

# LEAFlet

RAISING OUR VOICES FOR GENDER EQUALITY

**THANK YOU** for supporting the 2020 Equality Breakfast / page 5



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## A WARM WELCOME TO NEW STAFF

### MEET KAREEM IBRAHIM

Legal Intern (they/them/their/theirs)

Kareem joined our legal team as an intern in May 2020. They are a law student at the Peter A. Allard School of Law at the University of British Columbia. Kareem's position is generously



supported by the Public Interest Work Placement Program.

Originally from stolen Algonquin and Anishinabek territory,

Kareem brings a long-held passion for anti-oppression and learning to their work. They're interested in addressing the many contributors to the access to justice crisis and seek to narrow the gap between the legal profession and the marginalized groups most affected by this crisis. Kareem strives to ensure that the next generation of lawyers — including themselves — are equipped with a self-critical, trauma-informed, and intersectional lens when tackling both mundane and complex legal issues.

Working at West Coast LEAF is a delight and honour for Kareem, where they spend their time collaborating with staff members on law reform and litigation projects. So far, Kareem has enjoyed supporting the litigation team with their family law legal aid test case, *SMA v BC*; as well as researching the gendered dimensions of COVID-19, informal sector work, health care programs, and public sector budgets.

### MEET KATE FEENEY

Director of Litigation (she/her/hers)

Kate comes to West Coast LEAF with a commitment to engaging in litigation informed by broader campaigns for social change. She holds a law degree from the University of Victoria and a bachelor's degree in international



relations from the University of British Columbia.

Since law school, Kate has worked on supporting access to

justice in a variety of areas, including administrative, constitutional, human rights, and family law. She has both helped people use the law to achieve their individual goals, and litigated cases with the aim of systemic law reform. Outside of work, Kate enjoys hiking, camping, and singing (sometimes in key) with her family.

As a long-time supporter of and collaborator with West Coast LEAF, Kate is thrilled to be joining West Coast LEAF's team. During this transitional moment, she is especially excited to work with her colleagues to support community-based campaigns for social change.

# LITIGATION ROUNDUP

## STRATEGIC LITIGATION FOR EQUALITY

This has been a busy year for our litigation team. This spring we were excited to welcome our new Director of Litigation Kate Feeny (read more about Kate on the cover). Kate has a particularly unique view of our litigation, having served as co-counsel in our legal aid test case. We are lucky to have her expertise now on staff as we continue fight that case, as well as our other cases that will have a critical impact on equality rights in BC and across the country.

We are awaiting a decision in *Council of Canadians with Disabilities v BC*, a case about who is able to bring a challenge to BC's mental health regime. This case is of critical importance to public interest litigants (including an organization like West Coast LEAF) who promote access to justice and ensure that those with limited personal resources who would be unable to bring a case on their own are still able to challenge unjust laws.

We are also awaiting a decision in the two cases that were heard together at the Supreme Court of Canada: *Maia Bent, et al. v Howard Platnick, et al.; and 1704604 Ontario Limited v Pointes Protection Association, et al.* The cases challenge the use of strategic lawsuits against public participation ("SLAPP suits"), which commonly take the form of defamation claims. In the context of sexual assault, they are often used by those who have been accused of assault as a legal weapon to intimidate or silence the complainant-survivor. These suits serve as barriers to reporting gender-based violence, which is disproportionately experienced by women and trans people.

After successfully fighting off motions to strike our legal aid test case brought by the Province of BC and Legal Services Society, we are moving forward with our case

along with our clients, Single Mothers' Alliance of BC and Nicolina Bell. In *SMA v BC* we are defending the right to fair and equal access to the family law system in the aftermath of relationship violence. We are relieved that the Chief Justice of the BC Supreme Court ruled that this case can go ahead as planned and our clients will have their day in court!

More recently, we were granted leave to intervene at the Supreme Court of Canada alongside our friends at LEAF in *Colucci v Colucci*, an important Ontario case on access to child support under the *Divorce Act*. We will argue that a substantive equality lens is essential to the consideration of child support. We know that the problem of unpaid child support is an unmistakably gendered issue, which contributes to the feminization of poverty and, in turn, child poverty. This case in addition to a rare oral judgment from the bench in a similar case, *Michel v Graydon*, clearly demonstrate the need to change how child support is considered under legislative frameworks as well as in the court's analysis.

Another case that will continue this fall after a hiatus caused by the pandemic is the important BC Human Rights Tribunal case, *R.R. v Vancouver Aboriginal Child and Family Services Society* ("VACFSS"). R.R. is an Indigenous mother whose four children were apprehended and taken into the child welfare system. This complaint concerns VACFSS's decisions to deny and restrict R.R.'s access to her children, which she says were based on prejudicial assumptions about her as an Indigenous mother and on the basis of disability. West Coast LEAF was granted leave to intervene to provide social context about the complicated relationship between Indigenous families and the colonial child welfare system.

For more about our cases, [visit our website](#). 

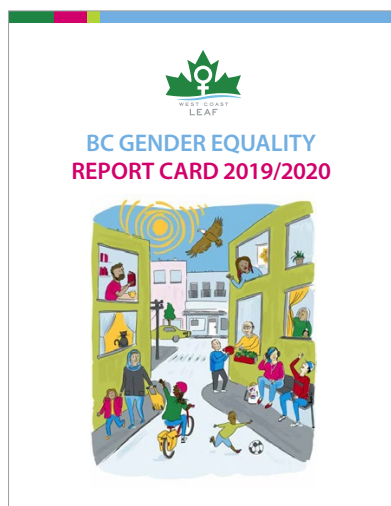
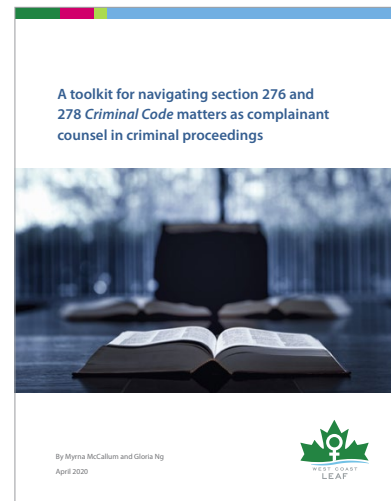
## NEW RESOURCES ALERT!

This spring, we proudly launched two major resources, both of which are available for download on our website.

**IN MARCH 2020**, as part of our **Dismantling the Barriers to Reporting Sexual Assault** project, we launched a toolkit for lawyers who are acting as complainant counsel in criminal proceedings, exploring the use of a survivor's sexual history as evidence, and the production of third-party records like therapists' notes. For survivors of sexual assault who are navigating the criminal legal system, the disclosure of private records and the introduction of evidence about their sexual history can be devastating and re-traumatizing intrusions. Concerns about these types of intrusion can be a major barrier to reporting sexual assault or accessing counselling and other support services.

The toolkit provides guidance on developing a trauma-informed practice, an overview of the evolution of this area of law, and practical advice for advancing these types of cases.

This project was generously funded by the Department of Women and Gender Equality/Government of Canada, with webinar support from the Province of BC. [Click here to download the toolkit.](#)




**IN MAY 2020**, we released our **BC Gender Equality Report Card 2019/2020**, which assesses the BC government's recent progress in advancing human rights and gender justice. It highlights principles from international law in order to hold the BC government accountable to globally recognized human rights standards.

Grades are issued across six areas: access to justice; economic security; freedom from gender-based violence; health care; justice for people who are criminalized; and the rights of parents, children, and youth. Insights from community dialogues held in partnership with **PACE Society**, **Urban Native Youth Association**, and the **Coalition Against Trans Antagonism** ground the report card in firsthand community knowledge.

While BC has taken steps in the right direction, the Report Card also finds that many of these steps have left marginalized communities behind. Some government services remain difficult or impossible to access for those who need them most. And some measures have been introduced without full consideration of the needs and priorities of those most impacted. The Report Card calls for action to correct these gaps and exclusions — many of which are strongly gendered — and to ensure that all people in BC have their rights respected and their basic needs met.

This project is generously supported by the Law Foundation of British Columbia and Health Sciences Association of BC. [Click here to download the Report Card.](#)

**STAY TUNED** for a social media campaign based on the BC Gender Equality Report Card, featuring eight beautiful illustrations by Sam Bradd of **Drawing Change**. Look for the campaign launch on August 5. 

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# BOOK A VIRTUAL WORKSHOP TODAY!

One of the best ways to protect your *Charter* and human rights is to be educated on how to use them. West Coast LEAF's public legal education program encourages people to think critically about the law and society, and to understand and exercise legal rights and options.

While we decided in March to suspend in-person workshops to reduce the threat to community health posed by COVID-19, you can still book a remote workshop for your classroom, community group, or organization. Many of our workshops, including **Youth in the Workplace** and **PowerPlay**, continue to be offered remotely via Zoom, and are particularly useful in our current moment as we navigate the unprecedented impacts — economic, health and social — of this pandemic. **Contact us** to find out more.

During this time, we have made the decision to not offer remote virtual delivery of our workshops that have a major focus on violence, including No Means No, TrendShift, and Only Yes Means Yes, due to concern for the safety and well-being of learners who may be isolated in an unsafe environment. We are working on gradually increasing the content from these workshops that can be made available on our website for self-directed learning.

Many of our workshops, including **Youth in the Workplace** and **PowerPlay**, continue to be offered remotely via Zoom, and are particularly useful in our current moment as we navigate the unprecedented impacts — economic, health and social — of this pandemic.

Questions? **Contact us** to discuss how we can assist you with your learning goals. 🌱

## Become a sustaining supporter of West Coast LEAF!

For the cost of a coffee and a muffin each month, you can help us plan for the future and fight for gender justice for the long term!

**Sign up to become a monthly donor at [westcoastleaf.org/donate](https://westcoastleaf.org/donate)**



PHOTO HANNAH GRACE ON UNSPLASH



L-R: Ikona, Sandy Hudson, Raji Mangat, Elder Doris Fox, Anita Bathe, Phoenix Lam, Councilor Deborah Baker, Chief Leah George-Wilson. Johnny Liu Photography

# THANK YOU!

A warm and heartfelt thank you to all who supported and attended this year's Equality Breakfast and 35th birthday celebration. We are so grateful to the more than 800 people who showed up bright and early with open minds, open hearts and generous spirits.

We were deeply grateful for the welcome to Musqueam land offered by Elder Doris Fox, a member of our Indigenous Advisory Committee and a beloved member of the community. The blessing she invoked generated an environment of compassion and strength. We are grateful to the Nations on whose lands we work and hold this event, including the Musqueam, Squamish and Tsleil-Waututh peoples. We recognize that it is a privilege to hold a fundraiser on these unceded, ancestral, traditional territories.

We were inspired by Sandy Hudson, a founder of Black Lives Matter in Canada who is currently pursuing a law degree at UCLA. She shared a rousing and critical message of movement building, solidarity, and the ways in which communities who are marginalized can

interact with and challenge the justice system. Sandy is an editor of the recently released anthology about Black life in Canada, *Until We Are Free: Reflections on Black Lives Matter in Canada* and we encourage you to pick up a copy at your closest independent or Black-owned bookstore.

Thanks to your support, we raised a record amount that will go directly into our work to advance gender equality and challenge injustice. We are deeply humbled that we were able to hold our event before public gatherings ceased. Your support ensures that we are in a good position this year to continue our work without slowing our pace, as inequalities and disparities become even more stark and the calls for systemic change to our economic and criminal justice systems become loud enough for all to hear.

You can now relive the magic — or see what you missed — by viewing [the photo gallery](#) featuring about 200 beautiful shots by Johnny Liu and Valerie Hsu of [Johnny Liu Photography](#).

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Special thanks to Presenting Sponsor BCGEU and Media Sponsor CBC Vancouver. We were thrilled to welcome CBC Vancouver's Anita Bathe as our emcee this year.



Thank you to Print Sponsor TPH who went above and beyond this year to make sure our materials looked amazing. Thanks also to Fairware who supported the printing of our 35th birthday commemorative T-shirts that were for sale. We also extend our gratitude to the more than 70 silent auction and raffle donors, who provided items including a bicycle, artwork, ceramics, gourmet meals, wine, adventures, jewelry, and valuable services.



Thank you to the many law firms, labour unions, and organizations who generously supported this event by becoming sponsors.

We don't yet know what form our 2021 Equality Breakfast will take, but we can't wait to share the creative ways we'll celebrate together even if we're physically apart. Stay tuned! 🌱



Our fabulous commemorative 35th birthday T-shirts with art by West Coast LEAF staff member Cat Hart are available for \$20 and all funds go directly to support West Coast LEAF's work. They make great gifts for the feminists in your life. Contact us [by email](#) to get yours today!

PHOTOS BY JOHNNY LIU PHOTOGRAPHY



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## INVESTING IN GENDER EQUALITY

We are grateful for the ongoing support we receive from our donors, funders, members, and the Law Foundation of BC.

Thank you to our current project funders:



*We are grateful for the continuing support of the Law Foundation of BC. We acknowledge the financial support of the Province of British Columbia. We acknowledge the government of Canada for funding through Women and Gender Equality Canada and the Social Sciences and Humanities Research Council of Canada.*