

Equality Initiatives

BACKGROUND

- Following Council approval in 1994 and 1995, of recommendations from the Task Force on Gender Equality report, *Touchstones for Change: Equality, Diversity and Accountability*, CBA established the Standing Committee on Equality. The name was changed to Standing Committee on Equity in 2004 and reverted to the Equality Committee in 2011.
- Accomplishments of the Equality Committee and the former Racial Equality Implementation Committee include:
 - A 1994 amendment to CBA's mission, to promote equality in the legal profession and justice system.
 - 1995 background paper, *Legal Duty to Accommodate Lawyers with Family Responsibilities*.
 - Educational materials in 1995-96 developed and presented at a national workshop to promote equality in the legal profession.
 - [Touchstone Award](#) established in 1996, developed and presented at the Touchstone reception at the Canadian Legal Conference to celebrate the accomplishments of an individual or group in the legal profession, community or the judiciary who has made a significant contribution to advancing equality in Canada.
 - National Sexual Orientation and Gender Identity Conference (SOGIC) created in 1997. ([see separate note](#)).
 - Working Group on Racial Equality in the Legal Profession.
 - Diversity training program for 50 Bar leaders at the 2001 Mid-Winter Meeting.
 - Equality Committee cosponsored a resolution with the [Young Lawyers – CBA on law school tuition fees](#), adopted by CBA Council at the 2002 Annual Meeting in London. The Committee developed a reflection document in response to this resolution.
 - Resolution on [Employment Insurance Maternity and Parental Benefits](#) adopted by Council at the 2003 Mid-Winter Meeting in Banff. *Fairness for the Self-employed Act* received Royal Assent in December 2009 (S.C. 2009, c. 33), extending special benefits to the self-employed ([see separate note](#)).
 - Council adopted in August 2004 a resolution on [Racial Profiling](#). Equality Committee wrote to the federal Ministers of Justice and Public Safety and to the Federation of Canadian Municipalities on this issue. CBA Branches were asked to send similar letters to their provincial or territorial Attorneys Generals and Solicitor Generals.
 - Creation, in 2005, of the National [Women Lawyers Forum](#).
 - Contributed to CBA activities in support of same sex marriage ([see separate note](#)).
 - Resolution cosponsored by Equality Committee and IDC on the Nairobi Declaration on Women's and Girls' Right to a Remedy and Reparation adopted by Council at 2009 Mid-Winter Council Meeting.

- Participated in the Barriers to Leadership task force. The report of the Barriers task force was presented at the 2009 Mid-Winter Meeting.
- At the 2010 Mid-Winter Meeting in Ottawa, Council unanimously denounced proposed [Ugandan legislation that would target lesbian, gay, transgender and bisexual](#) Ugandans as well as anyone who failed to report homosexual conduct or identities to authorities.
- In collaboration with the Women Lawyers Forum, a PD program on the Women's Court of Canada was presented at the CBA-CLC in Niagara in August 2010.
- [Touchstones](#), the Equality Committee's newsletter is distributed to coincide with Mid-Winter Meetings and Canadian Legal Conferences.
- The Racial Equality Implementation Committee completed its mandate and submitted its final report in August 2004. The SCE assumed responsibility for implementation of the racial equality resolutions.
- At the 2011 Mid-Winter Meeting in Charlevoix, Council formalized the mandate of the Equality Committee, and revived its original name to reflect developments in s. 15 *Charter* jurisprudence around the meaning of "equality".
- At the 2011 annual meeting in Halifax, CBA Council unanimously urged governments to act to end transphobic and homophobic bullying in schools and workplaces.

CURRENT STATUS

- The Equality Committee released an Equity and Diversity Guide, a tool for use by law firms and legal associations to plan how they can make their workforce and clientele reflect a diverse community. To develop this useful Guide, the SCE consulted with almost 200 local equity stakeholders across the country as well as with a number of large law firms. The Guide is being distributed both in hard copies and electronically. The video "It's About Respect" is being distributed with the Equity and Diversity Guide ([see separate note](#))
- The Equality Committee assisted CBA to develop forms for members to self-identify their membership in diverse communities. This initiative is similar to ones by the Nova Scotia Barristers' Society, the Law Society of Upper Canada and others. Self-identification initiatives will permit CBA to assess the representativeness of its membership compared to the Canadian legal profession as a whole, and to identify potential equality initiatives to meet the needs of CBA members.
- The Equality Committee and Elder Law Section received funding from Law for the Future Fund to develop an educational publication on disability issues. A scan of existing literature on working with lawyers and clients with disabilities formed the basis of work on the publication. It provides tips and resources for dealing with issues relating to disability, profiles lawyers who have dealt successfully with issues relating to disability and links to resources on [CBA.org](#). The publication was inserted in the September 2010 *National*.
- The Equality Committee developed promotional and educational videos that are posted on [CBA.org](#) and YOUTUBE. The films feature CBA members who are identified as members of equality seeking groups (e.g. GLBT, African-Canadian, Aboriginal, Francophone and woman) and include both English and French. The videos were launched in summer 2010 at the CLC

in Niagara. The YouTube Equality videos have been transcribed and captioned to be accessible to deaf and hard of hearing CBA members as well as in the public.

- Equality Committee worked with staff lawyers to develop “A Path Forward”, elaborating and building on the CBA strategic plan to coordinate equality-related initiatives across the CBA. This five year plan was approved by the Board and took effect in September 2010
- In summer 2010, the Equality Committee contributed to a letter to Industry Canada, objecting to its decision to abolish the long form census. CBA stated that long-form census data is used in personal injury cases to determine damages, especially for individuals without a strong connection to the paid labour force, including women.
- The RARE Finds resource centre was launched in August 2011 and is online at CBA.ORG. RARE stands for retention, advancement and re-entry. The website profiles of CBA member success stories and resources for members and member firms trying to surmount barriers to equality and to transform the legal profession. Suggestions continue to be accepted for new CBA members to feature as “rare finds” on the site.

NEXT STEPS

- The Equality Committee will continue to follow the course set by the “Path Forward” document.
- The remaining project of the Path Forward that was approved for the 2010 -2011 fiscal year, the “Measuring Diversity” publication, is in development. A consultation draft will be released in fall 2011. The Equality Committee is working with members and consultants on two more projects included in the “Path Forward”. Discussions are ongoing to develop an “Equality Leader Designation” for CBA member firms and CCCA companies. It is expected that this project will be completed in late 2012. A “Trailblazer Summit” is being planned and is scheduled tentatively to take place in 2013.
- Equality Trailblazers meetings will continue to be held at CLCs.