



the equality effect

Annual Report: 2017-2018



Message from our CEO and Board Chair

This year we were once again thrilled with the positive response to our 160 Girls project in Kenya and beyond. From the police officers who have been so willing and eager to ensure the end of impunity for defilement so that children are protected from rape, to the communities who are rallying to provide support when needed, to the brave boys and girls who are coming forward and creating change in their schools and communities and sharing and reporting their experiences, we have seen an overwhelming enthusiasm for change and the advancement of equality rights.

This upcoming year is all about **more equality** – more education for police officers as we scale the 160 Girls investigation training country-wide, more outreach through our Justice Clubs to empower and enable children and community members to hold perpetrators accountable for their sexual violence, more international support for these projects to help ensure children are safer and respected by the law, more equality leadership. Our work here is not done, and though changing rape culture may seem like a lot to take on, we are heartened and motivated by the changes being made, the empowered communities and girls, the leadership being demonstrated through our partnership with police. And we are so grateful to our volunteers, partners and donors who are helping make this justice work happen.

Thank you/asante sana/zikomo/yeda mo ase for your commitment to helping make girls' and women's rights real.



Fiona Sampson, CEO



Seana Irvine, Board Chair

Our mission and vision

Our mission: The equality effect (e²) develops and implements legal solutions to girls'/ women's inequality, including eliminating impunity for rape. Using international, interdisciplinary teams, e² creates systemic change that disrupts the existing discriminatory status quo, i.e. suing the state to achieve the enforcement of existing laws so that perpetrators are held accountable for their sexual violence. The equality effect provides international social justice leadership, making girls'/women's rights real.

Our vision: By using the law to create systemic change, the equality effect envisions a society in which girls/women are treated as persons, not property; a society in which girls/women have equal access to justice; and the impunity for rape is eliminated.

160 Girls: ending impunity for child rape and holding perpetrators accountable for their sexual violence through creating systemic change using human rights law and working with police and communities. The 160 Girls constitutional claim set the high-water mark for girls' rights internationally (160 girls between the ages of 3-17 years old, all victims of rape, sued the state of Kenya for its failure to protect girls from rape and won). The equality effect's 160 Girls project builds on the 160 Girls legal victory to ensure that existing laws are enforced, girls' have access to justice and that their rights are made real.



Changing the narrative: Justice Club update



The law is only of value if people know about it and can access it. In Kenya, girls and boys have the right to not be raped. And if they are raped, they have the right to a thorough investigation and justice. Children are now learning about these rights through song, dance, art, poetry and drama at the 160 Girls Justice Clubs. Led by senior students, the clubs educate and empower children so that they're aware of what is and is not acceptable. Almost 25,000 children have been engaged through the programming since its launch in early 2017.



The effect is tangible. More children are reporting – children like Faith, a class six student who was defiled by her uncle and then confided in friends from her Justice Club. Her uncle has been arrested. And Pat, a 12-year-old who was defiled by a teacher. Because he attended Justice Club, Pat knew what to do; he told his parents and his teacher was arrested. The most shocking aspect of these stories might be how common they are, but there is hope; as more children learn what to do if they find themselves in one of these narratives, more people will face consequences. When people understand there are consequences, they'll think twice about committing the crime.



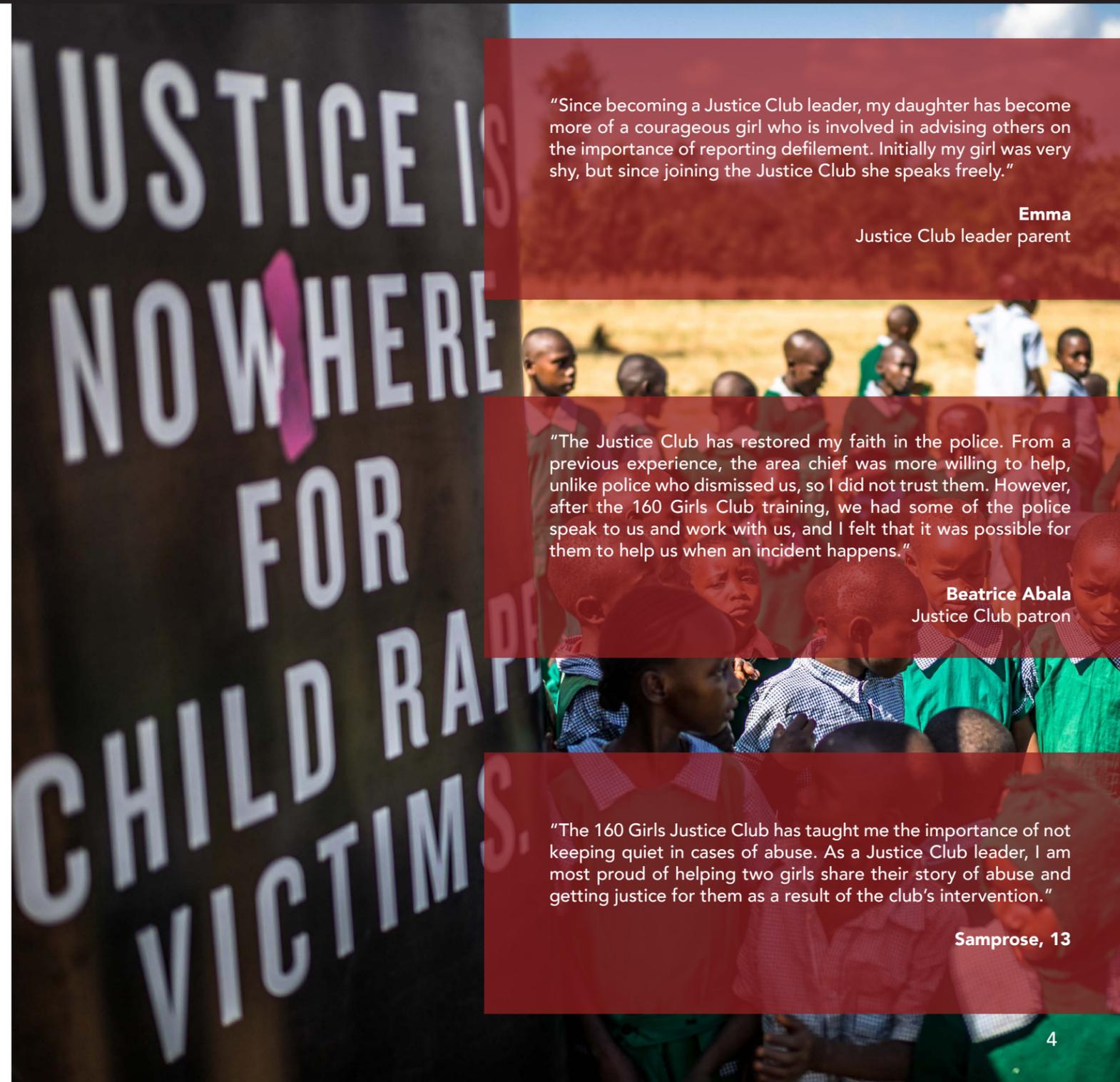
The Justice Clubs are also taking the conversation more broadly – art and lessons learned are being shared at community shows where children perform for their families and neighbours, educating the entire community about how to advocate for these crucial rights. The best part? Children are leading the charge, acting as champions in their neighbourhoods to protect children's rights and advocate for change.



The Justice Clubs are about changing the narrative – what was once a widespread issue no one talked about is now coming out into the open. Teaching children about their rights and empowering them to access justice helps ensure that they're not only reporting incidents as they happen but also helps set the country up for a future where sexual violence – and a lack of follow-up – are no longer tolerated.

This year the award-winning film maker Andrea Dorfman made a wonderful video about the Justice Clubs that brings them to life and helps communicate the infectious positive energy generated by the Clubs.

See it at <https://bit.ly/2WD2XIH>.



"Since becoming a Justice Club leader, my daughter has become more of a courageous girl who is involved in advising others on the importance of reporting defilement. Initially my girl was very shy, but since joining the Justice Club she speaks freely."

Emma
Justice Club leader parent

"The Justice Club has restored my faith in the police. From a previous experience, the area chief was more willing to help, unlike police who dismissed us, so I did not trust them. However, after the 160 Girls Club training, we had some of the police speak to us and work with us, and I felt that it was possible for them to help us when an incident happens."

Beatrice Abala
Justice Club patron

"The 160 Girls Justice Club has taught me the importance of not keeping quiet in cases of abuse. As a Justice Club leader, I am most proud of helping two girls share their story of abuse and getting justice for them as a result of the club's intervention."

Samrose, 13



Involving the community

This year our Justice Club programming was expanded to include 160 Girls community shows. The Justice Clubs Community Shows empower students and educate community members about the rights associated with the landmark 160 Girls High Court decision. Our baseline research shows that communities need education about the rights associated with the 160 Girls decision to be able to hold perpetrators accountable for their sexual violence.

The specific goal of the community shows project is to increase the capacity of community members to report defilement claims to police, co-operate with police investigations and oppose the private settlement of defilement claims that constitute an obstruction of justice. The community shows empower the Justice Clubs' student leaders to act as equality advocates, increasing their self-esteem and leadership potential. The project is unique in that children and students partner with police, lead the capacity building and, using poetry, drama, music and more, advocate for the enforcement of their rights. By having student club leaders – who have already developed capacity for creating change through their participation in the 160 Girls Justice Clubs – working with local police and engaging with community members to advocate for change, both the children and the community benefit from the promotion and protection of girls' rights.





Training the police

Partnering with KARE

"Since the 160 Girls training, I now think of defilement victims as though they could be my children. I am proud of being a better investigator since the training. Doing good defilement investigations is so important because it discourages other perpetrators and creates deterrence; it's a lesson to others. The 160 Girls training gave me more knowledge and I can say with confidence that officers at my station can now investigate defilement cases very well."

- Jane Sasi
OC Crime
Kilimani Police Station
Nairobi

This year we continued the implementation of the 160 Girls police defilement investigation training in our four pilot (test) districts. The defilement investigation training has been modelled on a curriculum, focused on competence-based learning, which has been evolving through testing since 2015 and focuses on the critical identified areas of defilement investigation and further areas that need emphasis as outlined in the 160 girls High Court decision. It has been revised, taking into consideration lessons learned from the pilot trainings and implementation and incorporating feedback from the evaluations undertaken in the field by lead Vancouver and Kenyan police. The revised curriculum was tested in a pilot exit/scale up (expansion) training held in June 2018, which also served as preparation for the scale up of the defilement investigation training scheduled to take place in January 2019. The scale up will see this landmark training initiative cascaded to the rest of the 43 counties in Kenya, building on the lessons and successes of our pilot training.

In e2's 160 Girls pilot districts, feedback from rape rescue centres, defilement victims and our evaluation exercises tells us that defilement reports are being investigated with a diligence and commitment not previously demonstrated. Since the 160 Girls training began in our pilot districts of Meru, Kakamega, Nairobi and Mombasa, evaluations have shown a significant increase in the positive response from officers in accompanying victims to medical centres, recommending appropriate charges and arresting suspects. What's more, police officers are participating in Justice Clubs and Justice Club community shows, partnering with children and families in their neighbourhoods to show their support and commitment to upholding the 160 Girls High Court decision.



This year the award winning film maker Andrea Dorfman made a fabulous video about the 160 Girls police defilement investigation training which captures the heart and soul of this unique initiative that is creating ground breaking systemic equality change. See it at <https://bit.ly/2TLCLcS>.

The equality effect counts on a number of different partners to operate the 160 Girls project, aimed at enforcing the 160 Girls High Court decision, providing community legal education and monitoring police compliance with the decision. KARE (Kenya Alliance for Rural Empowerment), led by Peter Oduk, is helping bring justice to children in local communities in western Kenya by supporting the 160 Girls Justice Clubs.

"Justice cannot be achieved in an environment where some people are marginalized, are left out of decision-making, cannot access the police – and where government is not responsive to the needs of the people," Oduk said. "If people are empowered, they are able to seek services from the government and also hold them accountable which raises accountability and better utilization of public resources – which all eventually leads to the reduction of inequality and injustice and improved livelihood."

Oduk said KARE has seen significant improvements both on the side of girls who are more likely to report sexual assault or defilement, and police who are more responsive when they receive these reports, since the introduction of 160 Girls in their district.

"We are really happy with our partnership with the equality effect," Oduk said. "It's brought a lot of positive results for our community. When you see that impact – little girls being saved from situations that would destroy their lives, you feel really satisfied and happy and it makes you want to do more."





Read this

The Right to Say No:
Marital Rape and Law Reform in
Canada, Ghana, Kenya and Malawi

Edited by Melanie Randall, Jennifer Koshan and Patricia Nyaundi

Marital rape stands at the intersection of the socio-legal issues arising from both domestic violence and sexual assault. For centuries, women who suffered sexual assault perpetrated by their spouses had no legal recourse. A man's conjugal rights included his right to have sexual intercourse with his wife regardless of whether she consented. This right has been recognised in law and still is in some jurisdictions. This equality effect book emerges from the research undertaken by an innovative multi-country academic collaborative e² project team dedicated to comparatively analyzing the legal treatment of sexual assault in intimate relationships ("marital rape"), with a view to challenging the legal impunity for and inadequate legal responses to this form of gendered violence. This important publication fills a serious gap in the literature relating to women's rights and sexual assault. The book was published by Hart Publishing, and its launch was celebrated with support from Blakes LLP in Toronto and FIDA Kenya in Nairobi.

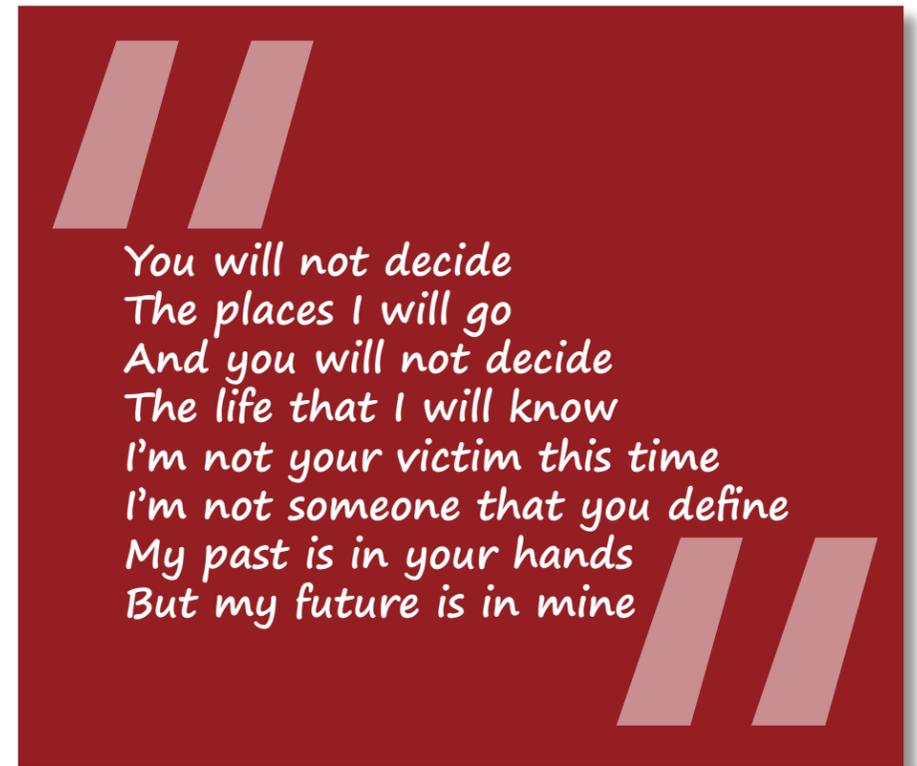


Listen to this

160 Girls Song by Andrea Bongers

Performed by Andrea Bongers and Alexis Mureithi, Samson Maiko and Deborah Sarange

This is how the new 160 Girls song goes that is a celebration of international connections. Andrea Bongers from Canada wrote the song and it was performed in Kenya by Deborah Sarange and her team of musicians. The song highlights the strength and power of the brave girls who came forward to challenge Kenya's defilement law. It's about empowerment, motivation and change.



*You will not decide
The places I will go
And you will not decide
The life that I will know
I'm not your victim this time
I'm not someone that you define
My past is in your hands
But my future is in mine*

Listen to the song here – it will take your breath away!

<https://bit.ly/2FN4CWp>



Meet our interns: Yulia Yugay

In 2018, I embarked on a journey that turned out to be an unparalleled opportunity for personal and professional growth. During my time with the equality effect and Ripples International, I had an opportunity to assist at court hearings and follow up with local police to make sure that defilement cases were being investigated. I accompanied defilement victims to court and conducted house visits to evaluate their situation and determine whether it was safe for them to stay home. I also had an opportunity to help establish Justice Clubs in primary schools. My colleague Nicole and I helped prepare most of the training for teachers that conducted activities.

It was very rewarding learning to navigate a new court system and work alongside people of different backgrounds who share different worldviews. At the same time, it was greatly challenging to do the work on an emotional level; I will never forget the morning we went to pick up a four-year-old girl in a white dress to accompany her to court for the first time.

This internship was a very human experience; we were not only working on the girls' files, we were also spending our Saturday afternoons with them, playing, dancing, painting, doing nails, among many other things. These were the most precious moments of my summer. It was very rewarding to see the impact of the work that the equality effect and Ripples International do. My internship with the equality effect was invaluable to my development as a lawyer and an experience I'll always cherish.

Yulia Yugay
McGill University
School of Law



Meet our interns: Nicole Thompson

Even prior to my 1L year at the University of Toronto, I knew that I wanted to take my classroom experiences and translate them into meaningful contributions abroad. This is exactly the kind of experience I got while working for the equality effect.

When I arrived in Meru, I had expectations about what my experience would look like; I would spend my summer conducting legal research and visiting court. Perhaps I would be able to assist in training seminars aimed at battling the stigma which many sexual violence survivors face. And while I did all of these things, my fondest memories and the experiences that will most shape me as a lawyer in the coming years all took place at the Tumaini (Hope) Shelter (a rape rescue centre). Many of the girls who were testifying in ongoing cases were unable to remain at home, so Ripples International, the equality effect's local partner, runs a shelter to provide them with security, basic care and a community of support to help them through a traumatic time in their lives.

It was difficult to read the case files for each girl during my workday and then spend time colouring pictures and painting their nails at the shelter on the weekends. Law students analyzing cases in law school, even ones with troubling fact patterns, are often insulated from the emotional and psychological effect that systems of justice can have on the parties involved. But these personal connections allowed me to see each case from both the individual and legal perspectives. These weren't always legal skills I was developing, but in connecting with these girls and their culture, I became a better advocate. My internship with the equality effect was a highlight of my law school experience and has made a lasting impression on the kind of lawyer I want to be.

Nicole Thompson
University of Toronto
Law School





Financial update

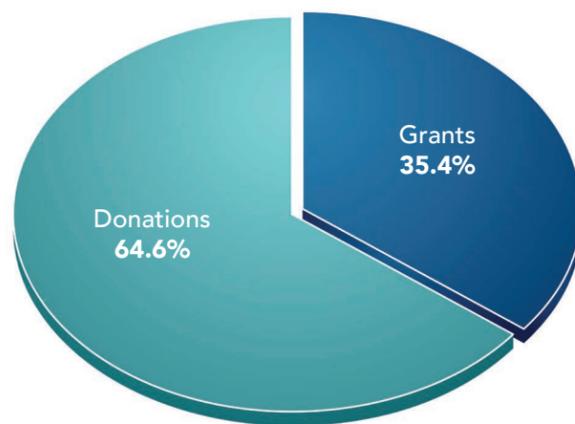
The equality effect year-end is June 30

Asante sana, zikomo kwambiri, meda ase, thank you!

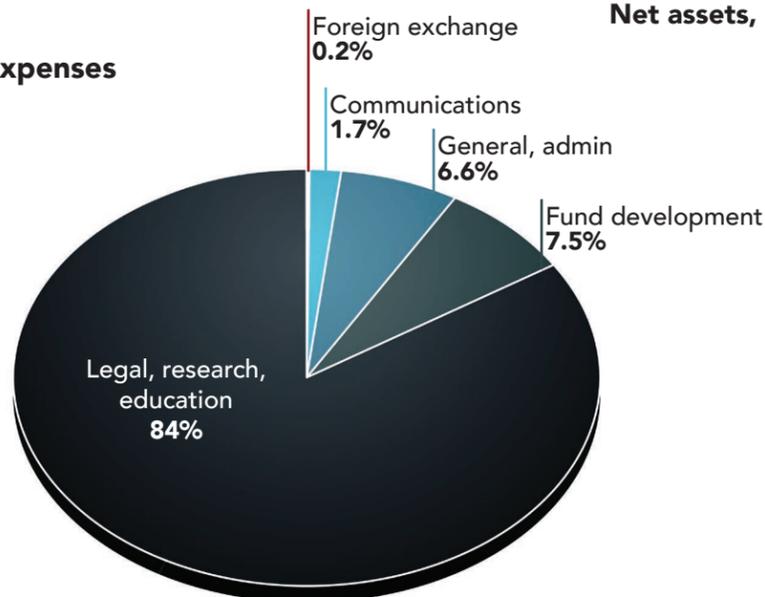
The equality effect's human rights work depends on our huge team of dedicated volunteers. Every year the legal volunteers alone donate over \$1.5 million of invaluable pro bono hours to the equality effect. Many thanks also to the equality effect's generous funders, partners and donors, without whom the critical human rights work of the equality effect would not be possible.

Financial summary

Revenues



Expenses



Statement of operations

For the year ended June 30, 2018*

Revenues	
Donations	\$381,706
Grants	\$209,255
Total revenue	\$590,961
Expenses	
Legal, research, education	\$450,042
Fund development	\$39,929
General, administration	\$35,099
Communications	\$9,266
Foreign exchange	\$877
Total expenses	\$535,213
Excess of revenues over expenses	\$55,748
Net assets, beginning of year	\$428,239
Net assets, end of year	\$483,987

* The equality effect's financial statements have been independently audited by Koster, Spinks & Koster, Chartered Professional Accountants, and found to be in accordance with Canadian accounting standards for non-profit organizations.

Canadian Board

- Elizabeth Burgess
- Pam Hughes
- Seana Irvine, Chair
- Patricia Nyaundi
- Morgan Sim
- Theresa Widdifield

American Board

- Elizabeth Burgess
- Sandra Treacy
- Susan Wright, Chair

Advisory Committee

- Cherie Blair, Q.C. 160 Girls Honourary Counsel
- Mary Eberts
- Dr. Winnie Kamau
- Dr. Ngeyi Kanyongolo
- Patricia Nyaundi
- Seodi White

Legal team consultants

- Dr. Elizabeth Archampong
- Kim Bernhardt
- Dr. Melina Buckley
- Mary Eberts
- Dr. Winnie Kamau
- Dr. Ngeyi Kanyongolo
- Jennifer Koshan
- Dr. Bernadette Malunga
- Mzati Mbeko
- Patricia Nyaundi
- Dr. Melanie Randall
- Elizabeth Thomas
- Chantal Tie

Local partner organizations

- Kenya National Commission on Human Rights
- National Police Service Kenya
- The International Center for Reproductive Health (ICRH- Kenya).
- The Kenya Alliance for Rural Empowerment (KARE)
- Picha Tamu
- Ripples International (160 Girls Founding Partner)
- Nairobi Women's Hospital – Gender Violence Recovery Centre
- WLSA-Malawi
- Women and the Law Network, University of Malawi
- Human Rights Network Ghana

Staff

- Dr. Fiona Sampson, CEO
- Anne Ireri, 160 Girls Kenya National Coordinator
- Brian Muthusi, 160 Girls Kenya, Program Officer

The following organizations have provided in-kind donations and professional expertise towards the equality effect's human rights work:

- BBDO Toronto Advertising
- Blake, Cassels & Graydon LLP
- Centre for Advanced Hindsight, Duke University
- Fairmont East Africa
- Fasken Martineau LLP
- McGill University, Faculty of Law
- Navigator
- Nielsen
- Rotman School of Management, University of Toronto
- Torys LLP
- University of Toronto, Faculty of Law, International Human Rights Program

We are proud of our partnerships with the following highly respected foundations and corporate sponsors. In addition to these supporters, we rely on generous contributions from private individuals from Canada and around the world to carry out our work and we are also very grateful for their support.

- Adelle and Paul Deacon Acacia Foundation
- Blake, Cassels & Graydon LLP
- Beth and Andy Burgess Family Foundation
- Canada Fund for Local Initiatives - Kenya
- Cedar Foundation
- Donna Chantler Tonglen Foundation
- Fasken Martineau LLP
- Girls' Rights Project
- The Gupta Family Foundation
- The John C. and Sally Horsfall Eaton Foundation
- Kaatza Foundation
- Koskie Minsky LLP
- LexisNexis
- The McLean Foundation
- McLean Smits Family Foundation
- The Newall Family Foundation
- The Peter Cundill Foundation
- Social Capital Partners

Thank you to Amber Daugherty and Mitchell Buchanan for their invaluable assistance with the production of this report.

All photos credited to Brian Otieno.

2



the equality effect
720 Bathurst Street
Toronto, Ontario,
Canada M5S 2R4

416 720 7359
www.theequalityeffect.org
info@theequalityeffect.org