

Annual Report 1999/2000

Women's Legal Education &
Action Fund — LEAF



www.leaf.ca

Message from the Chair

It was a rainy, windy Saturday and I'd driven 2 hours to be the keynote speaker for a meeting of about one hundred women from several rural communities. They wanted to know more about our constitution and LEAF. Some of the women there had never heard of LEAF. One of them asked the organizer, a prominent local businesswoman, how she had decided to focus on LEAF when there were so many other women's organizations from which to choose. She answered, "Because LEAF is our legal arm, and we have to keep it strong." As I spoke, I noticed that the organizer had moved to the side of the room; she seemed to be leaning against the wall for support. She walked me out to my truck when it was over and only then she said to me, speaking quietly and clearly, while looking down: "I was raped 20 years ago. The way I was treated in court changed my life and I often wished that I had not tried to use the law - there was no room for me, for the reality of my life, in that process. When I read about how long and hard LEAF has battled for women and girls who have been sexually assaulted, I knew that I would do whatever I could to make sure that LEAF would continue..."

Across this great and complex country of ours, hundreds of women and men volunteer their resources of time, expertise, commitment and money to make the equality seeking work of

LEAF possible. As one of the founders - a "LEAF mother" as we are often known - I was honoured to be nominated by my branch in Toronto to return to the national board in 1999, when LEAF was in its 14th year. From inception, LEAF has never had a smooth path. But then, we never expected that our role in catalysing fundamental changes to powerful discriminatory systems would be easy! LEAF does extraordinary things for ordinary women. Our steady progress in presenting equality arguments in more than a hundred cases on behalf of Canadian women and girls belies the financial challenges we frequently face. This was true for LEAF at the beginning of the last decade and it is true for us as we move into the first decade of a new Century.

This past year, we benefited from the thoughtful structural changes made by our predecessors in that our board had to make rapid, strong business decisions in the interest of the longer-term viability of LEAF. To the volunteers on our national board, the National Legal Committee and LEAF branches, to LEAF national staff, and to members of the LEAF Foundation, I extend appreciation for giving so much thought and energy to fulfilling LEAF's mission. It is absolutely true that LEAF could not survive without you.

Marilou McPhedran

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Legal Work: Four more wins — SCC

LEAF continued its unprecedented string of successes in its Supreme Court litigation. Four groundbreaking cases confirmed LEAF's efforts to "make the law work for women."

Personal Records: In *The Queen and L.C. v Mills*, the Court upheld an important law that limits an accused person's access to personal records in sexual offence proceedings. Given that the Court had set out a different test just four years earlier in the *O'Connor* case, the judicial endorsement of the legislation was a vindication. It validated the long year struggle by LEAF and other organizations to ensure that the issue's equality dimension was accorded the same consideration as the rights of the accused. See pg. 2, col. 2, "Legal Work"

Education

Speakers Bureau

LEAF's primary ongoing education programming is the provision of speakers for law schools, universities, law societies and community groups. These included such diverse engagements as Women Entrepreneur's of Canada, McGill University classes and events, workshop leaders for IWD Events such as the Women's Awareness Day at Canada Customs and Revenue Agency, the University Women's Club of Etobicoke, and various Remember December 6 events.

Branch Sponsored Education Events

Education events sponsored by LEAF Branches include; Transforming Women's Future: Equality Rights in the New Century sponsored by West Coast LEAF and An Equality Seekers' Workshop and Consultation sponsored by LEAF Manitoba. LEAF Sudbury once again used a portion of the proceeds from their two events to buy books which area librarians identify as needed to bolster their books of interest to girls and young women.

International

This past year has brought something quite new – inquiries from women in other countries about how LEAF was set up and how LEAF now operates. We have been told that there is no other women's equality seeking organization in the world with the demonstrated expertise and success found at LEAF. Consequently, LEAF received several requests for more information from outside of Canada this past year. In March, Dr. Olexandra Rudneva, a law professor from Ukraine, who was in Toronto to speak at Osgoode Hall Law School met with LEAF Executive Director, Nancy Radclyffe and Director of Litigation, Carissima Mathen. Dr Rudneva told us that LEAF is highly regarded as a model for effective "evidence-based advocacy." While there is enthusiasm for international cooperation, the LEAF Board has established a policy that requires full cost recovery if LEAF is to become involved in any international consultations.

Cross-Canada Consultation Tour

A Cross-Canada Consultation Tour was undertaken between mid-May 1999 and October 2000. One of the objectives of this tour was to meet with representatives of local groups that address women's issues as well as with LEAF branches to determine the most pressing women's equality and justice issues.

.... See pg. 4, col. 1, "Education"



Legal Work

(Continued from page 1)

Legal Aid: In *J.G. v. New Brunswick*, the Court held that a poor, single mother had been unfairly denied legal assistance in a case where the mother sought custody of her children. Notwithstanding the narrow legal aid scheme in New Brunswick, the Court held that access to a lawyer was necessary in order for the complex proceedings to meet the requirement of "fundamental justice" set out in section 7 of the *Charter*. Because section 7 has generally been applied to criminal cases, the majority of women's encounters with the law are not in the criminal law context, the Court's analysis was extremely important for women.

Workplace Standards: LEAF enjoyed a third victory in the case of the female forest firefighter (*BCSGEU v. PSERC*), who was summarily dismissed from her job after failing to run a certain distance within a specified time period. Although Tawney Meoirin had been a forest fire fighter for two years, she lost her job when she failed one part of a four-part fitness test. The Supreme Court found that the test was neither closely connected to the actual requirements of the job, nor designed with reference to women's different physiology. The running test was therefore found to discriminate against women and Ms. Meiorin was reinstated. The decision was a landmark development in discrimination theory, and LEAF's submissions were clearly reflected in the Court's reasoning.

Access to Family Law Act: The fourth victory came in the *M. v. H.* case. The Court held that Ontario's family law discriminated against gays and lesbians by excluding them from the provisions related to spousal support upon relationship breakdown. This was a major victory for the equality rights of gays and lesbians.

Decisions Pending: In 1999, LEAF also intervened in *Darrach v. R.*, *Blencoe v. British Columbia*, *Little Sisters v. Canada Customs*, and *Irshad v. Ontario*. The Court reserved its decision in all the cases.

Staff Complement: For the first time in many years LEAF enjoyed a staff complement of three lawyers. Director of Litigation, Carissima Mathen worked with Staff Lawyers, Kim Buchanan and Fiona Sampson. All three were active in public education initiatives, most notably at the West Coast LEAF Forum: Transforming Women's Future.

Next: Over the course of the next few months, the Supreme Court will render its decisions in other LEAF cases. Those rulings will help to indicate how far the thread of change will reach in Canada.

AUDITORS' REPORT ON SUMMARIZED FINANCIAL STATEMENTS

To the Members of Women's Legal Education and Action Fund Inc.

The accompanying summarized balance sheet and statements of operations and fund balances are derived from the complete financial statements of Women's Legal Education and Action Fund Inc. as at March 31, 2000 and for the year then ended. In our auditors' report on the complete financial statements dated July 5, 2000, we expressed a qualified opinion because we were unable to satisfy ourselves concerning the completeness of donation revenue. The fair summarization of the complete financial statements is the responsibility of management. Our responsibility, in accordance with the applicable Assurance Guideline of The Canadian Institute of Chartered Accountants, is to report on the summarized financial statements.

In our opinion, the accompanying financial statements fairly summarize, in all material respects, the related complete financial statements in accordance with the criteria described in the Guideline referred to above.

These summarized financial statements do not contain all the disclosures required by generally accepted accounting principles. Readers are cautioned that these statements may not be appropriate for their purposes. For more information on the organization's financial position and results of operations, reference should be made to the related complete financial statements.

Cowperthwaite Mehta
Chartered Accountants
July 5, 2000 — Toronto, Ontario

STATEMENT OF FINANCIAL POSITION -- March 31, 2000

Assets	2000	1999
Cash and short-term investments	\$ 227,811	\$317,449
Other assets	138,865	83,037
Total assets	\$366,676	\$400,486
Liabilities and Fund Balances		
Accounts payable and accrued liabilities	\$ 87,681	\$ 48,510
Due to LEAF Foundation Inc.	3,791	10,270
Deferred revenue	171,234	226,477
	262,706	285,257
Fund balances	103,970	115,229
Total liabilities and fund balances	\$ 366,676	\$400,486

CONDENSED STATEMENT OF REVENUE AND EXPENSES -- Year End March 31, 2000

Revenue	2000	1999
Donations	90,370	\$275,758
In-kind legal services	387,592	541,096
Grants-		
LEAF Foundation	327,157	310,853
SWC - Women's Program 196,000	190,000	
Court Challenges Program 126,142	111,749	
Other	3,901	6,272
Ontario Litigation Fund	22,073	10,406
Fees, Interest and miscellaneous	51,154	62,670
Total revenue	1,204,389	1,505,956
Expenses		
Legal	727,597	896,339
Public education	126,714	95,780
Fundraising	371	83,721
Administration	360,966	417,955
Total expenses	1,215,648	1,493,795
Excess (deficiency) of revenue over expenses for the year	(\$ 11,259)	\$ 12,161

99/00 Persons & Equality Day Events

LEAF Branches put their all into their Persons and Equality Day Events. 1999 was the 70th Anniversary of the Persons Case. LEAF Branches and affiliated groups held thirteen events across Canada with three more events held by other groups with our assistance.

LEAF events were held in Winnipeg, Regina, Saskatoon, Edmonton, Toronto, Ottawa, Owen Sound, Sudbury, Kingston, Chilliwack, Vancouver and Victoria.

The assisted celebrations included the first observation of the Persons decision to be held in England. It was held in London at the Royal High Commission and Marilou McPhedran and Carissima Mathen were there. As well there was a Breakfast in Richibucto, NB to support the women fish workers and one sponsored by the CAW Toronto West Women's Network in Brampton.

Speakers at these events included The Honourable Madam Justice L'Heureux-Dubé, Supreme Court of Canada; Margarita Papadreu, former first lady of Greece and active in women's rights around the world and Daphne Dumont, a founding mother of LEAF, and president-elect of the Canadian Bar Association. Ottawa held an Equality Day Event where Nancy Ruth spoke about LEAF and women's equality.

Volunteers, donors, and staff make these events an educational, social and fundraising success, year after year!. **Thank you for making the 99/00 Persons and Equality Day events memorable!**

Education, continued....

(Continued from page 2)

Many of the issues raised were expressed nation wide with only slight variations on the theme, such as violence to women. Others had an obviously regional quality to them, such as the pay equity struggle of women fish plant workers in Atlantic Canada.

This tour was made possible by grants from Status of Women Canada, the LEAF Foundation, and the donations of individuals in direct giving or through Persons and Equality Day Events. The *Report on Equality & Justice Issues*, of the findings from this tour, is available from the LEAF Office for those who wish a copy.

Women's Legal Education & Action Fund — LEAF

415 Yonge Street, Suite 1800 Toronto, ON M5B 2E7

Tel: (416) 595-7170 Toll free: 1 (888) 824-5323

Email: info@leaf.ca Fax: (416) 595-7191

Join LEAF in making the law work for women!

Volunteer: info@leaf.ca

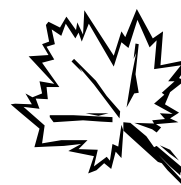
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