



WOMEN'S LEGAL EDUCATION AND ACTION FUND

489 RUE COLLEGE ST., SUITE 403, TORONTO

FONDS D'ACTION ET D'EDUCATION JURIDIQUES POUR LES FEMMES

CANADA M6G 1A3 416-963-9654
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No. 0699991-21
Numéro d'Enregistrement

FAX TRANSMISSION COVER SHEET

URGENT? YES _____ NO DATE: May 5/92TO: ANNE BRIDGCOMPANY: Henson College DEPARTMENT: _____FAX #: 902 494 6875 BUS. PH. # _____

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SENT BY: CAROL ALLENCHARGE TO: L.T.G. Consultation
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May 5, 1992

BY FAX

Ms. Anne Bishop
Henson College
Dalhousie University
Halifax, N.S.

Dear Anne,

It was wonderful talking to you today and I look forward to working with you on the consultation. I hope this letter will address some of the questions you may have about how the idea for the consultations came about and the actual structure of the meeting.

LEAF's decision to have these consultations (Vancouver, Halifax, Toronto), arose out of a LEAF sponsored case of a lesbian who has filed a complaint under the Canadian Human Rights Act, claiming discrimination on the basis of sex, family status, sexual orientation and marital status. In addition, LEAF's participation in lesbian caucus's at numerous national and provincial conferences have supported the idea that broader consultations with lesbians are needed to determine what litigation strategies should be used in future cases. For example, a certain amount of confusion exists over the issue of benefits. Everyone wants it but we have to decide in what form and on whose terms. As I am sure you are aware, there is also a debate over what terminology we should use when pursuing anti-discrimination claims.

The major issues that concern LEAF are as follows:

1. Benefits

How do we want them to apply to us?

- a) analogous to common law?
- b) a completely different basis for entitlement?
- c) through the right to marriage?
- d) an opt in provision?

Given that the similarly situated argument has been unsuccessful what should our next approach be?



- a) attack the various benefit schemes in their entirety?
- b) construct arguments based on the purpose of the benefit scheme?
- c) keep using similarly situated arguments?

2. Terminology

- a) Should we be making anti discrimination claims using the term sexual orientation, or, should we use other pre existing grounds such as sex, or, should we find another term specific to lesbians?

As you can see there is much to discuss. I do not have a particular structure in mind for the meeting itself. It may be that the group is small enough that we can all stay together for all of the discussions. It might be useful before beginning discussion on each issue to have someone do a brief overview. If the number of participants are more than anticipated we may have small group discussions on each issue and then come back to the larger group for a recap. In that case it might still be a good idea to have someone do the overview to focus the discussion. As I have told you there is room on the agenda for issues specific to Nova Scotia.

The package that Anne Derrick gave you is substantially the materials that will be distributed to participants in advance. It is crucial that participants attending the consultation have all the background information so that we can have focused and fruitful discussions.

If you have any questions about the material please feel free to call me.

Carol