



UPDATE ON THE BATTLE FOR

LEGAL AID

January 2012

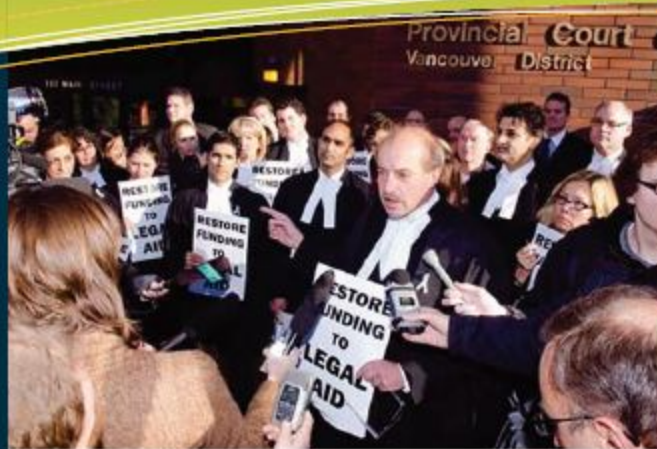
QUICK FACTS

- ❖ Legal Aid funding was slashed by 40% in 2002, and has been consistently reduced since then.
- ❖ The money is there to pay for a healthy legal aid system. The government collects approximately \$140 million annually in taxes on legal fees. This tax was imposed to pay for Legal Aid. Instead, the government misappropriates the money to other uses.
- ❖ The Public Commission on Legal Aid (www.publiccommission.org) stated that the current system is "failing the most basic needs of British Columbians."
- ❖ The Duty Counsel withdrawal is a last resort action after years of other strategies.

WHY WOULD THEY DO IT?

Although we wish we could say there was total unanimity amongst BC lawyers, there were a few lawyers who worked as Duty Counsel during the withdrawal of services. (We assume they will refuse to accept any benefit from the increase in funding).

We encourage you to speak to them about your thoughts on their coverage, and give us ideas about the proper response for their lack of respect for the withdrawal.



JOIN THE FIGHT:

- ❖ WE WANT YOUR INPUT AND IDEAS!
- ❖ SPEAK TO YOUR LAAC LOCAL REP LISTED BELOW.
- ❖ WEAR YOUR BLUE RIBBON IN COURT TO SHOW SUPPORT.

FIRST WEEK OF THE BATTLE A MAJOR SUCCESS

The first week of the Duty Counsel withdrawal in January exceeded all our expectations. Congratulations to all counsel for showing our collective resolve and solidarity to make this happen. Fewer Duty Counsel appeared in their local Courthouses than we expected.

This government and this Attorney General did not even know that we existed back in September of 2011. Now the Attorney has not only learned about the Legal Aid Action Committee (LAAC), but she has also agreed to meet with members of the LAAC this week. Funding for Legal Aid is front and centre on the agenda.

Significantly, the campaign produced results before it even began.

On the eve of the withdrawal, the government announced a \$2.1 million funding "increase" for Legal Aid. While this is nowhere near enough funding to rectify past budget slashing, it signaled that finally, after years of ignoring the issue, government is paying attention. The campaign is working.

Although a handful of isolated lawyers chose to cover duty counsel in a few withdrawn areas, there were a great many courthouses without Duty Counsel. For February, March and April, we expect that our impact will be even greater, as more local counsel have seen the success of the campaign and agreed to join our collective action.

DUTY COUNSEL SERVICE WITHDRAWAL DATES:

To honour the withdrawal, no one should provide adult criminal Duty Counsel (both in and out of custody) on the following dates. If you are currently scheduled as Duty Counsel, please speak to us regarding your withdrawal options:

FEBRUARY 1 - 14

MARCH 1 - 21

APRIL 1 - 30

GET INFORMED.

GET INVOLVED.

WEAR A RIBBON.

JOIN THE FIGHT.

YOUR LOCAL REP IS:

PREPARED BY:
LEGAL AID ACTION
COMMITTEE (LAAC)
VOLUNTEERS

BIRGIT EDER
PAUL PEARSON



TLABC EXECUTIVE COMMITTEE MEMBERS

Marc Kazimirski - TLABC President
Azool Jaffer-Jeraj - Past President
Rob Holmes - Past President 2010

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Rishi Gill
Phil Rankin
Stephanie Wyas - 2011
Paul Pearson - 2012

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TLABC STAFF LIAISONS

Director of Communications
Bentley Doyle

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Carla Terzariol

STAY CURRENT

The Legal Aid Action Committee (LAAC) is part of the Trial Lawyers Association of BC. The TLABC provides - at no cost to the committee - enthusiastic and knowledgeable administrative staff, equipment, meeting space and technology, and, most critically, the LAAC listserver.

The LAAC listserver is an email-based forum for lawyers and committee volunteers to exchange news and views, and to ask and answer questions regarding legal and ethical issues in our practices. It and other TLABC-operated listservers enable lawyers to stay on top of developments in criminal law and various other areas of practice.

LAAC was formed with the goal of restoring Legal Aid funding to reasonable levels. Since that time, the LAAC listserver has served as our communications hub. It is the primary means in which committee members communicate with one another and with TLABC members engaged in the Battle for Legal Aid. Our hope is that all lawyers in BC who support this campaign will subscribe to the listserver and thereby become informed, active members of the collective job action.

We need you, and you need us. Contact Sheila Schierbeck, TLABC's Membership Director, to find out how you can subscribe to the LAAC listserver - Sheila@tlabc.org or 604-682-5343

HOW DID THIS ALL START?

After years of the government ignoring submissions, lobbying and negotiation, the LAAC held a meeting on September 24, 2011 that included close to 100 lawyers from across the province. It was at that meeting that the current withdrawal of services plan was finalized and approved by vote.

Since then, LAAC has been trying to bring as many lawyers as possible to the table through word of mouth, meetings, email and releases like this one. All lawyers and their ideas are welcome.

LAWYERS WHO SERVE YOU

LAAC Co-chairs:

Richard Fowler	(604) 961-2685
Phil Rankin	(604) 682-3621
Rishi Gill	(604) 374-4775
Paul Pearson	(250) 480-4040

The full LAAC committee is made up of approximately 30 lawyers from across the province.

The Committee meets about every other week. We expect to keep everyone up to date through current newsletters frequently. Please post a copy in the Barristers' Rooms and spread them liberally among your colleagues.

WHAT IS NEXT - JOB ACTION AFTER APRIL 2012

Our Duty Counsel boycott is likely a first step in bringing decades of underfunded Legal Aid to the attention of the media and of politicians. Most of us agree that an escalation of our job action beyond boycotting Duty Counsel until April of 2012 will be necessary. Many of us have ideas as to what the next step should be. What form our future action will take is up to all of us.

We urge everyone to sign up to the listserver of the Trial Lawyers Association of BC. It is where we exchange views and stay up to date with our progress. You can also speak to your local LAAC representative listed on the front page.