

LEAF

LEGAL EDUCATION AND ACTION FUND

Isn't it exciting!

April 18, 1985 is nearly here.

Women's equality rights are almost a fact.

Our challenge is to make the application of these equality guarantees in Sections 15 and 28 of the Charter meaningful. We women have to ensure that the equality theory which our courts develop and apply is in women's best interest.

Remember how Section 15 of the Charter was delayed for three years until April 17, 1985? That was to let the federal, provincial and territorial governments have time to bring their laws and practices into "line" with equality rights provisions in the Charter. This process is called a "statute audit". Some provinces are further ahead in their statute audit than others. Some provinces are willing to share their audits with women before the changes are legislated.

It won't be just women who go to court on April 18, 1985 but it will be those other groups that are discriminated against and mentioned in Section 15, such as different races, the disabled etc. As all these cases hit the courts April 18, 1985 and thereafter, important interpretations of the equality rights clauses will be made. These interpretations will have a spill-over effect for sex equality. If we women want the kind of interpretation in the courts that we want, then we will have to make sure we have good cases to take to get the judgements we are looking for.

If we want to make the most of the law reform opportunities presented by the Charter we have to continue our long standing lobbying activities... and we have to do more. We have to assist and support women who have good cases to bring to court and we have to become involved with important court cases on Sections 15 and 28 which other people bring.

Let's on April 18, 1985 continue our fight for equality in the courts. It is possible to accomplish change, although it can't be done without organization and resources.

The day our rights come into effect we can use the law that gives these rights to us. The day our rights arrive - in each province, Northwest Territories and the Yukon - we can take, that is, directly sponsor, a Charter case using Section 15.

We have the best chance of being effective if we work together
with a coordinated
systematic approach to litigation
from the trial to the appeal

This means that we shall need:

- leadership
- organization
- resources

We need a visible and respected national, legal education and action fund,
sensitive to women's needs and legal goals. This fund (temporarily
known as LEAF) could provide resources like:

- research
- coordination with other women's groups
- coordination with other groups taking similar
legal cases and litigation strategies
- preparation of trial and appeal briefs

Obviously, such a fund would have to raise considerable resources for
these activities. The enclosed Globe and Mail article suggests
\$1,000,000.00 a year, or a \$10,000,000.00 endowment. Such a fund does
not exist in Canada at this time - so we have lots of \$money\$ to raise.

4.

In the meantime an interim group is working on a proposal for a fund.
We hope that by October 20, 1984 a draft plan of action will be
available - for you.

We have a lot to do before April 18, 1985.

REMEMBER

Litigation is slow and expensive.

Litigation is only one strategy.

Sometimes litigation is the best strategy.

Sometimes litigation is not the best strategy,

SO.....

KEEP UP YOUR OWN GOOD WORK