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# NATIONAL ASSOCIATION OF WOMEN AND THE LAW (NAWL)

## Annual Report

April 1, 1997 to March 31, 1998

### *Mission Statement*

*NAWL is a national non-profit women's organization which promotes the equality rights of women through legal education, research and law reform advocacy. We recognize that each woman's experience of inequality is unique due to systemic discrimination related to race, class, sexual orientation, disability, age, language and other factors. In our view, a just and equal society is one which values diversity and is inclusive of it. We are committed to working collectively and in coalition with other groups to dismantle barriers to all women's equality*



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# **ANNUAL REPORT OF THE NATIONAL ASSOCIATION OF WOMEN AND THE LAW (NAWL)**

**APRIL 1, 1997 – MARCH 31, 1998**

The National Association of Women and the Law (NAWL) is a national non-profit women's organization which promotes the equality rights of women through legal education, research and law reform advocacy. NAWL was formed in 1974 at a national conference on Women and the Law at Windsor Law School and has become well recognized for its leadership and expertise on legal issues of concern to women.

NAWL is governed by a 14 member, regionally representative National Steering Committee (NSC) which is elected by our membership at our biennial conferences. Policy is also set by the membership at these conferences.

The national office in Ottawa coordinates the work of the association and in 1997/98 had four permanent staff positions: an Executive Director, Director of Legislation and Law Reform, Administrative Officer, and Secretary.

The Association currently has 19 caucuses across the country which engage in law reform and public education activities at the local level. NAWL's members and donors include lawyers, law students, policy analysts, academics, human rights activists, and people from a variety of backgrounds who share a commitment to gender equality. Members receive our newsletter *Jurisfemme*, discounted prices on NAWL conference registration fees, NAWL publications and subscriptions to the *Canadian Journal of Women and the Law*. They are also entitled to vote on policy resolutions and in NAWL National Steering Committee elections.

NAWL's activities include the preparation of briefs and presentations to federal and provincial Parliamentary Committees, commissions, and task forces; consultation with government officials; provision of legal expertise to assist other women's groups; promoting gender equality in the courts and the legal profession; organizing biennial conferences; hosting workshops and consultations; promoting feminist scholarship through the Charitable Trust; publication of a newsletter; and research and education on legal issues of concern to women. Additionally, NAWL has established regular contact with the media in order to educate the public about gender equality. As a result of these contacts, media activities such as interviews, press releases, and press conferences have become a major component of NAWL's educational work.

Following is a selected list of initiatives taken by NAWL in 1997-98 :

## **LAW REFORM, RESEARCH AND EDUCATION ACTIVITIES:**

### **Violence Against Women**

NAWL worked closely with other women's organizations on violence against women throughout the entire year. NAWL participated in the Department of Justice Consultations and joined the computer interactive network initiated by METRAC. NAWL assisted the Coalition for Gun Control in acquiring *pro Bono* legal services and in advocacy initiatives. NAWL continued to advocate against Defence Access to records of women who have been victims of violence. NAWL consistently spoke out publicly against judgements and judges' statements which trivialized violence against women and children such as in the Bauder Case, in which the court reduced a 9-month custodial sentence to a 9-month conditional non-custodial term for a man who sexually assaulted a 13 year old. Ottawa Caucus of Women and the Law and NAWL presented a series of lectures pertaining to women and violence. NAWL consistently petitioned governments to increase support to abused women through education for support workers and victim assistance programs.

### **INCOME SECURITY:**

NAWL appeared before the Finance Committee on the federal budget emphasizing, in particular, concerns about the government's decision to end the Canada Assistance Plan (CAP). Further, we identified the introduction of the Canada Health and Social Transfer (CHST) as a federal initiative which would pose similarly significant obstacles to women's ability to attain equality.

### **LEGAL AID:**

NAWL conducted major educational and advocacy activities denouncing the inadequacy of legal aid services for women, charging that legal aid service delivery does not meet the governments obligations under the Canadian Charter of Rights and Freedoms. We worked on a major project researching gender equity in the legal aid system and explored a principled approach to civil legal aid that would improve women's ability to gain access to legal aid.

### **WOMEN AND UNPAID WORK:**

NAWL's PEI Caucus was instrumental in having women's unpaid work recognized in this year's census. NAWL also participated in a conference on women and unpaid work hosted by Mothers are Women (MAW).

## **FAMILY LAW:**

NAWL'S Family Law Working Group testified in front of the Parliamentary Standing Committee on Justice and Legal affairs on the new Child Support Guidelines. We presented to the Senate Committee as well and mounted a campaign to achieve Senate support for the Bill.

NAWL Prepared and presented a brief on Custody and Access to the Joint Parliamentary Committee on Custody and Access.

NAWL produced a report on Family Mediation in Canada: Implications for Women's Equality which is being published by the Policy Research Branch of Status of Women Canada.

## **HEALTH LAW:**

NAWL submitted a brief to Health Canada detailing concerns with Bill C-46 and the Health Canada document "Setting Boundaries-Enhancing Health" paper which set out some principles and options on a regulatory structure for New Reproductive Technologies. NAWL also appeared before the Parliamentary Health Sub-Committee on April 7, 1997 on the same issue.

## **RACE AND GENDER AND THE LAW:**

NAWL formed an Anti-Racism Working Group which presented a brief to the Canadian Bar Association in response to its report of the Task Force on Racism in the Legal Profession .

NAWL encouraged the Prime Minister to strengthen the gender analysis capacity of the Supreme Court of Canada by appointing women.

## **HUMAN RIGHTS LAW / EQUALITY RIGHTS:**

NAWL is a member of a coalition of interveners in the CUPE case (Rosenberg) dealing with benefits for same-sex couples in the federal government pension plan.

NAWL is working with other equality-seeking groups to achieve a unified approach to amendments to the Canadian Human Rights Act on "duty to accommodate" and "undue hardship".

NAWL advocated with Provincial and Territorial Attorneys General and the Minister of Justice to amend all legislation in their jurisdictions to prohibit discrimination and extend protections against discrimination of the basis of sexual orientation and to amend legislation to allow for adoption by same-sex couples, unmarried spouses and single persons.

## **POST BEIJING FOLLOW-UP:**

The Vancouver Caucus of Women and the Law wrote the Equality/Human rights Section of the NGO follow-up document to the 1995 Beijing Conference on Women's Rights.

## **CRIMINAL LAW:**

NAWL consistently advocated on issues concerning women in conflict with the law and on the treatment of federally incarcerated women. Our advocacy supported the report of Judge Ratushney which dealt with the review of sentences of women who were convicted of killing spouses who allegedly had abused them. We also urged the implementation of the Report of the Arbour Commission of Inquiry which dealt with the conditions of imprisonment of women in Canada.

## **ELECTION 1997:**

NAWL participated in the 1997 Election Campaign by providing to members a precis of the election platforms of the five major parties and by encouraging members to participate in the election.

NAWL and other women's groups under the banner of the Gang of 23, mounted a campaign to increase funding for the Women's Program at Status of Women Canada.

## **NAWL'S 12 TH BIENNIAL CONFERENCE (1997):**

In October 1997 NAWL held its Twelfth Conference: *Access to Justice: The Changing Face of Inequality* in Halifax, Nova Scotia. This very successful conference was organized and hosted by the Nova Scotia Caucus of Women and the Law.

The first day of the Conference was set aside for Women of Colour, Aboriginal Women and Women with disabilities to consult and network with their own communities. The results were brought to the conference attendees by way of plenary meeting.

On the following two days, panels, workshops and roundtables were held on the following topics:

- **Female Deans of Law: Furthering the Aims of Feminism and Women Faculty: Promoting Feminist Analysis of the Law?** - Women deans and law professors looked at the law school model and its impact on women students as well as examining the scope for change.
- **Sexual Assault** — The panel reviewed Canada's experience with civil actions seeking damages for sexual assault.
- **Child Support Guidelines** — The panel assessed the success or failure of the Guidelines from their implementation in May 1997 to the date of the Conference.
- **Women in prison** — As a follow-up to Justice Arbour's Commission of inquiry, the panel looked at the adequacy of government's response to the report.

**Access to Records** — Women lawyers and transition house workers discussed whether the legislation adequately protects victims of sexual assault.

Conference organizers were able to achieve a virtually balanced budget while helping to defray some meeting and other administrative expenses for the national association.

### **THE NAWL CHARITABLE TRUST ESSAY CONTEST:**

In 1997 the NAWL Charitable Trust published the top three winning essays in the 11th Annual Contest. The winners were: Feminism, Pornography and the Law by Nicole Small (1<sup>st</sup> Prize), Biology or Circumstance? The Two Models of the Infanticide Provision of the Criminal Code and its Interpretation and Application in Canadian Courts by Jessica Berglund (2<sup>nd</sup> prize) and, Legal Aid: Equal Access to Justice for Women by Kaye Melbye (3<sup>rd</sup> Prize). Prizes were provided by: Miles Davison McCarthy, Barristers & Solicitors, Calgary, Alberta and Johnston Robinson Clark, Barrister & Solicitor, Calgary, Alberta (Co-sponsors of 1<sup>st</sup> Prize), Oulette Turner Castle, Barristers & Solicitors, Calgary, Alberta (2<sup>nd</sup> Prize), and Jivraj Knight Pritchett, Barristers & Solicitors, Calgary, Alberta (3<sup>rd</sup> Prize).

The NAWL Charitable Trust ran its 12<sup>th</sup> Annual Essay Competition for Post Secondary Students advertising the opportunity to students in all Canadian Universities and Community Colleges.

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### ***NAWL THANKS ALL SUPPORTERS FOR MAKING 1997/98 A SUCCESSFUL YEAR:***

Women's Program, Status of Women Canada

The Ontario Women's Directorate

Central Mortgage and Housing

Research Policy Branch, Status of Women Canada

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### ***NAWL MEMBERS, DONORS AND VOLUNTEERS***

Through YOUR hard work and generosity, NAWL raised sufficient funds which, when coupled with the strong financial performance of the Nova Scotia Conference, resulted in a small surplus in 1997/98.

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# NATIONAL STEERING COMMITTEE / COMITÉ NATIONAL DE DIRECTION

## 1995-1997

**MARGARET DENIKE**  
Vancouver, British-Columbia

**MARJAN EHSASSI**  
Toronto, Ontario

**ELIZABETH GRACE**  
Toronto, Ontario

**CLEO PRELLWITZ**  
Rankin Inlet, North Western Territories

**DANI ANN ROBICHAUD**  
Hull, Québec

**JANET OH**  
Montréal, Québec

**MARNIE MCCALL**  
Ottawa, Ontario

**VICKI STOKOE**  
Halifax, Nova Scotia

**MARGOT YOUNG**  
Victoria, British-Columbia

## NSC REGIONAL REPRESENTATIVES REPRÉSENTANTES RÉGIONALES DU CND

**KAY VANSTONE MARSHALL (ONTARIO)**  
Ottawa, Ontario

**DARLENE JAMIESON (ATLANTIC)**  
Halifax, Nov Scotia

**MARIJA BICANIC (WEST/NWT)**  
Calgary, Alberta

**ROSEMARY HNATIUK (QUÉBEC)**  
Montréal, Québec

**LISA PHILIPPS (BC/YUKON)**  
Vancouver, British Columbia

## 1997-1999

**MARIJA BICANIC**  
Calgary, Alberta

**MARGARET DENIKE**  
Vancouver, British-Columbia

**HAVI ECHENBERG**  
Ottawa, Ontario

**ELIZABETH GRACE**  
Toronto, Ontario

**CLEO PRELLWITZ**  
Rankin Inlet, North Western Territories

**DIANE ROWE**  
Halifax, Nova Scotia

## NSC REGIONAL REPRESENTATIVES REPRÉSENTANTES RÉGIONALES DU CND

**JANE ANWEILER (ONTARIO)**  
Toronto, Ontario

**LYNN CAREY HARTWELL (ATLANTIC)**  
Halifax, Nov Scotia

**CYNTHIA DEVINE (WEST/NWT)**  
Winnipeg, Manitoba

**CHANTAL TIE (QUÉBEC)**  
Hull, Québec

**MARGOT YOUNG (BC/YUKON)**  
Vancouver, British Columbia

## **BOARD OF TRUSTEES**

### **1995-1997**

**Barbara Austin**  
Toronto, Ontario

**Darlene Jamieson**  
Halifax, Nova Scotia

**Carol Roberts**  
Victoria, British Columbia

**Susan Vella**  
Toronto, Ontario

**Marnie McCall**  
Ottawa, Ontario

### **1997-1999**

**Darlene Jamieson**  
Halifax, Nova Scotia

**Barbara Austin**  
Toronto, Ontario

**Kay Vanstone Marshall**  
Ottawa, Ontario

**Marija Bicanic**  
Calgary, Alberta

**Jane Anweiler**  
Toronto, Ontario

## **NAWL NATIONAL OFFICE STAFF**

### **1997**

**Carolyn Karpoff**  
Executive Director

**Louise Shaughnessy**  
Director of Legislation and Law Reform

**Karen Cartier**  
Office Administrator

**Susan Fines**  
Administrative Assistant

**Anna Savage**  
Accountant

**Maggy Razafimbahiny Pallen**  
Secretary

### **1998**

**Bonnie Diamond**  
Executive Director

**Louise Shaughnessy**  
Director of Legislation and Law Reform

**Karen Cartier**  
Office Administrator

**Anna Savage**  
Accountant

**Maggy Razafimbahiny Pallen**  
Office Administrator

*March 31, 1998*