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LEAF DEMANDS SUBSTANTIVE EQUALITY FOR WOMEN PRISONERS

OTTAWA - The Women's Legal Education and Action Fund (LEAF) submits that the treatment of federally sentenced women violates their right to equality protected in Canada by s. 15(1) of the *Canadian Charter of Rights and Freedoms* and in domestic and international human rights statutes and jurisprudence. LEAF takes the position that the Canadian Human Rights Commission's systemic review and special report must address questions, not only about the degree to which the human rights of federally sentenced women are violated, but the degree to which attempts to remedy such infringements have repeatedly failed federally sentenced women as women.

Gillian Calder, the author of the report on behalf of LEAF, writes, "in order for federally sentenced women to achieve substantive equality, the standard against which an equality analysis must be measured is one informed by a systemic analysis of the needs of federally sentenced women as women, and grounded in a contextual approach to the lived realities of women in prison in Canada." ¹ Considering the submissions of all parties, LEAF asks the Canadian Human Rights Commission to rethink the issues of the provision of services to women in prison and the gendered nature of the current prison structure in Canada.

There is an obligation on the state to have in place adequate social programs that enhance the equality of all Canadians. LEAF'S submission calls on the Commission to look to its own history and case-law, and in the process lay the groundwork for the long-term equitable treatment of federally sentenced women in Canada.

LEAF is a national organization devoted to the pursuit of equality for women through the use of legal strategies, including litigation, law reform and public education.

LEAF has been honoured to be part of a coalition of equality-seeking organizations presenting submissions to the Commission.