



Women's Legal
Education and
Action Fund

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

LEAF EDMONTON E-NOTES January 2015

2015: the 30th anniversary of s. 15 of the *Charter* and of LEAF!



The 1981 conference of the Ad Hoc Committee of Canadian Women and the Constitution



Jenny Margetts, speaking at the 1981 conference

(Images from *Constitute!*, with permission from the International Women's Rights Project.)

April 2015 brings the 30th anniversary of s. 15 of the *Charter* and of the founding of LEAF. Section 15 of the *Charter* came into effect on April 17, 1985 – three years after the Canadian Constitution and its *Charter of Rights and Freedoms* were enacted. Section 15 was put on hold for a three year time frame to allow federal and provincial governments to review their legislation and change any discriminatory laws.

Two days later, on April 19, 1985, LEAF was founded under the leadership of women like Doris Anderson. Each of the founding mothers of LEAF had played a crucial role in ensuring women's rights were a central component of the *Charter* and in Canada's history.

Plans are underway in LEAF Edmonton and by LEAF nationally for events and information outreach to celebrate these anniversaries.

Further information on the history of LEAF can be accessed at <http://www.leaf.ca/about-leaf/history/>.

The story of women's activism in 1981 that led to the strengthening of equality provisions in the *Charter* is told in the video *Constitute!* (see photos, above), which can be accessed at <http://constitute.ca/the-film/>. Further information on the Ad Hoc Committee on Women and the Constitution and the history of sections 15 and 28 of the *Charter* is also available as follows (although the article was written in 2001 and refers to the 20th anniversary of the 1981 conference):

http://section15.ca/features/news/2001/02/06/womens_constitution_conference/

In recognition of the 30th anniversary of s. 15 of the *Charter*, the theme of this year's annual conference of the Canadian Association of Labour Lawyers is "Human Rights, the Charter and Unions - Past Struggles and New Frontiers." The conference will be held in Winnipeg on June 11-14. Further information is at <http://www.call-acams.com/news>.

Feminist reflections on religion and equality: community panel discussion to be available on YouTube.

"What is Barbaric: Feminist Reflections on Religion and Equality," a community panel discussion being presented by LEAF National on January 29 in Toronto will be available afterwards on YouTube. LEAF has indicated that the forum will be video-recorded and made available on YouTube within approximately two weeks.

The panelists include:

- Alia Hogben, Executive Director, Canadian Council of Muslim Women
- Dawnis Kennedy, Anishinabe Law Scholar
- Farrah Khan, Coordinator of the Outburst! Young Muslim Women's Program, Counsellor and Advocate at the Barbra Schlifer Clinic
- Shareen Gokal, Manager, Association for Women's Rights in Development

- Moderator: Sonia Lawrence, Director of the Institute for Feminist Legal Studies at Osgoode Hall Law School

As noted on the LEAF website, on November 5, 2014 the federal Minister of Citizenship and Immigration tabled Bill S-7, or the "Zero Tolerance for Barbaric Cultural Practices Act." The website observes, "If this highly inflammatory and xenophobic bill is passed, it will deepen institutional barriers to immigrant and racialized women reporting violence and will prevent them from accessing support and services." LEAF notes that the gathering is being held so as to discuss this and other issues related to violence, religion, culture, equality, discrimination and women's rights.

LEAF seeks leave to intervene in the refugee health care case at the Federal Court of Appeal.

LEAF has filed a motion for leave to intervene before the Federal Court of Appeal in the *Canadian Doctors for Refugee Care et al. v Canada* case. The case involves a constitutional challenge by several groups, including Canadian Doctors for Refugee Care, to the cuts by the federal government to health care for refugee claimants.

As explained in the LEAF website, in a July 2014 judgment, Justice Anne Mactavish declared the 2012 Orders in Council creating the Interim Federal Health Program (IFHP) to be of no force or effect as of 4 November 2014. In granting the application, Justice Mactavish rejected the applicants' administrative law and s. 7 claims, but held that the 2012 changes to the IFHP violate both s. 12 (right not to be subjected to cruel and unusual treatment or punishment) and s. 15 (equality) of the *Charter* in a manner that is not saved by s. 1. The federal government unsuccessfully sought a stay against Justice Mactavish's order while it appeals her judgment to the Federal Court of Appeal.

LEAF is seeking leave to intervene in the appeal with a submission that there is clearly a gendered impact to the 2012 IFHP cuts. If granted leave, LEAF will argue that refugee women are disproportionately affected by the IFHP cuts because of their gender.

Further information on the case and on LEAF's proposed submissions to the Court can be accessed at:

<http://www.leaf.ca/leaf-seeks-leave-to-intervene-in-the-refugee-health-care-appeal/>

Human rights lecture March 12: Professor James Anaya.

Professor James Anaya, United Nations Special Rapporteur on the Rights of Indigenous Peoples from 2008 to 2014, and nominated in 2014 for the Nobel Peace Prize, will give the University of Alberta Visiting Lectureship in Human Rights.

The event will be held on Thursday, March 12, 2015, from 7:30 – 9:30 p.m. at the Edmonton Clinic Health Academy, Room 2-190. The lecture is free and open to the public.

Further information and online registration can be accessed at:

<http://www.globaled.ualberta.ca/en/VisitingLectureshipinHumanRights.aspx>



Prof. James Anaya

(Photo with permission from the University of Alberta International Global Education)

Ideas and Opinions.

This is a column on items that some of our members have been reading, listening to, or viewing. Please do consider sending us a note of any material you think might be of interest to readers of *E-Notes*. LEAF does not necessarily endorse the content or views of the broadcasts, videos, or publications.

In addition to the news articles online and in print on misogyny at the Dalhousie Dentistry faculty, there have been a number of backgrounders and comments, including:

- “Ottawa prof leads investigation into Dalhousie Facebook scandal,” Andrew Seymour, *The Globe and Mail*, January 9, 2015:
<http://ottawacitizen.com/news/national/ottawa-prof-leads-investigator-into-dalhousie-facebook-scandal>
- Judy Haiven, “Misogyny at Dal: When we are sick of being forced down the middle road of apology and contrition. Restorative justice does not adequately address systemic problems,” Halifax Media Co-op:
<http://halifax.mediacoop.ca/story/misogyny-dal-when-are-we-sick-being-forced-down-mi/32524>
- Lindsay Tedds: “Threats on social media are not victimless crimes,” *Ottawa Citizen*, January 19, 2015:
<http://ottawacitizen.com/news/national/lindsay-tedds-threats-on-social-media-are-not-victimless-crimes>
- Simona Chiose, “Dalhousie turns down formal faculty complaint against Dalhousie ‘Gentlemen,’” *The Globe and Mail*, January 9, 2015; notes that Kim Brooks, former Chair of LEAF National, and now Dean of Dalhousie’s law school, is chairing the task force looking at diversity and inclusiveness on campus:
<http://www.theglobeandmail.com/news/national/dalhousie-board-backs-schools-handling-of-dentistry-scandal/article22376542/>

Support LEAF and membership renewal.

Would you like to become a member of LEAF or renew your membership? Memberships expire a year from the date you became a member or last renewed. You can donate or register for membership through LEAF’s website at www.leaf.ca.

If you are in the Edmonton or northern Alberta region, your branch is LEAF Edmonton. Annual membership fees remain just \$25 for Regular Members or \$10 for Students/Seniors. Additional tax receiptable donations are greatly appreciated.

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