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Newsletter — Canadian Chapter
International Association of Women Judges
Winter 2008

Chapter Hosts Spirited Conference in Toronto



(L-R) Justice Seonghee Jeon of Seoul, Korea and IAWJ director, Joan Winship, USA.



Justice Jill Hamilton of Nova Scotia and Judge Inesse Joseph of Haiti

By T. Brettel Dawson, National Judicial Institute

Canadian society may be among the world's more progressive but questions of gender equality continue to be pertinent in law and the legal process. Whether considering compensation for victims of abuse, divorce petitions or child support in a custody battle, there is much to consider using a "gender lens."

Few are more acutely aware of this than the members of the Canadian Chapter of the IAWJ and the National Judicial Institute which together organized a highly successful conference in Toronto in November on *Emerging Issues: Why Gender Equality Still Matters*. The event hosted 60 judges from across Canada as well as Judge Inesse Joseph of Haiti and Justice Seonghee Jeon of Seoul, Korea

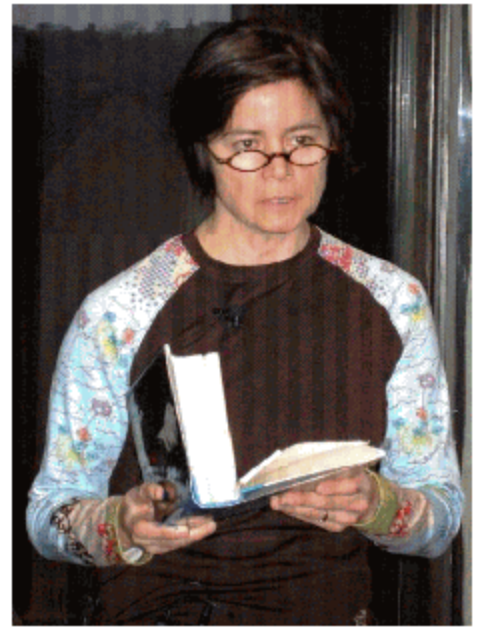
Conference delegates explored the continuing relevance of gender equality to the work of judges and the concept was woven into each presentation — *Understanding the Legal Context: Gender Equality in Canadian Law, Sentencing Women Offenders, The Changing Canadian Family, Fairness in Sexual Assault Trials, and Gender Equality Analysis on the International Stage*.

Delegates heard about the diverse circumstances of women in Canada and internationally. A myriad of cases and statistics added colour to the picture of contemporary women's lives and their struggle for equality before the law. Alberta Justice Sheila Martin analysed decisions of the Supreme Court of Canada respecting gender in the context of Section 15 of the *Canadian Charter of Rights and Freedoms*, posing a question about whether expectations of the *Charter* and litigation outcomes match. Queen's University Law Professor Nicholas Bala, addressed the evolution of marriage and conjugal relationships as well as the legal definition of "parent." University of Toronto Law Faculty Dean, Mayo Moran, identified gender-specific patterns observable in cases where judges have filtered 'the standard of care' regarding civil claims of injured children in a gender-based manner. By holding defendants to a different standard when a male child is injured as a result of risk-taking behaviour ("boys will be boys") versus girls who "should have avoided the risky behaviour," courts reach different results on damages in similar cases. Justices Harry S. LaForme and Kathryn Newman Feldman of the Court of Appeal for Ontario considered gender issues in the sentencing of female offenders, aboriginal women, in particular. Alberta Justice Sheila Greckol reviewed the challenges for judges hearing jury addresses in sexual assault trials. The delegates also considered the unique issues in family law with respect to a proposed separation agreement between a Muslim couple. IAWJ director Joan Winship of Washington, D.C., provided insight into gender issues internationally. The issue of gender equality, will be explored further during the IAWJ biennial conference in Panama later this year.

On the social side, the conference featured a reception and silent auction. Auction proceeds will help support an ongoing Chapter project to enable judges of the Chapter's "twin" African countries to attend the conference in Panama. Auction organizers, Justice Debbie Gass and Judge Barbara Beach, both of Nova Scotia, announced that the event raised significant funds for this worthwhile pursuit.

Adding variety to the activities was a reading by Author Ann-Marie MacDonald from her novel, *The Way the Crow Flies*, which provided an apt reminder that lines between right and wrong are often blurred in times of war and given the pressures of public opinion.

The Chapter's Annual General Meeting was held during the conference and a new board of directors elected. The new executive committee was also installed by the Board of Directors and includes: Rosemary Weisgerber, president; Lucie LaVigne, vice-president; Petra Newton, Secretary; Danielle Côté, treasurer; Barbara Beach, director-at-large and Tamarin Dunnet, International Director.



Conference Delegates Enjoy Varied Activities

Top left (L-R): Connie Hunt and Adele Kent, Calgary, Donna Martinson, Vancouver.

Top right, Author Ann-Marie MacDonald reading from her novel *The Way the Crow Flies*, a conference event.

Centre left, Sylviane Borenstein, Julie Dutil, Québec City; Tammy Dunnet, Toronto. Centre right, Mary Aheam and Linda Russell, National Judicial Institute.

Left, Colette D'Entremont, Moncton. Right, Elizabeth Corte, Montréal, Danielle Côté, Sherbrooke.

A Tune for the Presidents

Newly elected CCIAWJ President, Rosemary Weisgerber of the Provincial Court of Saskatchewan, Prince Albert, (left) joins some of the chapter's past presidents (L-R) Susan Devine of Manitoba, Patricia Hennessy of Ontario, France Thibault of Québec (immediate past president) and Karen Johnston of Ontario (on the keyboard).

The "presidents" were among the 60 judges who attended the Chapter's 2007 national conference held at the Four Seasons Hotel in Toronto in November.

The Canadian chapter of the International Association of Women Judges together with the National Justice Institute organized the conference.



Left above — Cheryl Daniel, Alberta, Carole Beaton, Nova Scotia, Rolande Matte and Odette Perron of Québec.

Left — Patricia Hennessy, Ontario, Shehni Dossa, British Columbia, Judy Elliott, Ontario, Constance Hunt, Alberta, Joan Winship, Washington, D. C. and France Thibault, Québec

Above — Jacqueline Matheson checks out the goods at the silent auction.



Members Encouraged to Attend 9th Biennial Conference in Panama

All members of the Canadian Chapter of the IAWJ are encouraged to attend the 9th IAWJ biennial international Conference in Panama City, Republic of Panama March 25 - 28, 2008. The conference will be held at the *Hotel Miramar Intercontinental*, located in downtown Panama City overlooking the Bay of Panama.

The theme for this year's conference is *Equal Justice for All* which is also one of the core missions of the IAWJ. Conference sessions will examine issues of access, discrimination, violence and corruption. The Chapter now offers a discussion line for use among registered delegates on the website.

To access the website, enter "judicom" then click on "committees"— IAWJ will appear. Select desired folders. Check also the IAWJ website — www.iawj.org for information as it becomes available.

Symbol of Office

In keeping with Chapter tradition, immediate Past President France Thibault passes the Chapter tapestry to the new president Rosemary Weisgerber. The tapestry has been a symbol of continuity for the Chapter since Marguerite Trussler of Alberta received it from Philippine judges at the international conference in Ottawa during her term as president. She launched the tradition by passing it to Karen Johnston when she became president in 1999.

The Last Word: *A Message from Chapter President Rosemary Weisgerber*

I am delighted to have the opportunity to serve as your Chapter President for 2008. It is exciting to be part of an organization committed to promoting and enhancing the role of women in the judiciary and the furtherance of justice for all women throughout the world.

As we look forward to the coming year, we can reflect upon and be proud of our recent achievements, none of which would have occurred if it were not for the considerable efforts of our chapter members and our Board of Directors, who have volunteered their time and talents so generously.

The IAWJ 9th Biennial Conference slated for Panama in March will provide a fabulous venue for sharing ideas and experiences with women judges from all over the world and I encourage the participation of as many of our members as possible.

During my term of office, I hope to build upon the excellent work of my predecessor, France Thibault and in doing so, I advance my own "wish list" for our organization this year: Reviewing the effectiveness of our methods of communication with our membership; Reviewing our standing committees to ensure that offers to volunteer by our members are acknowledged and utilized; Engaging in strategic planning to define our priorities as a chapter; Expanding our outreach work to develop project(s) to assist aboriginal women in entering and succeeding in the legal profession; Developing a mechanism to identify international opportunities for our members including both sitting and retired judges); Maintaining the excellent work of our membership committee and expanding our recruiting efforts to under-represented provinces and retired judges.

I first became a member of the IAWJ upon my appointment to the Provincial Court of Saskatchewan in 1998. The first Annual General Meeting I attended was held in Justice Marguerite Trussler's office in Edmonton. There were only a handful of us there but we were an enthusiastic group. Over the years we have worked through our growing pains and evolved and matured as an organization. I am very proud to be a member of our Canadian Chapter and I treasure the friendships and sisterhood it fosters with colleagues from all courts here in Canada and throughout the world. I am looking forward to working with you all in the upcoming year.