

Field steps in to help with housing program

Pro Bono Law Alberta has brokered a new partnership between the Boyle McCauley Health Centre's Pathways to Housing program and Field LLP in Edmonton. This program helps high-risk homeless people reintegrate into society with the assistance of *pro bono* legal services provided by Field.

Kevin Feth, vice president of PBLA and a Field partner, says, "The law society and PBLA view *pro bono* services for those in need as part of the ethical responsibility of the profession — promoting access to justice for everyone, regardless of financial means."

On April 29, a memorandum of understanding was signed between the BMHC, PBLA, and Field establishing the Pathways Pro Bono Project. The partnership is expected to operate indefinitely. "The lawyers at Field have been enthusiastic in their support of the project. We see it as helping the most vulnerable members of the community in a very tangible, meaningful way," says Feth.

The program assists high-risk homeless people suffering from mental illness and addictions by placing them in their own apartments supported by a multidisciplinary service team. It also provides health, psychological/psychiatric, vocational, life skills, and family assistance.

Bob Haubrich, the program director in Edmonton, says they welcome Field as an additional member of their multidisciplinary team. "Field has already helped us develop leasing strategies with community landlords that support a client in sustaining their housing and thereby creating their own home, a critical first step in their recovery."

The program's model is that housing comes first. Feth says: "Other anti-homeless programs are premised on housing being a reward for getting an addiction or mental illness under control. The homeless person immediately integrates into society with a fixed address, supported by visits in the home from members of the multidisciplinary support team. The

residence removes the person from the environment that contributed to a pattern of addiction, isolation, and despair."

Field provides legal services on two levels. "First, we provide legal services to the BMHC organization including drafting bylaws, delivering seminars for social workers and other staff, and developing protocols for the project to liaise with other agencies. Second, we provide legal services to the project's clients including

legal services related to obtaining identification, privacy, health, family matters, housing, and employment," says Feth.

"According to figures retained by the Boyle McCauley Health Centre, it costs society approximately \$94,000 per year to manage the issues of a homeless person. But it only costs approximately \$30,000 to \$35,000 per year for a homeless person to go through the Pathways to Housing program. . . ." says Feth. — DC

PUB BANS A HOT TOPIC

Lawyers and a member of British Columbia's judiciary heard at the Jack Webster Foundation law and media workshop held in June that there is growing concern within the media over what is perceived as more frequent use of publication bans restricting reporting.

Justice Geoffrey Gaul, a B.C. Supreme Court judge since 2008 and a past communications counsel for the B.C. attorney general's department, said more bans are partially the result of additions to the Criminal Code. "The Criminal Code of Canada has doubled in size over the last 10 or 15 years," he said. Outlining the two types of bans, statutory and judicial discretionary, Gaul said bans were important as they protected the rights of vulnerable individuals and their right to a fair trial.

Gaul, who stressed that, "I don't speak for the courts and I have colleagues who may or may not agree," indicated to media that he does not take requests for publication bans lightly. He said what is often requested is not always what is granted as the court attempts to balance the individual's rights with the public's right to know.

Journalists attending the workshop voiced a growing frustration with the way publication bans are put into effect. While the Criminal Code states they are automatic in certain types of alleged crimes or judges have the power to evoke them, there is no regulated or mandatory protocol for informing the public or press. Reporters said press bans can unintentionally be violated because court services were not informed of bans or they had been slow in being posted. They also voiced concerns that bans were often too broad in that they referred to anything that could identify an individual, leaving the interpretation of "anything" up to the media.

Two media lawyers, Dan Burnett of Owen Bird Law Corp. and David Sutherland, talked about publication bans and other aspects affecting the media. Burnett was the lead counsel on a recent landmark Supreme Court of Canada libel case representing broadcaster Rafe Mair and radio station CKNW that redefined the defence of fair comment. He is headed back to the SCC in December to argue whether a web site operator is liable for hyperlinks on its page that link to other web pages.

One Kamloops, B.C., reporter, speaking through a video link-up, said he had been successful in opposing 10 out of 12 bans and had set about building a law library with precedents.

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