

LEAFlet

RAISING OUR VOICES FOR WOMEN'S EQUALITY

LITIGATION UPDATES / p. 4



Raji Mangat speaks with reporters after the Supreme Court of Canada ruling in *R v Lloyd*.



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FAILURES OF THE BC CHILD CARE SYSTEM HAVE WIDE-RANGING IMPACTS

Our recent law reform report *High Stakes: The impacts of child care on the human rights of women and children* concludes that the current state of child care services in BC violates the human rights of women and children and calls on BC to improve access to quality care for every child who needs it. At the heart of *High Stakes* are diverse women's real-life stories, shared in the form of affidavits, about how the inadequacy of the child care system has impacted them and their children.

Anna Geeroms is one of the mothers interviewed in *High Stakes*. A business analyst in web design and digital strategy, she has four-year-old twins and a 13-year-old stepdaughter. Below, Anna shares more about her struggles to secure quality child care. *(The interview has been edited for length.)*

West Coast LEAF: Why did you choose to participate in *High Stakes*?

ANNA GEEROMS: I had preemie twins and struggled with how I would cope financially having two babies instead of one. I'd just suffered through the complexities of endless waitlists and becoming an employer of a nanny. I had moments where it felt like I wouldn't be able to get qualified care and I'd have to stay home, even though I loved my job, because my husband earns more. In a society where equality is part of our constitution, that doesn't seem fair.

WCL: What has it been like sharing your experiences? **AG:** A few years ago I did a *Vancouver Sun* interview about my struggles to find child care. I was devastated by reading the comments. So, I'm used to people's lack of understanding on this issue. With the recent interviews, I purposely avoided reading comments because who needs to hear that you shouldn't have procreated?



ANNA GEEROMS and her family struggled to find quality, affordable child care after having twins.

PHOTO: BRITTNEY KWASNEY/BRIGHT PHOTOGRAPHY

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IT'S A WRAP!

ADDRESSING THE UNMET NEEDS OF OLDER WOMEN

Hot off the press and going fast! West Coast LEAF and the Canadian Centre for Elder Law proudly announce the publication, both online and in print, of *Roads to Safety*, a legal handbook for older women fleeing abuse. Multilingual wallet cards listing sources of information and support for older women are also available.

The overwhelming demand for those resources—all have been distributed province-wide and are now nearly out of stock in the print editions—confirms we are addressing needs that were previously unmet. When we spoke to hundreds of diverse older women in BC as part of the Older Women's Dialogue Project, we heard time and again that older women experience high rates of violence and particular barriers to seeking safety and that there is a shortage of accessible legal information about the issues that impact them.

In the words of one participant, "Women often stay in a situation that is unhealthy and scary for years because they don't know how to end it." To fill the gap in legal and practical information that would enable older women to flee violence, we created our 96-page legal handbook *Roads to Safety* as well as wallet cards in 12 languages and a version for Indigenous older women.



We've received overwhelmingly positive feedback on our work from older women and service providers. For example, one of the older women who consulted with us in the initial planning of *Roads to Safety*, who is also an information and referral volunteer at a seniors centre, applauded our "tremendous efforts to address and bring [to the forefront] the very real legal issues and resolution or at least assistance . . . for/to women, particularly senior/elder women."

Those resources are just two of the tools we developed about legal rights and options for older women experiencing abuse. This spring, West Coast LEAF and the Canadian Centre for Elder Law were busy with our *Older Women's Rights Matter* workshop, delivered in six communities across BC to 150 frontline service providers. Additionally, we reached more than 50 participants with a two-part webinar. Participants reported they gained confidence in assisting older women experiencing abuse. If you missed it, watch the webinar on West Coast LEAF's YouTube channel or, if you're deaf, hard-of-hearing, or prefer to read text, visit our *Older Women's Rights Matter* web page to download the written version.

The Older Women's Legal Education Project was generously funded by the BC Council to Reduce Elder Abuse. ♀

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I feel it opens you to scrutiny when you make the details of your life public and that is a nerve-wracking experience! I was worried I'd be misquoted or freeze or say something embarrassing. Or that there might be real-life fallout, like how after that *Vancouver Sun* story, my child care expense and my payroll got audited by the CRA. That was probably just a coincidence? Still, I considered that other women might have more fallout to worry about; I have a voice and I should use it.

I struggled a bit with being an educated, financially

stable white woman speaking for a larger group. I have a partner who believes in equality and fully participates in our children's lives. I'm safe at home. It's an enormous feeling of responsibility to represent women and families who have very different circumstances. Ultimately, I did my best to speak from experience and not pretend to represent everyone.

WCL: What do you think is the most important take-away from your struggles? **AG:** It shouldn't be this hard to get child care. We have a public education system that

LITIGATION ROUND-UP

Addressing gendered stereotypes in sexual assault law

In July, West Coast LEAF was granted intervener status as part of a national coalition of women's organizations in the inquiry into the conduct of Justice Robin Camp while he presided over a sexual assault trial in Alberta. During the trial, the judge made comments like, "sex and pain sometimes go together [...] that's not necessarily a bad thing"; "young wom[e]n want to have sex, particularly if they're drunk"; and "why couldn't [the complainant] just keep [her] knees together." Those comments reflect a disregard for the legal safeguards of the privacy and dignity of complainants. They also stereotype complainants and rely on long discredited myths about how survivors of sexual assault behave. The coalition argued that a judge's competence to hold that office must be held to a high standard, particularly where his actions reintroduce the very harms the law has been reformed to correct. Rape myths have no place in the courtroom. The inquiry took place September 6 to 9 in Calgary.

Protecting women's right to safe health care

In April, the BC Court of Appeal ruled in favour of allowing regulators to put in place provisions for safe access to health care in *Scott v College of Massage Therapists*. West Coast LEAF intervened to argue that allegations of sexual misconduct require urgent action to protect complainants and that assessment of risks to public safety should not be made on the basis of discriminatory myths and stereotypes about complainants.

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addresses inequality by providing education opportunities for all children in Canada. Why would we squander the opportunity to support and educate young children?

The cost should be lower. The stress of paying for child care impacted my outlook on life, my feeling of safety and security in our society, my marriage, my career. People wonder about the lack of women in the tech industry. Lack of access to child care is definitely a factor. The expense of early child care makes many women take extra years off work; it's hard to catch up when you're in technology.

Advocating for human rights

West Coast LEAF intervened in *Vancouver Area Network of Drug Users v Downtown Vancouver Ambassadors Business Improvement Association* in coalition with Community Legal Assistance Society. We argue that decision-makers must ensure that the burden of proof in discrimination cases does not impede access to justice for marginalized people, in this case homeless people. If the bar is too high, the people most in need of protection are the very people who may be excluded. The BC Court of Appeal will hear the case in October 2016.

Ensuring equal access to the legal profession

In June, the BC Court of Appeal heard *Trinity Western University v Law Society of British Columbia*. We intervened to argue that the Law Society's decision to refuse accreditation to TWU's proposed law school is consistent with the *Charter of Rights and Freedoms*. We argued that TWU's Community Covenant excludes prospective students and staff on the basis of sexual orientation, marital status, and sex and the Law Society is entitled to consider discrimination on those protected grounds when determining whether graduates of such a program may access the legal profession.

Challenging mandatory minimum sentencing

In April, the Supreme Court of Canada released its judgment in *R v Lloyd*, ruling unconstitutional a mandatory minimum sentence for certain drug offences. West Coast LEAF intervened to argue that mandatory prison terms disproportionately impact women and that judges must have the discretion to meaningfully consider the circumstances of individual offenders in sentencing, particularly those for whom disadvantage is compounded by an intersection of vulnerabilities.

WCL: How do you think your experience aligns with that of other moms? **AG:** When I was doing a CTV interview at Pandora Park with my kids, three people came up to ask if they could be interviewed about their child care woes! They all expressed what a hardship finding safe, reliable, affordable child care has been for them. After having children, several of my closest friends left Vancouver because of the affordability crisis.

I feel that the lack of adequate child care has always most cruelly impacted women *continued on page 4*

SAVE THE DATE!

ANNUAL GENERAL MEETING 2016

Tuesday, September 27, 5 to 7 p.m., Law Courts Inn

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INVESTING IN WOMEN'S EQUALITY

We are grateful for the ongoing support we receive from our donors, funders, members, and The Law Foundation of British Columbia. Our current funders include:



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who are more vulnerable, such as women choosing between staying in an abusive relationship or losing their kids because they can't afford child care as a single parent. We're reaching a crisis level, however, where even middle class families are seriously challenged to make it all work out.

WCL: What does quality child care mean to you and your family? **AG:** I finally have relatively affordable and reliable

child care and it's meant the world. We're paying our mortgage, eating healthy food, not worrying incessantly about money, and having a happy life. I can be content that my children will be cared for, taught, and nurtured. I can go to work and focus on making the world a better place. I can look forward to hearing my kids sing me a new song in Spanish that they learned at daycare. 