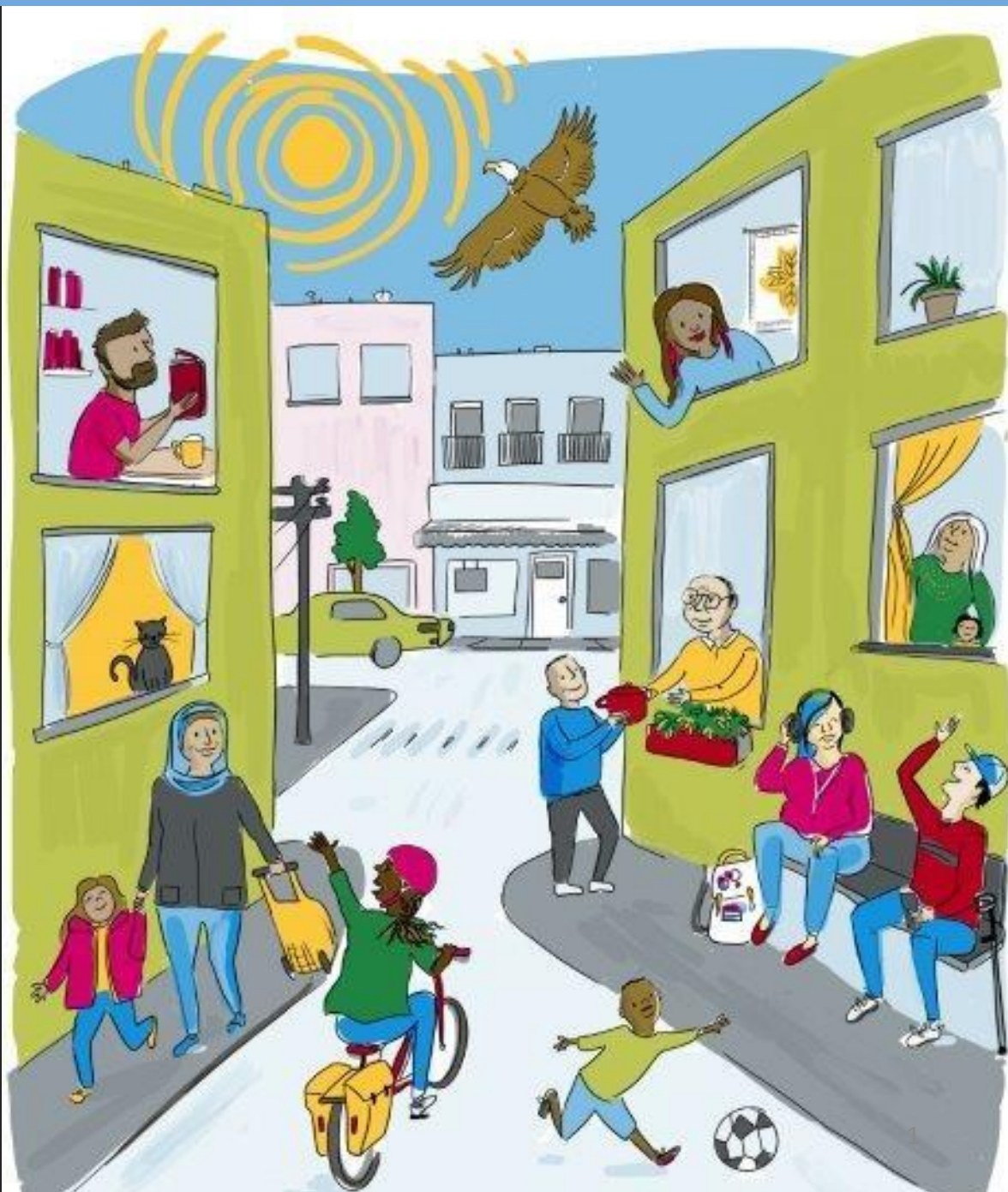


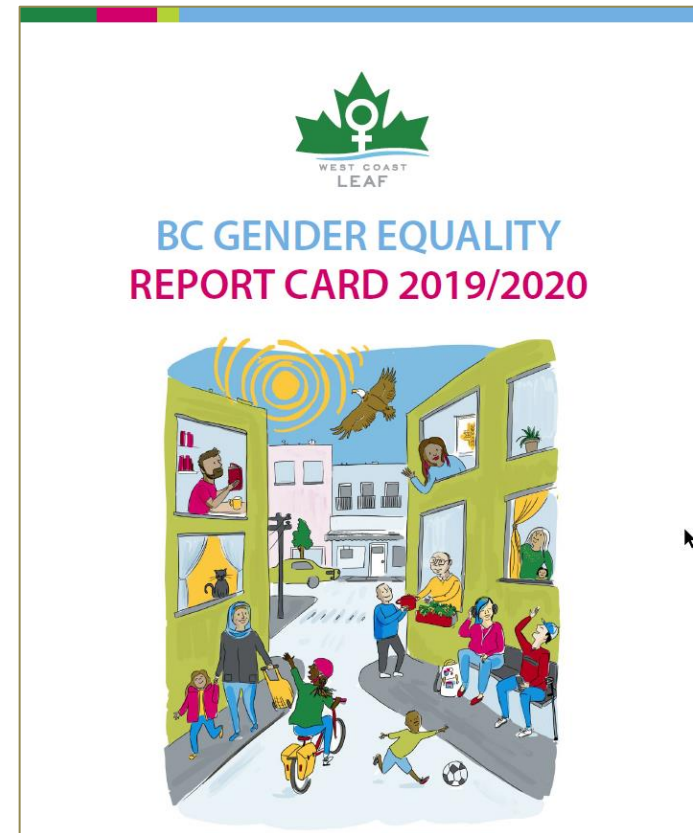
Introducing
West Coast
LEAF's
BC Gender
Equality
Report Card
2019/2020

Illustration by
Sam Bradd,
Drawing Change



Webinar agenda

- Land acknowledgement
- Introductions and project overview
- Report Card findings
- Q & A



Introductions & project overview

UNDER EQUALITY REPORT CARD 2019/2020

West Legal Education and Action Fund (West Coast LEAF), British Columbia

ACKNOWLEDGEMENTS

Foremost, we acknowledge the community participants who generously shared their views and insights with us to guide our research. We are grateful to our research team: April, Chanel, Cheresse, Dee Daermontes, Kaitlyn, Kayla, Luna, Nessa, Sarah, Sprow, Tami, Théo, and numerous other anonymous contributors.

Special thanks to Roxanne Sproule and Alana Prochuk

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Illustration: Sam Bradd, Drawing Change

This report is funded in part by the Government of BC and the Health Sciences Research Society of BC. The opinions expressed do not necessarily reflect the views of the funders.



West Coast LEAF is also grateful to the Law Foundation of British Columbia for ongoing funding of our work.

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The views expressed by dialogue participants in this report are their own. Any errors, however, are West Coast LEAF's.

This report is for the purposes of education and discussion only. It is not intended to give you legal advice about your particular situation.

CONTENTS

EXECUTIVE SUMMARY

INTRODUCTION

- About the Gender Equality Process.....
- International Legal Process.....
- Grading Scale
- A Note About COVID-19.....

ACCESS TO JUSTICE..

- Systemic Barriers to Access to Justice.....
- Procedural Barriers to Access to Justice.....
- Alternative Pathways to Access to Justice.....
- Legal Aid.....
- Summing Up

ECONOMIC SECURITY

- Employment.....
- Housing.....
- Social Services and Supports.....
- Transit.....
- Affordable and Accessible Housing.....

Thanks to our collaborators

Webinar host:  **COURTHOUSE
LIBRARIES | BC**

Report Card dialogue hosts:



Coalition Against
Trans Antagonism



Thanks to our collaborators

Project funders:



And many research volunteers
and community reviewers!



About West Coast LEAF

We use the law to work towards an **equal and just society for all women and people who experience gender-based discrimination.**

In collaboration with community, we use these strategies to advance gender equality:

- **Litigation**
- **Law reform**
- **Public legal education**

BC Gender Equality Report Card

- Our work towards a more gender-inclusive Report Card
- Assesses progress made by BC government from December 2018 to April 2020
- Guided by community dialogues
- Highlights principles from international human rights law (Yogyakarta Principles and CEDAW)
- Report Card publication followed up with:
 - Social media campaign to reach people beyond our traditional Report Card audience - stay tuned!
 - Focused law reform efforts

Findings: Access to Justice



Access to Justice

Action:

- *Declaration on the Rights of Indigenous Peoples Act*, but:
 - Needs concrete plan to implement
 - Deployment of RCMP against Wet'suwet'en land defenders, contrary to UNDRIP
- Added non-binary gender marker option for ID
- \$212 million for access to justice over three years, including \$8 million for Indigenous justice strategy
- Funding to open eight new legal clinics

Access to Justice

Inaction:

- More than half of family law legal aid applications (~70% by women) rejected in 2018
- No legal aid for housing or income assistance matters since 2002
- Indigenous people and/or trans people more likely to have unmet legal needs due to systemic inequality
- Still no Child Protection Legal Clinic to help parents challenge Ministry decisions (e.g. child apprehensions)
- Prisoners' Legal Services may have to reduce services due to lack of funding

Access to Justice

C- = Some action taken. Needs continued improvement. Reasoning:

- Community legal clinics, while urgently needed, are a drop in the bucket of the need for legal help in BC
- Action is needed to make sure legislation implementing UNDRIP is more than symbolic

Findings: Economic Security



support and
work area for
workers - Washroom, condons, sn...

← what's left

for income
assist and pay

Make lots of
housing and a
neighborhood
for transgen
gen

supplies
people
work

Economic Security

Action:

- Some improvements to employment rights, such as:
 - Protections for tips—women make up 80%+ of liquor servers
 - Definition of "domestic worker" now includes live-out workers
 - Law to protect migrant workers from abuse in recruitment
 - Job-protected unpaid leave for people caring for critically ill family members and for survivors of sexual or domestic violence
 - After much community advocacy, BC agreed to add five days of paid leave for survivors of violence

Economic Security

Action:

- Temporary halt to most evictions during COVID-19
- Some funding for modular homes and services for people who are homeless
- \$10 million for rent bank in Budget 2019
- Commitment to implementing recommendations of Rental Housing Task Force

Economic Security

Action:

- Latest stats show lower rate of overall and youth poverty in BC (2016 to 2018)
- Some policy changes made under Poverty Reduction Strategy, including measures to remove barriers to accessing income assistance and disability benefits
- Move from Early Childhood Tax Benefit to BC Child Opportunity Benefit – available to children up to age 18 (previously age 6)

Economic Security

Inaction:

- Income assistance and disability rates still far too low to meet basic needs despite small increase
- Decrease in number of affordable homes BC plans to build
- Lack of targeted housing supports for marginalized communities, including women who use drugs, sex workers, transgender people, people with disabilities
- BC has worst gap in pay between women and men in Canada yet no pay equity legislation

Economic Security

C- = Some action taken. Needs continued improvement. Reasoning:

- Reduction in barriers to accessing income assistance and disability benefits, but rates simply too low
- Improvements to employees' rights, yet no pay equity legislation
- Some funding for modular homes, yet reduced target for building affordable housing

**Findings:
Freedom
from
Gender-
Based
Violence**



**YOUR BODY.
YOUR RIGHT.
YOUR POWER.**

Gender-Based Violence

Action:

- Law allowing tenants to break fixed-term leases if staying would expose them to a risk of violence
- \$13 million increase over three years in Budget 2020 for Crime Victim Assistance Program
- Trauma-Informed Practice Curriculum for justice, public, safety, and anti-violence sectors
- Support for SOGI 1 2 3 – all 60 school districts now participating

Gender-Based Violence

Inaction:

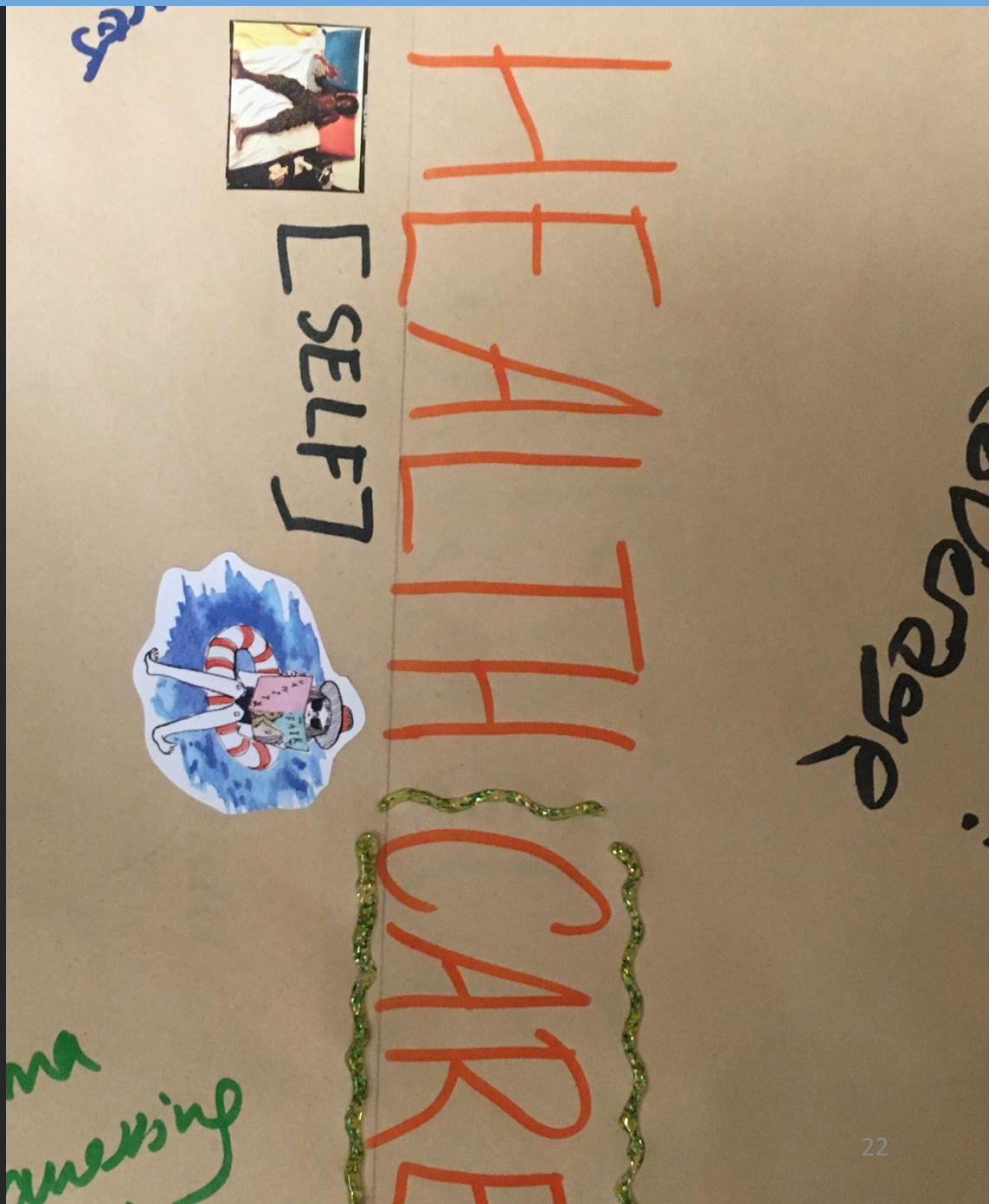
- Grossly inadequate funding for Indigenous-led anti-violence programs (48 grants amounting to \$2,500 to \$16,000 each)
- No dedicated budget for implementing Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls
- No funding specifically for anti-violence programs or specialized health services for trans, Two-Spirit, and non-binary survivors

Gender-Based Violence

D+ = Very limited action. Needs significant improvement. Reasoning:

- Funding falls far short of the need – particularly for services for survivors who are Indigenous; trans, Two-Spirit, or non-binary; and/or sex workers
- **Important:** This grade does not reflect BC's significant **action** committing \$10 million over three years for community-based sexual assault services, announced the day before the Report Card came out

Findings: Health Care



Health Care

Action:

- Guidelines allowing prescription of safe drugs to those at risk of both COVID-19 and drug toxicity or overdose
- End to MSP premiums
- Full coverage of gender-affirming chest reconstruction surgery and lower surgery
- BC schools required to provide free menstrual products
- Funding to increase number of trained caregivers for seniors
- \$1 billion in Budget 2020 to enhance quality of health care and meet demand

Health Care

Inaction:

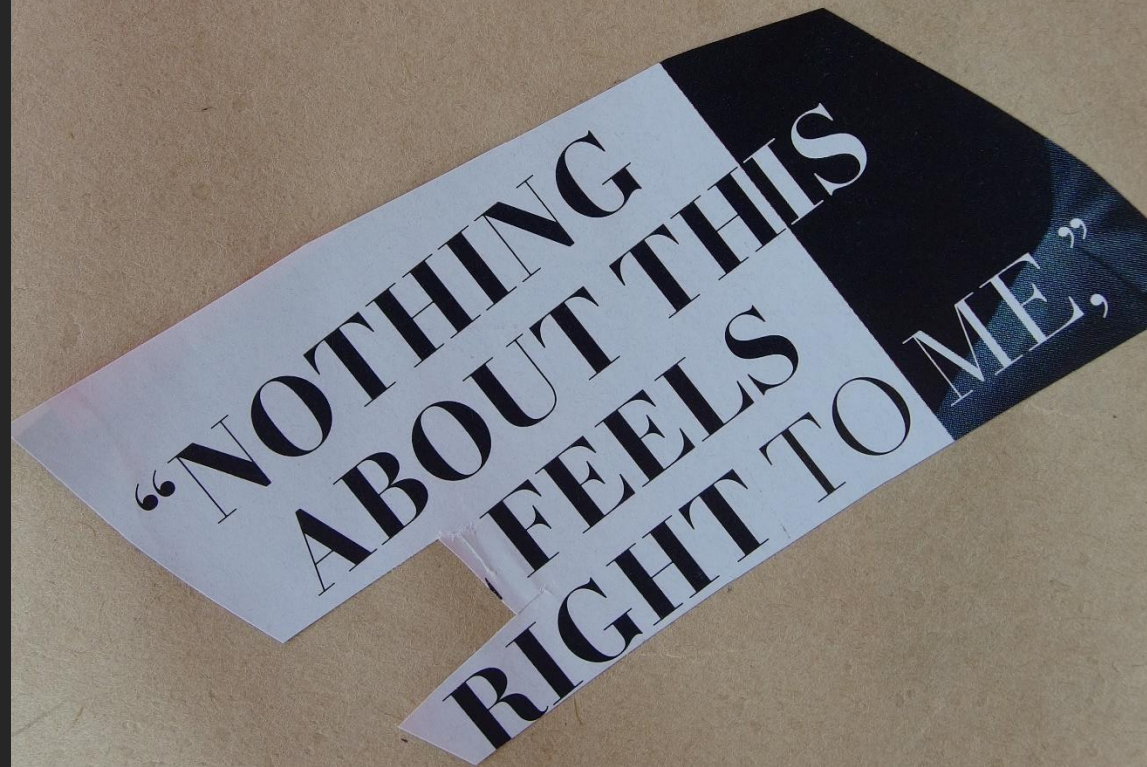
- BC is the only province without a comprehensive strategy to provide personal supports to people with disabilities
- No coverage for vital health services including dental care, prescription contraception, aspects of gender-affirming care
- *Mental Health Act* allows for use of detention, restraints, coercion in “treatment,” with few rights protections
- Many communities without prenatal and birth care
- Binary gender coding in MSP billing

Health Care

C+ = Some action. Needs continued improvement. Reasoning:

- Important move to introduce safe drug supply, but need a sustained commitment
- Despite expansion of coverage for gender-affirming care, barriers to this care remain
- Deep inequalities in health outcomes and discrimination-based barriers to care remain

**Findings:
Justice for
People Who
Are
Criminalized**



Criminalization

Action:

- \$14 million to reform use of segregation
 - An advocate reports that solitary confinement is somewhat less frequent but is still disproportionately used against racialized people and people with mental health disabilities
- Community transition teams to help with access to health and substance use support after incarceration

Criminalization

Inaction and harmful action:

- New laws may worsen criminalization: *Community Safety Amendment Act* and *Civil Forfeiture Amendment Act*
- Ongoing gross over-incarceration and discriminatory policing of Indigenous people
- Lack of data collection on racial disparities in sentencing and incarceration
- Discrimination and lack of safety for trans people, especially women, in prisons
- Lack of reintegration and rehabilitation supports

Criminalization

D- = Very limited action. Needs significant improvement. Reasoning:

- BC has actually taken backwards steps with two pieces of recent legislation
- Unchecked systemic harms and injustices in policing, sentencing, and incarceration

Findings: Rights of Parents, Children, and Youth

Queer, trans, two-spirit,
non-binary children getting
kicked out of the home.



Education &
Address of
Trans/gender
diversity.

Right to Parent

Better
group
homes.

Fathers
not same
rights to
parent as
mothers.
as ALL parents
are parents.

long term
affects of
having your identity
denied & neglected

Intergenerational
trauma
Parents who are @ risk
Parents parenting stress
Malignant
stereotypes
Mildred
getting care, having
Parents who are @ risk
Parents parenting stress
Intergenerational
trauma

Parents, Children, and Youth

Action:

- End to birth alerts after years of Indigenous-led advocacy
- Letter of Understanding on child welfare jurisdiction between Cowichan Tribes and governments of BC & Canada
- Talks also ongoing between BC government and Shuswap, Huu-ah-ayt, and Northern Secwepemc te Qelmucw Nations
- Increase to respite care funding, cutting waiting list in half
- \$30 million to expand Aboriginal Head Start child care
- Roll-out of historic Childcare BC plan continues; most parents surveyed found the new measures beneficial

Parents, Children, and Youth

Inaction and harmful action:

- Shrinking % of Indigenous children who are adopted are placed in Indigenous homes
- Expansion of Ministry's hiring criteria for child welfare workers may compromise accountability and oversight unless further steps are taken
- Poverty-related child apprehensions continue while supports to keep families together are lacking
- Systemic problems in family law system endanger parents and children fleeing violence

Parents, Children, and Youth

C = Some action. Needs continued improvement. Reasoning:

- BC continues on the path towards gradually introducing universal child care
- Announcing an end to birth alerts was an important and overdue step, but many question how much will change
- Ongoing systemic injustices in child welfare and family law systems in BC

Questions?

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Camylla
Batani at
Unsplash



Thanks for joining us!

Download the Report Card at
<http://www.westcoastleaf.org/our-publications/report-card-2019-2020/>

Check out our blog *F THIS!* at
westcoastleaf.org/blog



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