

# LEAFlet

RAISING OUR VOICES FOR GENDER EQUALITY



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Help us celebrate our 35th birthday at the 2020 Equality Breakfast! / page 4



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## LITIGATION ROUNDUP

### PURSuing EQUALITY AND JUSTICE

**THEY DIDN'T STOP US!** On August 23, the BC Supreme Court ruled in no uncertain terms that our family law legal aid challenge on behalf of the Single Mothers' Alliance and Nicolina Bell could move ahead to trial. Last fall, the BC government and Legal Services Society filed applications to strike the claims in *Single Mothers' Alliance v BC*. We are thrilled with this outcome, allowing the plaintiffs to have their day in court. Now, we are moving forward with case planning and evidence collection.

Our deep gratitude to pro bono counsel Monique Pongracic-Speier, Robyn Trask, and Kate Feeny for their tremendous efforts, alongside in-house counsel!

#### TAKING THE FIGHT TO THE HIGHEST

**COURT.** This past November, we were at the Supreme Court of Canada twice in just one week. On November 12, the Supreme Court of Canada had its first opportunity to interpret legislation that is aimed at stopping strategic lawsuits against public participation (SLAPP) in *Bent et al v Platnick, et al*; *1704604 Ontario Limited v Pointes Protection Association, et al*. We intervened in coalition with Atira, BWSS and WAVAW to highlight the use of SLAPP suits (like defamation claims) against survivors of gender-based violence and to argue that the Court should protect the disclosure and reporting of gender based violence and the ability of survivors to access safety and services from claims that seek to silence and intimidate them. Thank you to our fearless pro bono counsel, David Wotherspoon and Rajit Mittal from Dentons, who represented the coalition alongside our former board chair Amber Prince.



Our fearless pro bono counsel in *Bent v Platnick*, David Wotherspoon (left) and Rajit Mittal (right), who represented the coalition alongside our former board chair Amber Prince (centre).

On November 14, the Supreme Court of Canada heard a family law appeal from BC, *Michel v Graydon*. This is a case about the authority of judges to change child support orders retroactively even after the child has reached the age of majority and is no longer a dependent where it would be in the interests of justice to do so. Unpaid child support — estimated at more than \$1 billion across Canada — adds to the feminization of poverty in Canada. The Court gave an immediate decision from the *continued on page 2*

## DONOR PROFILE

# ALLISON TREMBLAY AND VICTORY SQUARE LAW OFFICE

Allison Tremblay practices law at [Victory Square Law Office](#), a labour and employment firm located in Vancouver that has a long history of supporting West Coast LEAF's work for gender equality. She is joining the firm's partnership in January. In an interview, Allison shared the life choices and values that brought her to practice labour law, the firm's deep commitment to social justice, and what's special about supporting our annual Equality Breakfast. West Coast LEAF is so grateful to be a beneficiary of the proceeds of the firm's Victory at Arbitration seminar. Thank you, Victory Square and Allison, for your work to uplift marginalized people and to uphold the equality rights of workers!



Allison Tremblay says she loves Victory Square's commitment to social justice.

I am incredibly grateful for my broad liberal arts education, but unsurprisingly, neither humanities nor philosophy courses lead one to an obvious choice of career. I followed my heart (and my partner) to Toronto and through a temp agency found myself what turned into a permanent position in the human resources department of a Jewish hospital. There, I had a crash course in the ins and outs of employment, pensions and benefits, labour relations and collective bargaining. Occasionally, my work would put me into contact with lawyers. I liked what I did, but it seemed the lawyers got to do the most interesting work.

### How did you come to this work?

### What influences shaped your values?

I grew up in Surrey, BC. My mom was a quiet feminist and supporter of progressive ideas, but chose to channel her vast energy into family life and volunteering. My dad was a middle manager at BC Tel. My life was comfortable, and frankly, quite sheltered. I went to SFU for undergrad and graduated with a BA (major in humanities and extended minor in philosophy).

I was very happy to return home to UBC for law school. I remained interested in labour relations throughout school, doing a work study term at the Faculty Relations department where I worked on interesting projects like the elimination of mandatory retirement. I was thrilled, though, to find my "fit" at Victory Square, where I summered, articulated and continue to work.

### Can you share what's special about Victory Square Law Office and what drew you to work at the firm?

I love the firm's commitment to social justice and willingness to support all workers and marginalized

*continued from page 1* bench in favour of Ms. Michel, the mother who had been granted \$23,000 in retroactive child support as a result of underpayment by her ex-spouse. A rare immediate victory from the bench! Congratulations to the whole team, including our tenacious pro bono counsel, Jennifer Klinck, Dustin Klaudt, and Joshua Sealy-Harrington, from Juristes Power Law.

**WHO GETS TO CHALLENGE UNJUST LAWS?** We are awaiting a decision from the BC Court of Appeal in *Council of Canadians with Disabilities v BC*. The case concerns the ability of an organization to bring a constitutional

challenge to BC's mental health regime. It's very rare that an individual has the resources, financial or otherwise, to mount a constitutional challenge. We argued that public interest litigants, including organizations like West Coast LEAF, promote access to justice in cases like this, where people who are directly affected by unjust laws are not in a position to challenge those laws themselves. Justice is not served when laws that violate the rights and freedoms of marginalized groups are disproportionately excluded from scrutiny. We're grateful to Tim Dickson and Jason Harmon from JFK Law for their support as pro bono counsel. 🌱

communities. And of course, I like working with an amazing team with a huge breadth of experience and knowledge. I've been fortunate to be able to maintain a mixed litigator's and solicitor's practice, because for some incomprehensible reason I enjoy reading the *Income Tax Act* to answer detailed questions about pension regulation but also love the excitement and pace of court.

Victory Square has offered great opportunities for me to explore many areas of law. I also greatly appreciate the firm's flexibility, tolerance and commitment to me: a queer parent to a toddler, partner to a person with several disabilities, who commutes to work from the far flung reaches of suburbia after a rushed daycare drop off.

### What inspired Victory Square to choose West Coast LEAF as an organization to support?

Victory Square was established to advance the rights of unions and workers. The firm has a long history of commitment to socially progressive causes, whether in taking on strategic pro bono or low-fee work or supporting organizations that are doing work to improve the lives of workers and historically disadvantaged people. This commitment also manifests in our everyday work, whether that be brainstorming innovative ways to argue sexual harassment cases or talking to our client unions about ensuring their collective agreements and bathroom signage is inclusive of all genders. I see much overlap between Victory Square's work and the mission and values of West Coast LEAF.

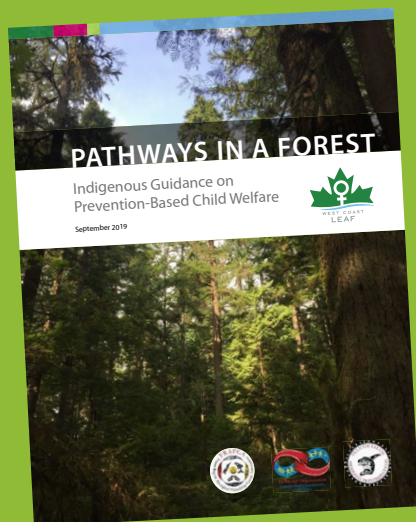


**"Victory Square supports the annual Equality Breakfast, a highlight of many of the attendees' yearly calendar (myself most definitely included). Every year we are educated, uplifted and inspired."**

For over 10 years, Victory Square has held a seminar for clients and friends called "Victory at Arbitration" in which we share the latest developments in labour and employment law. The seminar also acted as a fundraiser for Partners in the Horn of Africa, a charity that was dedicated to improving the lives of people living in Ethiopia. When Partners wound down its operations, Victory Square chose West Coast LEAF as one of two organizations to support with the proceeds of Victory at Arbitration.

To date, Victory Square has donated to charity over \$163,000 in seminar proceeds. Victory Square also supports the annual Equality Breakfast, a highlight of many of the attendees' yearly calendar (myself most definitely included). Every year we are educated, uplifted and inspired, not to forget that our attendance is in support of the valuable work of West Coast LEAF.

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## NEW REPORT SETS OUT INDIGENOUS GUIDANCE ON PREVENTION-BASED CHILD WELFARE IN BC

In September, we released *Pathways in a Forest: Indigenous guidance on prevention-based child welfare* at our AGM. The report is one of the outcomes of Shifting the Child Protection System, a project funded by the Law Foundation of BC and Health Sciences Association of BC. It is the result of our collaboration with families, Elders, and staff at Tillicum Lelum Aboriginal Friendship Centre, Lii Michif Otipemisiwak, and the Fraser Region Aboriginal Friendship Centre Association.

Please read and share the report at [westcoastleaf.org/our-work/shifting-the-system/](https://westcoastleaf.org/our-work/shifting-the-system/) 



JOHNNY LIU PHOTOGRAPHY

## BECOME A 2020 EQUALITY BREAKFAST SPONSOR

This year's Equality Breakfast is going to be even more exciting because it's our 35th birthday! We invite you to join us and 800 of our closest friends and allies in celebrating 35 years of West Coast LEAF's fight for gender equality. We'll also get to mark International Women's Day together as we raise much needed funds to fuel our work.

Go to our website, [westcoastleaf.org](http://westcoastleaf.org), to find out all the exciting details.

Interested in sponsorship? Sponsorship is a way to visibly demonstrate your support for gender equality and justice. Want to make a donation of a gift or prize? We're excited to offer an array of goods and services and unique experiences for our guests. Donating is a significant way to show your support for equality and justice and to advertise your business or service! Find out more about the many benefits of sponsorship by contacting Basya Laye, [development@westcoastleaf.org](mailto:development@westcoastleaf.org) or 604-684-8772, ext. 114.

Don't forget to buy your discounted early bird tickets by January 31, 2020.

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### What are some of the gender equality issues your firm is seeing in the current labour law landscape?

In terms of the labour landscape and equality, we as a society are not done with the work needed to respond fully to #MeToo, #TimesUp and the misogyny and violence that led to the need for hashtags. This affects the workplace and society more broadly. Women and gender nonconforming people are more likely to engage in precarious work that makes them more vulnerable to sexual violence and less likely to complain. There will have to be wide ranging, transformational change to fully ensure access to and equity in safe, meaningful and valued work.

Another huge issue looming in the world of work is the environmental crisis we have created. Issues of inequality are known to be exacerbated by the warming climate. As the world of work adapts and evolves, we must remain vigilant to ensure that evolution is progressive and advances social justice goals.

One issue that is perhaps easier to work on at a local or workplace level is ensuring equal access in the workplace for all people, whether that be as simple as ensuring standard forms and databases include space for pronouns or as complex as ensuring benefit coverage is fair and inclusive of all workers' diverse needs. I still come across benefit plans that do not provide coverage for contraception, for

example — obviously a women's issue but also an issue for trans folks who use hormones for gender affirming purposes.

### Is there anything else you'd like to share?

It doesn't really fit into the above, but I am also a singer with Elektra Women's Choir. I introduced the choir to West Coast LEAF and for the last two years Elektra has provided an auction item for the Equality Breakfast. At the 2019 breakfast, unbeknownst to me, the item was purchased by my former boss from UBC Faculty Relations. She came to Elektra's concert, enjoyed it, and intends to return. I was delighted to have an opportunity to reconnect with her. A "small world" moment, to be sure, but it is these connections that the Equality Breakfast fosters. ♀

## INVESTING IN GENDER 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:



*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 Women and Gender Equality Canada and the Social Sciences and Humanities Research Council of Canada.*