

**LEAF
NEWSLETTER
E-Lines**
March 2009



Women's Legal
Education and
Action Fund

Fonds d'action et
d'éducation juridiques
pour les femmes

In This Issue

LEAF's 25th Anniversary
Equality Day Celebrations
LEAF Volunteer Recruitment
Micmac Nation of Gespec v. Canada
SCC Decision in Rick v. Brandsema
LEAF at Work
LEAF Branch Updates
Equality Day in Toronto
Winner of Trip for 2 to Gabon,
France

**LEAF's
25th Anniversary**

**Be a part of LEAF's 25th
Anniversary in 2010.**

**LEAF's 2009
Volunteer Recruitment**

**Time is running out.
Application deadline is Friday, March 13, at 5:00 p.m. EST**

For more information, [click here](#).

LEAVE TO INTERVENE GRANTED TO LEAF

Micmac Nation of Gespeg v. Canada



If you were a previous Board member, Staff or Committee member of LEAF, please [contact us](#) to help celebrate 25 years of equality gains.

For more information, [click here](#).

April 17th is Equality Day!

LEAF's Equality Day Celebrations

Contact your local branch for Equality Day celebrations in your area or visit our website at www.leaf.ca.

On February 20, 2009, LEAF was granted leave to intervene in *Micmac Nation of Gespeg v. Canada* at the Federal Court of Appeal.

The appeal is significant in that it raises emerging questions of constitutional law with respect to the treatment of affirmative action programs under s.15(2) of the *Canadian Charter of Rights and Freedoms*.

At issue in the appeal is whether affirmative action programs that exclude members of a disadvantaged group are protected from s.15(1) equality rights challenge by operation of s.15(2) of the *Charter* which protects "ameliorative" programs from s.15(1) *Charter* scrutiny. To give a hypothetical example of the issue raised: Should an ameliorative program, such as an aboriginal skills upgrading program, be protected from s.15(1) *Charter* challenge, even if it discriminates against aboriginal persons with disabilities by being offered only in wheelchair inaccessible premises? LEAF's position is that affirmative action programs cannot be discriminatorily under-inclusive.

LEAF is intervening to ensure s.15(2) of the *Charter* is not used to marginalize already disadvantaged groups. LEAF's interest in this case is to ensure that s.15(2) of the *Charter* is developed in a manner which advances substantive equality.

[Link to LEAF's Press Release](#)

[Link to LEAF's Factum](#)

A VICTORY FOR WOMEN IN RICK V. BRANDSEMA SUPREME COURT OF CANADA'S DECISION

On February 19th, 2009, the Supreme Court of Canada upheld and took equality principles in family law one step further in its decision in *Rick v. Brandsema*.

In dispute was a separation agreement that left Mr. Brandsema with substantially more assets than Ms Rick after 27 years of marriage. Ms Rick suffered mental health challenges when the agreement was signed and identified herself as a survivor of domestic violence. Mr. Brandsema's full disclosure of his assets was also in question.

In its unanimous decision, the Supreme Court of Canada found that the parties' separation agreement was unfair and invalid because Mr. Brandsema exploited Ms Rick's vulnerabilities and purposely misled her about the state of their financial affairs.

[Link to LEAF's Press Release](#)

ONTARIO TRILLIUM AND RBC FOUNDATIONS PROVIDE LEAF \$188,000 TO EDUCATE ONTARIO YOUTH ON SEXUAL HARASSMENT

February 2009 marked the 10th Anniversary of the *R. v. Ewanchuk* case - a case that confirmed that a woman's right to say no to a sexual advance must be respected in law. It also clarified that there is no such thing as implied sexual consent.

A decade after the significant case, Ontario youth will soon be educated about sexual harassment, discrimination and pay equity in the workplace and their rights. With funding from the Ontario Trillium Foundation and the RBC Foundation, LEAF will soon be in classrooms and community centres around the province with its new LEAF at Work program. The program will be reaching out to youth ages 14 through 19 starting in the fall.

Thanks to our funders for their support.



[Link to LEAF's Press Release](#)

For more information about the LEAF at Work program, [click here](#).

LEAF BRANCH UPDATES

Calgary

The National Board of Directors is delighted to welcome a new LEAF branch in Calgary, Alberta, chaired by lawyer and PH.D candidate Elizabeth Whitsitt. For more information and to become a member, [click here](#).

Edmonton

LEAF Edmonton's No Means No program (NMN) is in its second year. The success of NMN would not have been possible without the guidance and dedication of the program coordinator Ms Kealey Dube.

On February 5, 2009, LEAF Edmonton supported an event entitled "Feminization of a Legal Practice: Struggles and Strategies for Practicing Feminist Law," which was organized by the Legal Activist Collective (LAC) from the Faculty of Law, University of Alberta. There were five panelists: Madam Justice Sheila Greckol, Marie Gordon, Moira Vane, Nonnie Jackson and Alia Ally.

LEAF Edmonton's Persons Day Breakfast was a success! The event was held at the Westin in Edmonton, Alberta, on Friday, October 17, 2008. Kim Brooks, Chair of Board of Directors for LEAF National, and Shannon O'Byrne, Law Professor at the University of Alberta, spoke at the event. They outlined their respective contributions to a book they are collaborating on with others, entitled *One Woman's Difference: The Contributions of Justice Bertha Wilson*. For further details on LEAF Edmonton's update, [click here](#).

FEAST, SAVOUR, AND CELEBRATE EQUALITY DAY IN TORONTO

Equality Day recognizes the coming into force of Section 15 of the *Charter of Rights and Freedoms*, which guarantees equality rights for women and other marginalized groups.



This year, LEAF's Equality Day celebration in Toronto will showcase women who have succeeded in their personal journeys to become chefs and winemakers. The culinary and wine industry has historically been a predominately male industry. Despite women comprising half of the enrolment in first-year culinary institutes, attrition rates are high and the industry has proven to be a difficult arena for women to succeed.

Reknowned chef Donna Dooher, and actress Sonja Smits, who is a proprietor of Closson Chase Winery, will join LEAF in celebrating this year's Equality Day!

Please join us for an inspired evening of life journeys of female chefs and winemakers as they share a taste of their success with LEAF.

Date: Wednesday April 15, 2009

Location: George Brown Chef School, 300 Adelaide St. E., Toronto

Time: 6:30 - 9:30 pm

Price: \$150.00

For more information, or to purchase your ticket contact: Katherine Blake at k.blake@leaf.ca or for more information, [click here](#).

WINNER OF THE TRIP FOR TWO - GABON, FRANCE

Congratulations to Dr. Nick Busing, who won a trip for two to Gabon, France, as part of LEAF's donor incentive drive.

"Winning a week's vacation in France is a wonderful gift that I appreciate very much. But what I appreciate even more is the hard work undertaken by LEAF over the years to ensure equality rights for women in Canada. Significant progress has been made over the last thirty years to make equality for women a reality; but many challenges remain and vigilance is always required. I am very happy to offer my support to these important efforts."

-- Dr. Nick Busing



For less than a cup of coffee a day you can help support equality rights through the work of LEAF. We have litigated in 150 cases that have set precedents in real equality issues for women in Canada. Issues such as employment, reproductive freedoms, freedom of expression, racism, support payments, violence against women, sexual orientation and many other equality concerns. Help us invest in equal rights!

Fax or mail us the [Monthly Donor Form](#) found on our [website](#).

Villa donated by a generous LEAF member, airfare donated by Air Transat

* * *

LEAF - the Women's Legal Education and Action Fund - is a national charitable organization that works toward ensuring the law guarantees substantive equality for all women in Canada

[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](#).

Email Marketing by



LEAF | 60 St. Clair Avenue East | Suite 703 | Toronto | ON | M4T 1N5 | Canada