

LEAFlet

RAISING OUR VOICES FOR WOMEN'S EQUALITY



PHOTO PARVINDER HARDWICK

Make a gift or purchase a feminist tote bag to support equality / 8



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WEST COAST
LEAF

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KEYNOTE SPEAKER: DR. WILLIE J. PARKER

START YOUR IWD OFF RIGHT WITH THE EQUALITY BREAKFAST

Reproductive and sexual rights are at the heart of gender equality. In a post-*Morgentaler* world, it can be easy for Canadians to take access to abortion services for granted. At West Coast LEAF, we stand with feminist activists at home and around the world in defending the right to control our own bodies and decision making about contraception and abortion.



PHOTO CHAD GRIFFITH

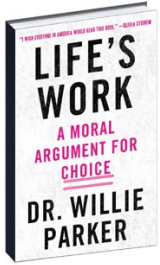
Early bird tickets are now on sale for the 2019 Equality Breakfast, featuring keynote speaker Dr. Willie J. Parker. You don't want to miss this one!

That's why we're thrilled to announce that Dr. Willie J. Parker will deliver the keynote at our 2019 Equality Breakfast the morning of International Women's Day, Friday, March 8, 2019, at the Fairmont Hotel Vancouver, on Unceded Coast Salish Homelands.

Dr. Parker is a reproductive justice advocate who travels as an abortion provider in Alabama and Georgia, and the author of the newly released book, *Life's Work: A Moral Argument for Choice*. His most recent work has focused on violence against women, sexual assault, and reproductive rights and justice through advocacy and provision of contraceptive and abortion services.

Dr. Parker's speech will highlight the fundamental importance of reproductive justice to the movement for gender equality, the ways that access to abortion continues to be threatened despite hard-fought legal victories in the US and

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“ It was not lost on me, an African American man from Birmingham, Alabama, descended from slaves, that new legislation aimed at telling women what they might and might not do with their own physical bodies looked a whole lot like men owning women’s bodies. — Dr. Willie Parker, *Life’s Work: A Moral Argument for Choice* ”

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Canada, the particular impacts of those threats on marginalized and racialized people, and why as a man of religious faith he considers this critical work.

Learn more about Dr. Parker or purchase tickets securely online or by phone at 604-684-8772.

Join us on IWD to be inspired and to support the work of West Coast LEAF. You’ll enjoy a delicious vegetarian breakfast; an always awesome array of silent auction gifts, services, getaways, and activities up for bids; a chance to connect with old and new friends; and a meaningful start to your International Women’s Day celebrations. 🌱



JOHNNY LIU PHOTOGRAPHY

DATE: Friday, March 8, 2019

TIME: 7 to 9 am, doors & silent auction open at 6:30 am

LOCATION: Fairmont Hotel Vancouver, 900 West Georgia St., Vancouver

TICKETS: \$99 early bird, \$110 regular

TABLES OF 10: \$999 early bird, \$1,100 regular

Purchase tickets securely online or by phone at 604-684-8772.

Tax receipts will be issued after the event for the eligible portion of your ticket or table and for the full amount of any additional donation.

Hotel Vancouver is an accessible venue, and ASL interpretation and CART captioning services will be provided. Please contact us at info@westcoastleaf.org or 604-684-8772 if you have additional access needs and we will do our best to assist you in making arrangements.

Interested in sponsoring the 2019 Equality Breakfast?

To learn about the benefits sponsorship, contact Basya at 604-684-8772, ext. 114, or development@westcoastleaf.org

Would you like to promote your business? To donate goods or services to our silent auction, contact Sharon at 604-684-8772, ext. 113, or donormgr@westcoastleaf.org

Questions? We’d love to hear from you. Call 604-684-8772 or email your questions to info@westcoastleaf.org

Presented by BCGEU with media sponsor CBC Vancouver.



Info, tickets, and sponsorships at westcoastleaf.org/eventsingle/2019-equality-breakfast/



NEW REPORT: *WE ARE HERE*

CENTRING THE VOICES OF SURVIVORS

The report is one of the outcomes of a partnership between West Coast LEAF and the YWCA Metro Vancouver.

This fall, we released a report about why women often do not report sexual assault through the criminal justice system — in women's own voices. *We Are Here: Women's Experiences of the Barriers to Reporting Sexual Assault* centres women's experiences of the devastating impacts of sexual assault, which are all too often deepened by the legal system's inadequate responses.

Changes in the justice system and in society are urgently needed to offer viable paths to justice for all survivors of sexual assault in Canada — almost 90% of whom are women. Indigenous women are nearly three times more likely to be sexually assaulted than non-Indigenous women. Only about 5% of sexual assaults are reported to police, and only 11% of the cases that are reported eventually lead to a conviction.

The criminal justice system is only one of many necessary responses to the problem of sexual assault, including Indigenous healing opportunities, housing, counselling services, and health care. For some survivors, engaging with the legal system is not part of their path to healing and justice. For other survivors, seeking legal recourse is hugely important, yet they may find that overwhelming obstacles stand in the way.

We also wanted to highlight the potential for change. We hope readers will be inspired to challenge the


victim-blaming assumptions that are so prevalent in our culture, and that often surface in the justice system too. We've seen that changes in the justice system often follow shifts in cultural values.

This report, funded by the Notary Foundation, is one of the outcomes of a partnership between West

Coast LEAF and the YWCA Metro Vancouver. Staff at the YWCA recruited and interviewed a number of sexual assault survivors who generously and anonymously shared their experiences and insights regarding the decision of whether or not to report to police. Eighteen of those women's experiences are highlighted in the report. The broader initiative, *Dismantling the Barriers to Reporting Sexual Assault*, is funded by Status of Women Canada.

We are deeply grateful to the women who shared their insights and knowledge about barriers to reporting to help inform changes to the criminal justice system's response to sexual assault.

The report is about Canadian state law. We also recognize that Indigenous legal traditions have been on these

lands for many thousands of years. We acknowledge the colonial history and continuing impacts of the Canadian legal system. 

The criminal justice system is only one of many necessary responses to the problem of sexual assault, including Indigenous healing opportunities, housing, counselling services, and health care.



PHOTO SERIES IN THE REPORT BY AVA NEUE

In September, we launched F This! a space to explore ideas and directions for change through an intersectional feminist lens. This lens is the “F” in F This! Below, we invite you to read our message about a significant shift in our mandate and vision, a shift toward a more diverse and inclusive view of feminism. We hope readers will find our blog useful as a place to learn, launch conversations, and engage with important social issues. Questions? Curious? Email us at blog@westcoastleaf.org.

THE FEMINIST TENT



KASARI GOVENDER

WEST COAST LEAF has long been a trans-inclusive organization — to some extent. Since 2003, we have explicitly defined “women” as encompassing all those who define themselves as women, whatever their sex assignment at birth.

The hard part for us in recent years has been whether and how to include people who *don't* define themselves as women; those who define themselves as non-binary, Two-Spirit, genderqueer, agender, or otherwise not fitting within cis* boxes.

To this end, we've been asking ourselves some tough questions: *What does feminism mean to us? What are the harms we work so hard to counteract? Who is most impacted by those harms? Isn't the feminist tent big enough to cover us all?*

These are deep, soul-searching questions for an organization that has defined itself as a women's organization for more than 30 years.

The answers became clearer when we took a bird's-eye view. The overarching project of our organization is to dismantle patriarchy — a project that I believe the women's movement shares with trans activists.

Patriarchy depends on the division of the sexes into two distinct, hierarchically ranked categories. Systemic inequality of all forms — whether sustained by racial division, gender division, class division — has something in common: division. Maintaining hierarchy requires maintaining distinctions between categories and erasing difference and individuality within categories.

If gender is a universe of possibilities and not a binary, these divisions fade along with the hierarchy they create.

In other words, patriarchy feeds off stereotypes — stereotypes of women as maternal, illogical, emotional, and men as natural leaders, thinkers, emotionally distant, rational. Babies who are assigned female at birth are expected to grow up to be women who will wear dresses, date men, become mothers — and the converse for babies assigned to be male. These stereotypes rely on the gender binary. Men are from Mars, women are from Venus.

The very fact of trans identity is a challenge to the traditional gender binary, as are the projects of feminism and trans activism. Dismantle the stereotypes and the binary division, and the patriarchal world view comes crumbling down with them.

We believe that our job is not to police the edges of the gender binary — in fact, such an enterprise would directly undermine the reason our organization exists in the first place. Our job is to shake things up and break things down. And by “things,” I mean the very foundations of inequality in our society — a foundation built on the gender binary, on oppression of diverse expressions of identity, on division and on hierarchy.

Our goal is to tear that foundation down. In its place, we want to see a foundation of equality, dignity, and justice.

So, where does this leave our vision for change? In response, we shifted our mandate from focusing only on women to one that *includes all people* who are disempowered and oppressed by patriarchy.

Our new 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.

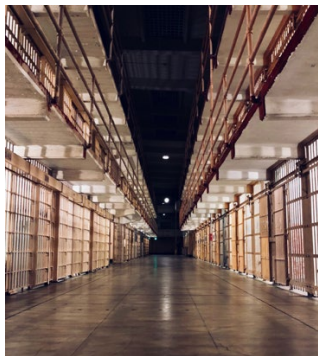
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LITIGATION ROUNDUP

Solitary confinement challenge appealed

We were at the Court of Appeal together with the Native Women's Association of Canada on November 13-14 for the hearing of the government's appeal to the striking down of Canada's solitary confinement law. Despite introducing Bill C-83, which the government has pitched as getting rid of solitary confinement, their appeal went ahead. Canada also asked the court for an extension to bring in the legislative reform proposed by Bill C-83.

PHOTO: CHARLES RABADA/UNSPASH



On appeal, the government shifted from arguing that its law is not harmful to arguing that even if it is, there's no remedy available for the plaintiffs. They argued that any problem with solitary confinement in

prisons isn't the effect of the law, but that the otherwise valid law is being applied improperly. As a result, they argued, the two organizations that brought the successful challenge—the BC Civil Liberties Association and the John Howard Society of Canada—are not entitled to any remedy under the *Charter*, as remedies for unconstitutional state action can only be granted to individual plaintiffs and not to organizations.

We argued that the profoundly harmful and discriminatory effect of solitary confinement on Indigenous women and women with disabling mental health concerns cannot be ignored. These populations (along with others) cannot be denied a meaningful, effective, and appropriate remedy. Asking prisoners in solitary confinement to challenge the law one-by-one as individuals does not address the systemic violation of rights and it impedes prisoners' ability to access justice in a meaningful way.

We're fighting for Single Mothers' day in court

Early this fall, the BC government and the Legal Services Society (LSS) brought applications to strike our claims in the *Single Mothers' Alliance* challenge to BC's family law legal aid regime. BC is arguing that we have no viable claims at all, and LSS wants to strike out our chance at remedies under s. 24(1) of the *Charter*. The applications to strike will be heard in late February 2019.

We are pushing back hard to make sure this case securing access to family law justice for women and children fleeing violence and abuse does go ahead to trial in 2020. We're challenging the legal regime that puts legal aid for family law cases out of the reach of many economically insecure women, and the arbitrary one-size-fits-all approach to legal aid hours. We are sure that if allowed an opportunity to move ahead to trial, we can prove that the legal regime harms women and children and discriminates against them, especially those who experience multiple barriers to accessing justice.

Hate speech has no place in BC

From December 11–14 and 17, we'll be at the BC Human Rights Tribunal (a first for West Coast LEAF!) to argue that the rights of trans people to safety and dignity are essential human rights. In *Oger v Whatcott*, Ms. Oger alleges that pamphlets and online commentary published and distributed by Mr. Whatcott during her campaign for public office (and after) violates her human rights. These publications deny her very existence and constitute hate expression against her as a transwoman. Mr. Whatcott is arguing that the commentary is protected as free expression and as a manifestation of his religious beliefs, protected under the *Charter*.

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We are one of two interveners supporting Ms. Oger's right to be free from discriminatory, harmful public comment. This is an opportunity for the Tribunal to interpret s. 7 of the BC *Human Rights Code*, which prohibits publications that discriminate on protected grounds, of which gender identity and gender expression are two. We will argue that hate speech directed at trans people has discrete, existential harms, as it is a form of erasure of identity and personhood.

National Inquiry winding down

For the better part of the last year, we've been participating in the National Inquiry into Missing and Murdered Indigenous Women and Girls (National Inquiry). The National Inquiry is at the end stages of its information gathering process. We were in Calgary on November 27 to make closing oral submissions and will be filing closing written submissions by December 14.

We have been supporting the voices of Indigenous women from across Canada in identifying the structural and root causes of violence against Indigenous women, girls, and Two-Spirit people in all its forms — whether individualized and immediate or systemic and lateral. Our focus has been on helping the Commissioners understand these causes as gendered and intersectional.



NATIONAL INQUIRY: Raji Mangat with Inuk Elder Rebecca Vevee, who lit and is keeping the qulliq.

THE UNFINISHED STORY OF YES

A ton of work remains to be done to shift society, including the criminal justice system, to better support people who have been sexually assaulted. Our newly released animated video, *The Unfinished Story of Yes*, recognizes hard-won progress for the rights of survivors and pushes for the changes still urgently needed.



The video unpacks the law of consent through a critical social justice lens. Post-secondary students from across BC who served on the advisory committee for our Only Yes Means Yes legal education project helped to ensure that the information was relevant and engaging.

Watch *The Unfinished Story of Yes* on our website or on YouTube and share to help us spread the message.

This project is made possible by the generous support of the Law Foundation of BC, Health Sciences Association of BC, the Province of BC, the Social Sciences and Humanities Research Council, and Impacts.

WELCOME!

ELBA BENDO

Director of Law Reform

PHOTO SHELAN MARKUS



I am thrilled to be joining West Coast LEAF as Director of Law Reform. West Coast LEAF's work shaped my early understanding

of substantive equality as a young law student and continued to inspire me throughout my work as a human rights lawyer. Having spent most of my legal career working with communities directly impacted by systemic inequality, I am excited to be joining an organization that has strong community ties and a deep appreciation of the ways in which intersecting power structures uniquely effect women and gender-diverse people.

Prior to joining West Coast LEAF, I practiced labour, employment, and human rights law at a Toronto-based social justice firm. Concurrently, I volunteered with the Worker's Action Centre where I assisted workers in situations of precarious employment in enforcing their rights under employment and human rights legislation. Through this work, I saw first-hand the challenges the most marginalized communities face in accessing justice.

In 2016, I returned to school to pursue an LLM in Human Rights, Conflict and Justice from SOAS, University of London during which I researched how transnational coalition building can facilitate feminist law reform efforts. Following my LLM, I led a public legal education program at the University of Toronto, Faculty of Law for newcomer youth.

Most recently, I acted as a legal advisor to a number of women-led grassroots community organizations working on indigenous land rights in Myanmar. This experience taught me that those directly impacted by systemic inequality are often at the forefront of bringing about transformative change. It is a lesson I hope to keep in mind as I commence this exciting next chapter with West Coast LEAF.



AFIFA HASHIMI

Law Co-op Student

Afifa is a second-year law student at the University of Victoria with a passion for social justice and equality. At UVic Law, she is co-president

of the Feminist Law Club. Afifa holds a BA (honours) in political science from Simon Fraser University. Prior to law school, she contributed to social justice and legal organizations through research and writing, workshop facilitation, and community outreach. As a former volunteer, Afifa is pleased to return to West Coast LEAF.

"I have always admired West Coast LEAF's work and I'm so grateful to be able to contribute to it as a law student. Working on West Coast LEAF's litigation and law reform projects has been an interesting and exciting experience so far. I'm learning a lot about how these legal processes can be used to advance equality and bring about positive social change."

Afifa's position is part of the Public Interest Work Placement Program, funded by the Law Foundation of BC, a joint initiative of the faculties of law at the University of Victoria, University of British Columbia and Thompson Rivers University.

ISABELLE BUSBY, Articling Student

Isabelle is excited to join West Coast LEAF as its first-ever articling student and begin her legal career at an intersectional feminist organization. She is a graduate of UVic Law and holds a BA in Linguistics from UBC. During law school, Isabelle completed a co-op term in each of West Coast LEAF's program areas. She is passionate about using the law for social change and engaging with diverse forms of advocacy and problem solving.

"I chose to article at West Coast LEAF because the work we do aligns with my values. I also wanted to learn about and participate in the different strategies West Coast LEAF uses to effect social change. In the month I've been here, I've gained a much deeper understanding of the breadth of our work and its impacts." 🌱

Isabelle's position is generously funded by the Law Foundation of BC Articling Fellowship.



JOHNNY LIU PHOTOGRAPHY

BECOME A 2019 EQUALITY BREAKFAST SPONSOR

Attended by nearly 800 members of the legal, labour, social justice, political, and academic communities each year, our beloved signature event celebrates International Women's Day and West Coast LEAF's work for gender equality.

Becoming a sponsor is a meaningful demonstration that you value diversity and inclusion, and that you are committed to corporate social responsibility. It broadcasts to potential clients, employees, and the public that you want to see a more equal BC! Sponsoring the Equality Breakfast is a highly visible way for your firm or organization to get access to some of BC's most influential advocates for justice, labour leaders, legal professionals, law students, and decision makers.

Find out more about the many benefits of sponsorship by contacting Basya Laye, development@westcoastleaf.org or 604-684-8772, ext. 114.

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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.

Operationalizing this new vision is an ongoing process. At this point in our journey, we find ourselves under a big tent. A big tent that welcomes anyone who experiences gender-based discrimination.

We urge those of you who also identify as feminists, but aren't yet under this tent, to ask yourselves some hard questions.

What does it mean to you to challenge the patriarchy? How does reinforcing the gender binary challenge the sexist status quo? Are you shaking the foundation of inequality or reinforcing it?

These are questions that we continue to ask ourselves as we work towards a more inclusive movement.

And to those who we have joined under the big tent, thank you for welcoming us as fellow feminists and comrades in the struggle against patriarchy. To the trans activists who have worked to transform feminism, often at great personal risk, we see you. We are grateful to be standing here with you. 

— Kasari Govender, Executive Director

**cis is a term used to describe people whose gender identity matches the sex that they were assigned at birth.*

Give generously this holiday season and receive a 2018 charitable tax receipt.



There are many ways to give. Fill out a pledge card, visit westcoastleaf.org/take-action/donate/ or call 604-684-8772 to donate today.

Our tote bags make great gifts for the feminists in your life. They are available for \$20 by calling 604-684-8772.

Your gift dismantles discriminatory barriers women face and empowers people of all ages and genders to understand and assert their rights. Thank you!

INVESTING IN WOMEN'S 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:



Canada



vancouver foundation



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 Status of Women Canada and the Social Sciences and Humanities Research Council of Canada.