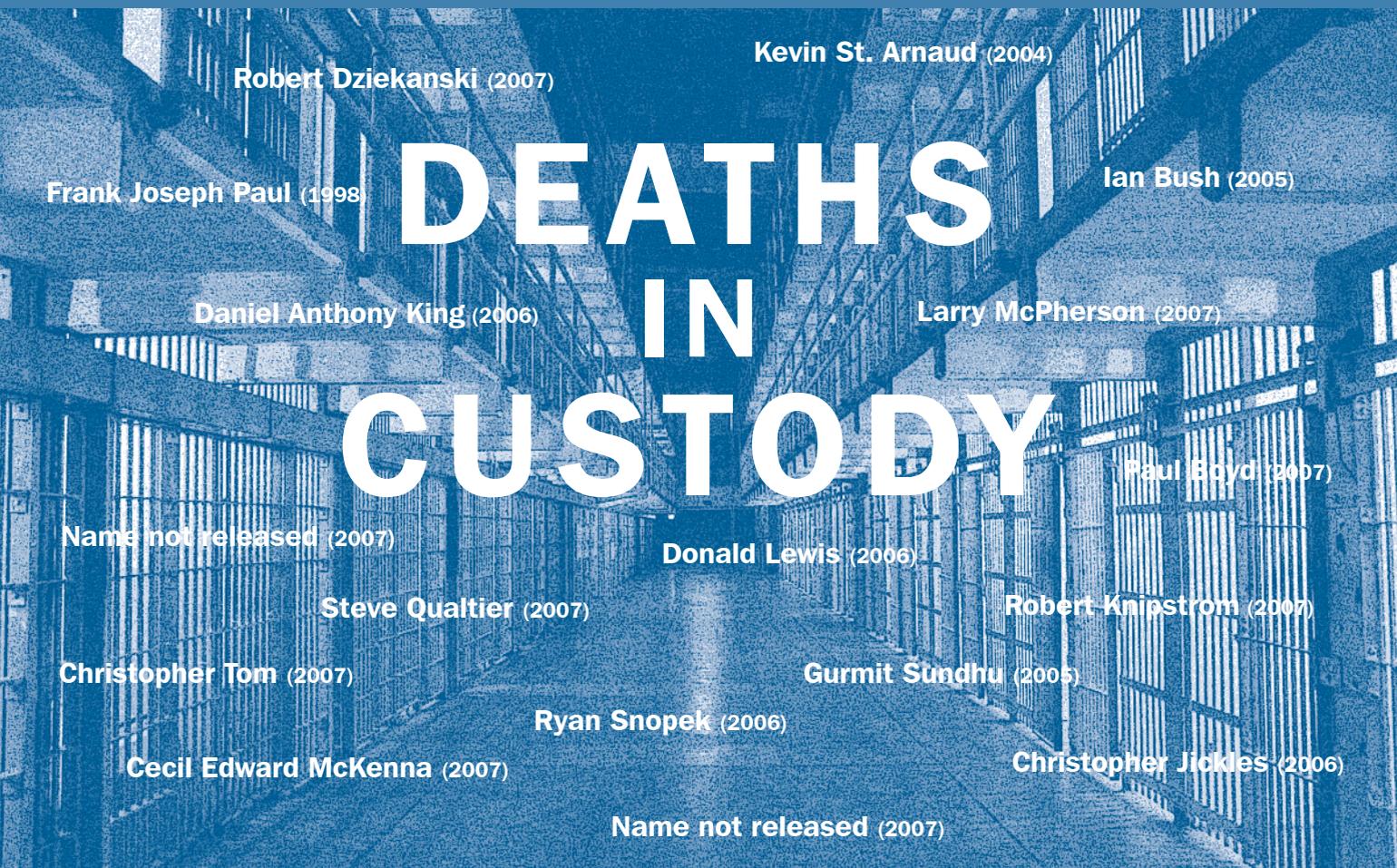


BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION

# Annual Report 2007



Robert Dziekanski (2007)

Kevin St. Arnaud (2004)

Frank Joseph Paul (1998)

Ian Bush (2005)

# DEATHS IN CUSTODY

Daniel Anthony King (2006)

Larry McPherson (2007)

Name not released (2007)

Donald Lewis (2006)

Paul Boyd (2007)

Steve Quattier (2007)

Robert Knipstrom (2007)

Christopher Tom (2007)

Gurmit Sundhu (2005)

Ryan Snopek (2006)

Christopher Jickles (2006)

Cecil Edward McKenna (2007)

Name not released (2007)

NAMES REPRESENT CASES INVOLVING BCCLA COMPLAINTS

## ANNUAL GENERAL MEETING 2008

THURSDAY, MARCH 27 / 7:30 PM / Law Courts Inn, 800 Smithe Street 4th Floor, Vancouver, B.C.

### GUEST SPEAKER:

Sister Elizabeth Kelliher, Franciscan Sisters of the Atonement: *Homelessness and Civil Liberties*

### REG ROBSON CIVIL LIBERTIES AWARD:

Judy Graves, Coordinator, Tenant Assistance Program, Housing Centre, City of Vancouver

## THE DEMOCRATIC COMMITMENT

MARCH 2008 / VOLUME 42 / NUMBER 1



## HONOURARY DIRECTORS

David Barrett

Thomas Berger, Q.C., O.C.

Robin Blaser

Neil Boyd

The Right Honourable  
Kim Campbell, P.C., Q.C.

Andrew Coyne

Hugh Curtis

Bill Deverell

F. E. Devito

David H. Flaherty

John Fraser, P.C., Q.C.

Gordon Gibson

Patricia O. Hall

Don Hamilton

Mike Harcourt

Rev. Phillip Hewwett

Michael Ignatieff

Art Lee

Alex MacDonald, Q.C.

Rafe Mair

Darlene Marzari

Father James Roberts

Svend Robinson

David Suzuki

Milton Wong

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## BOARD OF DIRECTORS for board member bios, visit [www.bccla.org](http://www.bccla.org)

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Robert Holmes, Vice President

John Dixon, Secretary

Alan Rowan, Treasurer

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Warren Bourgeois

Alister Browne

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Larry Cohen

Ann Curry

Greg DelBigio

Dave Eby

Avigail Eisenberg

Michael Feld

Hamar Foster

Tom Gore

Conrad Hadland

Shirley Heafey

Frances Henry

Laura Huey (to Aug, 2007)

Stephen Katz

John Kibblewhite

Ross Lambertson

Ed Levy

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John J. McIntyre

Stan Persky

Ann Pollak

Kent Roach

Richard Rosenberg

John Russell

Tom Sandborn

Steven Savitt

Carol Tator

Kirk Tousaw

Reg Whitaker

Scot Wortley

Eric Wyness

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## STAFF

Murray Mollard, Executive Director

Micheal Vonn, Policy Director

Grace Pastine, Litigation Director

Sarah Frew, Director of Development  
(to Nov 2007)

Jim Braunagel, Office Manager

Jesse Lobdell, Caseworker

Catherine Wong, Articled Student  
(from Sept 2007)

Christina Godlewska, Articled Student  
(to Sept 2007)

## British Columbia Civil Liberties Association

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The Democratic Commitment is a publication of the British Columbia Civil Liberties Association. The Association was established in 1962 and is the oldest continuously active civil liberties association in Canada. Its mandate is to preserve, defend, maintain and extend civil liberties and human rights in British Columbia and across Canada.

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## A LIFETIME COMMITMENT TO THE B.C. CIVIL LIBERTIES ASSOCIATION

Chris W. Sanderson, Q.C.

I first decided to provide financial support to the BCCLA 20 years ago. I can only wish that my other investments from that period had yielded such a high return. I believed then as I do now that support for the BCCLA is a lifetime commitment as opposed to an opportunity to back a specific cause.

The principles that the BCCLA seeks to further are so fundamental that they require support at all times. In that respect, the BCCLA makes different demands of its supporters than other organizations. In taking principled positions, it often takes unpopular ones. That means that on a case-by-case basis, its supporters may not favour an outcome that its position will produce, but are called upon to back the association anyway.

At first, I was simply one of the many silent donors that support BCCLA annually, but I always knew that my financial support was making a direct and immediate contribution to sustaining very important societal values. As I became more familiar with the Association over time, I realized that it had an extraordinary ability to leverage very few dollars into significant accomplishments due to its stellar reputation with the press, the courts and, sometimes, even government. The very significant volunteer contributions that it manages to obtain on an ongoing basis from its directors and the many lawyers and other professionals that have assisted it on litigation and lobbying fronts allow it to punch above its weight.

The dawning realization that a dollar offered to the BCCLA yields many dollars worth

of benefit led me to begin volunteering for the BCCLA in the early 1990s. I first represented the Association in connection with its efforts to ensure that the public school system in British Columbia remains free from religious dogma by intervening to support the ability of teachers to teach young children about non-traditional family structures in the public schools. An early meeting with then Executive Director John Westwood and current Executive Director Murray Mollard inspired me to represent the BCCLA in *Chamberlain vs. Surrey School Board* at all levels of court including the Supreme Court of Canada.



I consider the opportunity to work with the BCCLA to be a great privilege. To be able to argue fundamental questions of Canadian law on a purely principled basis before the highest court in the land is what every counsel aspires to. Since *Chamberlain*, I have continued my support for the BCCLA, both financially and professionally. I believe that is a small contribution to protecting values that are so instrumental to the society we tend to take for granted.

Twenty years ago, the notion that an organization like the BCCLA was essential to confirming that Canada stood against torture, or for presumed innocence, or even insisted on the right to a public education system run on a secular basis might reasonably have seemed a stretch to many. However, now we know that the every day principles that we had thought were cornerstones of the 'good life' that were ours as Canadians are often at risk. That is why I continue to support the BCCLA as generously as I am able and I encourage others to do the same.

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**For more information on how to make your commitment to civil liberties and the BCCLA, contact Sarah Sandusky, Director of Development at 604.630.9750.**

# ABOUT THE BCCLA / FIGHTING FOR FREEDOM

The B.C. Civil Liberties Association's success is due to an extraordinary cast of people with a singular focus – preserving citizens' freedom in a free and democratic society. Though the Association has grown from its early days of operating out of the homes of members after its formation in 1962, we remain a grassroots organization reliant on the expertise, dedication and assistance of board members, a small staff, volunteers and supporters.

The BCCLA is run by a volunteer board of directors of over 30 members with diverse backgrounds in academia, law and business. The board distinguishes itself not only by setting the policies of the Association, but also by actively advocating for civil liberties before government and private institutions. The Association's work comprises four program areas:

## Public Education (page 7)

The BCCLA's educational efforts include:

- Free publications: Our newsletter *The Democratic Commitment*, our e-news *Civil Liberties Update*, *The Citizenship Handbook*, *Rights Talk—Students and Civil Liberties at School*, and the *Arrest Handbook/Pocketbook*.
- Free Speakers' Bureau: BCCLA representatives speak to hundreds of people each year.
- Media work: The BCCLA is a trusted source for insightful perspectives on the latest issues.
- Website: Visit our website ([www.bccla.org](http://www.bccla.org)) for a comprehensive collection of our work.
- Public events: the BCCLA hosts public talks by leading public figures like Michael Ignatieff and Beverley McLachlin, Chief Justice of Canada.

We also organize seminars such as the Racial Profiling Conference in 2007 and an annual seminar for high school students.

## Complaint Assistance (page 8)

Each year, the Association provides assistance to individuals whose civil liberties concerns impact a wide group of people. The Association also provides referrals for legal advice or other assistance.

## Law Reform (page 8)

The Association plays a vital role in law and policy reform by meeting with and making oral and written submissions to Ministers, legislative committees, key bureaucrats and officials. Over the years, the Association has built up extensive contacts and respect among public officials at the local, provincial and federal levels.

## Litigation (page 15)

Occasionally, the Association goes to court to protect freedom. Our moral suasion efforts are more successful when others know that we have the capacity to go to court to seek legal remedies. In this effort, we are very fortunate each year to have the assistance of lawyers who donate their services and expertise.

To accomplish each of these programs, the Association devotes considerable energy to researching its positions and submissions.

## Funding (page 23)

The BCCLA receives funding from three primary sources. The Law Foundation of British Columbia provides an ongoing operational grant that covers approximately one half of our budget. The Association also receives a B.C. Gaming grant each year. Finally, the BCCLA relies to a great extent on individual donors and members to financially support our work. If you are not yet a supporter of the BCCLA, please join today!

# 2007

## Focus on Deaths in-Custody

The deaths of Robert Dziekanski at the Vancouver Airport and Ian Bush in Houston, B.C. forced the issue of police custody deaths into the centre stage of public attention in 2007. The BCCLA was at the forefront of efforts to reform an outdated system for police accountability. With little public confidence when police investigate police, we advocate for civilian-led independent investigations.

### Death in-Custody Police Complaints

For several years, the BCCLA has been lodging complaints of police-involved deaths. Our purpose is twofold: to ensure that civilian agencies responsible for police oversight will carefully review police investigations, and to gather information to advance reform of the law. These oversight agencies – the Commission for Public Complaints Against the RCMP (CPC) and the Office of the Police Complaint Commissioner (for municipal police) – do not investigate deaths. They review police investigations to ensure they are thorough and competent.

The BCCLA's complaint efforts have been thwarted by the RCMP. They often summarily dismiss our complaints under a section of the *RCMP Act* that permits them to do so if there is another appropriate procedure or further investigation is not necessary. The RCMP have interpreted these provisions to mean that criminal investigations and coroners' inquests make a professional conduct investigation redundant or untimely. The BCCLA has countered that criminal investigations are completely different than professional conduct investigations and that coroners' inquests are legally prohibited from making findings of police responsibility for civilian deaths.

When the RCMP dismiss our complaints, we ask the CPC to review the RCMP's decision. Regrettably, the CPC has upheld the RCMP's decision in some cases, most notably in the death of Ian Bush, the young Houston, B.C. man who was shot in the back of the head in an RCMP detachment after being arrested for obstruction. In this case, the BCCLA took the CPC to Federal Court for its decision to uphold the RCMP's dismissal of our

complaint (see page 15 for Litigation case reports).

In spite of these setbacks, the BCCLA's efforts have made a difference to improve RCMP accountability. In many BCCLA complaints, the CPC has also "self-initiated" a complaint. On the one hand, this has been frustrating for the BCCLA because we are essentially elbowed out of the process. As a watchdog of watchdogs, this undermines our legitimate role. On the other hand, the BCCLA's actions have shone a spotlight on how the CPC responds to these deaths, thereby influencing the CPC to take its responsibilities for RCMP oversight more seriously. The CPC has also initiated an Independent Observer Pilot Project which imposes greater scrutiny of police investigations of civilian deaths involving the RCMP. While these initiatives do not go nearly far enough to inspire true public confidence in the process for police accountability after an in-custody death, they represent movement in the right direction.

### Public Forum on Deaths in Custody

To further highlight the need for reform, the BCCLA organized a successful forum in September 2007 focusing on police involved deaths. Speakers included Linda Bush and other relatives of individuals who died in police custody or pursuit. Speakers also included the lawyers for these families, former CPC Chair and current BCCLA board member Shirley Heafey and André Marin, Ontario Ombudsman. The event was a success with extensive media coverage, forcing B.C. Solicitor General John Les to defend the current process.

# PUBLIC EDUCATION / REACHING OUT

Civil liberties principles involve complex ideas. A major part of our work is to educate the public, the media and decision makers about the central role civil liberties play in a free and democratic society. Here are some of our education activities in 2007.

## MEDIA WORK

Via TV, radio, print or e-media, the BCCLA is a key source for local, provincial and national media on issues relating to civil liberties. Each year, we conduct hundreds of media interviews.

## PUBLICATIONS

The BCCLA is *the* source for information about civil liberties. In 2007, we distributed over 15,000 free publications including the *Arrest Handbook* and *Pocketbook*, *Rights Talk: Students and Civil Liberties at School*, and *The Citizenship Handbook: A Guide to Democratic Rights and Responsibilities for New Canadians*. We also distribute our newsletter the *The Democratic Commitment*, and our e-news bulletin *Civil Liberties Update*. In 2008, we will be updating and re-printing *The Citizenship Handbook* and revising and creating an electronic version of the *Privacy Handbook*. Call the BCCLA for free copies of any of our publications or e-mail [info@bccla.org](mailto:info@bccla.org) to be added to the *Civil Liberties Update* mailing list.

**i** To obtain digital copies of BCCLA publications visit: [www.bccla.org/05pubs.org](http://www.bccla.org/05pubs.org).

## PUBLIC EVENTS

The BCCLA has hosted such distinguished speakers as Michael Ignatieff, John Ralston Saul and the Chief Justice of Canada, the Right Honourable Beverley McLachlin at free public forums.

2007 was a busy year for public events hosted by the BCCLA. At our AGM, SFU Professor John Lowman spoke about the harm caused by Canada's prostitution laws. In May, we hosted a major conference on racial profiling and in November we presented our third interactive civil liberties seminar for high school students.

## WEBSITE [www.bccla.org](http://www.bccla.org)

Since the late 1990s, the BCCLA website has become an important source of information about BCCLA positions, education and advocacy work.

## PUBLIC SPEAKING

Call the BCCLA office to book a BCCLA speaker today! In 2007, the BCCLA made over 40 presentations to approximately 2,600 people. A sampling of talks from 2007 include:

- speaking at the 29th annual International Conference on Data Protection and Privacy Commissioners on the topic of Data Mining and National Security;
- giving a presentation on the public's right to know in an age of national security and law enforcement at the B.C. Information Summit's Right to Know Week event;
- presenting to a group of diplomats and public officials at the Indonesian-Canada Human Rights Exchange;
- giving lectures on pornography for the Criminology Department at SFU and on comparative sexual orientation law for the Faculty of Law at UBC;
- presenting at two public forums in Vancouver on "quality of life initiatives" contained in the City of Vancouver's Project Civil City as well as a talk on a similar trend in the policing of public space in Nanaimo.

In 2007, the BCCLA also played a prominent role in teaching courses on civil liberties and tort law at the Faculty of Law at UBC.

# CASEWORK

## Complaint Assistance & Law/Policy Reform

The BCCLA is an important advocate for individuals seeking assistance involving civil liberties whether their complaints involve government or private institutions. Add our numerous law reform files and BCCLA casework is a major focus of the Association's work. The following cases highlight some of our work in 2007.

### National Security

#### Anti-Terrorism Act Sunset Clauses

The BCCLA added its voice to a growing chorus of individuals and groups calling for the sunset of two controversial provisions in the *Anti-Terrorism Act*. The act permits the government to detain individuals and force them to reveal specific information as well as to detain individuals they believe will imminently commit a terrorist act. The provisions were not renewed by Parliament though the Conservative government in Ottawa is reintroducing these measures in 2008. The BCCLA will continue to advocate against these extraordinary and unnecessary powers.

**i** To view the BCCLA press release, visit: [www.bccla.org/pressreleases/07ATASunset.pdf](http://www.bccla.org/pressreleases/07ATASunset.pdf)

#### Prevention of Torture Act

The BCCLA continued with its advocacy efforts in 2007 for support of our *Prevention of Torture Act (PTA)*. In late March, two BCCLA representatives were in Ottawa on the invitation of two Parliamentary Standing Committees. We used this opportunity to ramp up our lobbying efforts on the *Prevention of Torture Act* initiative. To this end, we arranged a series of meetings with the Members of Parliament who either sit on the Standing Committee on National Security, or Members of the shadow cabinets holding relevant portfolios. The face-to-face contact and networking opportu-

nities greatly increased the exposure of both the *PTA* initiative and the Association itself in Ottawa. The BCCLA will continue to press for adoption of this model legislation, especially in light of revelations of credible allegations of torture of persons detained by Canadian Forces who are transferred to Afghan authorities.

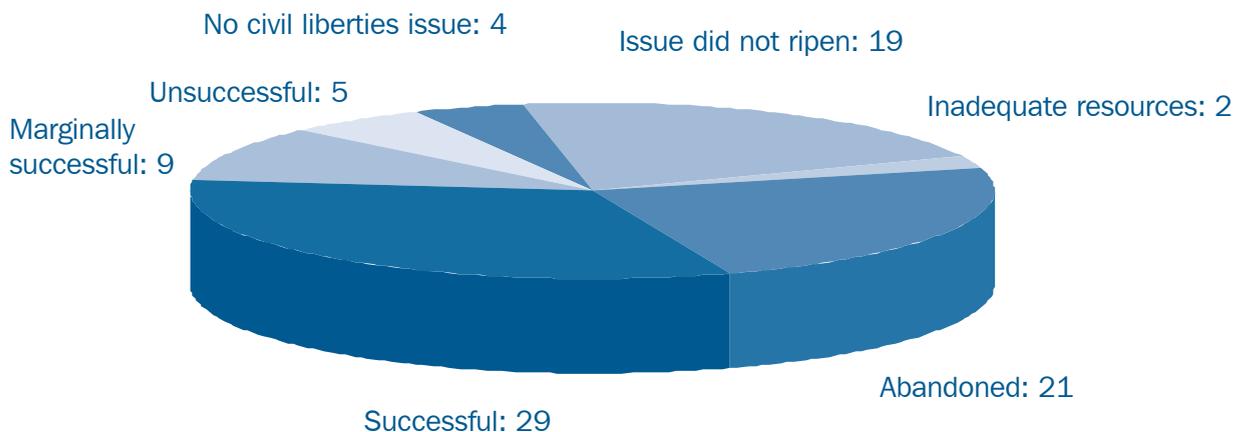
**i** To view the *Act* and a backgrounder, visit [www.bccla.org/antiterrorissue/torturenutshell.htm](http://www.bccla.org/antiterrorissue/torturenutshell.htm)

#### Bill C-3: Security Certificates and Special Advocates

The BCCLA was in Ottawa in early December to testify before the Standing Committee on Public Safety regarding Bill C-3, an act to amend the *Immigration and Refugee Protection Act*. The Bill would create a cadre of specially trained lawyers to represent people in court who have been named in a security certificate as being a threat to national security. But they will not be permitted to review the evidence upon which the allegations are based to maintain the confidentiality of the information. This Bill was introduced after the Supreme Court of Canada decision in *Charkaoui* that struck down security certificates as unconstitutional due to a lack of transparency. The BCCLA urged the committee to consider (1) ending the use of security certificates and instead using criminal provisions for those that are true threats to national security and (2) if security certificates are going to be continued, reform the special

*continued on page 10*

Active Files				
	2007	2006	2005	2004
Administrative decision-making	4	1	4	5
Autonomy	18	14	1	8
Childrens' rights	7	6	4	4
Discrimination	17	14	7	5
Due process	38	31	36	24
Freedom of speech & association	30	25	24	19
Patients' rights	6	3	2	2
Police complaints	98	69	49	28
Political rights	14	9	14	5
Prisoners' rights	3	3	3	7
Privacy & access to information	76	58	48	22
<b>Total cases</b>	<b>331</b>	<b>236</b>	<b>201</b>	<b>129</b>



## Closed Cases

### Case Acceptance Policy

The B.C. Civil Liberties Association accepts complaints about civil liberties violations if the issue is likely to impact a large number of individuals and if we have the resources to provide assistance. Our full case acceptance policy is on our website: [www.bccla.org/05acceptance.htm](http://www.bccla.org/05acceptance.htm)

# CASEWORK

advocate regime to make it more effective. The BCCLA intervened in the *Charkaoui* decision in 2006.

## Freedom of Expression

### 2010 Civil Liberties Advisory Committee



Experience in other Olympic cities such as Atlanta, Sydney and Salt Lake City reveal that political dissent and the rights of homeless people are often sacrificed as part of the Olympic experience. To address these issues in the 2010 Olympics in Vancouver, the BCCLA circulated a proposal to the Olympic partners, including the Vancouver Organizing Committee (VANOC), the City of Vancouver, the Vancouver Police Department, the RCMP, the federal and provincial 2010 Secretariats and to First Nations to create a 2010 Civil Liberties Advisory Committee.

The goal of the committee is to consult with and advise key Olympic partners regarding how best to protect civil liberties during the Olympics while developing and implementing legitimate security plans.

The BCCLA secured the commitments of eight outstanding individuals, including **Dan Burnett** (media lawyer), **Michael Byers** (UBC political science professor), **Wes Pue** (UBC law professor), **Wendy Baker** (multipractice lawyer and President of West Coast Environmental Law Association), **Neil Boyd** (SFU professor), **Deborah Jeffries** (First Nations educator and articulated student), **Tom Braidwood** (retired Court of Appeal justice) and **Jerry Paradis** (retired provincial court judge).

By the end of 2007, key security players includ-

ing the Vancouver Police Board, the Vancouver Police Department, the RCMP and VANOC had committed to work with the advisory committee. The BCCLA will remain independent from the advisory committee, while the committee will work behind the scenes to advocate for civil liberties.

## Morality Offences

### Age of Consent to Sex

The BCCLA made a submission to the Standing Committee on Justice and Human Rights on the topic of Bill C-22 which would raise the age of consent for sex. We argued against the bill, noting that young people are already protected from sexual exploitation under the *Criminal Code*. We told the Committee that raising the age of consent risks criminalizing healthy sexual relationships between young people and is likely to create barriers to providing sexual health information to youth.

## Due Process

### Public Inquiry Act

In 2006, the B.C. government introduced an “updated” *Public Inquiry Act*. The BCCLA along with other organizations raised significant concerns with the Bill, the result of which led to the withdrawal of the Bill by the government. In the spring of 2007, the government reintroduced the Bill with significant changes responding to our concerns. We met with the Deputy Attorney General at his request to review the Bill. Based on our research on other jurisdictions, we continued to express some reservations with this revised Bill. However, on balance, we were satisfied with a number of changes that were made in response to our and others’ opposition to the original Bill.

### Community Court

The BCCLA met provincial representatives to discuss the proposed community court. This court will essentially stream all summary conviction,

hybrid and absolute jurisdiction offences from the Downtown Eastside geographic region into this court but exclude most serious offences. The goal is to identify needs of repeat offenders who offend due to homelessness/poverty/addiction/mental health issues and provide quicker access to social services for them via triage and case management teams. No new services are being provided, rather “access” will be enhanced but only if individuals plead guilty. If there is no guilty plea, they are sent back to regular court with no enhanced access.

The BCCLA wrote to and met with Attorney General Wally Oppal outlining the following civil liberties concerns: the accused will have enhanced access to services only if they plead guilty and access to services may not be enhanced given a lack of new funding. As an alternative, we advocated for the expansion of diversion policy to permit people to access services without saddling them with another criminal conviction. The Attorney General is pressing ahead with the Community Court. The BCCLA will monitor its impact.

## SCAN (NWT) Legislation

The BCCLA received news that legislation proposed in the Northwest Territories would significantly have undermined the due process rights of tenants alleged to have caused nuisance and disturbances to neighbours, due to alcohol and drug use. The *Act* would have provided significant authority for the government to evict tenants without adequate due process protections. The BCCLA wrote the NWT legislators and advised them of our concerns. The legislation was subsequently withdrawn.

**i** To view the BCCLA’s letter to the NWT legislators, visit: [www.bccla.org/othercontent/07SCAN.pdf](http://www.bccla.org/othercontent/07SCAN.pdf)

### Discrimination

## Civic Security Requirements to Feed and House the Homeless

We responded to a request from the Tenth Avenue Church to assist in their dealings with the City

of Vancouver. We attended a meeting of church representatives, City staff and Mayor Sam Sullivan to discuss the City’s requirement that the church apply for a different land use permit in order to continue its shelter and free meals program. The church resisted this apparently unprecedented requirement for a social use permit, which included conditions that the line-ups for church programs be security patrolled and residency information be collected from program participants.

The church representatives spoke passionately about how ministry to the poor is not an adjunct social service of the church but rather an integral part of their religious practice. The focus of the BCCLA’s contribution was the issue of discrimination against the poor. The matter has not been resolved to date and the BCCLA will continue to assist church officials in 2008.

## “Lost Canadians”

The BCCLA made a submission to the House of Commons Standing Committee on Citizenship and Immigration to argue for due process protections for the ‘Lost Canadians’. These are people who have lost their Canadian citizenship on the basis of outdated and discriminatory criteria and administrative misinformation. We urged the Committee to change the *Citizenship Act* to include a presumption of permanent citizenship that would be irrevocable except by renunciation or substantial fraud.

**i** To view the BCCLA submission, visit: [www.bccla.org/othercontent/CIMM.pdf](http://www.bccla.org/othercontent/CIMM.pdf)



### RCMP Income Trust Investigation

In 2006, the BCCLA made a complaint against the RCMP for publicly disclosing that it was undertaking a criminal investigation into allegations of an improper leak of the then Liberal government's plans to change the law regarding income trusts. The Association received the results of the RCMP investigation into our complaint in January 2007. The RCMP noted that then Commissioner Zaccardelli had the discretion to inform the NDP Member of Parliament who had complained about the possible leak that the RCMP was undertaking a criminal investigation. Furthermore, the RCMP affirmed that the press release confirming this fact did not violate any policy.

In January 2007, the BCCLA issued a press release and wrote to Paul Kennedy, Chair of the Commission for Public Complaints Against the RCMP (CPC) to seek a review of the RCMP's decision. Kennedy launched his own complaint and has placed our request for review in abeyance.

The BCCLA also made a subsidiary complaint in this matter, alleging that the Commissioner or other members had communications with partisan political players that may have influenced political affairs during the 2005-06 election. The BCCLA corresponded with the RCMP officers who were assigned to investigate this subsidiary complaint. Our complaint was dismissed by the RCMP and so we requested another review by the CPC. As a result of the CPC's decision to defer review of our complaint again, the BCCLA went to Federal Court to force the CPC to take action.

**i** To view, the BCCLA press release on this issue, visit: [www.bccla.org/pressreleases/07RCMP.IncomeTrustPublicInquiry.pdf](http://www.bccla.org/pressreleases/07RCMP.IncomeTrustPublicInquiry.pdf)

### Robert Dziekanski YVR Death and Tasers

The BCCLA was at the forefront of critics calling for accountability after the death of Robert Dziekanski, the immigrant from Poland who was

Tasered and died in custody of the RCMP at Vancouver International Airport. The BCCLA launched two RCMP complaints including one focusing on the behaviour of the RCMP officers and the other on the RCMP's misleading the media and their treatment of a witness who videotaped the incident.



The BCCLA also issued public calls for a moratorium on the Taser pending an inquiry into the incident and Taser policies and practices. The B.C. government announced an inquiry in late November that will review Taser use and the circumstances surrounding Mr. Dziekanski's death. The Commission for Public Complaints Against the RCMP also issued an interim report on Taser use, including recommendations for significant changes to RCMP training and policies which the BCCLA has endorsed as an interim measure.

### Police Complainant

Among the many people who sought assistance in making police complaints, the BCCLA helped an individual file a police complaint against an officer who allegedly harassed him on Granville Street. The complainant was seeking direction in order to make a credible complaint as well as information that was relevant to his particular status, but also wanted to ensure his name was not on the "Bar Watch" list. The BCCLA was able to make inquiries to ascertain that the complainant was not on the list.

## Private Security Law Reform

The BCCLA continued to lead efforts by a coalition of groups advocating reform to B.C.'s outdated private security legislation. The Association has long been concerned about the impact that private security personnel have on civil liberties when they detain, arrest, search, seize property and use force against individuals the same as police.

With other members of the coalition, we met with and made submissions to government officials to advocate for strong legislation and regulations under the new *Security Services Act*. The coalition was influential in ensuring that private security personnel will be subject to a new Code of Conduct and that there will be stronger measures for accountability via a complaint process.

### Privacy / Access to Information

## Statutory Review of Federal Privacy Legislation

The BCCLA, jointly with the B.C. Freedom of Information and Privacy Association, made a submission on the Statutory Review of the *Personal Information Protection and Electronic Documents Act* (PIPEDA). BCCLA Privacy and Access Committee Chair, Richard Rosenberg, addressed the House of Commons Standing Committee on Access to Information, Privacy, and Ethics on a number of issues relating to the legislation and the operation of the Office of the Privacy Commissioner of Canada. We urged legislative reform to strengthen privacy protections, including the provision of order-making powers for the Privacy Commissioner of Canada.

**i** To view a copy of the BCCLA's submission, visit: [www.bccla.org/othercontent/08PIPEDA.pdf](http://www.bccla.org/othercontent/08PIPEDA.pdf)

## Lawful Access

The Association made a submission to Public Safety Canada on its Customer Name and Address Information Consultation. This consultation looked at a proposal to provide the police with warrant-

less access to customer information of telecommunications service providers. In keeping with our previous lawful access position, we argued that the proposal would unjustifiably violate citizens' privacy rights and that there was no demonstrated need for this significant expansion of police powers.

**i** To view the BCCLA submission, visit: [www.bccla.org/othercontent/07CNA.pdf](http://www.bccla.org/othercontent/07CNA.pdf)

## Electronic Health Care Records

The Association continues to be at the forefront of consultations on the Province's proposals for "eHealth". We continue to participate in numerous consultation processes relating to privacy and security and the legislative underpinning for the program. These consultations are very arduous in terms of human resources and necessary technical expertise. However, we are committed to safeguarding patient privacy and understand, informally, that the work of privacy and patient advocates has resulted in the B.C. proposals for eHealth being considerably more privacy-sensitive than the systems in other provinces.

## Safe Schools Survey

The BCCLA responded to a privacy complaint about the Safe Schools Survey. A concerned parent contacted the Association about the survey, which is administered to approximately 80,000 students in B.C. The survey asks sensitive questions that could elicit admissions to serious criminal activity.

Researchers told students and parents that participation was anonymous and that no names were collected. However, researchers wanted to track individuals as part of their longitudinal study, so personal information was collected that could potentially identify individuals should criminal justice authorities subpoena the data.

The BCCLA worked with the researchers and with the Ethics Review Committee of the University College of the Fraser Valley to remove the questions that threatened anonymity and ensure that consent to participate was more informed. This collaborative effort by all parties helped to ensure the protection of students' rights.

### Drug-Impaired Driving

The BCCLA made a submission to the Standing Committee on Justice and Human Rights on the topic of Bill C-32, which would make changes to the *Criminal Code* provisions on impaired driving. While the Association obviously supports legislation that prohibits impaired driving, we argued against this bill on the grounds that it represented an unjustifiable violation of privacy that did not, in fact, effectively address impairment.

Our objections to the bill included provisions imposing a specific penalty for driving while in the possession of a drug. As possession of a drug is already illegal, this proposed law is essentially a

backdoor means of imposing a draconian increase in the penalty for possession by attempting to equate having a small amount of marijuana in a car and driving unimpaired, with imbibing a large amount of alcohol and driving impaired. We said that these types of provisions are nonsensical in relation to the legislative objective and should not be included in the bill.

**i** To view the testimony of the BCCLA, visit: <http://cmte.parl.gc.ca/Content/HOC/Committee/391/JUST/Evidence/EV3019292/JUST-EV75-E.PDF>

### Protecting and Enhancing Civil Liberties

Protecting freedom requires vigilance. Long after the headlines have faded, the B.C. Civil Liberties Association continues to work proactively on issues of importance to all Canadians, such as police accountability, patients' rights, privacy, and freedom of speech.

Enhancing and protecting civil liberties in a democratic society requires not only dedication but also financial resources. The BCCLA depends upon its members and donors for financial support and there are many ways you can contribute to the Association, including a donation of cash, securities (stocks), other property, *pro bono* professional services, community fundraising events, monthly giving or by including the BCCLA in your will.

Planned giving offers you an opportunity to provide long-term support for the causes most important to you. A bequest to the BCCLA ensures that your legacy will live on in the name of civil liberties and human rights and in support of our shared goals of freedom and democracy. You can choose to make a direct donation from your estate

to the BCCLA or contribute to the Endowment Fund so your gift will continue benefiting the BCCLA in perpetuity. You can even donate an insurance policy that names the BCCLA as a beneficiary.

The first step is to discuss your wishes with a lawyer, estate planner or financial advisor for a full assessment of the financial and tax implications of any of these options. Then ensure your wishes are respected by preparing a legally acceptable will. It is also helpful to advise the BCCLA of your intentions so we are fully aware of your wishes, such as any specific designation of your gift. You can be confident that any planned gift will be directly applied to the BCCLA's work as you intended.

The BCCLA is working hard to protect your rights and freedoms

every day and we hope to continue making you proud of the work we do in the name of civil liberties and human rights in Canada. Thank you for your support!

For more information contact BCCLA Director of Development, Sarah Sandusky at 604.630.9750.



# LITIGATION

## OUR THANKS TO THE LEGAL COMMUNITY

Going to court is one of the most effective ways to protect civil liberties. BCCLA litigation capacity also helps our moral suasion efforts. The BCCLA is indeed fortunate to be the beneficiary of generous assistance we receive from volunteer lawyers. Their efforts add up to hundreds of thousands of dollars worth of free legal representation each year. A review of 2007 court cases follows.

### AI & BCCLA v. Chief of Defence Federal Court of Canada

In 2007, the BCCLA and Amnesty International sought an injunction against the Ministry of National Defence, Chief of the Armed Forces, and the Attorney General to halt the transfer of Afghan detainees to Afghan authorities. The BCCLA argued that individuals detained by the Canadian Armed Forces are at risk of being tortured upon transfer to Afghan authorities, unless appropriate safeguards are taken by the Canadian authorities. In a preliminary ruling released on November 5, 2007, the Federal Court (reported at 2007 FC 1147) dismissed a motion to strike the Notice of Application brought by the Ministry of National Defence, Chief of the Armed Forces, and the Attorney General, holding that the BCCLA and Amnesty should be granted public interest standing in the case and that the issues raised by the BCCLA and Amnesty were not clearly bereft of any chance of success. In an interlocutory application for disclosure, the BCCLA challenged the constitutional validity of s. 38.02 of the *Canada Evidence Act*.

The hearing of the injunction application was heard in early 2008. Days before the hearing, the Ministry of National Defence announced that it had secretly stopped transferring detainees months before. Based on the new information, Federal Court Justice Anne Mactavish ruled that she would not grant a temporary injunction pro-



PAUL CHAMP

hibiting Canadian Forces from transferring detainees into Afghan custody. She concluded that there is no way of knowing whether transfers will ever resume in the future given the risk of torture in Afghan prisons, or, if they do resume, what additional safeguards may be put in place to

protect detainees while they are in the hands of the Afghan authorities. The Judge dismissed the motion on this ground alone, without prejudice to the parties' right to seek another injunction if transfers resume.

The ruling catalogues a litany of very serious human rights shortcomings in Canada's past approach to prisoner transfers, and powerfully and unequivocally confirms all of the serious human rights concerns that our two organizations have repeatedly raised with respect to prisoner transfers in Afghanistan. **Paul Champ** of Raven, Cameron, Ballantyne & Yazbeck in Ottawa is representing the BCCLA and Amnesty International.

**i** To view documents visit:  
[www.bccla.org/antiterrorissue/afghan.htm](http://www.bccla.org/antiterrorissue/afghan.htm)

## Frank Paul Inquiry Provincial Inquiry

The BCCLA is participating in the provincial public inquiry into the death of Frank Paul, a 47-year-old Mi'kmaq man who was deposited by Vancouver police in a Downtown Eastside alley in the middle of a December night where he died of exposure. Shortly before his tragic death, Mr. Paul was arrested for public intoxication and taken into police custody. Police jail surveillance video shows that a VPD officer dragged Mr. Paul from the police wagon into the jail elevator; Mr. Paul was motionless and his rain-soaked body left a visible wet trail on the concrete floor. A Sergeant on duty determined that Mr. Paul was not intoxicated, and surveillance video shows that ten minutes later Mr. Paul was dragged, still motionless, back to the police wagon.



GRACE PASTINE

The case cried out for a public hearing, however, the two officers were merely disciplined internally (the officers received one and two day suspensions) and the police department considered the case closed. After receiving new information from an individual concerning the incident, B.C.'s Police Complaints Commissioner, Dirk Ryneveld, called for a public inquiry into the case three years ago. That recommendation, however, was rejected by the provincial government. Finally, in February 2007, after years of pressure from the BCCLA and aboriginal groups, the government changed its mind and ordered an inquiry.

The first phase of the inquiry investigated the facts and circumstances that led to Mr. Paul's death. Subsequent phases will examine, amongst other issues, whether the response to Mr. Paul's death by the Vancouver Police, the Coroner's Office, the Police Complaint Commissioner and the Criminal Justice Branch was adequate. The BCCLA is represented by **Michael Tammen** of Harper Grey LLP and **Grace Pastine**, BCCLA Litigation Director.

## Simpson v. Mair Supreme Court of Canada

The BCCLA intervened in this case involving a lawsuit by Kerri Simpson against Rafe Mair of WIC Radio for defamation in connection with his comments comparing her opposition to gay-friendly education to the stance taken by the Nazis and Ku Klux Klan. The BCCLA intervened on the question of the proper scope and application of the defence in defamation law for the expression of opinions on matters of public importance. BCCLA Vice-President **Rob Holmes**, of Holmes & King, represented the Association assisted by former BCCLA articling student **Christina Godlewska**.

## Guantanamo Bay / Habeas Corpus United States Supreme Court

The BCCLA joined with Canadian parliamentarians and professors of international law to intervene before the United States Supreme Court on behalf of Canadian Omar Khadr and other terror detainees in challenging their detention at Guantanamo Bay, Cuba. Omar Khadr has been detained at Guantanamo Bay since 2002, following his capture by U.S. forces in Afghanistan when he was 15 years old.

The Supreme Court case involves legal challenges to the *Military Commissions Act of 2006*, which purports to strip non-U.S. citizen terrorism suspects of the right to petition civilian U.S. courts to review their detention. The BCCLA filed an *amicus curiae* legal brief with the Court arguing that the Military Commission process violates customary international law by restricting access to habeas corpus, the legal action through which a person can seek relief from unlawful detention, and by failing to meet the minimum standards set by customary international law rules on the treatment of aliens. BCCLA Litigation Director **Grace Pastine** provided legal counsel to the BCCLA.

**i** To view legal arguments of the BCCLA, visit: [www.bccla.org/05legalarguments.htm](http://www.bccla.org/05legalarguments.htm)

## R. v. Terezakis B.C. Court of Appeal

The BCCLA intervened in a constitutional challenge to section 467.13 of the *Criminal Code* (instructing a criminal organization). Due to the law's severe penalties, the BCCLA's submission focussed on overbreadth and vagueness. The penalties are overly wide, casting a net that is supposed to target leaders of organized crime, but which in its current form, catches the minnow front men as well. The Court of Appeal upheld the constitutionality of the legislation. **Rick Peck**, Q.C. and **Nikos Harris** of Peck & Co. represented the BCCLA.

## R. v. Spratt and R. v. Watson B.C. Court of Appeal

The BCCLA intervened in this matter involving a constitutional challenge under section 2(b) of the *Charter of Rights and Freedoms* to the provisions of the *Access to Abortion Services Act* which authorize the creation of no protest zones around an abortion clinic. The BCCLA argued that this legislation fails the test for "prescribed by law" under the Charter because it is vague in not providing adequate criteria to guide the exercise of discretion of the Cabinet in deciding whether or not to create a zone. The Court has reserved its decision. The BCCLA is represented by **Mark Andrews**, Q.C. of Fasken Martineau.

## Royal City Jewelers v. City of New Westminster / B.C. Court of Appeal

The B.C. Court of Appeal struck down a New Westminster by-law requiring second-hand stores and pawnshops to collect personal information on their customers to forward to the police. The Association has long been concerned about these kinds of by-laws under which surveillance databases have proliferated. We intervened in this case, arguing that the by-law contravened provincial privacy legislation, *Charter* rights and the division of powers. The Court did not have to consider the privacy and constitutional arguments as it found that the municipality did not have the authority to enact such by-laws under its

governing legislation. Our privacy arguments were reflected in the Court's expressed concern about technology-driven incursions into citizens' privacy. **Brent Olthius** of Hunter Litigation Chambers was our counsel in the case.

## BCTF and Canadian Federation of Students v. Translink and B.C. Transit B.C. Court of Appeal

The BCCLA intervened to oppose the stay application of the decision of the Court of Appeal that sought to permit the transit authorities to continue to refuse to run political advertising on buses until an appeal before the SCC. The BCCLA argued that in a matter involving a constitutional right, a stay is not appropriate.



CHELSEA WILSON

The Court agreed with our position. The BCCLA will intervene in this matter before the Supreme Court of Canada in 2008. **Chris Sanderson**, Q.C. and **Chelsea Wilson** of Lawson Lundell represent the BCCLA. They were assisted in 2007 by BCCLA Articled Student **Christina Godlewska**.

## BCCLA v. Attorney General of Canada Federal Court of Canada

The BCCLA initiated a judicial review of a decision of Paul Kennedy, Chair of the Commission for Public Complaints Against the RCMP (CPC), to uphold a decision of the RCMP to terminate a complaint by the BCCLA into the death of Ian Bush in Houston, B.C. The BCCLA sought the record of the decision. The BCCLA won a first round victory in Federal Court against the Attorney General of Canada but due to the release of a final report by the CPC in late 2007 regarding the incident and questions of mootness, the BCCLA decided to withdraw the lawsuit. **David Harris**, Q.C., **Michael Stephens** and **Micah Rankin** of Hunter Litigation Chambers represent the BCCLA.

## BCCLA v. Attorney General of Canada Federal Court of Canada

The BCCLA initiated another judicial review of a decision of Paul Kennedy, who refused to review the BCCLA's second complaint into the RCMP's handling of the Income Trust matter in the fall/winter of 2005-06. Though the BCCLA's application was ultimately dismissed in early January 2008, the Court demanded an update on the RCMP's investigation report of a self-initiated complaint by the Chair. The BCCLA will pursue this matter in 2008. The BCCLA is represented by **Kirk Stevens** and **George Glezos** of Lerner's LLP in Toronto.

## Iacobucci Inquiry Federal Inquiry

The BCCLA was a participant in the Iacobucci Inquiry, a federal inquiry that is examining the role of Canadian officials in the cases of Ahmad El-Maati, Abdullah Almalki, and Muayyed Nuredin, men who, like Maher Arar, were of interest to Canadian investigations before being detained and tortured overseas. As ordered by Prime Minister Harper, the terms of reference required "all steps necessary to ensure that the inquiry is conducted in private."

Though these terms also permitted a public hearing, Commissioner and former justice of the Supreme Court of Canada, Frank Iacobucci has refused to add a public dimension to the commission's work despite an application by the BCCLA, other intervenors and the three men for the names of all witnesses interviewed, release of thousands of documents, and public hearings on issues that do not involve national security. After Commissioner Iacobucci denied our application, the BCCLA decided to withdraw from the Inquiry due to concerns over the secret nature of the proceedings. The BCCLA was represented by **Paul Champ** of Raven, Cameron, Ballantyne & Yazbeck in Ottawa, **Shirley Heafey**, and **Warren Allmand**.

## Arkininstall v. City of Surrey B.C. Supreme Court

The BCCLA was granted leave in 2007 to intervene in this matter, which is scheduled to be heard in April 2008. The action involves a constitutional challenge to the *Safety Standards Amendment Act*, a provincial law that requires electricity companies to give municipalities information about residences with certain patterns of power consumption. Municipalities can disclose this information to the police and dispatch "safety officers" to inspect the residence. The term "safety officer" is not defined in the legislation, but what has been happening is that safety officers (electrical inspectors) arrive for these inspections with police in tow. The BCCLA will argue that the *Safety Standards Amendment Act* is unconstitutional to the extent that it authorizes warrantless searches and seizures. The BCCLA is represented by **Brent Olthuis** of Hunter Litigation Chambers.

The BCCLA also wishes to thank the following legal counsel for providing *pro bono* representation and assistance to the BCCLA:

**Joe Arvay, Q.C.** of Arvay Finlay

**Professor Amir Attaran** of the Faculty of Law, University of Ottawa

**Dan Burnett** of Owen Bird

**Professor Sujit Choudhry** of the Faculty of Law, University of Toronto

**Ryan Dalziel** of Bull Housser Tupper

**Yong-Jae Kim** of Lawson Lundell

**David Layton** of Ritchie Sandford

**Roy Millen** of Blake, Cassels and Graydon

**Michael O'Keefe, Q.C.** of Thorsteinssons

**Brian Samuels** of Samuels & Co.

# TREASURER'S REPORT / ALAN ROWAN

The civil liberties ship sails on. Once again we finished the year with a modest surplus. The full effect of the very generous increased funding from the Law Foundation is now being felt throughout the organization. As witness, our first hire last spring was our caseworker, Jesse Lobdell. Jesse came to us from RodRozen Designs. We then welcomed our new litigator, Grace Pastine, into our fold in July. Grace took a cut in pay to join us from Bull Housser & Tupper, and has already made a huge contribution to our legal efforts. Congratulations and thank you, Grace.

The transition from 2007 to 2008 saw another change as well, as our original full-time fundraiser, Sarah Frew, left us in November for new challenges with a hospital foundation. Early this year, we were able to complete the hiring of our new Development Director, Sarah Sandusky. Bringing ten years' experience as a successful fundraiser to our office, Sarah has worked with non-profits in Canada and in London (England). A B.C. native, Sarah has quickly put her mark on our fundraising, with a variety of saleable ideas, and a clear understanding of the field. She



Treasurer Alan Rowan  
PHOTO: ALISTAIR EAGLE

has also demonstrated an appreciation of what will be required of us get to the next level.

Without question, the next level is where we are going in 2008, if we are to achieve the target in our budget and avoid a major deficit. We have been very ambitious in our planning and hiring the past couple of years. The Association is increasingly being heard and celebrated for our excellent work not just here in B.C., but on the national (read Toronto and Ottawa) stage as well. We appear regularly before Parliamentary committees, and at the Supreme Court of Canada. Our challenge this year is to determine if we can craft similar success financially.

While we ended last year with an operating surplus in excess of twenty thousand dollars, some of this can be attributed to good luck, as well as to adept fundraising. We fortuitously saved some money in budgeted salaries through slower than anticipated hirings. We also received a super gift of \$25,000 at year-end from friend of the Association and Board member Eric Wyness. This marks the second year that Eric has made such a timely and generous gift. A heartfelt thank you to Eric, and indeed to all our donors, large and small. We will need all of your support and more to hit our fundraising target for 2008. Keep this in mind, friends, when our appeal letters come through the mail slot. Your assistance this year is more crucial than ever.

For the gift of their time (what is more precious?) and for their thought and direction, to the members of the Board, we salute you. It is the Board that really guides this Association and always has. Here's to the Board, our beacon. In summation, we also need to honour the following organizations that have so generously supported the BCCLA in the past: Law Foundation, Gaming Branch, Vancouver Bar Association and the Vancouver Foundation.

A handwritten signature in blue ink, appearing to read 'Alan Rowan'. The signature is stylized and fluid.

ALAN ROWAN

# AUDITOR'S REPORT

To the Members  
British Columbia Civil Liberties Association

We have audited the statement of financial position of the British Columbia Civil Liberties Association as at December 31, 2007 and 2006 and the statements of operations and changes in fund balances, financial position and cash for the years then ended. These financial statements are the responsibility of the Association's management. Our responsibility is to express an opinion on these financial statements based on our audits.

Except as explained in the following paragraphs, we conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In common with many not-for-profit charitable organizations, the British Columbia Civil Liberties Association derives revenue from memberships and donations, the completeness of which is not susceptible of satisfactory audit verification. Accordingly, our verification of those revenues was limited to the amounts recorded in the records of the organization and we were not able to determine whether any adjustments might be necessary to memberships and donations, excess of revenue over expenses, assets and net assets.

In our opinion, except for the effect of adjustments, if any, which we may have determined to be necessary had we been able to satisfy ourselves concerning the completeness of the memberships and donations revenue referred to in the preceding paragraph, these financial statements present fairly, in all material respects, the financial position of the Association as at December 31, 2007 and 2006 and the results of its operations for the years then ended in accordance with Canadian generally accepted accounting principles. As required by the *Society Act of B.C.*, we report that these principles have been applied on a basis consistent with that of the preceding year.

**TOMPKINS, WOZNY, MILLER & CO.**

CHARTERED ACCOUNTANTS

Vancouver, Canada

January 25, 2008

# FINANCIAL STATEMENTS

## British Columbia Civil Liberties Association STATEMENT OF OPERATIONS AND CHANGES IN FUND BALANCES For the year ended December 31

	2007				2006	
	GENERAL FUND	STABILIZATION FUND	TRUST FUND	LITTLE SISTER'S	TOTAL 2007	TOTAL 2006
<b>REVENUES</b>						
Membership & donations	174,055	—	—	2,110	176,165	181,231
Law Foundation of BC - operating grant	238,391	—	—	—	238,391	157,800
Specified grants & donations earned	73,179	—	—	—	73,179	56,439
Gaming revenue earned	45,292	—	—	—	45,292	53,530
Investment income	308	9,208	3,167	—	12,683	12,324
Realized gains (losses) on dispositions	—	12,689	(1,159)	—	11,530	26,361
Adj. of investments to market value	—	(2,103)	(2,411)	—	(4,514)	—
Endowment distributions	5,326	—	—	—	5,326	4,583
Contract and court awarded costs	40,872	—	—	—	40,872	—
Miscellaneous and special events	3,027	—	—	—	3,027	2,092
Amortization	1,438	—	—	—	1,438	428
	581,888	19,794	(403)	2,110	603,389	494,788
<b>EXPENSES</b>						
Salaries & benefits	378,423	—	—	—	378,423	280,460
Rent & utilities	38,541	—	—	—	38,541	37,024
Office operating	35,903	—	—	—	35,903	26,839
Contract services	13,717	321	639	6,287	20,964	36,031
Insurance	1,223	—	—	—	1,223	1,223
Bank charges	2,224	—	—	—	2,224	2,212
Fundraising	7,336	—	—	—	7,336	7,238
Publications & printing	8,450	—	—	—	8,450	8,216
Litigation costs	40,152	—	—	—	40,152	6,891
Meeting and special events	29,384	—	—	—	29,384	5,607
Amortization	4,277	—	—	—	4,277	3,108
	559,630	321	639	6,287	566,877	414,849
<b>Excess of revenue (expenses) for yr.</b>	<b>22,258</b>	<b>19,473</b>	<b>(1,042)</b>	<b>(4,177)</b>	<b>36,512</b>	<b>79,939</b>
Fund balances, beginning of the year	65,460	186,693	116,048	6,067	374,268	294,329
Adjust. of prior years' market value		25,191	17,973		43,164	
<b>Fund balances, end of year</b>	<b>87,718</b>	<b>231,357</b>	<b>132,979</b>	<b>1,890</b>	<b>453,944</b>	<b>374,268</b>

 The complete 2007 BCCLA audited financial statements are available at [www.bccla.org/05annual.htm](http://www.bccla.org/05annual.htm)

# BCCLA PEOPLE

MEMBERSHIP REPORT / SUPPORTERS					
	2007	2006	2005	2004	2003
<b>Senior</b>	188	215	214	206	252
<b>Students</b>	78	17	-	-	-
<b>Individual</b>	320	320	342	327	324
<b>Family</b>	226	251	234	232	198
<b>Organization</b>	4	6	1	11	11
<b>Total memberships</b>	816	809	791	776	785
<b>Donors only</b>	186	155	146	354	354
<b>Total supporters</b>	1002	964	937	1130	1139

## Staff

Murray Mollard, Executive Director  
 Micheal Vonn, Policy Director  
 Grace Pastine, Litigation Director  
 Sarah Frew, Director of Development  
 Jim Braunagel, Office Manager  
 Jesse Lobdell, Caseworker  
 Catherine Wong, Articled Student (from Sept 2007)  
 Christina Godlewska, Articled Student (to Sept 2007)  
 Katherine Ruffen, Bookkeeper (Dragomir Breckner)

## Volunteers

The BCCLA salutes the following volunteers who, through their dedication and generous contributions are an enormous help to the BCCLA. Many thanks to:

Sarah Albertson	Gordon Mitchell
Romi Chandra	Barb Moyle
Kirstin Danielson	Graham Noble
Peter Edelmann	Ted Palys
Chris Hardcastle	Larry Resnick
Spencer Herbert	John Richardson
Tim Hinkson	Kara Sockett
Yong-Jae Kim	Nicholas Varzeliotis
Molly Lynes-Ford	

## Committee Members

Thanks to the following individuals (non-BCCLA board members) who sit on the Privacy & Access Committee and provide their time and expertise to the Association's work:

Kris Constable	Vance Lockton
Darrell Evans	Jim Sayre
Paul Holden	



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## 2008 REG ROBSON CIVIL LIBERTIES AWARD

# JUDY GRAVES

Judy Graves has worked with Vancouver's street population since 1974, and in the Downtown Eastside since 1979. She coordinates the Tenant Assistance Program at City Hall, serving low-income tenants and the literally homeless. The Program has focused on literal



homelessness since 1995, when declining vacancy rates, increasing land values, service cutbacks, and inadequate welfare support combined to make homelessness very visible in the streets of Vancouver.

To understand the causes of homelessness, and to meet the needs of the people who live rough, Judy walks overnight in alleys, underground parking, stairwells and parks to meet the homeless "at home." Here she wakes them and listens. This listening in the dark led to the design of the Outreach Pilot Project, which has now become a province-wide Program of BC Housing. For this Program, a person is woken where he or she

sleeps at 6:00 am and is given a welfare income and a room of their own to live in the same afternoon. In one day, the person moves from absolute homelessness to permanent tenancy. The Project has housed over 2,000 people in B.C. already. The Project succeeded because the Province and City worked together to do exactly what the homeless needed and wanted - to find them stable, safe and affordable homes.

The Reg Robson Award is given annually to those who have demonstrated a substantial and long-lasting contribution to civil liberties in B.C. and Canada. The award is named after long time BCCLA President Reg Robson. Past recipients include Maher Arar and Monia Mazigh, Joe Arvey, Q.C., Tara Singh Hayer (posthumously), Murray and Peter Coren, Kim Bolan and Janine Fuller, among others.

**THE MANDATE of the B.C. Civil Liberties Association is to promote, defend, sustain and extend civil liberties and human rights in the province of British Columbia and across Canada.**

**THE BCCLA WISHES TO THANK The Law Foundation of B.C., other funders and all our members and donors for their continued support for the preservation of civil liberties for British Columbians and for all Canadians.**



B.C. Gaming Policy and Enforcement  
Branch of the Ministry of Public  
Safety and Solicitor General

