



Human Rights in BC

West Coast LEAF Makes a Submission on Bill 53

Dear Mr. Plant,

We are writing to submit to you our concerns about Bill 53 – *An Act to Amend the Human Rights Code*. These comments build on our submission to you in May and our letter of July 17th of this year. In particular, we would like to reiterate our deep concern at the lack of openness involved in the ‘consultation’ process you say you have engaged in over the summer. We invite you to meet with us as soon as possible to discuss this submission further.

It is West Coast LEAF’s position that the model for protecting Human Rights in British Columbia contemplated by Bill 53 will not provide a clearer and more efficient system for handling complaints of discrimination. It will not enhance the administration, enforcement and promotion of human rights. It does not meet the obligations the government has under the Charter and International agreements. The elimination of the Commission is not in the interests of B.C. residents.

In short, this model will not meet the needs of women, or anyone, facing discrimination in British Columbia.

West Coast LEAF asks that you put aside the Bill as it stands and engage in a thorough public consultation. It appears that the government has decided that the Commission will be replaced by a legal clinic. West Coast

LEAF disagrees fundamentally with this decision. If the government determines, after a thorough consultation, that a legal clinic is the answer to concerns raised about the Commission, then we urge you to accept proposals from the community at large for the provision of clinics that can separate the needs of complainants from those of respondents.



West Coast LEAF submits that:

A. In eliminating the Commission and the education and investigation components of the Code, Bill 53 does not meet the requirements of the U.N.’s ‘Paris Principles’ and profoundly undermines Human Rights in British Columbia;

B. There is no effective means for attacking systemic discrimination – expecting non-profit agencies to intervene while functioning on limited and dwindling resources is unrealistic;

C. The elimination of the Commission and the Human Rights Advisory Council leaves the entire process without any adequate form of public accountability;

D. The new legislation provides the Tribunal with the power to coerce a complainant in a number of ways that will affect the ability of those discriminated against to access remedies under the Code. This – and other aspects of Bill 53 – undermines equality principles embodied in the Charter of Rights and Freedoms and threatens fundamental principles in the administration of justice; and,

E. The flagrant lack of openness and transparency in the decision to go ahead with a legal clinic and dismantle the Commission before the Bill is passed is appalling.



Getting to the Roots of Justice...the work of West Coast LEAF

Transforming Our Future workshops receive enthusiastic response

West Coast LEAF presented the first part of its new workshops, Transforming our Future: A Workshop Series on Equality Rights Theory and Action, to a group of interested participants in June. Evaluations gave West Coast LEAF top marks for creating a warm and accessible learning environment in which to examine Canada's legal system, the *Charter of Rights & Freedoms* and the current state of equality rights in B.C. The thirty-five participants who attended the workshops were largely volunteers or staff at a wide range of women and immigrant serving agencies, anti-poverty and worker's rights groups.

Facilitators Kelly D'Aoust and Alison Brewin spent the first session providing a crash course on the legal system in Canada and the role of the *Charter*. Participants then went on to identify key equality rights issues, and list a number of ways in which recent cutbacks have affected those rights.

The final sessions in the series will be offered on October 9th and 10th at the Croatian Cultural Centre. The day-long workshops will allow participants to analyze the concept of equality in law and in life, and apply it to the spectrum of legal strategies, from litigation to education. The group will also look at topics such as working with the legal profession, myths about class action proceedings, and the strengths and weakness of intervention. Participants will be led through the process of identifying issues and building a practical legal strategy.

The entire series will be offered again in November (16th, 23rd and 30th) through the Justice Institute. Please call the office to register or for more information.

No Means No begins a busy fall schedule

Education Coordinator, Kelly D'Aoust, hit the ground running in September. The demand from schools for No Means No, West Coast LEAF's innovative, anti-violence program means Kelly will be training high school students and supervising workshops with middle school students non-stop from now until the winter holidays. She has begun the program in the Coquitlam School District, will be moving on to North Vancouver in October, and then Vancouver in November. If you would like to hear more about No Means No, feel free to call Kelly at the office.



The Provincial Government - Helping women?

From the elimination of the VAWIR (Violence Against Women in Relationships) policy to the clawing back of Legal Aid, the government has taken some very drastic action in implementing its vision of the future of our province. Across the board, women will be negatively impacted by the changes and program cuts. Single mothers, new immigrants, survivors of sexual and domestic violence, young women, rural women, poor women, students, women hoping or trying to leave relationships...in fact anyone who is vulnerable to violence, poverty, disability, or rising costs of education, health, childcare...the list goes on. We are all impacted by the choices this government has made.

West Coast LEAF has been involved in a number of initiatives that attempt to stop the direction the government has taken. These initiatives include convening a group of feminist

legal thinkers and practitioners to discuss potential *Charter* challenges to the cuts, particularly in the area of Civil Legal Aid. West Coast

LEAF also participated in a press conference aimed at drawing attention to the government's abandonment of the VAWIR policy (this policy had Crown Counsel prosecuting cases of wife assault regardless of the chance of conviction in recognition of the profound deterrent affect prosecution had on the crime); filed our submission on Bill 53 on September 11th; and, our Law and Government committee is currently reviewing the White Paper on Administrative Justice Review.

The fall sitting of the Legislature will bring new questions and issues and West Coast LEAF will continue to remind the government of its obligations under the *Charter*, and what truly substantive equality means.



The Drafting of the 'Bubble-zone' Legislation Factum is Underway

West Coast LEAF joins other coalition members in reviewing the legal argument developed for our intervention in the *Demers* case this month. Co-counsel Nitya Iyer and Andrea Zwack will be bringing together the thoughts and experiences of a similar case from the past, suggestions and recommendations of West Coast LEAF's subcommittee, and the directions of the Coalition to produce our argument as to why the legislation protecting women seeking abortion services is not a violation of our freedom to assemble.



WEST COAST LEAF's AGM

Report by Lorena Reimer

Carol Rosset on B.C. women and Provincial Government budget cuts.

Carol Rosset, Managing Lawyer with the Legal Services Society, was West Coast LEAF's guest speaker at its Annual General Meeting on June 19th. She spoke about the impact on women of recent provincial government cuts to income assistance and legal aid, and the reasons why those concerned with women's equality must act now to challenge these cuts that are destroying decades of work to improve the lives of B.C. women, particularly those living in poverty.

Statistics show that the greatest proportion of people living in poverty in Canada are women. The virtual elimination of legal aid and cuts to income assistance strike at those women and their children, the poorest of the poor. Ms Rosset

argued that recent cuts to services designed to alleviate poverty will exacerbate women's pre-existing disadvantage, and cause serious gender specific harms that affect all of our constitutionally protected interests of autonomy, security and equality, and raise issues of women's human rights.

The provincial government is changing many laws with little or inadequate public consultation while dismissing public protests. Ms Rosset stressed the importance of West Coast LEAF's work in this undemocratic political climate that is perpetuating the systemic inequality of B.C. women. West Coast LEAF and other women's organizations must track the impact of the cuts on women



Board Members Patricia Wejr and Theresa Stowe, and E.D. Audrey Johnson, joined other staff and Board members at a strategic planning retreat on September 19th and 20th

and children and speak out to raise public awareness. West Coast LEAF's workshop series on Equality Rights Theory and Action is an example of what will be important in the next stage of the work that must happen — the litigation of women's economic inequality and the development of an analysis to frame the arguments to support the continuing struggle for women's rights.



Alternative Ways to Donate to West Coast LEAF

West Coast LEAF is a charitable organization that relies on donations, grants and volunteer efforts to get the work done. The following is a list of items that West Coast LEAF needs. The fact that we don't have up-to-date, working versions of these things does not stop us from doing the things we are committed to doing, but each one would certainly make our success more possible. If you want a creative way to help us, please donate something from this list. A tax receipt can be issued for the value of all donations.

Please call the office for further information on any of the items/services you wish to donate. Thank you for helping work more effectively for women in B.C.

West Coast LEAF's wish list:

- Subscriptions to legal, women's and non-profit journals and magazines
- Memberships to legal, women's and equality-seeking organizations
- An annual subscription to Quicklaw
- Office Space (approximately 1100 square feet)
- Laser printer
- Scanner
- Digital camera
- Quality Office furniture
- 5-drawer lateral file cabinet that opens and shuts without risk of injury
- Shredder
- Binding machine for workshop materials
- One up-to-date computer
- Subscription to Adobe's PDF service
- Power Point Projector
- Course fees to Professional Development courses.

THANK YOU!

West Coast LEAF wishes to recognize and thank those individuals, *businesses and organizations* who renewed their membership, contributed to the organization or to the BC Litigation Fund.

Your support is greatly appreciated. Thanks to:

Allan Seckel ♦ Ann Senae ♦ Arlene Hache ♦ Barbara Curran ♦
Barbara Lyall ♦ Barbara Sharp ♦ Beverley Burns ♦ Caroline Nelson
♦ Cleta Brown ♦ Feller Drysdale ♦ Fraidie Martz ♦ Francesca
Marzari ♦ Helen Low ♦ Irene Plett ♦ Jean Elder ♦ Jean Scott ♦
Jennifer Rowbotham ♦ Jennifer Conkie ♦ Jo Ann Carmichael ♦ Joy
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♦ Margaret Fulton ♦ Margaret Ostrowski ♦ Margaret Mills ♦
Margaret Ramsay ♦ Margo McCutcheon ♦ Mary Anne McWaters
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Danicek ♦ Monica Loewi ♦ Pat Carfra ♦ Rachel Curran ♦ Ron Keras
♦ Sara Hamill ♦ Selena Chu ♦ Sharon Williams ♦ Sheryl Lee ♦
Sophia Middleton ♦ Stephen Kelleher ♦ Susan Boyd ♦ Susan Penfold
♦ Tara Britnell ♦ Tina Thomas ♦ Wanda Black ♦ *South Surrey/White
Rock Women's Place Association*

Members Make Our Work Happen

If you aren't a member yet, please join us. Memberships keep our work going, allow us to keep in touch with the people who care, and let the world know we matter. Please sign up now!

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Monday to Thursday

LEAFlet is the newsletter of the West Coast LEAF Association, the B.C. Branch of the Women's Legal Education and Action Fund.

LEAFlet is published four times a year.

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Layout/Editor
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Publication Date
September 2002

LEAF is a national organization committed to promoting women's equality before Canadian courts, government agencies and human rights commissions; and to providing public legal education on the issue of equality-rights for women.



West Coast LEAF (Legal Education and Action Fund)

Last name _____ First name _____
Address _____
City _____ Postal Code _____ Tel (w) _____
(h) _____ fax _____ e-mail _____
Membership Fees: Regular (voting) \$45
Seniors/Students/Income Assisted \$10
Organization (non-voting) \$75
Life Member \$500

3 Year Membership
 \$100

I would like to assist WCLEAF in achieving equality for women by making a tax deductible donation:

\$250 \$100 \$50 \$25 \$ _____ Other amount

I prefer to enclose 12 monthly post-dated cheques in the amount of \$ _____ or bill my VISA MASTERCARD
Signature _____ Card number _____ Expiry date ____/____/____

Please make all cheques payable to West Coast LEAF Association and mail to:
1517-409 Granville Street, Vancouver, B.C. V6C 1T2

YES, you *can* make a difference...

- Become a LEAF member
- Make a donation
- Volunteer your time.

Are you interested in volunteering with LEAF? What would be your area of interest?

- Fundraising
- Law Reform
- Legal Case Work
- Public Legal Education
- Speakers Bureau
- Newsletter
- Special Events
- Office Assistance

West Coast LEAF invites you to join us at one or all of these inspiring events:

Victoria's 8th Annual Person's Day Breakfast

Wednesday, October 16th, 2002 from 7am-9am

Delta Victoria Ocean Pointe Hotel
(45 Songhees Road)

Key Note Speaker

Mary-Woo Sims

Mary-Woo is the former Chief Commissioner of the BC Human Rights Commission and recipient of the International Association of Human Rights Agencies' 2002 International Award for her work against racism.

Ticket's are \$30 and available from Patricia Lee at (250) 592-7101 or patricialylee@hotmail.com

Victoria

Nanaimo

Nanaimo Person's Day Breakfast

Saturday, November 23, 2003

Best Western Dorchester Hotel, Opera Room
70 Church Street, Nanaimo
9:30 AM

Key Note Speaker

Gail Anderson-Dargatz

Gail is the author of *Recipe for Bees* and *The Cure for Death by Lightning*, among other literature. Gail has been nominated for, and won, many literary awards, including the Giller Prize, the B.C. Book Prize and the VanCity Prize.

Tickets are \$25
fax (250) 741-8474 or email
signy@island.net
for more information.

Chilliwack Person's Day Luncheon & Celebration

Friday, October 18, 2002

University College of the Fraser Valley

Celebration at Abbotsford Campus
12:00 noon

Celebration at Chilliwack Campus
7:00 pm - 9:00 pm

Keynote Speaker

History Professor, Bonnie Hoskins

Live music and theatrical performance

For information contact
(604) 684-8772
wcleaf@dowco.com

Chilliwack

Watch for details on Vancouver's International Women's Day Breakfast on March 7th, 2003

**The National Congress of Black
Women's Foundation**

with the support of
West Coast LEAF

Presents

“SISTERS ON THE BENCH”

*A celebration of Women's History Month in honour of
Canada's five women judges of African descent:*

Honourable Judge Therese Alexander
Honourable Madame Justice Faye E. McWatt
Honourable Judge Micheline A. Rawlins
Honourable Judge Corrine E. Sparks
Honourable Judge Juanita Westmoreland-Traore

With Key Note Address by:

Jean Augustine

*Secretary of State (Multiculturalism)
(Status of Women)*

Etobicoke - Lakeshore, Ont.

Sunday, October 20, 2002

12:30 p.m. – 5:30 p.m.

**Four Seasons Hotel Ballroom
791 West Georgia, Vancouver**

For tickets and information please contact:
National Congress of Black Women's Foundation
(604) 605-0124 natbwf@netrover.com

Up Coming Events

October:

9th and 10th – Sessions 3 & 4, Transforming Our
Future Workshops

16th – Victoria Person's Day Breakfast

18th – Chilliwack Person's Day Celebration

20th – Sisters on the Bench

28th – West Coast LEAF Board Meeting

November:

16th, 23rd and 30th – Transforming Our Future
Workshops offered at the B.C. Justice Institute

23rd – Nanaimo Persons's Day Breakfast



Fall Fundraising Campaign!

West Coast LEAF's fall fundraising campaign will be getting g under way soon. As part of this campaign, you may receive a letter requesting your financial support for our program activities. Please give generously. We rely on your gifts to further our work for women's equality. Please also seize the opportunity to become a member or renew your membership. Thank you for your continued support!

West Coast LEAF's Speaker's Bureau is Back

Are you interested in training and vounteering as a Speaker for West Coast LEAF? Call Alison or Doina at (604) 684-8772 to find out more about the rebirth of this program.