

INVESTING IN WOMEN'S EQUALITY...

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West Coast LEAF would like to acknowledge the ongoing support of Stikeman Elliott LLP, who have supported our annual Equality event since 2004. Stikeman Elliott LLP was selected as #1 in the 2008 Best Lawyers rankings of Canadian law firms for M&A, Corporate Law, Securities, Derivatives and Structured Finance. Stikeman Elliott's Calgary office was presented an Alberta's Best Workplaces 2008 award for Volunteerism & Community Involvement by Alberta Venture Magazine. The firm is proud of its community and pro bono program that supports and encourages firm members to get involved in their communities.

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LEAFlet

Newsletter of the Women's Legal
Education & Action Fund, BC branch

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West Coast LEAF AGM June 26, 2008

Please see insert for details

African-Canadian Dialogue May 29 2008 5-7 pm

Visit www.westcoastleaf.org
for details



A SNAPSHOT TO ACCESSING JUSTICE The Family Law Student Survey

"My impression of the practice of family law is that it's an option for those with less ambition than me. My peers appear to think highly of it. I have no idea why."

The idea of creating the Family Law Student Survey first emerged from hearing the experiences of community advocates and front-line workers identifying huge decreases in their family law lawyer referral lists. Many advocates shared that their referral lists had decreased by up to 50%. Reasons provided by advocates for the decreasing referral lists were that family law lawyers were leaving the practice of family law, lawyers were not taking family law legal aid clients and lawyers were leaving the practice of law completely. What was also shared was that it was hard to find any new lawyers to place on their referral lists.

Anecdotally we had also been hearing from lawyers and other members of the legal profession about the difficulties of both getting and maintaining lawyers in the practice of family law.

With fewer family law lawyers on community referral lists and fewer lawyers in general entering family law the ultimate concern for the Family Law Project was the impact of these realities on women going through the family law system. As our past projects and research have highlighted, women increasingly are representing themselves in their family matters. The inability for women, especially those experiencing violence, poverty and systemic discrimination based on race, immigration status, and Aboriginal heritage, to have independent legal advice poses serious concerns to accessing justice in family law cases.

These concerns motivated the Family Law Project to get a snapshot of the barriers identified by law students about family law so that we can work on strategies to remedy the challenges in this area. Already we have received well over a hundred responses.

There are many comments about how family law does not provide an adequate income as compared to other areas of law. As one survey participant commented:

"Financial compensation in corporate law tends to be better - need to pay off loans."

Others commented on how family law is perceived and conveyed to law students, as well as how family law does not fit within their notion of being a lawyer. A few students provided the following survey responses:

"To be honest, it's not really even on the radar; it's a field we don't even talk about."

"Corporate = financial compensation, and generally the security of working for a large firm and the reputation associated with it. Criminal = it gets you amazing litigation experience and

just seems to embody what the legal systems roots were. It's what most people think of when they think of a lawyer."

Many comments also focused on the gendered perception of family law practice. Some students identified the following:

"I've heard family law described as the "female ghetto" of law practice."

"A "girly" law area and not black letter law."

It is encouraging to see that there are students who do want to practice family law. These students clearly highlight the significance family law practice holds for them but also clearly articulate the struggle with how their peers view their desire to practice family law. Some students stated:

"I care about the plight of the "throw-away people" who will never be able to pay me, and I feel it is my obligation to do what I can to open up access to the law for those who are most in need of its aid. I have had to struggle to preserve my personal inclinations, against the forcible presumption that law school is training to fit into large firms, and to service wealthy clients. The articling process is antiquated, and preserves inequitable power dynamics. It needs to be changed."

Access to justice in family law requires a system that can provide fully funded legal services for all those that need to navigate the legal system. Having family law lawyers is essential for parties to understand their legal rights and to address complex legal issues in this system. The hope of the Family Law Student Survey is to use our snapshot to move forward in advancing the needs of the practice of family law and to assuring equal access to the legal system.

The Family Law Project would like to thank the Faculties of Law at both the University of Victoria and the University of British Columbia and the Law Society of British Columbia for helping us to promote our Family Law Student Survey. In addition, we are thankful for having the assistance of Professors Susan Boyd and Fiona Kelly and Law students Anne-Marie McElroy, Jessica Cheung and Cristina Cabulea for assisting in the development, creation and distribution of the survey.

Zara Suleman is the Director of the Family Law Project at WCL.

NATIONAL WOMEN'S FUND CLOSURE

Sadly, the Women's Future Fund will be closing this spring. In 2006 the mandate of the federal Status of Women agency was changed to eliminate advocacy and lobbying on behalf of women. Under the revised mandate, many women's groups were no longer eligible for funding, including the Women's Future Fund. Attempts to secure other sources of continuing funding were unsuccessful. This follows the 2006 elimination of twelve regional Status of Women offices and last year's closure of the National Association of Women and the Law.

Similar to the United Way, the Women's Future Fund was the first and only national women's fundraising federation in Canada, and provided a convenient and cost-effective means for Canadians to support a diversity of women's organizations.



THIS MONTH'S VOLUNTEER PROFILE

Francesca Marzari has recently returned as the Chair of the West Coast LEAF Legal Committee. She is also a board member and a previous member of the Law Program Committee at LEAF National.

Francesca has worked with WCL in various capacities since she was hired as a legal research student in the summer of 1996. She claims it was LEAF's work that inspired her to go to law school. She graduated from UBC Law as a Wesbrook Scholar and with a Sherwood Lett Scholarship in 1997.

For the last 10 years she has had an active practice in local government and administrative law at Lidstone Young Anderson, primarily in litigation.

Having clerked at the BC Court of Appeal, she enjoys being able to appear before the courts representing local governments and their communities.

Francesca is the proud mom of two children, a boy and a girl, and is known to be an avid cyclist, a pastime that has taken her as far away as France.

POWERFUL VOICES The Struggle for Women's Rights in the 21st Century

Over 100 women and men attended an Equality Rights Symposium organized by West Coast LEAF and Oxfam Canada in honour of International Women's Day 2008. The powerful words that were heard during this sobering day of story-telling, fact-gathering and cross-cultural sharing reminds us all of the similarities women face in breaking through the injustices that keep them in poverty, keep them struggling against violence and prevent them from being seen as equal members of their societies. West Coast LEAF was proud to partner with Oxfam Canada to celebrate the many achievements and successes that women and men around the world have made possible through diligent and focused work to end social injustices.

LITIGATION & LAW REFORM

Two subcommittees were created to address two key legal issues that have become more prominent in the past year. We now have a sex trade subcommittee to address the issues surrounding the decriminalization of prostitution. The issue was brought to light by the PIVOT Legal Society who filed a court action questioning the constitutionality of the criminal code sections concerning actions leading to prostitution.

The second subcommittee regards Women's Equality and Religious Freedom. It was created in the event a reference question is put forth regarding the constitutionality of the criminal code section stating polygamy is a criminal offence. We hope to make recommendations to government on how to deal with the issue or, in the event of a reference question, intervene at court on how polygamy is a women's equality issue.

Case Work

We'll still have to wait a little longer to learn the decision of the Watson/Spratt case heard at the B.C. court of appeal last September.

The appellants argued that the abortion clinic bubble zone violated their constitutionally-protected freedom of expression to protest outside any abortion facility. West Coast LEAF along with a pro-choice coalition disagreed and stated that protesting within a bubble zone creates a captive audience the bubble zone is designed to protect. When available, the decision will be reported in a future LEAFlet.

Legal Education

Our First Nations No Means No program is in its draft phase after a couple of workshops were carried out at a local alternative school late last year. The program will be an extended version of our general No Means No program aimed at teaching youth about sexual consent. The goal is to offer the new updated version to youth living on First Nation reserves throughout B.C.



Front row left to right: Board members Kay Kobayashi, Nitya Iyer, Francesca Marzari, Dr. Shirin Ebadi, board member and Breakfast Committee chair Mary Salaysay, Executive Director Alison Brewin, Back row left to right: Board members Pam Bhatti, Signy Madden, Karey Brooks, Rosanne Kyle, Farnaz Riahi-Nejad, Michelle Hassen

RELIGION AND DEMOCRACY Excerpts from Dr. Shirin Ebadi

In my opinion, the reason for imposing discriminatory laws on women in Islamic countries such as Iran is the patriarchal culture that permits such interpretations of Islam. To resolve this matter, the best way would be the separation of religion from the state so that it cannot oppress women and impose its own ideas upon women in the name of Islam. But at the same time the fight against patriarchal culture should not be forgotten. What I mean by "patriarchal culture" is not the male gender, but the wrong social constructions that are against the equality of rights.

The patriarchal culture harms not only women at home but both men and women in society because it rejects the equality of human beings. Therefore, it cannot stand democracy. If we examine the style of governance in different countries, we would notice that women are in better situations wherever democracy thrives. It seems like concepts such as democracy, freedoms, and equality were created for men. Then, if there are leftovers from man's share of these concepts, they will go to women!

We cannot claim to be a democratic society, while at the same time deprive half of the population, meaning women, of their human rights. The victory of the equality movement in any country will open the path for real democracy. Informed women who fight for the equality of rights are the pioneers of democracy. Non-democratic states always search for their strongest critics among women. That is why international attention to women's situations is vital, and supporting equality movements is the best way to attain democracy.



2003 Nobel Peace Prize winner Dr. Shirin Ebadi from Iran was the keynote speaker at the 2008 West Coast LEAF Equality Breakfast. In her speech, she discussed the status of women in Iran and the importance of equality for men and women.

The Equality Breakfast was held on Friday February 29, 2008 at the Hyatt Regency Hotel.