



Legal Aid in BC

The Fight Continues...

By Erin Pritchard, Public Interest Law Student

Legal Aid includes legal information, advice, and representation for those who cannot afford to hire a lawyer. Since 2002, cuts to legal aid services have made accessing a lawyer increasingly difficult—if not impossible—for many British Columbians. Keeping track of the services that are currently

available and how to access them is confusing to many people. This article outlines the present state of Legal Aid in British Columbia, points out efforts being made to improve access to legal representation, and finally, sets out some other legal services that people in Victoria can access until Legal Aid is improved.

Current State of Legal Aid in British Columbia

At present, legal aid in BC is mainly limited to serious family and child protection matters, and criminal law matters where a conviction would result in jail



time, a loss of your ability to earn a living, or deportation. According to the Legal Services Society website, it is also available for some immigration, mental health, and prison law issues. Rather than having a centralized Legal Aid office, as in the past, you now must contact a local designated legal aid agent with whom you can apply for assistance in order to determine whether or not you are eligible. If you are eligible,

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Call to Action!

Canada Needs a National Housing Strategy

When the fall session of Canada's parliament resumes on September 20th, Bill C-304 (an Act to ensure secure, adequate, accessible and affordable housing for Canadians) will move to Third Reading. Bill C-304, introduced by NDP MP Libby Davies, would mandate the establishment of "a national housing strategy designed to respect, protect, promote and fulfill the right to adequate housing as guaranteed under international human rights treaties ratified by Canada". NDP and Liberal MPs have agreed to support the bill. This means that in order for Bill C-304 to pass into law, 42 more MPs from either the Conservative or Bloc Quebecois parties must vote in favour of the bill. If you have any friends or relatives who live in ridings represented by Conservative or BQ MPs, please encourage them to write or call their MP and tell them to vote in favour of Bill C-304. All it takes is a simple phone call, but it's most effective when that call comes from a constituent who actually lives in that MP's riding.

*Kelly Newhook,
Executive Director*

How Much Social Housing Is BC Building?

The following is from the "Key Findings" of Unpacking the Housing Numbers: How much new social housing is BC building? by Seth Klein and Lorraine Copas, released in September 2010 by the Canadian Centre for Policy Alternatives and the Social Planning and Research Council of BC (SPARC). The complete paper is available at www.policyalternatives.ca or you can read a hard copy at the TAPS office.

Unpacking the Housing Numbers: How much new social housing is BC building? draws

on data in the BC government's own service plans to put together a picture of where we have seen concrete action on the housing front and where action has been in short supply.

Most of the increased government support in recent years has been focused in three areas: rental assistance supplements, new emergency shelter beds, and the purchase of existing SRO (single room occupancy) hotels. While these initiatives are helpful and laudable, they do not create actual new low-income housing units.

Overall, the number of households assisted by provincial

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housing programs increased by approximately 11,530 over the last five years. However:

- Of this increase, 63 per cent (7,270 households) can be attributed to rental assistance to families through the Rental Assistance Program, while another 1,010 are individuals assisted through the Homeless Rent Supplement;
- Another 1,420 of the total increase are new emergency shelter beds (not housing units); and
- 1,550 of the “new” supportive housing units for homeless people with mental health and addiction problems are in the purchased SRO hotels (rather than actual new low-income housing supply).

There has been genuine growth of supply in some areas, such as about 1,500 units of new supportive housing for the homeless, and housing for frail seniors. But against these increases, the province has seen a loss of 2,820 independent social housing units.

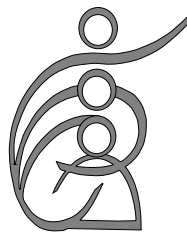
Taken together, the government’s own data indicate an overall net increase of only 280 actual social housing units over the past five years, a sobering and concerning finding.

In contrast, between the mid-1970s and early 1990s, with the help of the federal government, BC created between 1,000 and 1,500 new units of social housing per year. ■

New Faces at TAPS

TAPS would like to welcome Jessica Wall, our new part-time Fund Development Coordinator. Jessica has experience working in many parts of Canada in fund development and social work. We are excited to have Jessica join our team.

TAPS is fortunate to have two practicum students working with us this year. Rebecca Farnell is a student in the School of Child and Youth Care at UVic. She will be working in our Volunteer Disability Advocacy Project until April 2011. Fernanda Polanco is a student in the School of Nursing and she is doing income assistance advocacy and research at TAPS during her fall term. We are confident that our clients will benefit from Rebecca and Fernanda’s contributions.



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TAPROOT

Editing/Layout
Hilda Peters

Contributors
Kelly Newhook
Erin Pritchard
G.R. Tomblin
Terry Wilson

Illustrations
Mitchell Lindsay
Joan Stiebel

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#302 - 895 Fort Street
Victoria, BC V8W 1H7
Phone 250-361-3521
Fax 250-361-3541
tapsbc@shaw.ca
www.tapsbc.ca

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Invisibles

By G.R. Tomblin

A horrible nightmare!

In the dream, Bob Nobuks was invisible. No one could see him. No one could hear him, no matter how he shouted—even screamed. And scream he did...which is what woke him, sweating and gasping, at 4:25 a.m. Was it something he ate? No, because he hadn't eaten anything. Except for some leftover green lentil and potato soup. Could that have been it?

In any case, no way was he going to get back to sleep. So he got up and set a pan of water to boil on his one-burner hotplate to

make coffee. No-name-brand instant of course, since that was all he could afford nowadays. So in his raggedy shorts and multiple-holed hockey socks, he perched on the edge of his narrow cot in the 40-watt-lit silence, sipping his dishwater coffee, made barely palatable with a packet of sugar he'd found at Monster Mart the day before. And to go with it, a nice fat smoke rolled from some of the dozen or so butts he'd collected, also at Monster Mart the day before—what he liked to think of as a “special blend.” He took one drag and coughed so hard he

almost soiled himself.

Hm! Really must have a word with his tobacconist!

Funny thing about coffee. One or two cups perk you up; four or five put you right back to sleep. Bob was in this near-comatose



Persons With Disabilities

TAPS has advocates who can help you apply for Person With Disability status (PWD) through the Ministry of Housing and Social Development. TAPS can also help you with an appeal if you have applied and been denied. Call TAPS at 250-361-3521 for more information. If you are at the appeal stage, be sure to get in touch with us as soon as possible after receiving your letter of denial and tell the receptionist you are calling about a disability appeal.

state when several plaintive peeps from the little plastic clock he had paid \$1.79 for at the thrift store intercepted whatever dismal directions his mind may have been travelling in.

Oh my God—nearly 7:00 a.m.! Gonna be late! Bob hurriedly donned his cheap, two-sizes-too-big parka liner. He plumped on his rumpled fisherman's hat. He made sure he had all his keys. Ha! Now he was ready to sally forth to do battle with the cursed minions of the evil god Krappon at Monster Mart!

And at Monster Mart, Bob did his usual excellent job. Not a single candy-wrapper, not a single cigarette-butt (especially the smokeable ones) escaped his attention. Plastic shopping bags were snapped up and stuffed into

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the side-pockets of his coat to be donated to the thrift store. Pens and pencils were added to his collection, as were cigarette lighters, pliers and screwdrivers. He even found 85 cents! Unusual to find more than 20 or 30 cents. After all, he was far from being the only one cruising around in the early morning rain and mist, looking for dropped coins.

And of course, across the street from the dumpster-room, where Bob usually took a short break, there was the Can-Can recycling depot (wasn't that some kind of dance from a century ago?)—the place where all the people who made their living collecting cans and bottles went to cash them. Some of these people—and he knew several—made almost as much

TAPS' Volunteer Advocacy Program

TAPS is looking for volunteers to help clients apply for disability benefits through the Ministry of Housing and Social Development. Volunteer advocates also help clients with appeals. This is an opportunity to develop legal advocacy skills and to provide tangible, sustained support and assistance to people with disabilities. If you are interested in volunteering at TAPS as a volunteer advocate please contact Stephen at 250-361-3521 or at legaladvocate@tapsbc.ca.

money as he did. Of course, they had to walk miles and miles more—and pushing a shopping cart. And most of them slept in doorways, in a park or under a bridge. The luckiest had a small tent, which they pitched in places where no one wanted to see them.

Like Bob, they were supposed to be invisible too. ■

A Couple of Good-byes

Tricia Roche, who has been our intrepid fundraiser and community outreach worker for the past almost three years, has moved on to a new job. Tricia brought great enthusiasm for her work and for the work of TAPS. We were able, due to her fundraising efforts, to increase staff hours to help more people in poverty. We wish Tricia all the best in her new job at the University of Victoria.

During the summer of 2010 TAPS was fortunate to have Erin Pritchard as our Public Interest Law Student. Erin is a competent, compassionate advocate who worked hard everyday to advocate for and with her clients. She will be sorely missed. On behalf of the staff, board and volunteers at TAPS, we wish Erin the best of luck in all of her future endeavours!

All of Us at TAPS

Public Commission on Legal Aid Hearing in Victoria October 5th

The Public Commission on Legal Aid is gathering feedback and recommendations from the public and community organizations on the future of legal aid in British Columbia. To encourage participation the Public Commission is travelling across the province and holding hearings in several communities.

Public Commission Hearings are open and the community is invited to see and hear local presentations.

When: Tuesday, October 5

Where: Victoria Conference Centre, 720 Douglas Street, Oak Bay Room

Time: Hearings begin at 10:00 a.m. and end no later than 4:00 p.m.

For more information on the Public Commission on Legal Aid and how to make a submission visit www.publiccommission.org.

Written submissions will be accepted until October 31, 2010.

Hope at the End of the Funnel

Money, money, some for me
From the Province of B.C.
Hit yourself upon the head.
After that, if you're not dead,
You can take a look and see,
B.C. dis - a - bi - li - ty.

Get a doctor, get a shrink,
Make sure you've got lots of ink.
Tons of paper everywhere,
I can only sit and stare.
I will make it my obsession,
Maybe it will cure depression.

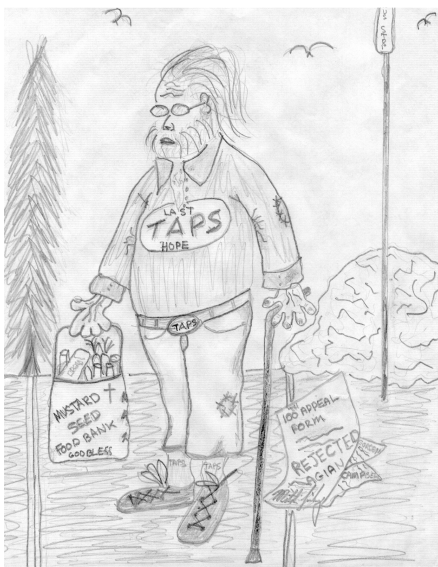
Applications, declarations,
It would kill a lawyer's patience.
If I still can't fill them in,
I will try a jug of gin.

Inspiration, I will get
From a cheerful advocate

Down to View Street, go and see
Action folks at "Com - mit - tee."

Do not wait till your last gasp.
Go to see the folks at TAPS.

By Terry Wilson



(From Legal Aid, page 1)

the agent who conducts your intake will either represent you, or refer you to a lawyer who will be paid by the Legal Services Society. In Victoria, applications for legal aid can be made with local agent Roland Kuczma, barrister and solicitor (250-388-4516, 9:00 am - 12:00 pm), or at the Victoria Courthouse (Room 134A – 850 Burdett Avenue, 9:00 am - 12:00 pm). Locations and contact information for other Legal Aid agents throughout BC can be found on the Legal Services Society website at www.lss.bc.ca.

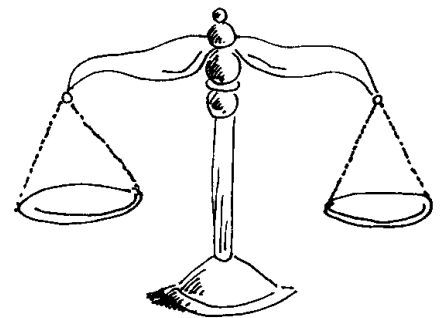
On April 2010, LawLINE, the free civil law telephone advice program, was discontinued.

The Demand for Improvements to Legal Aid

The acknowledgement for reform in this area is widespread. There is a need for strong pressure on the provincial government to increase legal aid funding, particularly given the seven percent tax added to lawyers' fees in BC that was introduced to pay for legal aid services. In addition to the general lack of services due to funding limitations, cuts to specific areas disproportionately affect certain populations. For example, as Legal Aid in BC is now mainly for criminal matters, women, who overwhelmingly require assistance with family and civil law matters*, are often left without representation. In recognition of the need for improvements to legal aid, beginning in September 2010, the Public Commission on Legal Aid

Taxes

TAPS is offering tax prep services to people on low incomes on Thursday mornings from 9:00 to 11:00. No appointments. First come, first served.



will be holding a series of legal aid reform hearings throughout BC (see notice, page 5). The Public Commission on Legal Aid is comprised of six funding partners (Canadian Bar Association [British Columbia], the Law Society of British Columbia, the Crown Counsel Association of British Columbia, the Law Foundation of British Columbia, the Vancouver Bar Association and the Victoria Bar Association) committed to engaging the public and finding innovative solutions to the inaccessibility of legal services.

The Commission will use the information and ideas presented at these hearings to make

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recommendations for changes to legal aid in the province; this report will be released to the public, and submitted to both the federal and provincial government. While formal submissions at these hearings will only be made by individuals and groups that have already been selected, the hearings are public, and everyone is encouraged to attend. The Victoria hearing will be held on October 5, 2010, in the Oak Room at the Victoria Conference Centre, located at 720 Douglas Street. (Also, TAPS will be making a submission at the Victoria hearing—come show your support!) It is very important that we send a strong message that many of us think this is an important issue that needs to be immediately addressed. More information about the Public Commission on Legal Aid, as well as dates and locations of other hearings around BC can be found at www.PulicCommission.org.

In the Meantime...

In addition to the Advocacy services at TAPS, other resources currently available in Victoria include:

Access ProBono

In 2010, Access Justice and ProBono BC merged to form Access ProBono. Access ProBono offers several free legal advice clinics throughout BC for people who do not qualify for legal aid, but are unable to afford a lawyer. Lawyers providing assistance in these clinics do not represent clients in court, but will help you with paperwork and preparations for court

appearances. In Victoria, you can call 1-877-762-6664 to make an appointment with a lawyer at the Salvation Army Legal Advice Clinic, or 250-388-4728 for the Inter-Cultural Association's Legal Advice Clinic.

The Law Centre

(1221 Broad Street)
Legal advice and representation is provided by law students from the University of Victoria to persons unable to afford a lawyer for some issues not covered by legal aid. For those eligible (based on income), the Law Centre can help with some legal issues, including some criminal matters, civil disputes, administrative tribunals, and divorce and support matters. The Law Centre can be reached at 250-385-1221.

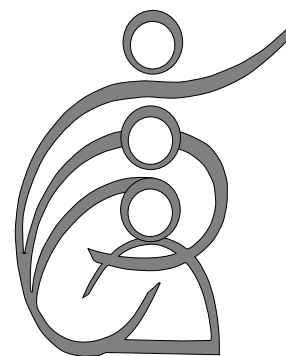
Legal Information Clinic

(Room 138, Fraser Building, University of Victoria)
The Faculty of Law at the University of Victoria also offers a student-run Legal Information Clinic that provides free legal information to clients. The Clinic is unable to provide legal advice on matters, but can give general information in certain areas. Information is not given over the phone, but you can call 250-721-8159 to make an appointment.

* Brewin, A. (2004). Legal Aid Denied: Women and the Cuts to Legal Aid in BC. West Coast LEAF, Retrieved September 13, 2010 from:
http://www.westcoastleaf.org/userfiles/file/legal_services.pdf.

Write for the Taproot

Taproot welcomes articles from readers. Share your ideas, experiences, opinions or outrage with Taproot's vast readership. Articles should be 600 words or less. Please include your name and a way we can reach you (phone, e-mail, or mailing address). The next submission deadline is November 17th, 2010. Send submissions to TAPS (Attn: Heidi) at #302 - 895 Fort Street, Victoria, BC, V8W 1H7, or by e-mail to volunteers@tapsbc.ca.



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Together Against Poverty Society

TAPS was established and registered as a society in 1989 and serves the Greater Victoria area. We provide legal information and representation on issues relating to income assistance, provincial disability benefits, and residential tenancy. We also provide public education in these areas and on broader poverty issues.

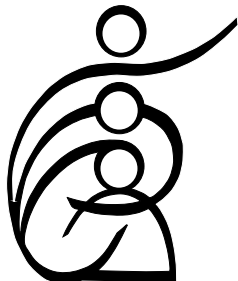
You can reach us between 9:30 am and 4:30 pm, Monday to Friday, by phone at 250-361-3521 or in person at #302 - 895 Fort Street. The office is closed daily for lunch between 12:00 pm and 1:00 pm and is closed to walk-in clients on Monday and Friday mornings.

Volunteer at TAPS

Front Desk Receptionist

TAPS is looking for a few people to volunteer on our busy front desk. One half-day shift per week. No experience necessary. Training is provided.

Call TAPS at 250-361-3521, contact us by e-mail at volunteers@tapsbc.ca, or drop by the office at #302 - 895 Fort Street.



Together Against Poverty Society

#302 – 895 Fort Street

Victoria, BC

V8W 1H7

Tel: 250-361-3521

Fax: 250-361-3541

www.tapsbc.ca

TAPS is funded by:

The Law Foundation of British Columbia

The Provincial Employees Community Services Fund

United Way of Greater Victoria

Victoria Foundation

and

Other Generous Supporters

We also appreciate the support that our members give.

Become a Member of TAPS!

\$5.00 unwaged (may be waived)

\$20.00 waged

\$80.00 organization

Donations are appreciated.

Charitable tax receipts provided.

Taproot is mailed to members.

TAPS mugs for sale

White coffee mugs with the TAPS crest on one side and a quote from Mary Wollstonecraft on the other: "It is justice, not charity, that is wanting in the world. (1792)" \$9, or two for \$15.