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WOMEN'S LEGAL  
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JURIDIQUE POUR LES FEMMES



# **NATIONAL NEEDS ASSESSMENT SURVEY FOR WOMEN AND GIRLS IN CANADA**

## **Report Summary**

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LEAF is a national, charitable, non-profit organization, founded in 1985. LEAF works to advance the substantive equality rights of women and girls in Canada through litigation, law reform and public education using the *Canadian Charter of Rights and Freedoms*.

This publication was created as part of LEAF's Feminist Strategic Litigation (FSL) Project. The FSL Project examines the use and impact of feminist strategic litigation to help LEAF, feminists, and gender equality advocates more effectively combat systemic discrimination and oppression.

The FSL Project is funded by Women and Gender Equality Canada.



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## Preface

The Women's Legal Education and Action Fund (LEAF) works to advance the rights of women and girls across Canada. The organization uses litigation, law reform, and public education to bring about legal change and awareness, and to push for substantive equality for women and girls.

In the spring of 2019, LEAF launched its Feminist Strategic Litigation (FSL) Project – a project to assess the impact of its past litigation work, and develop a five-year plan for litigation moving forward. To plan its future litigation work, LEAF needs to know:

1. What are the key issues facing women and girls across Canada?
2. How do we assess the impact of feminist strategic litigation?

The second question is addressed in the companion report “This Case is About Feminism: Assessing the Effectiveness of Feminist Strategic Litigation”.

To help answer the first question, LEAF partnered with the Social Research Centre at Ontario Tech University to carry out a survey of organizations across the country. LEAF stays in regular contact with its strong network of partner organizations and advocates, but this survey provided us with the opportunity to get detailed information from a larger and more representative group of organizations.

This report represents the findings of that survey, and will be used by LEAF to help guide its future litigation work. We also hope that the report will be useful to other advocates fighting to advance equality rights.

LEAF acknowledges the support of Women and Gender Equality Canada for the FSL Project and this survey report.



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For a full list of acknowledgements, see the full Report.

## Methodology

### Survey Development and Dissemination

Matthew Stein, Director of the Social Research Centre at Ontario Tech University, in collaboration with the FSL Project team, developed the online needs assessment survey.

Due to time and resource limitations, we did not reach out directly to women and girls across Canada. Instead, we chose to reach out to organizations across the country, to ask them to communicate their understandings of the areas of need of women and girls in the communities that they serve.

We built upon a list of approximately 550 women's organizations generously provided by the Canadian Research Institute for the Advancement of Women (CRIAOW). We then identified groups that we thought we might miss or underrepresent if we focused only on the initial list. To try and obtain responses from organizations serving as broad a range of communities as possible, we chose not to limit our survey recipients to organizations serving exclusively or even primarily women and girls. In the end, we compiled a list of 1,330 organizations.

The survey was sent out on September 5, 2019, and remained open until November 6, 2019. A reminder email was sent out to recipients at the beginning of October 2019.

### Responding Organizations

189 organizations completed the majority of the survey, a response rate of 14.2%. The regional distribution of responding organizations roughly aligns with the population distribution in Canada, with Ontario, British Columbia, Alberta, and Québec-based organizations providing the largest numbers of responses.

Most responding organizations have been in existence for over 15 years, and serve both urban and rural populations. The majority have fewer than 15 full-time staff members, and a small majority rely solely on paid staff. The most common types of work done by responding organizations include: service delivery; advocacy and activism; and education, training, and capacity building.

Most responding organizations focus on the largest adult population (18-64). The main populations served by these organizations include women (cis and/or trans); low-income populations; and populations facing violence, abuse, or bullying.

The ten most common areas of focus for responding organizations were: sexual violence, intimate partner violence, gender inequality, family violence, emotional abuse, mental health, employment in nursing, harm reduction, sexual health, and transitional or short-term housing issues.

## Results

### Key Areas of Need

Organizations were asked to identify the key areas of need faced by the women and girls they serve, and how frequently those populations face those areas of need. Figure 1 summarizes the rate at which responding organizations identified these areas of need.

Figure 1

Area of need	Number of organizations identifying this as a key area of need	Percentage of total responding organizations
Violence	124	65.6%
Poverty	115	60.8%
Housing	109	57.7%
Health	99	52.3%
Family	96	50.8%
Employment	93	49.2%
Discrimination	90	47.6%
Stigmatization	80	42.3%
Education	71	37.6%
Topics specific to Indigenous peoples and communities	70	37.0%
Culture	55	29.1%
Corrections or criminalization	44	23.3%
Other	16	8.5%

As seen in Figure 1, the six most common areas of need for women and girls served by responding organizations related to: violence, poverty, housing, health, family, and discrimination. Within those categories, common areas of need included:

- Violence: emotional abuse, sexual violence (including sexual assault and sexual harassment), intimate partner violence, family violence, physical abuse
- Poverty: sufficiency of social assistance, access to appropriate housing, access to a living wage
- Housing: availability of housing, affordability of housing, availability of accessible housing, availability of transitional housing
- Health: access to mental health services, access to physical health services, access to addiction supports, access to culturally appropriate health services
- Family: violence, access to legal services, child welfare system, access to childcare

- Discrimination: based on gender, based on race, based on sex, based on socioeconomic status

Areas of need commonly faced by Indigenous women and girls, in particular, include a lack of understanding of the history and legacy of residential schools, and a lack of cultural competency among legal professionals.

The least commonly identified areas of need were culture, corrections or criminalization, and other. Organizations responding to the other category gave responses including racism, access to services, and transportation.

### Usefulness of the Law

The survey asked organizations whether they felt that the law was a useful tool for the communities that they serve. The majority of responding organizations (64.38%) believe that the law is a useful tool for the communities they serve. Only 8.2% indicated that they do not find the law to be a useful tool.

Organizations were also asked to provide short, concrete examples of (1) where the law had succeeded, or been a useful tool in serving their community; and (2) where the law had failed, or not been a useful tool in serving their community. The full text of their responses can be found in Appendix B of the full Report.

Organizations pointed to a number of examples of where the law had been successful and/or useful, including specific laws, bills, cases, and rights in areas such as:

- Reproductive justice and health (“The Protecting Choice for Women Accessing Health Care Act, has greatly reduced the harassment and bullying of patients and our staff by removing these people 50 metres away.”)
- Family issues (“Bill 84 recognizing homoparental families.”)
- Violence, sexual violence, and harassment (“The ability for a victim of IPV to apply for an Emergency Intervention Order AND have it enforced when perpetrator breaks the order.”)
- HIV criminalization (“Recent changes to the criminalization of HIV (see HALCO reports)”)

Respondents also pointed to specific examples of the use of the law, including in:

- Reproductive justice and health (“We lobbied actively for the enactment of 'safe access zone' legislation across a number of provinces.”)
- Opposition to the Trans Mountain Pipeline (“Indigenous community groups using the law to intervene in construction of Trans Mountain Pipeline.”)

- Family issues (“Les femmes que nous servons ont des besoins importants en matière de droit de la famille. Les informations et conseils juridiques que nous prodiguons est d'une aide majeure.”)
- Violence, sexual violence, and harassment (“The law has been a useful tool when social workers at our organization support women facing family violence issues as many of the women are not aware of their rights in Canada.”)
- Restorative justice (“Restorative Justice is represented here from both Indigenous and non - Indigenous communities.”)

A number of respondents painted a mixed picture of the usefulness of law. They noted that while the law is sometimes helpful or successful, it also fails. One respondent noted: “The law is useful at the end of a problem. We need to look at the source of the issues and fix them”. Another noted the different levels of helpfulness in different areas of law: “The law has been somewhat helpful in convicting the offender of Intimate Partner Violence but there seems to be a gap between Criminal Law and Family Law.”

Many respondents pointed to the failure to apply law as a source of the law’s lack of usefulness. One respondent explained: “Generally, we believe there has been a great success on the part of feminist activists in achieving legal reforms aimed at ending male violence against women. However, the application and enforcement of these laws does not reflect these achievements.”

Where respondents indicated that the law had failed women and girls in the communities they serve, several pointed to the law’s colonial and oppressive roots, including in relation to:

- Indigenous women and girls (“This is difficult to say because I work with Indigenous women and girls, and the law is a segment of our colonial government that has done tremendously criminal things to Indigenous peoples for generations and continues to do so today.”)
- Sex workers (“The law is useful but mainly is the tools of oppression against the sex workers, particular the racialize and migrant”)
- Women who use drugs (“the criminalization of people who use drugs negatively impacts their health and wellbeing, even in instances where the law could potentially be helpful (eg when they are the victims of a crime)”)

Other organizations highlighted that law had failed particular communities, including:

- Indigenous women (“The law fails, on a systemic level, aboriginal women on all front.”)
- Women facing violence (“The law fails to protect or find justice for survivors of sexual and gendered violence.”)

- Trans women (“There are many laws that make murder and physical assault illegal, and yet trans women are still over-represented in experiencing violence.”)
- Individuals involved with the child welfare system (“Children lost into the Child Welfare System are often not returned.”)
- Northern and rural communities (“there is no real penalty for sexual assault, or physical assault in relationships in the courts...women do not feel safe to report as in rural areas their safety is compromised because of time it takes for the police to respond to a call.”)
- Unionized workers (“The Trade Union Act prohibits complainants to act on their own. That's a problem with unionized employees whose unions will not support them.”)