

LEAF *let*

The newsletter of West Coast LEAF
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by Jessica Burke

Recent cuts to legal aid have impacted the physical and economic security of women and children in British Columbia. When a woman cannot afford a lawyer and is denied legal aid, she is forced to represent herself. In the words of a coalition of 60 women's groups, "This is the canary in the coal mine: the sign of system breakdown."

Without counsel, women are more likely to settle for inadequate or inappropriate support orders. Women who represent themselves may lose custody of their children or forfeit their property and rights. Women who are frightened of their partners and who are unrepresented may simply abandon claims for maintenance, thereby surrendering themselves and their children to poverty.

Under the new *Legal Services Society Act*, financial need is no longer enough to qualify for legal aid in a family law dispute. Litigants must also prove some other aggravating factor such as the threat of violence, child apprehension, or possible deportation. Even when a woman does qualify for legal aid, strict caps and restrictions have meant that women sometimes find themselves without counsel midway through proceedings. When women in BC cannot know or assert their rights, they effectively have none.

Long before the most recent round of cuts to legal aid, West Coast LEAF recognized that the government was failing women involved in family law disputes by not providing adequate legal aid coverage as was mandated by the *Legal Services Society Act* at the time. Then, in January last year, the BC Liberals announced a further

The Affidavit Campaign: *Giving voice to women's experience of the cuts to Legal Aid*

38.8% cut to legal aid funding. In 2004-2005 alone, family law expenditures are set to be cut by \$10 million.

West Coast LEAF has been looking for a test case through which we might address this breach of equality rights. Due to the often urgent and expedited nature of family law, however, this has proved difficult. LEAF usually intervenes only at the higher court levels and finding the right case at the right level has been impossible so far.

Meanwhile, the Pivot Legal Society

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has been using a different strategy in their pursuit of justice for those victimized by police brutality. Inspired by the work of Gandhi, who used the affidavits of exploited farm workers to advocate for reform, Pivot coordinators set up tables in the streets of the

Downtown Eastside and took 75 affidavits. Pivot has used the affidavits to produce a report, raise public awareness and to exert pressure on the government to initiate change. Most importantly, the campaign heard, recorded and publicized the personal stories of individuals.

West Coast LEAF's affidavit campaign, to be launched this summer, will gather the stories of women fighting an unfair fight, undefended. The affidavit campaign will record these experiences in a format that can be used as evidence and to develop law reform and litigation strategies.

The information gathered in the affidavits will also be used for public education, to show litigants that they are not alone, and to expose the negligence of the provincial government. Many women who have been denied their day in court, will be given a right to be heard.

The strength of the campaign is its fundamentally collaborative nature. Women who are involved in family law disputes with no representation are at the centre of the campaign, investigating and articulating the issues by telling their own stories. Community groups are involved in offering support to affiants and in providing forums in which women can make the affidavits, and lawyers can offer legal information. Lawyers are involved at all levels, in new and different ways than in any West Coast LEAF project in the past.

The collaborative nature of the campaign, the lynchpin that makes it powerful and effective, also threatens to be its weakest link. People are energized and enthusiastic about supporting the *continued on page 4*

IN MEMORIAM

This spring has brought great sadness to those of us committed to women's equality because West Coast LEAF and all British Columbians lost two very special women.



BONNIE THEMES

Bonnie Themes lost her battle with cancer on March 13th. She took ten years of West Coast LEAF history with her, having volunteered, then served as Executive Director for eight years until 2000. Bonnie is remembered for the compassionate approach she

took to her work and to the people of West Coast LEAF.

"She was interested in nurturing and empowering young women," recalls former West Coast LEAF Board member Tracey Brown. Tracey, who now serves as the Development Manager of Fundraising at Vancouver Opera, credits Bonnie with giving her professional direction. "My experience with Bonnie while volunteering at West Coast LEAF is what made me want to work with non-profits," she says.

Colleen Cattell, long time National and West Coast LEAF volunteer, remembers Bonnie's great humour. "She was just so wonderful to work with. She was full of laughter, as well as being so very committed to women's issues and to LEAF's work."

Unknown to us all, including Bonnie, she was fighting cancer in the last year of her time with West Coast LEAF. That was also the year she faced the tragedy of her son's death – something no parent recovers from.

Bonnie gave much of the last few years of her life to West Coast LEAF and we take this opportunity to send our deep and heartfelt gratitude and sympathy to her

children and grandchildren. For those who wish to honour Bonnie's memory, she asked that donations be made to the B.C. Lung Association.



ROSEMARY BROWN

Along with all Canadians, the West Coast LEAF family was deeply saddened to hear the news of Rosemary Brown's death. We were particularly touched by grief for our Board member, Cleta Brown, Rosemary's daughter.

An inspired leader, generous activist, warm friend and

compassionate advocate, Rosemary has been a model for women's equality-seekers, and a mentor to women in politics over the years. It is fair to say that her presence in Canada, her decision to make this country her home, has changed the nation forever. Her family issued a statement after the very moving funeral service and their words capture the essence of Rosemary's life beautifully. They end their comments with this hopeful thought: "A new springtime is coming for her, and for all who hunger and thirst for justice. We mourn her loss, but with confidence that we shall see her again because the just do not labour in vain, and they will not sleep forever."

To read more about Rosemary, please see the MATCH International website at: www.web.net/~matchint/en/match.html for links and more information. The family has asked that donations be made to MATCH in Rosemary's name. They can be reached at (613) 238-1312 or matchint@gamma.ca.

Notice of Annual General Meeting

Thursday, June 19, 2003 6:30 pm – 8:30 pm

Vancouver Public Library, Alma Van Deussen Room

Guest Speaker: Cynthia Flood



Author & pro-choice activist Cynthia Flood will speak about developments and trends in the pro-choice debate and their implications for the work of West Coast LEAF in this area.

Join us for light refreshments, mingle with friends, and learn more about the work of West Coast LEAF. Call (604) 684-8772 or email info@westcoastleaf.org to RSVP by June 13.

Thank you to our Equality Breakfast contributors

West Coast LEAF's 16th Annual Equality Breakfast held on March 7, 2003 was a resounding success. Thanks to all our guests, sponsors, in-kind contributors, and volunteers who helped make the event possible.

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Special thanks to those who offered their time, services and talents to promote or otherwise make the event a success:

Alison Brewin ♦ Doina Buculei ♦ Colleen Cattell ♦ Kelly D'Aoust ♦ Fancy Hayward ♦ Cindy Hill ♦ Audrey Johnson ♦ Carolyn MacEachern ♦ Susan Masters ♦ Margo McMillan ♦ Sophie Middleton ♦

Maya Scott ♦ Tiffany Wong ♦ West Coast LEAF board members (including Mary Woo Sims whose name was erroneously missed in the event program).

Affidavit Campaign

continued from page 1

campaign, but it is a large commitment to ambitious goals. Community groups are strapped for cash and the legal needs of their clients are urgent. Also, years of cuts to legal aid have created a scarcity of family law expertise amongst junior members of the bar. West Coast LEAF needs community groups to be involved in facilitating the campaign and supporting affiants. We also need lawyers to take affidavits, and family law lawyers in particular to give legal information seminars to potential affiants.

University of Victoria Law Professor, Hester Lessard commented, "Many women in BC have had the door to justice slammed in their faces by the recent cuts to family law legal aid. West Coast LEAF's affidavit campaign aspires to give these women a voice in demanding that the legal system deliver on its promises. Rule of law should not be a privilege available only to the wealthy."

To get involved with this campaign, contact the West Coast LEAF Affidavit Campaign team: Program Director Alison Brewin and summer law students Zara Suleman and Margot McMillan.

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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 is supported by:



Thank you!

Donors and members between February 13, 2003 – May 20, 2003

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