

# LEAF/FAEJ

2008/2009

## Annual Report



*action*  
*drive*  
*dedication*  
*equality*  
*vision*  
*dedication*  
*commitment*  
*focus*  
*education*  
*drive*  
*action*  
  
*commitment*  
*vision*  
*education*  
*focus*  
*drive*  
*equality*



Women's Legal  
Education and  
Action Fund

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

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LEAF is the sole organization in Canada dedicated to using litigation, law reform and public education through the *Charter of Rights and Freedoms* to address the source of women's inequality.

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*“... Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.”*

*The Charter of Rights and Freedoms: Section 15(1)  
Equality Rights*

## Our Mission

LEAF is a national, non-profit organization committed to using the *Charter of Rights and Freedoms* to promote equality for women and girls. Through legal action, public education and law reform, LEAF is committed to confront all forms of discrimination in its efforts to achieve equality for women.

*“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  
LEAF Supporter

Women's Legal Education and Action Fund (LEAF)  
60 St. Clair Avenue East, Suite 703  
Toronto, ON M4T 1N5  
[www.leaf.ca](http://www.leaf.ca)

Tel.: 416-595-7170  
Fax: 416-595-7191  
Toll Free: 1-888-824-5323  
E-mail: [info@leaf.ca](mailto:info@leaf.ca)

## LEAF at a Glance



From left to right  
Marilou McPhedran, David  
McPhedran Waitzer, Beth Symes,  
Beth Atcheson, Senator Nancy  
Ruth, Denise Arsenault, Marilyn  
Roycroft

Equality Day Event - Toronto  
Photo by Marcus Schwartz

# Chairperson's Message



Kim Brooks

It has been an exciting three years as Chair of LEAF, one in which an enormous amount of work has been accomplished. As an organization, we continue to draw on a wealth of engaged and inspired individuals. I have felt immense pride to be a small part of the organization.

When I joined the board in 2006, LEAF was in the midst of a major restructuring. The organization was ready for an ambitious strategic plan to see us through the restructuring and to ensure that our programmatic goals were well articulated. I am pleased to report that we are well into the implementation of our new planning and governance structure. LEAF now is a mature, strong, viable organization, and those of us who work with and support it are steadfast in our belief that equality is not just an ideal but a possibility for all.

I want to acknowledge all those who helped us through the journey – members, staff, volunteers and donors alike. I applaud the commitment you have shown in the past three years.

As I say goodbye as Chair, I would like to offer a few, inadequate, acknowledgements. First, it has been an honour to have had the opportunity to get to know some of the branch volunteers in my time at LEAF. I am inspired by your wisdom, caring, generosity and dedication. I have been awed, also, by the continued financial support of our donors, some of whom have been contributing to LEAF's work since its very first days. Finally, while it has been a great pleasure to work with all of LEAF's staff during my tenure at the organization, I'd like to offer a special thanks to Executive Director Audrey Johnson, from whom I have learned much.

I am delighted to welcome Doris Buss to the position of LEAF Board Chair. You will undoubtedly find her to be a wonderful listener and thoughtful volunteer at LEAF. In addition, welcome to the new board and committee members both at the national level and among our branches. The 2009-2010 year promises to be an exciting one for the organization, and I am confident that you will all excel in your abilities and continue our work in service for LEAF. I look forward to celebrating our 25<sup>th</sup> anniversary with you.

## Executive Director's Message

An impressive amount of activity has taken place over the past year, largely due to the terrific staff at LEAF, our dynamic and engaged Board of Directors, dedicated branches and, most importantly, our generous donors.

Our vision for equality and desire to educate individuals on their legal rights remains unwavering despite the financial crisis. It was, therefore, welcome news when LEAF received funding from the Ontario Trillium and the RBC Foundation to expand the *LEAF at Work Program* - an exciting workshop that educates youth on their rights in the workplace. We also continued to expand the reach of our anti-violence program, *No Means No*, implementing modules in Windsor, Toronto and Montreal.

LEAF's legal work has also been buoyed. LEAF was granted leave to intervene in the *Micmac Nation of Gespeg v. Canada*, an important case for deciding the application of section 15(2) of the Charter as it relates to affirmative action programs. And our Case Monitoring Project has proven essential as it moves into its second year, promising to provide necessary equality analysis for our legal work.

While good news was plentiful, there were some notable exceptions. In light of the economic downturn, LEAF awaited the federal budget with anticipation. It was disheartening that the budget failed to consider the economic conditions confronted by women. The unwillingness of the government to increase EI benefits and decrease the eligibility requirements is particularly problematic for women supporting families on their own. And the attack on pay equity in collective bargaining agreements with the *Expenditure Restraint Act* and the *Equitable Compensation Act* was similarly discouraging, serving as a sombre reminder of the need for organizations such as LEAF and the work that still needs to be done.

As we move toward the 80<sup>th</sup> Anniversary of the *Persons Case* in October of this year and the 25<sup>th</sup> Anniversary of LEAF in 2010, it is hard not to reflect on the substantial gains made in women's equality through LEAF's work. Yet as we celebrate these milestones, the question emerges: what's next? The answer remains the same: the continued pursuit of substantive equality for all.

On behalf of all of us at LEAF, we thank you for your ongoing support. We look forward to celebrating 25 years as an organization and sharing more good news with you throughout 2009/2010!



Audrey M. Johnson

# Litigation and Law Reform

LEAF has established landmark victories for women on a wide range of issues from:

- Violence against women
- Workplace inequities
- Maternity benefits
- Reproductive freedoms

## *Micmac Nation of Gespeg v. Canada*

In February 2009, LEAF was granted leave to intervene by the Federal Court of Appeal in the case of *Micmac Nation of Gespeg v. Canada*. 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 *Charter*. The appeal involved a s. 15(1) *Charter* challenge by the Micmac Nation of Gespeg to a federal government Elementary/Secondary Education Program. The Program offers financial assistance, including for housing, meals, books and supplies, to students who attend schools off reserve. The Program is only available to students who ordinarily live on reserve (or Crown land).

## *Rick v. Brandsema*

LEAF was pleased to work with our British Columbia affiliate, West Coast LEAF, who took the lead in making oral and written submissions as an intervener in this case, which was heard by the Supreme Court of Canada in October 2008. In a unanimous decision released in February 2009, 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. The Court accepted the arguments that a separation agreement cannot be treated like a commercial contract and that the negotiation of separation agreements presents a unique set of circumstances, power relations and vulnerabilities for women. The decision establishes a firm right to equality in the negotiation of separation agreements.

## *Brown v. National Capital Commission*

In January 2009, LEAF sought leave at the Federal Court of Appeal to intervene in a case involving the rights of persons with disabilities to a barrier-free society and the duty of the federal government to be inclusive when constructing new public structures. LEAF's proposed arguments included exploring the impacts of the case on women and developing the law of the duty to accommodate in a manner consistent with substantive equality. LEAF was denied leave to intervene.

## Other Legal Work

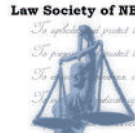
During this year LEAF has also been engaged in research and legal activity in the areas of pay equity, prostitution, polygamy, the relationship between women's human rights and women's rights to religious freedom and reproductive rights, particularly in relation to the federal *Assisted Human Reproduction Act*.

Thanks to our dedicated volunteers, who donated over \$250,000 in pro bono legal services to LEAF in 2008/2009.

Thanks to the following organizations for supporting our legal work:



THE CANADIAN  
BAR ASSOCIATION  
L'ASSOCIATION DU  
BARREAU CANADIEN



**Women's Legal Education  
and Action Fund Foundation**

Equality cases are facing additional obstacles with a drop in success rates at the courts by almost 50% over the last few years.

Recent study produced by Professor Bruce Ryder and Alysha Shore of Osgoode Hall Law School.



RBC Foundation®

THE ONTARIO  
TRILLIUM  
FOUNDATION



LA FONDATION  
TRILLIUM  
DE L'ONTARIO

Thanks to the above sponsors  
of the *LEAF at Work* program

## LEAF at Work

The Ontario Trillium and RBC Foundations have provided \$188,000 in financial support for LEAF's *LEAF at Work* program. The program will target both young women and men, with the goal of closing the equity gap for groups that are marginalized in the workforce. A full launch of the program is scheduled for September 2009.

To provide a solid foundation for the program, community consultations on the *LEAF at Work* program, consisting of in-depth focus groups and survey evaluations, began in 2008. They were administered in Toronto, Ottawa, Sudbury and Windsor. The initial feedback has been overwhelmingly positive. Educators and community groups have clearly stated the great need for this program. High-school students have echoed this reaction, both sharing their personal experiences that are similar to the issues/challenges addressed in the *LEAF at Work* workshops and by expressing misconceptions about acceptable behaviour in a work environment.

## LEAF and Your Body

The successful *No Means No* program, which examines myths and stereotypes about sexual assault and consent, has been expanded to Windsor and Montreal. This engaging program promotes respectful, healthy relationships and raises awareness of discrimination against women.



## Branch Highlights

LEAF is proud to have 11 branches and one affiliate as part of its family. LEAF Calgary and LEAF Halifax are the latest additions to the LEAF family, with Fredericton showing great interest in establishing a branch in their region.

With solid development across the country, the Women's Legal Education and Action Fund continues to outreach to a growing number of people every year. Through membership drives, fundraising events, workshops and partnerships, LEAF's commitment to promoting equality for women and girls remains fundamental.

LEAF Edmonton, LEAF Toronto, LEAF Manitoba and LEAF Ottawa continue to administer the successful *No Means No* curriculum in their regions. LEAF Windsor has received extensive training on the workshops and is preparing to launch their program in September 2009.

Persons Day and Equality Day events were held throughout the country. Branches and LEAF supporters in Edmonton, Fredericton, Halifax, Manitoba, Ottawa, Prince Edward Island, Toronto, Windsor and Wolfville all marked these historical dates with various celebrations in their communities.



From left to right:  
LEAF Windsor, Sheetal Rawal,  
Dilani Mohan, Miss G Project,  
LEAF Edmonton



Eloise Spitzer  
Alisa Noda LEAF Lifetime  
Recognition Award Winner



Erin O'Hara, Megan Whittle  
(LEAF Ottawa)  
LEAF Annual Contribution  
Award Winners

# Event Support

## Persons Day Breakfast 2008

On October 18, 1929, the Persons Case was settled when the Privy Council in England declared that Canadian women were indeed 'persons' under the law and thus could be appointed to the Senate.

Across the country, LEAF holds annual Persons Day Breakfasts to raise funds for its work, made even more necessary by the federal government's elimination of the Courts Challenges Program and changes to Status of Women Canada. Thanks to the many volunteers and businesses who support the events across the country.

**Toronto - October 16th, 2008**

**Presenting Sponsor:**



**Emcee:** Suhana Meharchand

**Speaker:** Louise Arbour

**Advocates:**



**Patrons:**

Margaret McCain



**LEAF Edmonton**

**Guest Speakers:** Kim Brooks, Professor, McGill University  
Shannon O'Byrne, Professor, University of Alberta

**LEAF Fredericton**

**Guest Speaker:** Sanda Rodgers, Professor, University of Ottawa  
**Host:** Racine's Restaurant

**LEAF Halifax**

**Guest Speaker:** Sanda Rodgers, Professor, University of Ottawa  
**Patrons:** Leonard Preya, MLA Halifax-Citadel-Sable Island, Stewart McKelvey  
**Host:** The University Club at Dalhousie University

CBC anchor Suhana Meharchand and Justice Louise Arbour  
Persons Day Breakfast - Toronto

## LEAF Manitoba

**Guest Speakers:** Sally Armstrong, C.M.- Award-winning journalist and author  
Charles S. Coffey, O.C.- Former VP, RBC, recognized advocate for children and First Nations People

**Patrons:** Acquire Capital, Aikins MacAuley Thorvaldson LLP, Gail Asper, Ben Moss Jewellers, The Coffey Fund, Frontier Subaru, Frontier Toyota, Honourable Nancy Allan, Minister responsible for the Status of Women, Manitoba Public Insurance, RBC Royal Bank, Taylor McCaffrey LLP, Berenice Sisler, Wawanesa Insurance, Winnipeg Free Press

**Hosts:** BDO Dunwoody LLP, Marjorie Blankstein, The BraBar & Pantiere, Brown LeHeiget, partners in Smith, Neufeld Jodoin LLP, City Clerk's Department - City of Winnipeg, City of Winnipeg - Internal Services Department, CUPE Manitoba, Human Rights Committee, Filmore Riley LLP, City Clerk's Department, Gange Goodman & French, Ho. Dr. Jon Gerrard, MLA River Heights, Great-West Life, Hill Dewar Vincent, KPMG LLP, Jan Lederman - Thompson Dorfman Sweatman LLP, Life Benefit Solutions Inc., Manitoba Aboriginal & Northern Affairs, Manitoba Civil Service Commission, Manitoba Competitiveness, Training and Trade, Manitoba Health and Healthy Living, Manitoba Hydro, Manitoba Lotteries Corporation, The Manitoba Teachers' Society, M.G.E.U., MLCC, Myers Weinberg LLP, Ania Neville, MP Winnipeg South Centre, New Democratic Party Caucus of Manitoba, Prendville Industries, Progressive Conservative Caucus of Manitoba, Tannis Richardson, Rice Financial, TD Bank Financial Group, Thompson Dorfman Sweatman LLP, The University of Manitoba, University of Winnipeg

## LEAF Sudbury

**Guest Speakers:** Suanne Kelman, CBC Arts Producer, Professor, Ryerson University  
Carissima Mathen, Professor, University of New Brunswick



Equality Day Event - LEAF  
Prince Edward Island

# Event Support

## Equality Day – April 17th

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

This year LEAF showcased the accomplishments of Canadian female chefs and winemakers, who continue to excel in a culinary culture much dominated by high-profile males. On Wednesday, April 15, 2009, at George Brown Chef School, these women stepped into the spotlight as part of LEAF's annual Equality Day celebration, held in Toronto.



Audrey M. Johnson and Co-Chairs  
Donna Dooher and Sonja Smits

### Presenting Sponsor



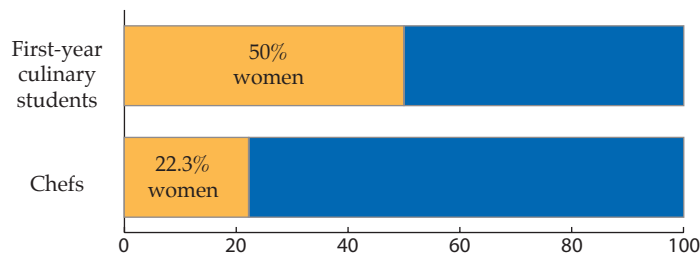
### Section 15 Sponsors



McCarthy  
Tétrault



### Representation of women in the culinary field



Every year is a year to celebrate the generosity of LEAF's donors and supporters, but this year is an exceptional one. Despite the financial forecasts, we have seen a resilience and determination from our donors. There has been a great deal of concern and speculation in the charitable sector, especially among organizations that are not doing front line services. At LEAF we are reassured by our strong and vibrant Monthly Donor program, which consists of 270 members who generously contributed over \$52,000 to our work. The launch of the Justice Bertha Wilson Fund is another testament to our donor's commitments. As our financial statement demonstrates, LEAF's current state and future prospects show promise and a determination to advocate on behalf of substantive equality for future generations of girls and women.

Thank you to all our donors, supporters, partners, volunteers and members for your commitment and generous contributions to our work.

## Core Funder:

Women's Legal Education and Action Fund Foundation

## \$10,000 – \$19,999

C.A. Delaney Capital Management Ltd.  
CAW - Canada Social Justice Fund  
Gowling Lafleur Henderson LLP  
Ontario Public Service Employees Union  
TD Bank Financial Group

## \$1000 – \$9999

Allstate Insurance Company of Canada  
Appleby College  
Jalynn Bennett  
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The Delaney Family Foundation  
The Gail Asper Family Foundation Inc.  
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Torkin Manes Cohen Arbus LLP

# Fund Development

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 United Steelworkers - National Office  
 United Way Of Oakville  
 Margaret Waddell  
 West Coast LEAF  
 YWCA Toronto  
 \$250 – \$999  
 Anonymous  
 Acadia University  
 Ackroyd LLP  
 Acquire Capital  
 Aikins, MacAulay & Thorvaldson LLP  
 Alison Prentice  
 Susan Amrud  
 Sally Armstrong  
 Denise Arseneault  
 Jane Arnold  
 Beth Atcheson  
 Lisa Banks  
 Kim Beckman  
 Anne Bennett  
 Ben Moss Jewellers  
 Janna Ramsay Best  
 Sara Blake  
 Blaney McMurtry LLP

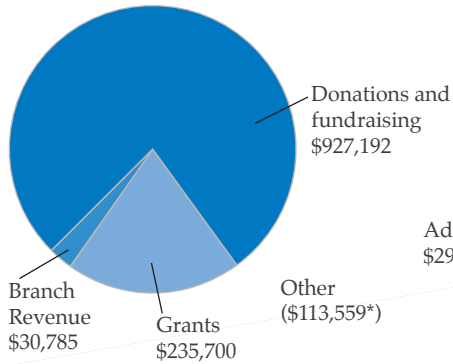
Kim Brooks  
 Diane Brownlee  
 Brownlee LLP  
 Nancy M. Buhr  
 Moira Burke  
 Ken Burton  
 Nick Busing  
 Dawn Butler  
 C. Canitz  
 Canadian Museum for Human Rights  
 Canadian Union of Postal Workers Edmonton  
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 Mary A. MacEachern  
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 Tracy Marchant  
 Notisha Massaquoi  
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 Penelope Milton  
 Roger Moses  
 R. Mowat  
 Multilingual Community Interpreter Services  
 Mary Newel  
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 O'Hanlon Paving Limited

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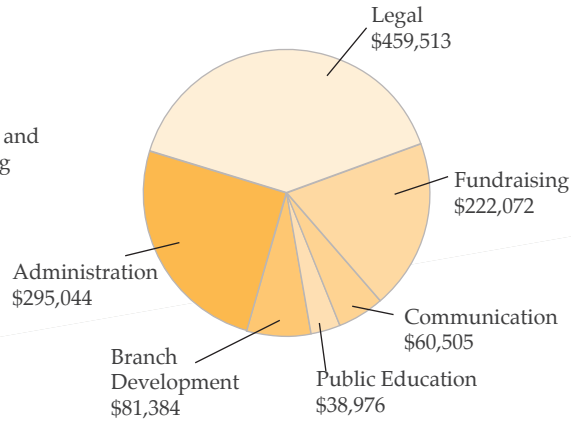
# Finances 2008-2009

## Revenues

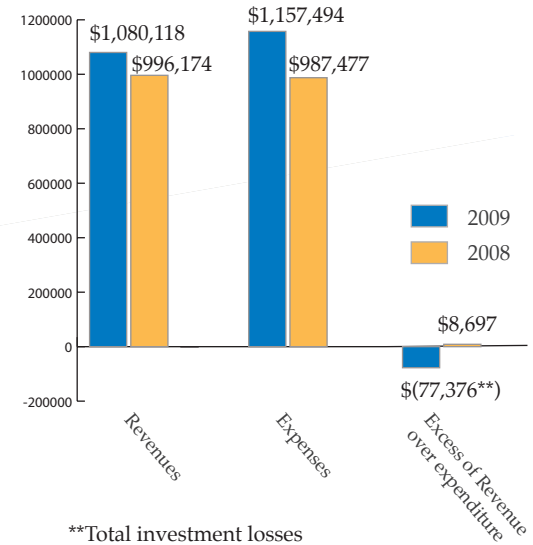


\*Investment gains

## Expenditures



## Global Comparative



\*\*Total investment losses

Complete audited statements available on request. Charitable BIN: 10821 9916 RR0001



# People at LEAF



Persons Day Breakfast - Toronto

**"Change happens when people actively participate; lip service is what happens when people don't."**

Nancy Ruth, Senator,  
Founding mother of LEAF

## Board of Directors

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Cleta Brown  
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Pauline Raven  
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Rebecca Cuthbertson Hulst  
Martha Paynter  
Katie Rowen  
Shannon Williams

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Rose Sangster, Chair  
Cleta Brown

## National Office

Audrey M. Johnson, Executive Director  
Carissima Mathen, Acting Director of Litigation (to Dec. 2008)  
Joanna Birenbaum, Director of Litigation  
Katherine Blake, Director of Fund Development  
Nicole Curling, Director of Communications & Branch Relations  
Marian Ali, Legal Assistant  
Anita Hannam, Office Administrator

Niki Popper, Education Coordinator  
Kathy Roulston, Fund Development Assistant  
Tracey Adams, Accountant

## People at LEAF



Carissima Mathen



The Justice Bertha Wilson Fund

In recognition of the 2007 passing of Justice Bertha Wilson, LEAF launched the Justice Bertha Wilson Fund to honour her memory. As the first woman appointed to the Supreme Court of Canada, in the same year that the *Charter of Rights and Freedoms* was enacted, Justice Wilson has had a profound impact on issues that have always been important to LEAF. Her legal decisions in the area of reproductive rights, refugee status, violence against women, property rights and family law matters have made an indelible mark on the equality landscape of Canada.

Help create the society envisioned by Justice Bertha Wilson: one governed by comprehensive equality laws, justice for the disenfranchised and marginalized, equal access to the courts and the protection of all our human rights.

If you are interested in becoming a founding supporter of the Justice Bertha Wilson Fund, please contact Katherine Blake, 416-595-7170 x 222, [k.blake@leaf.ca](mailto:k.blake@leaf.ca)

*"I believe that ultimately we must give full effect in our society to the principle of equality. Women will never have equal status with men in the home if they don't also have equal status with men in the world outside."*

Justice Bertha Wilson,  
B'nai Brith Women's National  
Convention

Bertha Wilson Fund  
Committee Members  
Ellen Anderson  
Justice Claire  
L'Heureux-Dube  
Mary Jane Mossman  
Teresa Nahanee  
Linda Silver Dranoff

Founders  
Shirley Greenberg  
Jacqueline Shumiatcher  
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Anonymous  
Marian Binkley  
Marjorie Blankstein  
Kirby Chown

|                       |                      |
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| Daphne Fitzgerald     | Mary Jane Mossman    |
| Jane L. Glassco       | Marianne Norris      |
| Lynda Hamilton        | Jerilynn C. Prior    |
| Claire L'Heureux-Dube | Linda Silver Dranoff |
| Audrey M. Johnson     | Myra SoroChan        |
| Janet B. Lacy         |                      |

## LEAF exists because of you!

Please consider a monthly contribution or an increase to your current monthly contribution.

Giving monthly is the most effective way to ensure LEAF's sustainability and the advancement of women's equality across the country. Any gift can make a big difference in the lives of all women and girls in Canada.

### Join the Justice Bertha Wilson Leadership's Circle.

Help create the society envisioned by Justice Bertha Wilson: one governed by comprehensive equality laws, with justice for the disenfranchised and marginalized, equal access to the courts and the protection of all of our human rights.

☐ I would like to designate my donation to the Justice Bertha Wilson Fund

☐ Please add me to the LEAF National email list

☐ Please send me information about joining the LEAF Branch in my area.

☐ I authorize LEAF to share my contact details with the closest LEAF Branch so I can be informed of local activities.

## Thank you for your support!

Women's Legal Education and Action Fund (LEAF)  
60 St. Clair Avenue East, Suite 703  
Toronto, ON M4T 1N5  
www.leaf.ca

Tel.: 416-595-7170  
Fax: 416-595-7191  
Toll Free: 1-888-824-5323  
E-mail: donate@leaf.ca

Yes, I want to invest in the work of LEAF by giving a monthly contribution of:

☐ \$50    ☐ \$35    ☐ \$25    ☐ \$20    ☐ Other

I authorize LEAF to draw donations on the bank account (please provide a void cheque) or credit card specified, on the 15th day of every month. I understand that I may change or cancel my donation at any time.

OR

I prefer to make a donation of:

☐ \$200    ☐ \$100    ☐ \$50    ☐ \$25    ☐ Other \_\_\_\_\_

If donating by cheque, please make payable to:  
LEAF or Women's Legal Education and Action Fund Inc.

I prefer to donate using my credit card:

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"Until all of us have made it, none of us have made it"  
Rosemary Brown



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**National Office**

60 St. Clair Ave. E., Suite 703 • Toronto, ON M4T 1N5

Ph: (416) 595.7170 • Toll Free: 1(888)824.5323

Email: [info@leaf.ca](mailto:info@leaf.ca) • Website: [www.leaf.ca](http://www.leaf.ca)