



ANNUAL REPORT

2019



Unceded Coast Salish Homelands
Vancouver, BC, V6C 1T2
604-684-8772
e: info@westcoastleaf.org
westcoastleaf.org

President's Message

Building a Movement



As my last year on West Coast LEAF's board of directors comes to an end, I reflect on the commitments we've made as an organization to build relationships grounded in respect and to seek out the voices that the law and the legal system has – and continues to – ignore or silence.

We started out on a path of working out what reconciliation and decolonization means for us as an organization that advocates for change through the law – a tool of past and continuing oppression for many.

Likewise, we've committed to widening our organizational space to seek equality, justice, and accountability for all people who are disempowered and oppressed by patriarchy. To do so in a meaningful way, we have been called upon – and have called upon ourselves – to interrogate assumptions, own mistakes, and recalibrate our tools to function beyond binaries.

West Coast LEAF's work on decolonizing and reconciliation and on gender inclusion is not an end point; it's a process. We know we have a long way to go, and that there are no shortcuts. We'll only get there if we listen and learn with humility.

We also recognize that nothing happens without community, and that we aren't in

community without building meaningful and sustainable relationships.

Over the past year, I've been impressed by how West Coast LEAF's renewed commitment to community has deepened our relationships and impact. We are working with intention to centre and privilege lived experience. We are deeply honoured for the trust and confidence placed in us to ensure that voices essential to the conversation are not shut out of the halls of power.

Closer to home, West Coast LEAF's staff have impressed me with their commitment to shared learning and introspection. For the past year, staff have been holding decolonizing discussion groups at staff meetings. The richness of the discussions, shared accountability, and exposure to the work of Indigenous leaders, change-makers and storytellers has been so valuable it prompted staff to start a second discussion group – focusing on works by trans, Two-Spirit, non-binary, intersex, and gender non-conforming people.

The interwoven strands of community engagement, relationship-building, shared learning and introspection have enriched and deepened West Coast LEAF's work across the spectrum of our law reform, litigation and public legal education program areas, and across all areas of our substantive work. We are more focused than ever on working collaboratively with one another and with community organizations and knowledge keepers.

I am grateful to West Coast LEAF's generous donors, our supportive funders, and the incredibly passionate and brilliant people that serve this organization as staff, board members, and in countless volunteer roles. I am humbled by the commitment you've all made to this organization, and to gender equality, justice, and accountability.

Amber Prince



Photo credit: iStock

BOARD 2018/2019

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Legal Committee Chair

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Joana Thackeray

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OUR VISION

West Coast LEAF envisions an equal and just society for all women and people who experience gender-based discrimination.

Our 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. 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.

We recognize that gender-based inequalities threaten the safety, well-being, and human rights not only of women, but also of Two-Spirit people, intersex people, gender non-conforming people, trans people of all genders (not only women), and people with non-binary gender identities. West Coast LEAF is committed to an inclusive vision of feminism that defends the right to be free from discrimination based on gender identity and gender expression.

West Coast LEAF recognizes our responsibility to work for the full realization of the rights of Indigenous peoples. In the context of historic and ongoing colonial violence and injustice, West Coast LEAF understands that fulfilling this responsibility requires a deep and continual commitment. We respectfully acknowledge that our office is located in Vancouver on traditional, ancestral, and unceded Coast Salish homelands, including the territories of the $\chi w m \theta k w \acute{e} y \acute{e} m$ (Musqueam), $S k w x w \acute{u} 7 m e s h$ (Squamish), and $s \acute{e} l \acute{i} l w \acute{e} t a \text{?} \acute{t}$ /Selilwitulh (Tsleil-Waututh) Nations. We understand that many of us are uninvited to these territories. As an organization that includes many settlers, we take responsibility for learning and seeking long-term transformation in our relationships with Indigenous peoples and land.

West Coast LEAF promotes substantive equality, an approach that recognizes and celebrates differences. Rather than treating everyone the same, substantive equality ensures that historically disadvantaged people can actively participate in society and access justice. We strive to ensure that the equality principles in the Charter of Rights and Freedoms, which advance the rights of all disadvantaged and marginalized groups, are fulfilled.

WE WORK IN FOUR MAJOR AREAS: LITIGATION, LAW REFORM, PUBLIC LEGAL EDUCATION, AND COMMUNITY OUTREACH



LITIGATION

We develop challenges to unjust laws and policies that have a significant impact on gender equality and human rights.

TWU v Law Society of BC (SCC): Discriminatory admissions to law school are not in the public interest

In June 2018, the Supreme Court of Canada upheld the Law Society of British Columbia's decision to deny approval to a proposed law school at TWU. The Court found that TWU's mandatory covenant prohibiting sexual expression outside of heterosexual marriage and reproductive choice created discriminatory barriers to law school admission and would harm LGBTQ people contrary to the public interest. We intervened to argue that equitable access to education is about treating everyone as worthy of dignity and respect.

Oger v Whatcott (BCHRT): Harms of trans erasure recognized in complaint about hate speech

In March 2019, the BC Human Rights Tribunal ruled that hate speech directed at Morgane Oger on the basis of her gender identity and expression constituted discriminatory publication under the BC Human Rights Code. Mr. Whatcott produced and distributed flyers denying Ms. Oger's gender during her campaign for public office. We intervened to argue that a proper assessment of the impact of Mr. Whatcott's speech had to be grounded in the unique harm to trans people that comes from attempts to erase their personhood.

CCD v BC (BCCA): Public interest standing is essential to accessing justice

In May 2019, we intervened in a case brought by the Council of Canadians with Disabilities. They were denied public interest standing after mounting a Charter challenge to BC's mental health regime. We argued that public

interest litigants promote access to justice in cases where people directly affected by unjust laws are not in a position to challenge those laws themselves. As of September 2019, we await the court's decision.

MMIWG National Inquiry: Charting an accountable path toward justice for Indigenous women, girls, and Two Spirit people

The National Inquiry into Missing and Murdered Indigenous Women and Girls released its final report in June 2019. West Coast LEAF participated throughout the National Inquiry to highlight how gender inequality contributes to ongoing violence against Indigenous women and girls in the context of historical and ongoing colonial oppression. We recommended measures to make state actions accountable to Indigenous women, girls, and Two Spirit people through independent review.

BCCLA and JHSC v Canada (BCCA): Solitary confinement ruled unconstitutional, but Indigenous prisoners denied specific remedy

In June 2019, the BC Court of Appeal released its judgment in the solitary confinement challenge, unanimously finding that prolonged and indefinite solitary confinement denies prisoners their rights to life, liberty, and security. We intervened at the BCCA jointly with the Native Women's Association of Canada to highlight the disproportionate and unique harms of solitary on Indigenous women and women with disabling mental health impairments. While the Court recognized the harms of solitary on all prisoners, it did not provide a remedy to Indigenous prisoners for the discrimination they experience through the correctional system.



Photo credit: Johnny Liu Photography

SMA v BC: They didn't stop us

We brought this case in 2017 to defend the right to fair and equal access to the family law system in the aftermath of relationship violence. We are representing the Single Mothers' Alliance of BC, a grass-roots organization working on improving access to justice, and Nicole Bell, an individual whose safety, well-being, and relationships with her children have been threatened by the lack of family law legal aid services available to her.

In BC, family law legal aid services are drastically underfunded, having been cut by 60% since 2002. Family law legal aid is often denied because a situation is deemed not violent enough, or because people working full time at minimum wage are still not seen as needing legal aid. This leaves many British Columbians going through divorce and custody battles without a lawyer, having to self-represent and perhaps face their abuser directly in court, even in situations of extreme family violence.

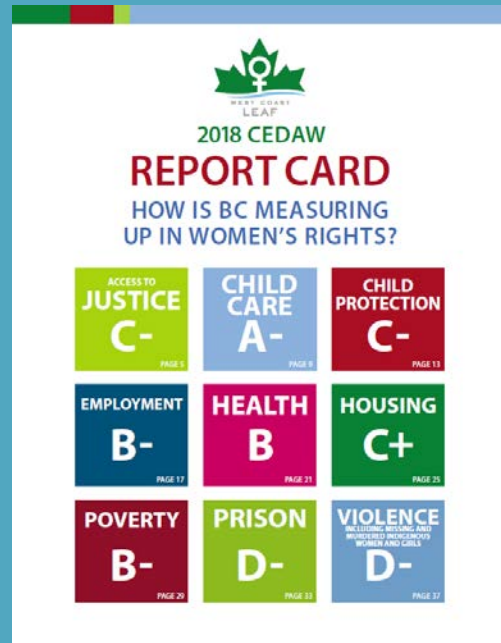
We successfully fought off motions filed by the Province of BC and Legal Services Society to have the case thrown out. In August 2019, the court ruled in no uncertain terms that the case can go ahead as intended. Our landmark challenge to the unjust family law legal aid regime will be heard in BC Supreme Court.



LAW REFORM

We track and monitor how legislation and policy affect gender equality; do in-depth research and writing on legal and policy issues; and engage with decision-makers to push for change.

TWO NEW REPORTS



Divorce Act

The stated goals of proposed changes to the Divorce Act include “promoting the best interests of the child, addressing family violence, reducing child poverty, and making Canada’s justice system more accessible and efficient”. In our briefing note on Bill C-78 we advocated for legislative amendments to the Divorce Act that would ensure the Act would meet these stated objectives. [Read our briefing note.](#)

Pay equity

The gendered earnings gap in BC has women earning significantly less than men. In order to address economic security in a meaningful way, there must be proactive pay equity legislation to enforce transparency, raise public awareness, and make employers responsible and accountable for the composition of their pay structures. That’s why we called for stand-alone proactive pay equity and pay transparency legislation for BC. [Read our submission.](#)

MMIWG National Inquiry

We expressed concerns to the National Inquiry into Missing and Murdered Indigenous Women and Girls about the rushed, incomplete, and procedurally flawed process for the hearings. We urged immediate action to ensure that the Inquiry centred the expertise of Indigenous women and meaningfully engaged with the institutional and systemic factors that have resulted in so many deaths and disappearances.

We also called on the federal government to grant the full extension requested, arguing that without adequate time the Inquiry could not properly investigate the systemic and institutional failures leading to so many deaths and disappearances.



Raji Mangat with Inuk Elder Rebecca Vevee

Unbiased policing

Bias in police conduct creates profound risks and harms for people who experience systemic injustices, including Indigenous people, undocumented migrants, people with mental health issues, people who use illegal drugs, racialized people, and people who have experienced gender-based violence. Our recommendations to inform the development of provincial standards and policies on unbiased policing include measures to improve investigative practices, community relationship-building, training for officers, accountability mechanisms, and more. [Read our submission.](#)

And we advocated for law reform in many other areas, including:

- [Prioritizing substantive gender equality in municipal election campaign platforms](#)
- [Calling for changes to address the sex discrimination in the Indian Act](#)
- [Modernizing the Family Maintenance Enforcement Act](#)
- [Making gender equality a budget priority for BC’s Finance Committee](#)
- [Calling for investment in family law legal aid, and immigration and refugee assistance by the federal government](#)
- [Calling for universal basic income in BC](#)
- [Increased legal protections for people of all genders under the Employment Standards Act](#)



Photo credit: Kaymi Yoon-Maxwell



WEST COAST LEAF IN THE MEDIA

65
articles, radio
and TV spots

24,489
unique website visitors

4,328
resources downloaded

COMMUNITY OUTREACH

We engage with community through coalition building, partnerships, and collaborations; taking guidance from advisory committees with lived experience and professional expertise; contributing to public conversations; and listening deeply.

In 2018/2019 we:

- Established our Indigenous Advisory Committee to help guide our work and Reconciliation Plan
- Developed and piloted a new engagement strategy for our program work
- Established our decolonizing discussion club

PUBLIC LEGAL EDUCATION

We help people of all ages learn about the law through a critical social justice lens and empower them to access their rights. One of the best ways to protect Charter and human rights is to educate people on how to use them.

“I have heard that your last workshop was incredible. Not one student stirred. Something that just does not happen- in any meeting, event, workshop in that space, somebody is moving up or down the stairs. You had them captivated. Great work! ”



SPEAKERS BUREAU

1,260
people
reached

355 post-secondary students at
25 Only Yes Means Yes workshops



WORKSHOPS

2,612
participants at
94
workshops



MENTORSHIP

11
youth
facilitators
trained
14
active
facilitators



The beautiful welcome pole at Tillicum Lelum Friendship Centre.
Photo credit: Sharnelle Jenkins-Thompson

In 2018, West Coast LEAF launched a monthly decolonizing discussion group. Staff members take turns assigning texts and videos by Indigenous thinkers, leaders, artists, and change-makers, to be read or watched by the entire team. The decolonizing discussion group has been one step towards implementing the Reconciliation Plan we adopted in the spring of 2018, which acknowledges that “anti-racist, decolonial work requires continual evaluation and reflection, and that this introspective work is never done.” In particular, the Reconciliation Plan asserts that “non-Indigenous people, including the non-Indigenous staff and board of West Coast LEAF, must educate themselves” in order to avoid perpetuating harm. Some of the topics we have covered so far include:

- Indigenous Parenting and Kinship Care
- Treaties and Land Title
- Indigenous Feminism
- Resistance and Resurgence
- Gender and Sexuality
- Indigenous People and the Legal System
- The Indian Act



westcoastleaf.org/blog

In the last year, we launched our new blog, F This! The blog is a place we've created to explore ideas and directions for change through an intersectional feminist lens. This lens is the "F" in F This! We have explored a number of topics, including:

The Feminist Tent

Safety and Justice for Refugees: Challenging the Safe Third Country Agreement

A Louder, More Inclusive Feminism: Our Conversation with Black Lives Matter Vancouver

Sexual and Reproductive Rights: Access and Education for All

Sparking Conversation & Building Consent Culture

Five Reasons We're Back in Court to Fight Solitary Confinement

Wins, Misses, and Losses: Understanding the Proposed Amendments in the Federal Divorce Act

Kids' Books for Social Justice: Learning and Unlearning

2018/2019

MAJOR DONORS

- Anonymous Donor
- Ellen Balka
- Barbara Bell
- Erika Chan
- Sherry Fraser
- Lauren Gehlen
- Frances Gordon
- Risa Levine
- Heidi McBride
- Meghan Neathway
- Gerry O'Neil
- David Osborne
- Kathryn Sainty
- Schein Foundation
- TELUS Communications Inc
- Wendy van Tongeren

STAFF 2018/2019

Alana Prochuk
Manager of Public Legal Education

Basya Laye
Director of Development and Engagement

Cait Hurley
Interim Office Manager

Caitlin Anderson
Administrative Assistant

Catherine Hart
Manager of Fundraising (from July 2019)

Cecile Afafe
Youth Workshop Coordinator (from July 2019)

Elba Bendo
Director of Law Reform (from October 2018)

Kasari Govender
Executive Director (until August 2019)

Kaymi Yoon-Maxwell
Youth Workshop Coordinator (until July 2019)

Nour Kachouh
Youth Workshop Coordinator (until July 2018)

Raji Mangat
Director of Litigation (until August 2019), Executive Director (from September 2019)

Sharnelle Jenkins-Thompson
Manager of Community Outreach

Sharon Xia
Event Manager and Donor Coordinator

Victoria Chen
Office Manager (on leave)

Zahra Jimale
Director of Law Reform (until September 2018)

LAW STUDENTS AND INTERNS

Emily Beierl, Law Intern

Isabelle Busby, Articling Student

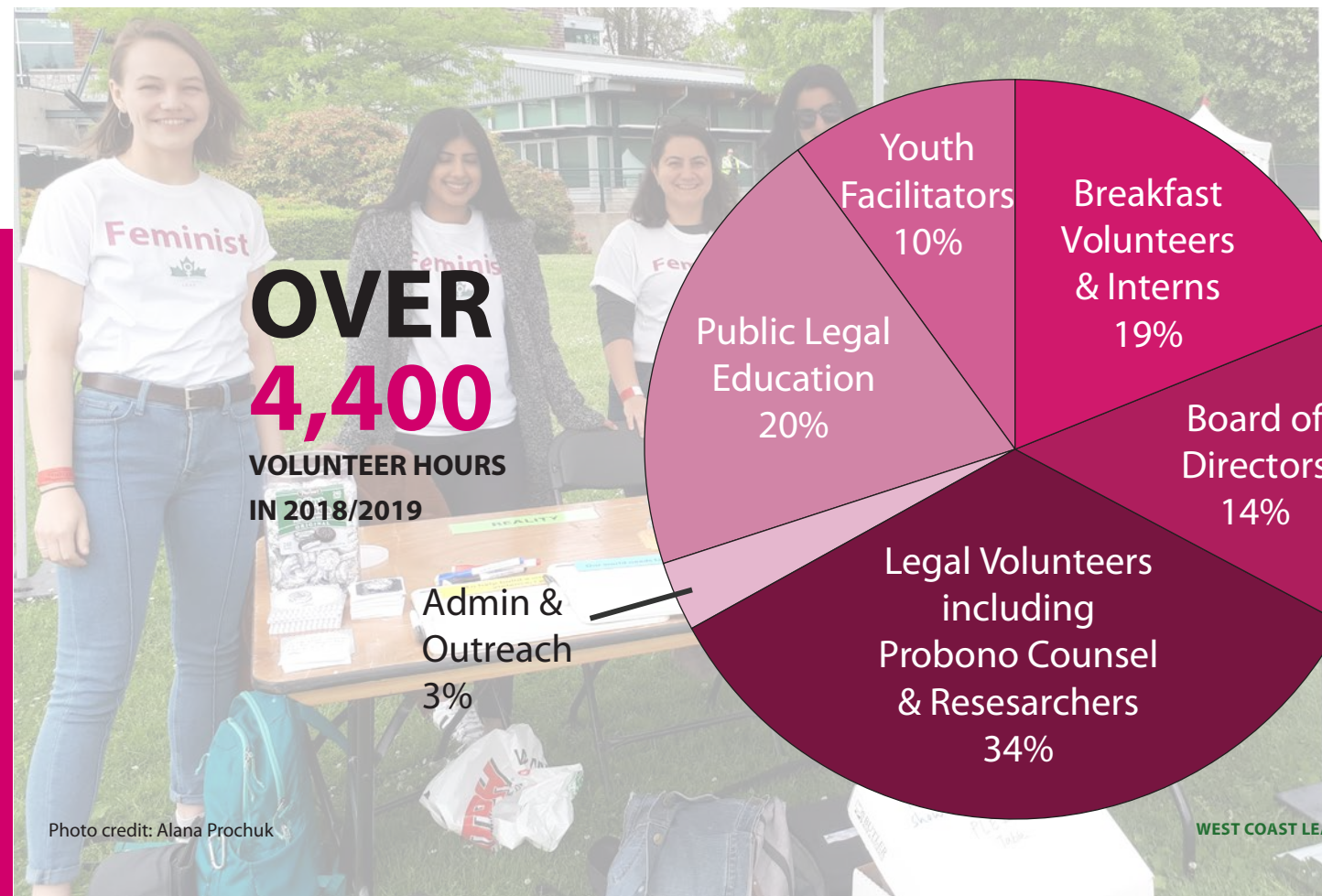
Celeste Cuthbertson, Law Intern

Navdeep Dulai, Law Intern

Affia Hashimi, Law Intern

Kathleen Renaud, Law Intern

Amelia Roth, Articling Student



OVER 4,400

VOLUNTEER HOURS IN 2018/2019

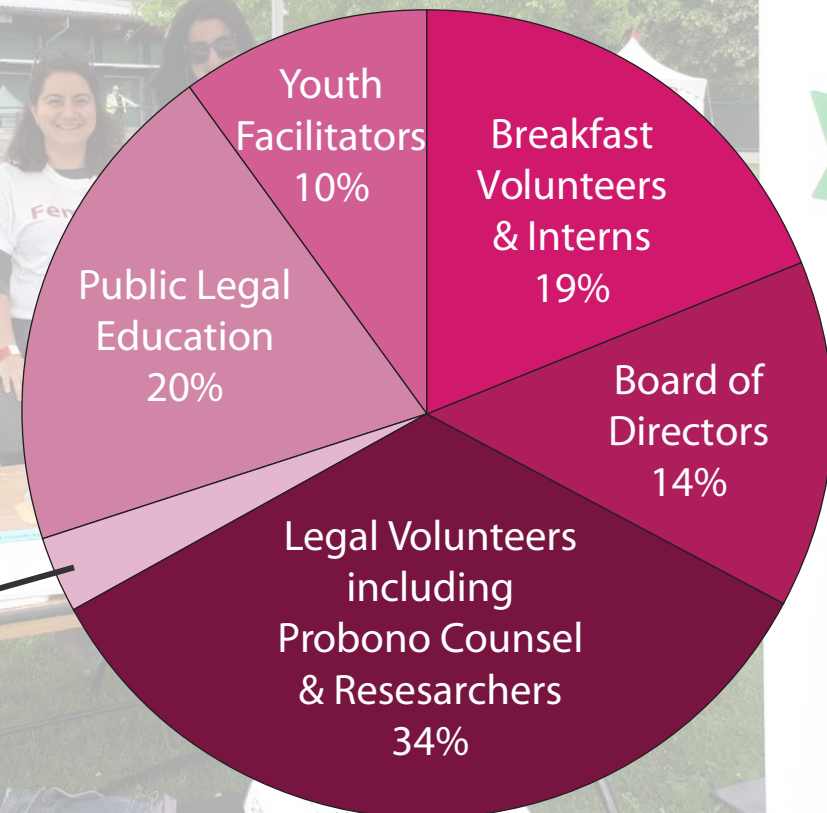


Photo credit: Alana Prochuk

2018/2019 FINANCIALS

REVENUES

Grants	\$ 603,030
Fundraising	\$ 354,204
Endowments & interest	\$ 7,419
MMIWG Inquiry	\$ 69,857
Education fees & Other	<u>\$ 11,467</u>
Total	\$ 1,045,977

EXPENSES

Accounting & audit	\$ 8,565
Office & equipment*	\$ 45,774
Governance	\$ 5,092
Fundraising	\$ 68,371
Program costs: Other	\$ 80,156
Program costs: Staff and contractors	\$ 689,858
Rent	\$ 79,387
Donation to endowment	<u>\$ 50,000</u>
Total	\$ 1,027,203

* includes amortization

THANK YOU for supporting the record-breaking 2019 Equality Breakfast



Photo credit: Johnny Liu Photography

THANK YOU TO OUR 2018/2019 PROJECT FUNDERS



We are grateful for the continuing support of the Law Foundation of British Columbia



We acknowledge the financial support of the Province of British Columbia

Canada

We acknowledge the government of Canada for funding through Women and Gender Equity Canada and the Social Sciences and Humanities Research Council of Canada

vancouver
foundation

IMPACTS



West Coast LEAF is a federally registered charity and an incorporated BC non-profit society. We're governed by an elected Board of Directors, run by a dedicated staff, and supported by active and committed volunteers. Our family of staff, volunteers, members, alumni, and supporters includes legal professionals, community organizers, social service providers, community groups, unions, and students.