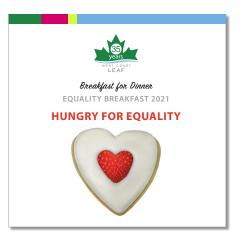
- Urging the province to develop a jointly led health and public safety provincial policy on sexual assault that will restore investment in supports for survivors of sexual assault involving coordination on the specialized health care and justice sector needs of survivors.
- Participating in the BC Law Institute's consultation process on modernizing the *Child, Family and Community Service Act,* advocating for stronger supports and legislative protections for families and children at risk of engagement with the child protection system.
- Making submissions to the BC government's 'Building BC's Recovery, Together' engagement, urging the government to commit to a feminist recovery process in recognition of the gendered impacts and harms of the pandemic, including by funding legal representation for child support applications; and moving all licensed child-care programs to \$10a Day child-care sites.

- Correspondence with Hon. Judy Darcy, Hon. Adrian Dix, and Hon. David Eby about proposed amendments regarding youth detention under the *Mental Health Act*.
- Advocacy to the Minister of National Revenue requesting that the Canada Child Benefit be extended to kinship caregivers as part of the government's COVID-19 emergency response.
- Recommending that the federal government pursue an intersectional, feminist recovery plan to respond to the pandemic in light of the disproportionately gendered impacts of COVID-19.
- Submissions to the House of Commons Standing Committee on Access to Information, Privacy and Ethics urging the government not to adopt more punitive restrictions for online sex work and calling for policy to be informed by meaningful consultation with sex workers.



Equality Breakfast

We are grateful to the hundreds of people who supported and attended a unique virtual Breakfast for Dinner event in March 2021. We were proud to present *Know Us by the Stories We Tell: Imagining the Future as a Feminist Practice,* a discussion featuring Kali Spitzer, photographer; El Jones, spoken word poet, educator, journalist, and community activist; and Jules Arita Koostachin, writer, performance artist, academic, and filmmaker, in conversation with CBC Vancouver's Gloria Macarenko. We followed up in July 2021 with Litigation as Storytelling, a webinar discussion about *R. v Desautel* and the role of litigation in revitalizing Sinixt identity and community. Counsel for Richard Desautel, Mark Underhill and Kate Phipps (Arvay Finlay LLP), were joined by Shelly Boyd, a Sinixt leader.



We missed gathering in person in 2021, but we were heartened by how many of you joined us online to learn together and to support gender justice. Thank you for your strong and uplifting support.



We were proud to present a discussion featuring Kali Spitzer, photographer; El Jones, spoken word poet, educator, journalist, and community activist; and Jules Arita Koostachin, writer, performance artist, academic, and filmmaker, in conversation with CBC Vancouver's Gloria Macarenko. We followed up in July 2021 with Litigation as Storytelling, a webinar discussion about *R. v Desautel*.





THANK YOU TO OUR BREAKFAST PARTNERS



DIAMOND -

Carl Carl

- GOLD -













BRONZE

SILVER – Fasken

Health Sciences Association of BC

Hunter Litigation Chambers

Lidstone & Company

Moore Edgar Lyster LLP

Ratcliff LLP

Singleton Urquhart Reynolds Vogel LLP

Stikeman Elliott LLP

Victory Square Law Office LLP

COUVER

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 Unearthing Wisdom Consulting • Vancouver Art Gallery • West Coast LEAF Board of Directors • Westwood Plateau Golf & Country Club • Witness the Fitness • Zoe Si

Financials

REVENUES	2021	2020
Grants – Law foundation	\$ 380,000	\$ 380,000
Grants – Program and law interns	654,427	527,151
Grants – Gaming	65,000	50,000
Fundraising	248,385	346,160
Endowment income	9,835	7,186
Other income	16,914	12,890
	1,374,561	1,323,387
EXPENSES		
Accounting and audit	9,075	6,000
Amortization	4,246	3,027
Board and committee	11,482	6,709
Equipment leases and service	42,493	63,773
Fundraising	13,528	65,670
Legal costs and disbursements	1,531	8,427
Office and miscellaneous	11,902	35,582
Personnel and services	935,471	789,959
Postage and courier	3,811	10,231
Projects	79,131	51,046
Public relations	8,938	6,770
Rent	101,323	98,083
Telephone and fax	1,693	1,297
Travel	263	14,823
Volunteers	3,339	3,355
Total Expenses	1,228,226	1,164,752
Excess of Revenue Over Expenditures	\$ 146,335	\$ 158,635

The full audited financial statements are available upon request.

VOLUNTEER HOURS

Volunteers contributed nearly **4,500 hours** to West Coast LEAF in fiscal 2020.

> Legal volunteeers, including pro bono counsel and researchers 43%

Board of directors and Indigenous advisory 23%

Breakfast volunteers and interns 12%

> Public legal education 11%

Outreach 6%

Youth facilitators **5%**