



Be-LEAF in Equality! ... News from the frontline ...

The Bi-monthly Update of the Women's Legal Education and Action Fund

December 2006

Inside this issue:

- [In the Spirit of Giving – Holiday Gift Ideas](#)
- [LEAF in the Courts](#)
- [In the Branches](#)
- [From LEAF National](#)
- [In Memoriam](#)
- [More Information](#)
- [Donate Today!](#)

Hello LEAF Supporters!

Season's Greetings from the LEAF Board of Directors and staff! Thanks to all of our supporters and contributors for standing by us in the face of political and funding challenges in 2006. We look forward to your continued support as we expand our programming and legal work in 2007.

In the Spirit of Giving - Holiday Gift Ideas

You can honour someone in your life who believes in equality by making a donation in their name to LEAF.

Simply make a donation to LEAF by visiting our website at www.leaf.ca, by calling us with your credit card donation, or by sending a cheque payable to LEAF. Let us know the name and address of the recipient and we will send them a lovely holiday card informing them of your gift. You will receive the charitable tax receipt. You can make a gift in honour of a loved one or celebration at any time of the year!

LEAF's newly published book, ***Making Equality Rights Real: Securing Substantive Equality under the Charter*** also makes an excellent gift for the avid learner in your life. This book of original essays on how to advance substantive equality using section 15 of the Charter of Rights and Freedoms is available for \$55 plus shipping and handling. Contact LEAF to place your order at info@leaf.ca.

LEAF in the Courts

Dickie v. Dickie:

On November 17, 2006 LEAF was granted leave to intervene in *Dickie v. Dickie*, which will be heard by the Supreme Court of Canada on January 17, 2007. *Dickie* is a family law case that deals with the recourses and remedies available when parties, primarily men, are in breach of family court orders. In the majority of support cases, women are owed support by men and when they do not receive it, or receive less than they are entitled to, they and their children are disadvantaged. LEAF will argue that the decision about recourses and remedies available when men are in breach of family court orders should be made in consideration of the sex inequality so often associated with support orders, and in a way that is consistent with Charter equality values. LEAF will argue that for family law to work for women, contempt of court proceedings must be available to be applied to men who refuse to comply with court orders for support.

Counsel for LEAF in this matter are Llana Nakonechny and Gillian Calder.

Canadian Council of Refugees et al. v. Her Majesty the Queen

In November, 2006 LEAF applied for leave to intervene before the Federal Court of Canada in *Canadian Council of Refugees (CCR) et al. v. Her Majesty the Queen* (a decision on this application is still pending). The case deals with a challenge to the constitutionality of the Safe Third Country Agreement between Canada and the United States that was signed in December 2001 and went into force in 2004. The Agreement prevents refugees from seeking safe haven in Canada if they are seeking to enter from the United States at a land border. This refusal of entry can result in their return to persecution and torture. The court challenge claims that the Agreement is in violation of the security of the person and equality sections of the *Charter*, as well as in violation of Canada's international human rights obligations.

The case is significant because the Agreement has had an especially devastating effect on women refugees who often suffer harms that are either unique to their gender, such as female genital mutilation or forcible abortion; or harms which are more commonly inflicted upon women than men, such as rape as a form of cultural genocide or domestic violence.

This judicial review will be heard by the Federal Court February 5-6th, 2007. Counsel for LEAF in this case are Fiona Sampson and Jetty Chakkalal.

Bill C-10 (Mandatory Minimum Sentences)

On November 23, 2006 LEAF appeared as a witness before the federal Justice and Human Rights Committee to make submissions relating to the federal government's proposed Bill C-10, An Act to Amend the *Criminal Code* (Minimum Penalties for Offences Involving Firearms). LEAF took the position that the Justice Committee should recommend the Bill's withdrawal because its introduction would constitute a violation of the federal government's obligation under section 15 of the *Charter of Rights and Freedoms* to promote and protect the equality rights of disadvantaged persons in Canada.

On May 4, 2006 the federal government introduced Bill C-10 and announced its

intention to increase the number of offences in the *Criminal Code* to which mandatory minimum sentences would apply. The Bill would impose mandatory minimum sentences of between three and ten years for various gun related crimes. The issue of mandatory minimum sentences is important from an equality perspective because of the ineffectiveness of mandatory minimum sentencing and its discriminatory application. It is LEAF's position that the proposed legislation, which focuses exclusively on the punishment of offenders, will lead to further discriminatory adverse effects on historically disadvantaged groups. LEAF urged the government to abandon this approach in favour of "a policy that focuses on fair sentences, compassion, and understanding of victims as well as offenders, along with policies that focus on providing real rather than apparent security and change in social policy."

LEAF conducted its work on Bill C-10 in partnership with the Canadian Association of Elizabeth Fry Societies (CAEFS). Fiona Sampson testified before the Justice Committee with respect to the discrimination associated with Bill C-10. We are very grateful to the subcommittee who supported this initiative and contributed to the drafting of LEAF's written submission. LEAF's written submissions on Bill C-10 are available on the LEAF website at www.leaf.ca.

Elimination of the Court Challenges Program (CCP)

In September 2006, the Federal government eliminated funding for the Court Challenges Program (CCP). LEAF has intervened in numerous equality cases supported by funds from the program.

On November 1, 2006, LEAF testified before the federal Justice and Human Rights Committee about the impact of the elimination of CCP. LEAF took the position that the federal government should reverse its decision to eliminate the Court Challenges Program and restore funding to this critical agency established to support selected equality test cases.

LEAF submitted that the opportunity for equality seeking organizations to intervene before the courts in equality related cases is an excellent way to ensure access to justice for disadvantaged persons. To protect the integrity and legitimacy of the legal system and to give full meaning to the constitution that supports it, everyone in Canada must have access to the courts. For people at the lowest income levels in Canada, a disproportionate number of whom are women, access to the courts is often an impossibility. The CCP was an important vehicle by which such barriers were removed for some cases.

Chantal Tie testified for LEAF before the Justice Committee on this matter. LEAF's submissions to the Justice Committee relating to the elimination of CCP are available on our website at www.leaf.ca.



In the Branches

An exciting roster of annual Persons Day events were held through LEAF Branches across the country in October and November. We thank all the staff, volunteers, in-

success. Here are highlights from some of the events:

LEAF Manitoba's Persons Day Breakfast featured singer and songwriter, Heather Bishop. A natural storyteller, Ms Bishop shared a very personal, humorous and inspiring tale of her journey to feminism. Her speech was well received by the over 900 guests in attendance. National Executive Director, Audrey Johnson, relayed some of the exciting changes occurring at LEAF, and announced the launch of LEAF Manitoba's new endowment fund at the Winnipeg Foundation – the WISE Fund: Women in Support of Equality, which will support LEAF's work in Manitoba. Donations to the fund can be made directly to the Winnipeg Foundation or via LEAF Manitoba.

LEAF Regina's Persons Day Breakfast held on Oct 27, 2006, was a resounding success. With approximately 240 people in attendance, including 11 corporate-sponsored tables, Dr. Nettie Wiebe gave a rousing talk that was well received by the audience. Dr. Wiebe focused on the current political climate in Canada under the new government. She noted that the ground women have won over the last several decades is currently being eroded by anti-feminist ideology concealed behind references to family values. She also explored the implications of silencing women's voices, through cuts to key institutions like the Court Challenges Program and Status of Women Canada, particularly in light of globalization which has the effect of placing women's bodies, above all women of colour, indigenous women, and women of third world countries, under siege. As Dr. Wiebe commented, now is not the time for women to be silenced and efforts to do so must be challenged on every front: socially, politically, legally and economically.

LEAF Sudbury's Persons Day Breakfast featured human rights activist, Sally Armstrong, who spoke about women in Afghanistan and the conditions under which they struggle to find dignity and equality. The audience of 400 was moved to tears on more than one occasion and left the breakfast with a great deal about which to think. LEAF National Director of Litigation, Fiona Sampson, conveyed the serious implications of the cuts that have occurred under the federal government's present mandate, but also celebrated the successes that LEAF has had in the past year. A highlight of the breakfast was the newly minted "Persons Day Award" presented to Marylue Hinds, longtime supporter, friend and mentor not only to LEAF Sudbury but also LEAF National. The award is meant to be given to those women who have consistently furthered the cause of LEAF at local and national levels, and it was fitting that Marylue was the first recipient. LEAF Sudbury normally donates a portion of the proceeds of the breakfast to the City of Greater Sudbury Library, but this year, at the Library's request, the funds will all go to LEAF National.

Something new this year for LEAF Sudbury involved Fiona Sampson speaking to a large group of students from area high schools. The event fostered an awareness and understanding of LEAF's work among Sudbury's future leaders, and we hope that it will become an annual tradition.



From LEAF National

LEAF National's Toronto Persons Day Breakfast, held on November 7, 2006, featured



Ottawa. The audience of nearly 700 heard an engaging speech about the important role of the Charter in facilitating women's advancement; and were reminded about how much more there is to be done in light of changing political realities. With the help of a dedicated committee of volunteers and the support of sponsors and in-kind contributors, the Toronto breakfast raised over \$80,000 toward LEAF's work.

Save the Date – Equality Day Dinner

Mark your calendars for LEAF National's Equality Day Dinner to be held on Thursday April 19, 2007. We are pleased to have RBC returning as the premier sponsor of this important fundraising event. If you would like to join us for an intimate dinner with a special guest speaker (to be announced), please contact us at info@leaf.ca.

In Memoriam

LEAF remembers the following supporters who have passed away since June 2006. We send our condolences to friends and family.

- Elizabeth Weston of Wellington, ON
- Allen Maitland of Toronto, ON
- Lillian Goodwin of Vancouver, BC
- Irene McPherson of Edmonton, AB
- Grant Armstrong of Trenton, ON
- Clifford Elliott of Toronto, ON
- Ruth W. McLean of Toronto, ON
- Barbara Beardsley of Milford, ON

More Information

The LEAF Email Update is published every two months. The next Update will be sent in December 2006. If you have questions about anything in this email or about the work of LEAF, please contact us at info@leaf.ca or 1-888-824-LEAF (5323) or visit our website at www.leaf.ca.

Donate Today!

Your donations enable LEAF to pursue our work to ensure equality for all women and girls in Canada. Thank you for your ongoing support!

For more information, or to make a tax- deductible donation to LEAF:

- Call (416) 595-7170 Ext. 228
- Email: donate@leaf.ca
- Mail your donation to LEAF, 60 St. Clair Avenue East, Suite 703, Toronto, ON M4T 1N5
- Donate online through CanadaHelps.org
- Charitable # 10821 9916 RR001

Quick Links...

- [About LEAF](#)
- [LEAF's Legal Work](#)
- [Support LEAF](#)

email: info@leaf.ca

phone: 1-888-824-LEAF (5323) or 416-595-7170

web: <http://www.leaf.ca>

[Forward email](#)

SafeUnsubscribe®

This email was sent to info@leaf.ca, by info@leaf.ca
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

Powered by



LEAF | 2 Carlton St., Suite 1307 | Toronto | ON | M5B 1J3 | Canada