

CUPE COMMUNIQUÉ

Canadian Union of Public Employees **CUPE.ca**

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FOR IMMEDIATE RELEASE

Media Release: Legal Aid Commission under fire after loss at Court of Appeal

SASKATOON: Saskatchewan's highest court decided last week that Legal Aid Saskatchewan violated the law by removing Val Harvey from its panel of private bar lawyers, a move welcomed by the union representing workers at Legal Aid.

According to CUPE Local 1949, the decision to remove Ms. Harvey was made by CEO Craig Goebel in retaliation for a letter she penned to Saskatchewan's Attorney General where she sounded the alarm about structural changes Mr. Goebel had spearheaded within the organization that she said would hurt Legal Aid's clients and employees.

"A passionate advocate for her clients, Ms. Harvey was summarily removed from the panel shortly after she wrote the letter criticizing an attempt to privatize the Saskatoon City office. It is clear that Goebel removed Ms. Harvey from the panel to muzzle her after she spoke out," said Julia Quigley, vice-president of CUPE Local 1949. "This decision is a win for Legal Aid lawyers and clients. It sends the message that the commission and the CEO cannot muzzle dissent. It reinforces our staff's constitutional right to freedom of expression. It also reinforces our members' concerns with the direction of Legal Aid under current CEO Craig Goebel."

In response to Ms. Harvey's letter, Mr. Goebel threatened an unmeritorious defamation suit. CUPE Local 1949 was shocked at what appeared to be a retaliatory move against Ms. Harvey ringing the alarm about privatization and cuts within Legal Aid.

"Frankly, we were astounded that the commission was advancing the argument that they had the right to remove any lawyer from the panel for no valid reason and without due process," said Quigley. "For a public institution that purports to stand for access to justice, this is a shocking move. The commission fought tooth and nail to remove a lawyer who spoke up. The commission has spent thousands of dollars of public money to bring down a woman who dared to criticize CEO Goebel. How many clients could we have assisted with those resources? How many lawyers and support staff could have been hired? Our courts are bursting at the seams, and our clients are the ones bearing the brunt of Legal Aid's poor decisions. We have been vastly under-resourced for decades, and our predominantly Indigenous clients are being punished by the organization that is supposed to help them. Meanwhile, this administration is paying expensive lawyers out of pocket to pursue petty grievances to the highest court of the land. This is a sad reflection of this administration's skewed priorities."

This decision arrives in the context of growing dissatisfaction with CEO Craig Goebel. In 2018, 96% of the membership voted in favour of a non-confidence motion against

CEO Goebel. The motion was passed after Goebel initiated “structural changes” aimed at privatizing the Saskatoon city office. Past and present members of the judiciary backed members by decrying the changes in open court and in the media.

Then, Mr. Goebel sent an email to all Legal Aid lawyers at the height of the COVID-19 outbreak, telling his lawyers that the virus is not “a get out of jail free card” for Legal Aid clients who are fearful of remaining in custody where their chances of contracting the virus are heightened. In the same email, he demanded his lawyers “tamp down” their clients’ concerns. “This was a despicable message to send to our lawyers and their clients – that their fears of contracting COVID-19 in custody were somehow illegitimate, and that our role as lawyers is to actively undermine our clients’ interests. Mr. Goebel’s comments suggest he is in a conflict of interest with the clients of the organization he leads,” said Quigley.

“If we look at the pattern of behaviour from CEO Goebel, particularly now with this most recent decision at the Court of Appeal, I think the Legal Aid Commission needs to ask itself if Mr. Goebel is the right guy for the job,” concluded Quigley.

CUPE Local 1949 represents all non-management staff at Legal Aid Saskatchewan.

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