

CFLS 2013 FALL LECTURE SERIES

# THE SCOPE OF SECURITY AND EQUALITY:

*Mothers and Babies Together Inside*

A recent question in BC Supreme Court posed by our UBC Indigenous Community Legal Clinic with co-counsel at Fasken Martineau asks whether the scope of rights protected under our Charter includes the rights of babies to remain with their mothers in provincial jail, and the rights of mothers to remain with their babies despite being incarcerated.

The case challenges a decision made by BC Corrections to close a program that provided for mothers and babies to remain together inside Allouette Correctional Centre for Women (ACCW), provided that there were no child protection concerns. Until it was cancelled in 2008, the practice of housing mothers and babies together inside had run since the 1970's under the direction of wardens at the former Burnaby Correctional Centre for Women and ACCW, and previous to that at Twin Maples institution. There are similar practices elsewhere in the world.

The cancellation of the program, we argue, infringes upon the rights and freedoms of both the mothers and the babies who were denied the opportunity to remain together at ACCW, including having an adverse effect on Indigenous women and babies, given the overrepresentation of Indigenous women in jail.

This talk will be an opportunity to hear about the case, ask questions, and to encourage discussion.

## **Sarah Rauch**

*Director and Supervising Lawyer, Indigenous Community Legal Clinic*

Professor Rauch graduated from UBC Law in 2001, then articulated with the Legal Services Society and worked as an associate with Conroy & Company doing prisoners advocacy and criminal defence litigation before beginning her own practice in Vancouver in early 2006. Her interests are in rights and freedoms and the representation of people with challenges that place them at a disadvantage when negotiating the legal system.



CENTRE FOR  
**FEMINIST**  
LEGAL STUDIES

NOVEMBER

19

TUESDAY

12:30PM

ROOM 123  
ALLARD HALL



UBC LAW | AT ALLARD HALL