

NO.  
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

VANCOUVER RAPE RELIEF SOCIETY

PETITIONER

AND:

KIMBERLEY NIXON and BRITISH COLUMBIA HUMAN RIGHTS  
TRIBUNAL

RESPONDENT

**PETITION TO THE COURT**

THIS IS THE PETITION OF:

Vancouver Rape Relief Society  
c/o Bull, Housser & Tupper  
Barristers and Solicitors  
3000-1055 West Georgia Street  
Vancouver, British Columbia  
V6E 3R3

Attention: Gwendoline C. Allison

ON NOTICE TO:

Kimberley Nixon  
c/o barbara finlay, Q.C.  
Barrister and Solicitor  
635-1033 Davie Street  
Vancouver, British Columbia  
V6E 1M7

The British Columbia Human Rights Commission  
306 – 815 Hornby Street  
Vancouver, British Columbia  
V6Z 2E6

The British Columbia Human Rights Tribunal  
4<sup>th</sup> Floor, 800 Hornby Street  
Vancouver, British Columbia  
V6Z 2C5

NOTICE AS REQUIRED BY ss15 and 16 of the *Judicial Review Procedure Act*:

The Attorney General of the  
Province of British Columbia,  
Ministry of Attorney General,  
Parliament Buildings,  
Victoria, BC

Let all persons whose interests may be affected by the order sought TAKE NOTICE that the Petitioner applies to court for the relief set out in this Petition.

IF YOU WISH TO BE HEARD at the hearing of the Petition or wish to be notified of any further proceedings, YOU MUST GIVE NOTICE of your intention by filing a form entitled “Appearance” in the above Registry of this court within the Time for Appearance and YOU MUST ALSO DELIVER a copy of the “Appearance” to the Petitioner’s address for delivery, which is set out in this Petition.

YOU OR YOUR SOLICITOR may file the “Appearance”. You may obtain a form of “Appearance” at the Registry.

IF YOU FAIL to file the “Appearance” within the proper Time for Appearance, the Petitioner may continue this application without further notice.

Where this Petition is served on a person in British Columbia, the time for appearance by that person is 7 days from the service (not including the day of service).

Where this Petition is served on a person outside British Columbia, the time for appearance by that person after service, is 21 days in the case of a person residing anywhere within Canada, 28 days in the case of a person residing in the United States of America, and 42 days in the case of a person residing elsewhere.

#### TIME FOR RESPONSE

IF YOU WISH TO RESPOND to the application, you must, on or before the 8th day after you have entered an Appearance,

(a) deliver to the Petitioner

(i) 2 copies of a response in Form 124, and



2. The Tribunal erred in holding that Rape Relief did not have a primary purpose of providing services to women in the political sense understood by Rape Relief.
3. The Tribunal erred in awarding damages in the amount of \$7,500.00.
4. The Tribunal erred and acted outside its authority by ignoring all of the evidence before the Tribunal.
5. Such further argument as counsel may advise and this Court may accept.

The Petitioner will rely on

1. Sections 2 and 3 of the Judicial Review Procedure Act, R.S.B.C. 1996, c. 241.
2. Rule 10(1)(a) of the Rules of Court.
3. Rule 57 of the Rules of Court.

At the hearing of this Petition will be read the Affidavit of:

Lee Lakeman sworn on June 13, 2002.

copies of which are served herewith.

The facts upon which this Petition is based are as follows:

1. The Petitioner is a society incorporated pursuant to the *Society Act* R.S.B.C. 1996, c. 433. Its address for delivery is 3000-1055 West Georgia Street, Vancouver, British Columbia.
2. The Respondent Kimberley Nixon (“Nixon”) is an individual whose current address is unknown. Her counsel’s office is located at 635-1033 Davie Street, Vancouver, British Columbia.
3. The Respondent British Columbia Human Rights Commission (the “Commission”) is a commission established pursuant to the *Human Rights Code*, R.S.B.C. 1996, c. 210 (the “Code”) and has its office at 306-815 Hornby Street, Vancouver, British Columbia.

4. The Respondent British Columbia Human Rights Tribunal (the “Tribunal”) is a Tribunal established pursuant to the Code and has its office at 4<sup>th</sup> Floor, 800 Hornby Street, Vancouver, British Columbia.

**I. The Decision**

5. Annexed as Schedule “A” to this Petition is a copy of the Decision.
6. Annexed as Schedules to this Petition are the following transcripts of evidence:

Schedule	Transcript
“B”	Nixon of December 11 and 12, 2000;
“C”	Edith Swain of December 13, 2000;
“D”	Brian Cross of December 13, 2000;
“E”	Danielle Cormier of December 13 and 14, 2000;
“E”	Karen Sawatsky of December 14, 2000;
“E”	Tracy McIntosh of December 14, 2000;
“F”	Dr. Ingrid Pacey of December 15 and 18, 2000;
“G”	Lee Lakeman of December 19-21, 2000;
“H”	Lee Lakeman of January 8, 2001;
“I”	Dr. Beckie Ross of January 16 and 17, 2001;
“J”	Dr. Diane Watson of January 17 and 18, 2001;
“K”	Geraldine Glattstein of January 18, 2001;
“L”	Dr. Diane Watson of January 31, 2001;
“M”	Nixon of February 20, 2001.

## II. The Petitioner

### (A) **The Petitioner's Status and Political Beliefs**

7. The Petitioner is a non-profit charitable organization devoted to fighting violence against women. Its objects reflect this primary purpose. The Petitioner works through providing rape crisis services to women, and transition house services to women and their children. Its political belief, summarized in its "Basis of Unity" is that women's oppression is a social order in which men by birth rule women, that women should organize as peers, and that women who suffer men's sexist violence will be assisted by receiving peer counselling services. Its political belief is that sexism, racism and classism are oppressions which are experienced from birth, and in that way differ from other disadvantages, such as those relating to disability and sexual orientation. Annexed as Schedules "N" and "O" to this Petition is a copy of each of the Objects and the Basis of Unity.
  
8. The Petitioner is about concrete aid and political organizing which operates as a small, non-profit collective with a charitable tax number. In 1995, there were roughly a dozen collective members. As of 2001, there were 28 collective members.
  
9. The Petitioner is a feminist service political group with the following fundamentals of feminist process:
  - (a) includes consciousness-raising;
  - (b) includes democratic practice;
  - (c) includes feminist ideology which would work at being open-ended not closed;
  - (d) it would always locate the work within the wider women's movement;
  - (e) it would always locate women's liberation within the human struggle for freedom;
  - (f) historically, it has been non-violent;
  - (g) it is extra-governmental;
  - (h) it implies a very serious level of honesty; and
  - (i) it is more consensual than voting democracy.

10. The Petitioner actively participates in the women's equality movement. Each victim who calls the Petitioner for assistance is seen as a potential ally in the struggle for equality and, hence, the end to men's sexist violence. The Petitioner hopes that, as each victim struggles with the impact of men's sexist violence on their own lives, she will become willing to assist in another woman's struggle.
11. In essence, the Petitioner's collective members agree that women's oppression is a result of a social order in which men, from birth, because of their place in the social order, control women. Further, they believe that men's sexist violence is perpetuated and accepted in our society because of that social order. In order to fight men's sexist violence, the Petitioner's collective members believe that women should organize as peers. One of the ways of doing that is to assist women victims of men's sexist violence to understand why the violence occurred and that they are not to blame for it. They reach this understanding through group peer counselling sessions using a support, education, and action model.

**(B) The Work of the Petitioner**

12. The work carried out by the Petitioner is co-ordinated and for the most part carried out at the Petitioner's premises (the "Premises"). The transition house operated by the Petitioner is also located at the Premises.
13. The Petitioner deals with all forms of men's sexist violence against women. The Petitioner was especially interested in overriding Social Services' delivery categories around incest, wife assault and rape. The Petitioner thought the political similarity was more important. The political similarity is that it is men who are attacking women and women as a group need to resist.
14. The Petitioner operates as a collective of unpaid volunteers and paid staff members. Every member of the collective is required to do "crisis work": answering the telephone lines; answering personal calls to the Premises; assisting callers in person; working at the transition house; assisting women in crisis with such tasks as bathing, attending medical and legal appointments including the provision of abortion services and babysitting;

facilitating counselling sessions; liaising with the media; training medical and legal personnel; and representing the Petitioner at various public fora.

15. There are a number of reasons for this: the importance of doing things, like feeding and bathing, that could be called women's work; the rejection of a hierarchy of more or less impressive work; and the importance of everyone understanding the stories of women. Every member is expected to be able to do any of the work of the collective, although some tasks are assigned for periods to particular collective members. Trainees are permitted to attend a few collective meetings at which they have a voice but no vote, but ultimately must either ask each member of the collective to accept them into the collective or leave.
16. The Petitioner offers a rape crisis telephone line 24 hours a day which is answered by collective members or trainees. Two individuals from the Petitioner are involved in every call. If a caller wants to be accompanied to the hospital or police or wants face-to-face counselling, the two individuals who answered the initial call will provide that service. The Petitioner works that way for several reasons: so women do not have to keep telling their stories until they become devoid of terror, pride, generosity and human colour; so it is clear the Petitioner's workers won't "dump" the caller when the going gets tough or conditions change; and to maintain a personal political relationship, rather than reducing the relationship to a simply political one, or reducing it to a therapeutic relationship. The Petitioner also operates a transition house for women and their children who are escaping male violence. The Petitioner seeks to maintain contact with callers for 18 months, because women leaving abusive male partners are at particular risk of being killed during that period.
17. The services provided by the Petitioner to callers are often highly intimate and private. Callers sometimes ask the Petitioner people to be present during internal medical examinations. Callers often disclose secrets (such as abortion history or HIV status) or the effects of abuse (such as self-mutilation scars or battering injuries). Callers' secrets often relate to their sexual history, such as a history of sexual abuse. The Petitioner's



collective members and trainees share common experience of the oppression of women through discussing their personal experiences.

**(C) Training of Volunteers**

18. The Petitioner advertises publicly for volunteers to attend their training program. The Petitioner solicits its volunteers through print and media advertising and through its clients. Following advertising, a volunteer typically telephones the Petitioner and the Petitioner's receptionists are instructed to encourage everyone who phones to attend an interview night.
19. At the interview night, the Petitioner screens candidates for attitude. The Petitioner asks a series of questions which require a political commitment and a lot of emotional discourse. Typical questions revolve around a willingness and a commitment: not to blame women for the violence done to them; to work against racism; to assist a client to obtain an abortion; and to fight for women's rights to love whoever they will. Those candidates who are successfully screened attend an onerous, structured training program of some weeks in duration, during which the Petitioner's beliefs are further explored and the participants are provided with the skills the Petitioner believes are necessary to its work.
20. Many women who initially express interest in their training program fail to complete it. Typically, out of 40 or 45 volunteer trainees who start the program, only about two become collective members. Those who become collective members have taken a lecture series, performed a 3 month practicum, and worked for about 3 more months (and sometimes longer) before making a request for membership in the collective.
21. The training program consists of weekly three-hour lectures for either six or twelve weeks (the length of the lecture portion was changed at some point) and a large amount of assigned and self-directed reading. Volunteer trainees engaged in some role-playing and small group exercises during the lecture portion of the program.
22. In addition to the lecture portion, volunteer trainees are required to complete a practicum consisting of crisis telephone work and work in the transition house. The amount of time

spent in the practicum increased when Rape Relief reduced the number of training sessions. The general requirement was one shift a week over a period of three months. Shifts consisted of four hours during the daytime and eight hours at night. The volunteer trainee attended from two to four orientation shifts and the balance of the practicum was done under the direction of a collective member. Trainees engaged in some role playing and use of self-education tools during the practicum.

23. After three months of practicum, the Petitioner would advise the trainee volunteer of the Petitioner's formal agreements, such as the Basis of Unity, and would discuss the responsibility of becoming a collective member. The trainee volunteer would then request to become a member of the collective. The process from the initial interview to becoming a member of the collective is approximately one year.

**(D) The Petitioner's House Funding Committee**

24. The Petitioner's House Funding Committee, which has male members, is an active volunteer committee, primarily focused on fundraising for the Petitioner. Men do not provide any of the Petitioner's peer counselling services. The Petitioner does not consider a person who has lived as a man to be a "peer" to an individual treated throughout her life as a girl and woman and accordingly does not accept such individuals into its peer-based program. This is not because of any stereotyped belief about the characteristics of such individuals, such as a belief that they lack empathy.

**(E) The Role of Transgendered People**

25. It is the Petitioner's political belief that the disadvantages suffered by transgendered persons are different in nature from those suffered by persons who have been treated as women all or most of their lives (all forms of disadvantaged treatment deserving their own distinctive analysis). The Petitioner also recognizes that there is an on-going debate about the most appropriate approach to eradicating disadvantages suffered by transgendered people, for example, with respect to the ethics of sex reassignment surgery.

26. The Petitioner cannot conceive of how its work will not be utterly impossible if it does not get to make the decision about whether to accept trainees who did not have the life experience of being treated exclusively as girls and women .

### **III. Peer Counselling/Consciousness Raising**

27. The Petitioner has chosen to organize its counselling programme on the model of peer counselling/consciousness raising. The Petitioner uses the tool of consciousness raising based on life experience to formulate and advance its political ideology.
28. The basic tenet of peer counselling/consciousness raising is one individual helping another on the basis of commonality of experience. Support groups are to equalize power and to offer guidance and support from personal experiences.
29. “Consciousness raising groups” began in the 1960s and 1970s when women got together in groups to talk about their lives in what were termed “consciousness raising groups.” Men were excluded for three reasons. First, women, by meeting together, were able to identify common experience. Second, women got to know other women. Third, women might be more inclined to speak out. “Consciousness raising groups” and the concept of acting on common experience is at the centre of the women’s movement, and reflects a different philosophy of knowledge, of “common sense” not “experts.”
30. The Petitioner runs groups for women, but they are not simply therapy groups. They are “Support, Education and Action groups”, the name demonstrating the political technique of working collectively to end men’s sexist violence. One of the most important things about grouping women was connecting them, and an important part was educating them relative to other women’s experience, which can lead to viewing the violence as being not about them personally, “it’s us”, now determine what to do, to put the event in the larger context of women’s oppression.
31. It is a central insight of feminism that the attributes of gender are socially constructed, and the Petitioner agrees with that. It is a central tenet of feminism that the actual and various lived experiences of women should be privileged as a source of information

about their lives, and that is why the women's movement has organized with consciousness-raising groups.

32. The primary issue for the individual with gender identity disorder is that of gender identity, with the concomitant problems of growing up being treated according to anatomical gender only.
33. It is not appropriate to include individuals from both of these two groups in group counselling/consciousness raising with respect to men's sexist violence:
  - (a) individuals who grew up being treated as girls and then women; and
  - (b) individuals born anatomically male, treated into adulthood primarily as male, and diagnosed at some time with gender identity disorder.
34. Such groups have very different needs after assault. The two groups do not share the same life experience, and if the two groups are brought together the type of peer counselling/consciousness raising offered by the Petitioner would not satisfy the needs of either group.
35. In a crisis situation, when the client is very vulnerable, traumatized, afraid, and confused, the client needs calm, safe, easily accessed, non-confusing care which will promote her well-being. After male violence this needs most often to be a woman without ambiguity, since the male gender may be experienced as threatening.

#### **IV. Distressed Callers to The Petitioner**

36. Callers to the Petitioner can be highly traumatized and typically suffer great fear, guilt and shame. They need a safe and supportive environment. In fact, the Petitioner's contract with the Provincial Government for providing transition house services requires that the Petitioner provide a "safe and supportive living environment" for abused women, mothers, and their children. Attached as Schedule "P" to this Affidavit is a copy of the contract between the Petitioner and the Provincial Government.

37. Women who have been raped suffer a high level of distress and absolute horror and fear after a sexual assault, including an extraordinary vulnerability, and a feeling that the person's whole life is being turned upside down. Basic assumptions about personal safety, the safety of the world, and the safety of men, all get challenged by assault and particularly by rape.
38. Women who have been raped may suffer "Post-traumatic Stress Disorder" ("PTSD"). Women suffering from PTSD may display feelings of horror and fear and dread and lack of safety. Flashbacks related to the rape can return in the days and nights afterwards, which can go on for months. Women suffering PTSD may "persistently re-experience" the traumatic event in ways including suffering "intense psychological distress at exposure to internal or external cues that symbolize or resemble an aspect of the traumatic event". The cues for such episodes can be men in general and can include having a severe reaction to even seeing a man, displaying extraordinary fear, calling out, shaking and huddling under a chair. Some women may avoid all male company for prolonged periods of time.
39. It is the experience of young girls and women that they are physically vulnerable, that oppression exists in this culture, and that they are objectified, and the assault reminds her of that. Most women live with the fear of male violence, and when it happens, therapeutic needs centre on dealing with the attack the woman has suffered. After the assault there is typically a profound sense of the world as unpredictable and dangerous and a profound mistrust of men. After sexual assault the pseudo-sexual nature of the attack makes gender relevant: it is not the entire world which seems untrustworthy; it is primarily the male part of the world. All men are now on trial. Therapy needs to be safe, non-threatening, supportive and unambiguous, i.e. she needs no mixed or confusing messages from her counsellor. She generally needs a female therapist, especially in the period following the attack. There is significant danger that a male counsellor, someone who may still have some male characteristics though dressed as female or a man disguised as a woman will be disturbing to someone already extremely disturbed and afraid. In this situation the counsellor becomes an issue, when the woman needs her own

feelings and situation to be the issue. It is not therapeutic to have someone feeling uncomfortable in a group that is geared towards treatment of sexual abuse.

V. **Nixon**

40. Nixon identifies as female. Nixon was born physically male, grew up as a male and, while appearing as male, studied Physical Education at university and qualified and worked as a pilot. Nixon had sexual reassignment surgery on November 5, 1990 at the age of 33. Nixon's birth certificate, which was issued on February 1, 1991 now shows her sex as "female". Annexed as Schedule "Q" to this Affidavit is a copy of Nixon's current birth certificate.
41. Nixon wrote an article in which she said that "for male to female transsexuals this reality of violence against women suddenly becomes a factor that we may have to deal with in our lives." Nixon referred to the reality of violence against women "suddenly" becoming a factor for transsexuals because they suddenly begin presenting as female. Nixon testified that she had the fear of rape when, in her twenties, she started going out in public dressed as a female, demonstrating that it was not a factor for her in her life when she was treated as a boy and man. Annexed as Schedule "R" to this Petition is a copy of the Article.
42. In late 1993, Nixon sought services from Battered Women's Support Services ("BWSS"). She made a call to a telephone support line in which she revealed she was a transsexual. BWSS gave her support in that initial call, followed by about eight months of one-on-one counselling ending in May, 1994. Following that, Nixon dropped in to group counselling sessions until about June 1995. She felt her healing was complete in about May or June 1995. She knew that BWSS had a policy that a person should not volunteer until at least one year after completing her own healing and the policy was for the benefit of people receiving volunteer services. In Nixon's view, she was ready to be a counsellor, and so she chose to seek volunteer training at the Petitioner with the "goal" to get into the BWSS volunteer training program.

**VI. The Incident Which Gave Rise to the Human Rights Complaint**

43. On August 29, 1995, Nixon went to Britannia Community Centre seeking to attend her first training lecture for potential unpaid peer counsellor volunteers of the Petitioner. All three collective members present noticed Nixon and concluded that she had lived as a man. At a break one member, Danielle Cormier, asked to speak to Nixon in private. They went to a remote area of the courtyard to speak.
44. Cormier asked Nixon how long she had been a woman. Nixon said that Cormier's questions were "ignorant", and she didn't think she had to answer the question if this was leading to her not being in the training group. Cormier said, yes, that was where she was going, but she did want to talk about it. Nixon described having been beaten and obtaining assistance from BWSS. Cormier said she was sorry and didn't believe anyone deserves that treatment, she was glad Nixon found someone to respond, and that it was likely the Petitioner would have responded in the same way and stood beside her in the fight against this man.
45. Cormier attempted to clarify that the Petitioner organizes among women, responding to male violence against women, and Nixon had the experience of being treated as a man in the world, and Cormier did not, so she did not consider the two of them to be peers.
46. Cormier said that decision was not personal in any way but was based on a political decision about how to organize as woman to eventually end violence by men against women."
47. Cormier resorted to metaphors to try to explain the position and used an example involving gay men. Nixon became offended, not accepting the metaphor, but instead saying she was not a gay man. Nixon left saying they'd all see their names in the paper.
48. The other two collective members agreed that it was not appropriate for Nixon to take the training. Cormier repeated that this was not personal but based on a political view. All three collective members referred to the Petitioner's political theory of

organizing as peers who had experienced male oppression from birth, and to Nixon being ineligible for the training because she had lived being treated as a man and was not a “peer” to women who had not. Karen Sawatzky understood that Nixon identified as a woman, but had experience as a man. Sawatzky told Nixon that she appreciated Nixon willingness to work against violence and it was not that they did not believe Nixon is a caring person. The collective members explained that the Petitioner’s position is not about genitals or equipment, but about the experience of growing up female, and conditioning generally.

49. Nixon addressed the training group and advised that she had been asked to leave, said that she thought it was blatant discrimination, and she wished them good luck. She left the room and building, after threatening one last time to call the media.
50. Nixon intermittently returned to the drop-in support groups at BWSS for a period of approximately six months.

**VII. Events Following August 29, 1995**

51. In the fall of 1996 Nixon joined the BWSS training program for volunteers but left before completion.
52. The Petitioner has been in serious discussion about the Complaint since it occurred. Many, many books and papers have been circulated. The Petitioner went to the public library, bookstores, and asked among other political people, other human rights activists, other sources like that. The Petitioner has also canvassed through informal networks whether other women’s groups have more advanced analyses on this question.
53. The Petitioner has made significant efforts to inform itself and accept debate on the issue which is the subject of the Complaint. It tried to seriously open-mindedly discuss its politics and made itself available for public criticism at a conference and on the internet. It has been in informal discussion with feminists across and beyond North America, read what books have been listed as feminist materials and periodicals on the subject



**VIII. Political and Therapeutic Groupings based on Life Experience**

54. The technique of working in groups having a common life experience is found both inside and outside the women's movement. For example, the Zenith Foundation limits active membership and trustees to those who are subject to an identifiable gender dysphoric condition. Supporting members, who are excluded from voting for trustees, can be a person possessing "a professional, spiritual, or other definable and supportive role of benefit to the gender dysphoric community." The Zenith Foundation limits attendance at support groups to members and invited guests, and requires that they must be known to a group leader or other responsible member or interviewed beforehand. Annexed as Schedule "S" to this Affidavit is a copy of the Objects of the Zenith Foundation.
55. The Gender Identity Clinic runs groups for people dealing with gender identity disorder.

**IX. Other Opportunities**

56. Men and those who may not volunteer as a counselor may assist the Petitioner through working on the Petitioner's House Funding Committee.
57. Women Against Violence Against Women ("WAVAW"), a "lesbian, gay, transgender friendly" organization, would assess any transgendered woman volunteer on the same basis as any other volunteer. However, WAVAW is not aware of any request from a transgendered person to be a staff member or volunteer for WAVAW. In any event, the self-description of the organization suggests that it contemplates the participation of gay men.
58. The Petitioner is not aware of any situation in which transgendered women were rape crisis counselors in women's autonomous organizations or individual feminist organizations.

**X. The Human Rights Complaint**

59. Nixon filed a Human Rights Complaint on August 30, 1995. In the Complaint, Nixon alleged that the Petitioner discriminated against her, on the basis of sex, in two respects. First, Nixon alleged that the Petitioner discriminated against her with respect to a service and/or facility customarily available to the public contrary to what is now s. 8 of the Code. Second, or in the alternative, Nixon alleged that the Petitioner refused to employ her because of her sex contrary to what is now s. 13 of the Code.
60. The hearing of the Complaint (the “Hearing”) took place on December 11-15 and 18-22, 2000; January 8, 15-19 and 31, 2001; and February 20-23, 2001.
61. The Decision was issued on January 17, 2002. The award of \$7,5000 in damages is the highest award made by the Tribunal in respect of that particular head of damages.
62. The Tribunal ignored the following evidence:
- (a) the highly integrated structure of the Petitioner, in deciding whether accommodation is possible;
  - (b) the work carried out by volunteers and employees and the importance of such an integrated approach in fulfilling both the peer counselling service and the political purpose of the Petitioner; and
  - (c) the Petitioner’s right to employ and protect a counselling/consciousness raising model which meets its objectives.

The Petitioner estimates that the application will take 5 days.

Bull, Housser & Tupper

per:

Dated: June 13, 2002

\_\_\_\_\_  
Solicitors for the Petitioner

This PETITION TO THE COURT is prepared by Bull, Housser & Tupper, Solicitors for the Petitioner, whose office address and address for delivery is 3000 - 1055 West Georgia Street, Vancouver, British Columbia, V6E 3R3 Attention: Gwendoline C. Allison Telephone: (604) 641-4907

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VANCOUVER REGISTRY

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IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

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PETITIONER

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KIMBERLEY NIXON

RESPONDENT

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**PETITION TO THE COURT**

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3000 - 1055 West Georgia Street  
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Telephone: (604) 641-4907  
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GCA/jaw

File# 00-7123