

Wayne Robertson

Law Foundation of British Columbia



Photo credit: www.wildmanphotography.com

The Law Foundation of British Columbia was the first Law Foundation established in North America.

Since its inception in 1969, the foundation has given out more than \$300 million to deserving grant recipients to promote access to justice.

Some of the history of the Law Foundation's origins is described elsewhere in this issue. Suffice to say that an inspired group of senior lawyers with a commitment to access to justice started the foundation and convinced the government of the day to make the appropriate changes to the *Legal Profession Act* to ensure that funding for the Law Foundation's work was assured.

The *Legal Profession Act* states that the Law Foundation is to distribute its funds in five areas: 1) legal education, 2) legal research, 3) legal aid, 4) law reform, and 5) law libraries.

The mission statement of the Law Foundation is:

to use our income for the benefit of the public of the Province of British Columbia by supporting programs which advance and promote the rule of law and a just society. The Law Foundation recognizes the diversity of British Columbia's population

and endeavours to be responsive to the diverse public of British Columbia in its workforce, board and grant making.

...an inspired group of senior lawyers with a commitment to access to justice started the foundation...

The Program Objectives of the Law Foundation

1. Legal Education

To promote legal education programs and services in British Columbia to make the law more accessible through:

- a) increasing public awareness of the law and the justice system;
- b) providing education to groups with particular legal needs; and
- c) assisting in the academic and professional development of those providing legal services to ensure those services are of the highest quality.

2. Legal Research

To advance the knowledge of:

- a) law;
- b) social policy; and
- c) the administration of justice through the identification

of areas and issues needing study and analysis and the encouragement and support of projects to address those needs.

3. Legal Aid

- a. To assist in the provision of legal services, including:
 - i) advice and representation of economically disadvantaged persons; and
 - ii) support of community service and non-profit organizations that address issues that benefit groups of disadvantaged persons or the public.
- b. To facilitate access of the public to the justice system.

4. Law Reform

To encourage and support projects promoting changes to the law and the administration of justice in accord with current knowledge, values, and technology.

5. Law Libraries

- a. To assist law libraries and resource centres to keep their materials current.
- b. To encourage and support projects designed to improve the utility and accessibility to both the legal profession and the public of legal and law-related materials.

The foundation is administered by a board of 18 governors, 15 of whom are lawyers appointed by the Law Society of British Columbia and the Canadian Bar Association. The remaining 3 governors are non-lawyers appointed by the Attorney General. The current Chair of the Law Foundation is Warren Wilson QC, a retired partner of the law firm of Borden, Ladner, Gervais LLP in Vancouver.

Over the 37 years that the Law Foundation has been in existence, many distinguished people, too numerous to mention by name here, have served on the Law Foundation Board. The commitment and wisdom

of these governors have been instrumental in the Law Foundation's success over the years.

It is important to recognize the service of the Governors of the Law Foundation.

It is important to recognize the service of the Governors of the Law Foundation. Current governors are: Warren Wilson QC (Chair); Marilyn Baker; Master Ian Caldwell; Barbara Cromarty; Dev Dley QC; John Dustan;

Christine Elliott; Grant J. Gray; Madam Justice Pamela Kirkpatrick; M. Jerry McHale QC; Nancy Merrill; Mary Mouat; Suzette Narbonne; Linda Parsons; Margaret Sasges; Bruce Strachan; and Peter Warner QC.

Past Chairs of the Law Foundation have included: Arthur M. Harper QC; Donald J. Lawson QC; Mr. Justice Leslie M. Little; Norman Severide; Marlene Scott QC; Kenneth Antifaeu QC; Alec Robertson QC; Judge Greg Bowden; Allan McDonell QC; Madam Justice Lynn Smith; Jane Morley QC; Mr. Justice David Brine; Madam Justice Victoria Gray; Don Silversides QC; and Professor Heather Raven.



Board of Governors of the Law Foundation

*Row 1, from left: Warren Wilson QC, Christine Elliott, Suzette Narbonne, Barbara Cromarty, Mary Mouat, Marilyn Baker, Margaret Sasges
Row 2: John Waddell QC, Master Ian Caldwell, Linda Parsons, Madam Justice Pamela Kirkpatrick, Grant Gray, Nancy Merrill
Row 3: Peter Warner QC, Bruce Strachan, M. Jerry McHale QC, Dev Dley QC
Absent: John Dustan*

The Law Foundation funds approximately 50 ongoing programs. This includes a significant number of legal aid groups, ranging from the Legal Services Society (\$3.3 million annually) to a number of community-based advocacy groups in places such as Cranbrook, Port Alberni, Campbell River, Nelson, and Prince George.

In the last couple of years, the Law Foundation has been fortunate in being able to provide project funding for a number of multi-year legal advocacy projects in the following communities: Lillooet, Hazelton, Penticton, Quesnel, Kamloops, Dawson Creek, Haida Gwaii, Merritt, Nanaimo, Prince Rupert, and Vancouver.

The foundation also has been able to respond to the poverty law needs of the province through its support for Pro Bono Law of BC, an organization dedicated to promoting *pro bono* work by lawyers, as well as other *pro bono* service providers.

Finally, responding to the need for more lawyers to be involved in poverty law work, in 2005 the Law Foundation was able to provide funding for poverty lawyer projects at BC Public Interest Advocacy Centre, the Community Legal Assistance Society, and the Legal Services Society.

In the area of public interest test case litigation, the Law Foundation provides funding for five significant public interest legal groups: a) West Coast Environmental Law Association (\$706,000); b) Community Legal Assistance Society (\$655,000); c) BC Public Interest Advocacy Centre (\$487,000); d) BC Civil Liberties Association (\$134,000); and e) West Coast Women's Legal Education and Action Fund [LEAF] (\$112,000).

The Law Foundation is also the major funder of the BC Courthouse Library Society, giving that organization an annual grant of \$2.2 million to operate the province's 30 courthouse libraries. The Law Foundation also provides funding for the CANLII Virtual Law Library.

In the field of law reform, the Law Foundation has been and remains the major funder of the BC Law Institute (\$140,000 per year).

Professional legal education activities are supported through funding of the Law Society of British Columbia's Professional Legal Training Course (\$234,000) and a variety of fellowships, scholarships, and bursaries at the two law schools.

In the area of public interest test case litigation, the Law Foundation provides funding for five significant public interest legal groups

In the public legal education area, the Law Foundation is the core funder of People's Law School (\$262,000); the Law Courts Education Society (\$61,000); PovNet (\$55,000); and the Dial-A-Law/Law Referral Service run by the Canadian Bar Association (\$247,000).

Finally, in the legal research field, the Law Foundation provides block grants to the faculties of law at University of British Columbia and University of Victoria for research purposes, in addition to project funding.

A significant new initiative is the Law Foundation's Child Welfare Fund, which has been made possible through two sizeable grants from the Province of British Columbia – the Ministry of Children and Family Development. The Ministry has given the Law Foundation a total of \$3 million to support alternative dispute resolution mechanisms in child welfare with a focus on Aboriginal children and families.

It would not be an exaggeration to state that over the last 37 years, hundreds of thousands, likely millions, of British Columbians have benefited from the work funded by the Law Foundation. The continuum of services that provides access to justice includes legal information, legal education

workshops, summary advice services, summary services such as duty counsel, full representation in a court or administrative tribunal matter, test cases, and law reform efforts.

Grantees and the people who work for them in the area of public test law do not always get the acknowledgement they deserve. One example is Dick Gathercole, who retired recently as the Executive Director of the BC Public Interest Advocacy Centre. Mr. Gathercole graduated first in his class at the University of Toronto Law School and then was a law professor. He went on to spend 25 years doing public interest law, having established and run BC Public Interest Advocacy Centre for most of his career. This one organization, funded by the Law Foundation, has been able to represent the public of British Columbia at regulatory hearings to ensure those hearings always take into account the public interest.

The Law Foundation has benefitted from a close working relationship with other foundations to ensure the work funded by each of us is complementary. In particular, the foundation has benefited from a collaborative working relationship with the Notary Foundation and its Executive Director Wayne Braid. Working together on access to justice initiatives is a benefit to the public, as is working together to obtain the best rates from financial institutions, which is more easily done when the different foundations collaborate with one another.

The Law Foundation's Website is located at www.lawfoundationbc.org. Annual reports; the Law Foundation Bulletin, which includes descriptions of some of the projects and programs funded by the Law Foundation; and funding application forms and information are available there. Law Foundation staff, including myself, would be happy to speak with anyone about the Law Foundation and its important work. ▲

**Voice: 604 688-2337
lfbc@tffbc.org**