



## ***The Court Watch Report: A Snapshot of Family Law in the Courts***

By Bev Gallagher, Program Director

We are pleased to have the results of our Court Watch report now available on our website at [www.westcoastleaf.org](http://www.westcoastleaf.org). This program is part of our larger Family Law Project and provides a glimpse of what's happening in court. What issues are being raised by women when they attend court for family law matters? How are these issues linked to larger systemic issues such as violence against women and children?

Volunteer students from UBC and UVic observed over one thousand court appearances in Vancouver and Victoria provincial court, specifically "first appearance" or remand court. The results highlight the context of family remand court and some of the issues being raised by women such as fear for their children's and their personal safety, and issues relating to economic hardship. At a minimum the findings point to a significant lack of resources for litigants who find themselves in the maze of family law legal proceedings. Court Watch observations concluded that those who are unrepresented depend upon well meaning judges, lawyers and anyone else who works in the court for information about their rights and obligations. When these findings are considered in the context of the general erosion of social programs and services and the challenges that women, particularly women marginalized by such factors as race and disability, it is clear that the cuts to family law legal aid have had a profoundly negative impact on women in British Columbia.

Clearly the lack of adequate representation is undermining the system itself and perpetuating a gender biased experience of a system that is supposed to be gender neutral. The Court Watch program has made a very important contribution to West Coast LEAF's Family Law Project and we want to take this opportunity to extend heartfelt thanks to all the

wonderful volunteers who helped us make this project happen. A special thank you to Gillian Calder, Kate Hamm, Jess Asche, Zara Suleman and Niveria Oliveira for all their work on this project.

### **HISTORY OF THE FAMILY LAW PROJECT**

West Coast LEAF began its Family Law Project following 2002 cuts to legal aid, specifically in the family law context. Access to legal aid in family law matters is vital to women's equality and contributes to the ability of a woman to assert her rights when her marriage breaks down. It is established fact that the majority of women experience financial hardship upon marriage breakdown. Legal issues that arise and how they are addressed by the law in the early days can have long term and devastating impact on women's lives and the lives of their children and their capacity to be full and equal members of Canadian society.

In 2003 West Coast LEAF embarked on an ambitious campaign to collect evidence of that devastation by recording sworn testimony (affidavits) of women who were directly impacted by the lack of legal aid and who, as a result, could not access the legal remedies they needed. The Affidavit Campaign illustrated the realities of women and from their testimonies the following themes emerged: experiences of domestic violence; mental health issues and stress levels women and children experience; and the isolation and heart break for women who lose their children, find themselves homeless, and lose jobs as a result of not having true access to their legal rights in B.C. A direct result of this Campaign was the publication of *Legal aid Denied: Women and the Cuts to Legal Services in BC*. We also continue to monitor the Canadian Bar Association's constitutional challenge against both the

To download submissions, papers and other documentation relating to the Family Law Project including the court watch report, and LEAF arguments made in the Supreme Court of Canada case of *Dickie v Dickie*, please go to the Family Law Project portion of our website [www.westcoastleaf.org](http://www.westcoastleaf.org).

# Equality Breakfast 2007

One of our roles as a law firm is to support advocates in bringing forth changes to the law in order to contribute to a just and fair society. West Coast LEAF has been a body dedicated to these principles for many years. It is our privilege to be able to support the work they do.

Dr. Weddington's address was a moving testament to the power of the law and the impact that one person can have on the lives of others. Her warm and insightful remarks were inspirational to all of the audience and, in particular, to the many women lawyers at our table and at other tables who felt a refreshed pride in the work they do and the opportunities they have in the profession of law.

– Liza Aboud, MBA, Davis and Company



*Breakfast Committee Chair Mary Salaysay and Sarah Weddington*

It was a great breakfast with a fabulous speaker.

– Marguerite Ford



*Bernadette Amiscaray, Nitya Iyer and Deepthi Jayatilaka*

Thank you so much for giving me the opportunity to celebrate International Women's Day with such beautiful people. I enjoyed the food, the company and the very interesting speaker.

– Magnolia Villalobos, Grassroots Women

Dr. Weddington was a humorous and compelling speaker. She underscored the reality for all that what little progress has been made for the rights of women are continually under threat from the right wing. We cannot let down our guard in America or in Canada. There is much work yet to be done. We must continue to move forward and be prepared to fight for our rights and defend the progress we have made. Our struggle did not end when we got the vote.

– Rebecca Darnell, Darnell & Co.

## Thank you, Swathi

West Coast LEAF, and E.D. Alison Brewin in particular, would like to send thanks to this year's Breakfast Coordinator, Swathi Nirmal, for her outstanding commitment to the Breakfast. Swathi has played a central role in making the Equality Breakfast a success, and it has been a great pleasure to work with her this year. Thank yous are also extended to all the staff for their extra efforts this year – Natasha, Niveria, Sachi, Chris, Bev, and Tina. . . thanks everyone.

## Continued from page 1: **The Court Watch Report**

provincial and federal government's responsibility to provide sufficient legal aid in civil matters and explore other opportunities for establishing constitutional rights in the area.

With generous support from the Status of Women Canada (under its old mandate) and the Law Foundation of BC, West Coast LEAF is expanding our work on the Family Law Project. The first step will be to work with women's services to prepare a response to proposed changes to the *Family Relations Act*. In partnership with the Centre for Feminist Legal Studies, West Coast LEAF will continue to develop and support important research and case analysis into the ways family law is being applied in the courts. And we look forward to continuing to work closely with members of the Family Law Bar to address the gender myths and stereotypes that continue to emerge and inform Family Law in BC. 🇨🇦

## THANK YOU TO ALL OF OUR IN-KIND CONTRIBUTORS.

The Silent Auction was a great success, raising over 7,000 for our programs.

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*The Equality Breakfast would not be a success without our generous Breakfast sponsors – please see page 4 for a complete list. Thank you for all your support.*



*Maryam Zargar, Jennifer Harry, and Lisa Kerr of Fasken Martineau*



*The Quartet*

### KEEPING YOU POSTED: A Short Note on Negotiations between LEAF National and West Coast LEAF

**By Kim Brooks, President of LEAF and Ritu Mahil, President of West Coast LEAF**

**L**EAF National and West Coast LEAF are excited to announce that we have begun discussions about the form and substance of a new agreement between the two sister organizations. The goals of our discussions include preserving the long standing good relationship between the two organizations, effectively and strategically aligning our programming and fundraising efforts, building on the relationships already fostered by our founding mothers, and advancing our shared vision: achieving substantive equality for women and girls in Canada.

Perhaps nicely timed with the 25th anniversary of the Charter, discussions about the new governing agreement between the two organizations have commenced this month (April). We hope to have a new agreement in place by the end of the summer. We look forward to providing you with updates as our discussions progress. If you have any questions about this process, please feel invited to contact either of us at [brooks@law.ubc.ca](mailto:brooks@law.ubc.ca) or [info@westcoastleaf.org](mailto:info@westcoastleaf.org). 

# Investing in Women's Equality...

## SUPPORTER SPOTLIGHT

We would like to recognize the former staff members of the recently closed local BC/Yukon Status of Women Canada office. In particular West Coast LEAF honours the longstanding commitment of Lorraine Cameron and Agnes Lui to women's equality in British Columbia. The local office was closed on March 31. West Coast LEAF received support for our Women's Equality and Religious Freedom Project through the local office, and continue to receive generous support from SWC for our Family Law Project.

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## GOODBYE AND GOOD LUCK TO NATASHA SHIELDS

Natasha left West Coast LEAF in February to take up her new position as a Major Gifts officer for the BC Breast Cancer Foundation. West Coast LEAF is very grateful to Natasha for her vital contributions to our annual giving campaigns and our organization as a whole.

*We value your support and invite any questions or comments you may have. Please feel free to contact us at 604-684-8772 or toll free in BC at 1-866-737-7716.*

## WEST COAST LEAF



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*LEAFlet is the newsletter of the BC Branch of the Women's Legal Education and Action Fund.*

**Editing & Writing:**  
West Coast LEAF staff



West Coast LEAF is a provincial organization committed to promoting women's equality rights before Canadian lawmakers and ensuring that the promise of the Charter of Rights and Freedoms becomes a reality for the women of British Columbia.

# Thank You!

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