

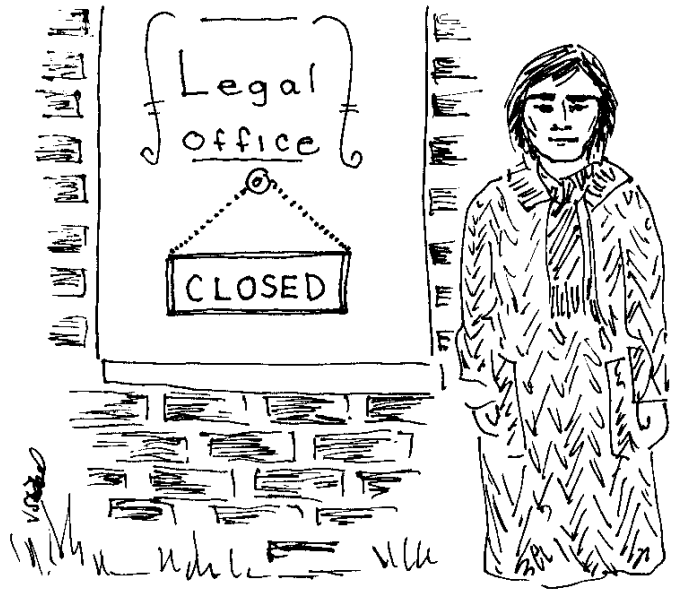


Rights-Based Legal Aid: Rebuilding BC's Broken System

The following is adapted from the *Summary of Rights-Based Legal Aid: Rebuilding BC's Broken System*, by Alison Brewin and Kasari Govender, published by the Canadian Centre for Policy Alternatives and West Coast Women's Legal Education and Action Fund in November 2010. The full paper is available online at www.policyalternatives.ca, or you can read a copy at the TAPS office.

Legal aid is a vital, legally mandated social service. We need legal aid in order to have a functioning justice system and promote equality and justice in our society. Drastic cuts have cost Canadian society and taxpayers in unmet legal needs and the resulting expenses of social exclusion. Underfunding legal aid services is no longer a viable option in British Columbia.

Rights-Based Legal Aid: Rebuilding BC's Broken System examines the cuts and changes to legal aid in the last six years, within the context of a full 15 years of deteriorating legal aid services.



Inside:

Extreme Weather Protocol	Page 2
Out of the Rain Youth Shelter	Page 2
TAPS Annual General Meeting	Page 3
Merry Christmas, Bob Nobuks	Page 4

Key findings

Reduced access to legal aid

The number of legal aid cases approved for legal representation declined dramatically between 2001 and 2010: the number of family law cases approved dropped from 15,526 to 6,270 and poverty law referrals went from

(See Legal Aid, page 6)

Out of the Rain Youth Shelter

Out of the Rain works to reduce the risks faced by homeless youth by supplying a warm, safe and dry environment for those aged 15 to 25. Morning and evening meals are provided for up to 30 people each night. The shelter operates 7 days a week, from October to April, rotating among host sites in the community in an effort to maximize community resources. The schedule of host sites is as follows (pets are welcome unless otherwise noted):

Monday: St. John's Hall, 925 Balmoral, 10 pm – 8 am.

Tuesday: First Metropolitan United Church, 932 Balmoral, 10 pm – 8 am.

Wednesday: St. Andrew's Presbyterian, 680 Courtney, 10 pm – 8 am.

Thursday: Beacon Community Services CAP Building, 1450 Elford Street, 10 pm – 8 am.

Friday: Boys' and Girls' Clubs, 1240 Yates Street, 10 pm – 8 am.

Saturday: Congregation Emanuel, 1461 Blanshard Street, 10 pm – 8 am (no pets).

Sunday: Downtown Community Activity Centre, 755 Pandora Avenue, 10 pm – 8 am (no pets).

Shelter phone number: 250-415-3856. For more information go to outoftherainvictoria.ca



Extreme Weather Protocol

The Extreme Weather Protocol (EWP) is a community program involving shelter providers, faith groups, social service agencies, fire and police working together to increase the number of emergency shelter beds available during acute winter weather conditions of heavy wind, heavy rain, snow and temperatures of zero or below.

When extreme weather conditions are predicted and year-round shelter beds are full, participating organizations implement the Extreme Weather Protocol by opening up additional shelters and moving to overflow beds.

The Salvation Army

525 Johnson Street. Addictions and Recovery Centre opens up for 30 mats during EWP.

949 Fullerton Avenue. High Point Community Church opens up for 30 mats during the EWP.

Victoria Cool Aid Society

525 Ellice Street. Rock Bay Landing opens 20 mats during the EWP.

Our Place

919 Pandora. Our Place opens 50 mats during the EWP.

Victoria Native Friendship Centre (VNFC)

231 Regina Avenue. The VNFC opens 25 mats in the gym during the EWP.

1611 Quadra Street. The VNFC opens 40 mats in the Crypt of St John the Divine Church during the EWP.

For more information go to www.vewp.net. A copy of the 2010/2011 Greater Victoria Extreme Weather Response Plan is available for people to read at the TAPS office.

The information on this page is from the websites www.vewp.net and www.outoftherain.ca

TAPS' Annual General Meeting

TAPS held its Annual General Meeting this year on Monday, November 15th, at the Downtown Victoria Activity Centre. We are pleased to report that just over thirty TAPS members attended the meeting. Our guest speaker this year was Rupert Downing, the Executive Director of the Community Social Planning Council, who gave us much to think about with his presentation on the key elements of a poverty reduction strategy for our region. A meeting is never complete without food, so we also want to thank the board, staff and volunteers who contributed the delicious desserts, which were enjoyed by all.

The staff, volunteers and board want to thank a number of board members who are leaving their positions on the board this year. Paul Dwyer was a member of the board for the past year and served as Treasurer, his contributions will serve this organization well into future. Thank you Paul! Kris Constable will also be greatly missed and we want to thank him for the many years he served on the board both as Treasurer and as our privacy/communications guru! Tim Richards is also leaving the board this year, which is undoubtedly a significant loss for TAPS. Tim has contributed to TAPS in so many ways over the years that it is difficult to describe

the impact he has had on this organization and the many lives he has touched and changed in the process. He was a dedicated advocate, serving TAPS clients when the organization had only two staff members, and he has been an active board member and dedicated volunteer. We wish Tim every success in his future endeavors!

*Kelly Newhook,
Executive Director*

TAPS' Holiday Schedule

The TAPS office will be closed from December 24th until January 3rd. The office will be re-open on Tuesday, January 4th.



Together Against Poverty Society

TAPROOT

Editing/Layout

Hilda Peters

Contributors

Alison Brewin and Kasari Govender
Kelly Newhook
G.R. Tomblin

Illustrations

Mitchell Lindsay
Joan Stiebel

Taproot is published bi-monthly by
Together Against Poverty Society.

Together Against Poverty Society



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

TAPS Board of Directors

President

Joan McHardy

Vice President

Robin Bassett

Secretary

Barbara Amberstone

Treasurer

Patti Stockton

Members-at-large

Tria Donaldson

Rose Henry

Melanie Hudson

Zoë Macmillan

Noreen Marshall

Merry Christmas, Bob Nobuks

By G.R. Tomblin

Bob Nobuks wasn't surprised—frightened, but not surprised—when the Trash Monster once again, like a computer virus, invaded his dreams.

Bob—like a good boy—would be diligently sweeping up the leaves and litter around MonsterMart Plaza, when suddenly the Trash Monster would leap out from behind a hedge planter and begin to chase him, trying to scoop him up with its giant broom and dustpan,

uttering horrible garglings that sounded like cruel laughter. And just as the Trash Monster was about to whack him with its giant broom, Bob would wake up in a cold sweat to find himself in the familiar surroundings of his tiny room, ragged sleeping bag tangled around him. And he would get up, get a drink of water from the tiny rust-stained washbowl in the corner, and try to get back to sleep—usually unsuccessfully. So he would stay up until it was time to go to work.

December 24th. Bob Nobuks



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.

arrived at work. In the sub-sub-sub basement at MonsterMart, where the janitor's closet was, it smelled musty as an ancient tomb and was just as silent. The lighting down there might have been enough for the rats, but Bob had to use the untrustworthy little flashlight he'd bought at the Bottom Dollar dollar store for \$2.89 (batteries not included—they were \$1.29). When he opened the door of the janitor's closet, it screamed like the door on a haunted house in an old horror movie.

“Priscilla...Priscilla? See what I brought you?” Bob quietly called out into the 40-watt-bulb-lit janitor's room, with its jumble of mops, buckets, brooms, shelves of plastic jugs and bottles of unknown chemicals. And he held

(See Merry Christmas, page 5)

(From Merry Christmas, page 4)

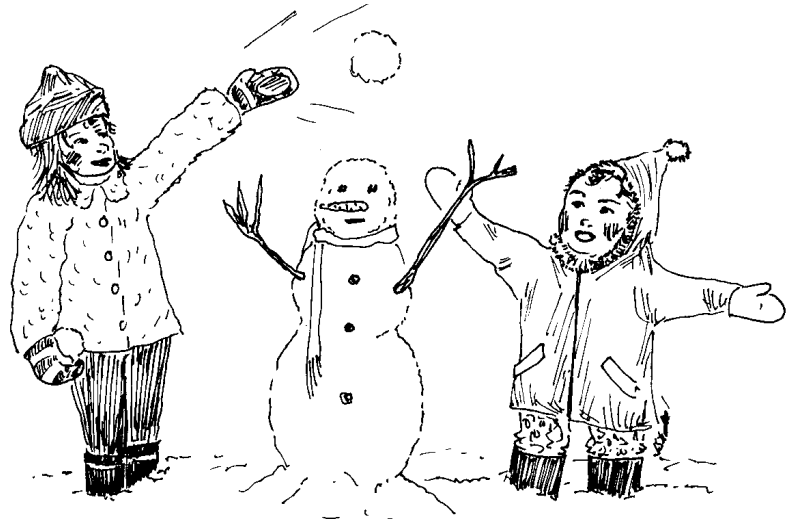
up a tiny zip-loc bag containing a dozen or so bedbugs, some still alive and bloated red with Bob's own blood from the night before.

High in the near corner, where a large cobweb seemed to form a kind of solid gray mist, there was a slight movement.

Bob stepped up on an upturned milk crate, unzipped the ziploc bag, carefully shook the contents out onto the cobweb, and quickly jumped back down. He watched, smiling, as something large and black moved slowly but relentlessly into the middle of the web where the bedbugs uselessly struggled.

“There you go, Priscilla—Christmas dinner! Yum-yum, eh?”

But after his little vengeful



Together Against Poverty Society

wishes all of you

A Happy Holiday Season

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.

pleasure, it was just a typical Christmas Eve day for Bob, like so many others before. Although the MonsterMart parking lot was constantly full, with jostling hordes of shoppers coming and going, not a single dropped dime was to be found.

Bah! Humbug!

So Bob Nobuks trudged home in the freezing rain which had begun to fall near the end of his shift, feeling like Bob Who-Gives-A-Damn.

The usual mix of pee and pine-oil stink met him as he entered the

building. The elevator was out of order, as it always was at this joyous time of year, so he had to climb the usual ten flights of stairs to his floor. But as he approached his door, something lying there caught his attention—something that looked like a giant spider!

What the hell was this? Bob picked it up. A nine-inch wide package made in the shape of a spider, with a little spray bottle encapsulated in the middle. Text proclaimed: “Free yourself forever from bedbugs with our new government-approved, environmentally-friendly product—BUGFREE!!”

Bob took it, unlocked his door and went in.

Hmm! he thought. Priscilla wouldn't like this—but I sure do! Merry—no bedbugs—Christmas! ■

Recipes

Check out Jacquie's "Inner City" Cookbook recipes on TAPS' website: www.tapsbc.ca

Free Christmas Dinners

December 9, Our Place,
919 Pandora Ave., 3:00 pm
to 5:00 pm

December 24
Tapa Bar, 620 Trounce Alley,
Annual Dinner for the
Homeless,
12:00 pm - 3:00 pm

December 25
Glad Tidings, 1800 Quadra,
3 Sittings, 12:00 noon, 2:30
Pm, 5:00 pm (5 pm sitting is
for adults only).

Must register before with
Christina at 250-472-1040.
If kids will be attending
must give ages. (If you do
not have a contact number,
please leave name, number
of people coming, the sitting
you wish to attend, the
names of any children who
you will be bringing, plus
the correct spelling of the
kids' names, and be sure to
check in again before
December 25)

December 25
Blethering Place, 2250 Oak
Bay Ave., 8:00 am for
Breakfast, Dinner served
from 9:30 am to 2:00 pm.

December 25
Our Place: Drop-in closed
Rainbow Kitchen, 310
Henry Street, serving lunch
on both Christmas Day and
New Year's Day.

(From Legal Aid, page 1)

40,279 to 0 (legal representation for poverty law—housing, welfare, disability pensions, debt—has been eliminated).

BC is now the third lowest province in Canada in per capita spending on legal aid, and our system does not cover many family law issues that other provinces do.

Legal aid representation in civil court has been restricted to high risk family law cases, child apprehension cases, certain prison and mental health related issues, refugee claims, and immigration cases where the client risks deportation.

Just since 2009, Legal Services Society (LSS) has closed five regional centres (two remain, in Terrace and Vancouver) and the family law centre; laid off 96 staff; reduced tariffs for family, immigration and criminal law; imposed stricter screening and eligibility for clients; and reduced services for people who cannot access legal representation through LSS, including the elimination of the LawLINE telephone service and the Community Advocate Support Line (though the latter was picked up by the Community

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.

Legal Assistance Society, a Vancouver non-profit).

Costs of an inadequate legal aid system

There is a great need for legal aid. LSS's own research shows that 83 per cent of BC residents with annual incomes under \$50,000—1.5 million people—are likely to have a civil legal problem in a three-year period, and only 11 per cent retain a lawyer.

Research from other jurisdictions shows that cuts may save money in the very short term, but they increase costs in the long term. While the government saves by not paying for legal representation, cases in which the parties lack legal representation are more likely to go to trial, which is extremely costly to the public. Unresolved legal issues, particularly family law issues, result in expensive social problems, such as poor health, increased reliance on social assistance and programs, unemployment, domestic violence and relationship breakdown.

Recommendations

We propose that instead of trying to fix our damaged legal aid system, we build a new, rights-based system that would ensure legal representation for low income people, improve the justice system for all British Columbians, and reduce social and economic costs.

Key recommendations include:

- All citizens should have the right to access the justice

(See Legal Aid, page 7)

(From Legal Aid page 6)

system with legal representation in any legal matter where human dignity is at stake. This includes custody and access, spousal and child support, immigration and refugee matters, poverty law issues like debt and access to social assistance, and employment matters. (LSS and the government have fought efforts by BC Public Interest Advocacy Centre [BC PIAC], the Canadian Bar Association and others to expand constitutional rights to legal aid.)

- Legal information, advice and representation should all be funded, as opposed to simply focusing on legal information (often known as “pamphlet law”).
- Legal Services Society should regain its independence from the provincial government, which was lost in 2002 when the LSS board was fired and the government legislated control over LSS budgets.
- An effective legal aid system should include a mix of legal aid clinics, private lawyers paid through a tariff system, and staff lawyers in community organizations.

Without access to the means of enforcing one’s legal rights, those rights are meaningless. With a rights-based system, justice will be accessible to all British Columbians, not simply those wealthy enough to afford legal representation. By providing

representation in addition to advice and information, this system will enable more legal issues to be resolved, improving the overall functioning of our justice system, and decreasing the social and economic costs that result from lack of access to justice. ■

When Is the Right Time To Learn? NOW!

The Victoria Literacy Plan Task Force is launching www.learnnowvictoria.com, a new, first-of-its-kind literacy website created to support learners of all ages in the Victoria region.

The new website is a community guide to literacy programs and services available to all residents, including adult tutoring, upgrading, family literacy and youth programs.

Numerous programs are available to help people increase their skills in reading, writing, math, computers and workplace essential skills. Find the right one for you, a family member, friend or co-worker.

If your organization offers literacy programs, you can contribute to the website and promote your services by creating a free listing on the website.

Contact: Jan Dupuis,
info@learnnowvictoria.com,
250-294-3026.

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 January 17th, 2011. Send submissions to TAPS (Attn: Heidi) at #302 - 895 Fort Street, Victoria, BC, V8W 1H7, or by e-mail to volunteers@tapsbc.ca.



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.

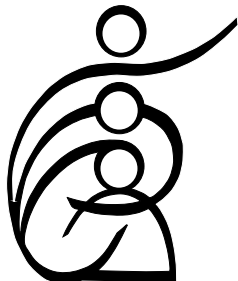
You can reach us between 9:30 am and 4:30 pm, Monday to Friday, by phone at 250-361-3521 or in person at #302 - 895 Fort Street. The office is closed daily for lunch between 12:00 pm and 1:00 pm and is closed to walk-in clients on Monday and Friday mornings.

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.