

John Richardson

Country: Canada

Region: North America

Field Of Work: Human Rights

Subsectors: Equality/Rights,
Law and Legal Reform

Target Populations: Communities,
Underserved Communities

Year Elected: 2005

This profile was prepared when John Richardson was elected to the Ashoka Fellowship in 2005.

As founding director of the Pivot Legal Society, John Richardson combines strategic litigation, media outreach, and public education to address the structural and systemic legal challenges faced by marginalized people.

The New Idea

John Richardson analyzes legal systems from the perspective of the marginalized, finding the gaps and injustices that are invisible from more privileged points of view. He works on the street, through mass media, and in courts and halls of governance to fix these injustices and create legal systems that follow through on unfulfilled promises of equal protection for all. His programs bring a wide range of people together in service of this goal: for his Pivot Legal Society, lawyers practice their craft, citizens volunteer, and people living on the fringes of society educate and empower themselves. He makes everyone part of the solution to systemic injustice, shifting the discussion from a confrontation between police and marginalized people to a constructive dialogue among all sectors of society.

Pivot's legal strategy includes three main campaigns: education projects aiming to spread information on legal rights to marginalized people and the general public; strategic legal action from formal correspondence to civil litigation, aimed at challenging barriers to the exercise of civil rights; and policy reform, based on research about administrative and legislative changes needed to enable lasting improvements in the social and legal status of marginalized people.

In his work with Pivot, John advances the principle that marginalized people are the ultimate authorities on the problems they face, and works alongside them to address those problems. Like a lawyer to a client, Pivot carefully documents social issues through legal affidavits and focus groups, building a strong case for change from the ground up. The society then brings its members and partners to the lead, enabling them to assert their voices and advance their own vision of a just future.

The Problem

The Canadian Charter of Rights and Freedoms states that "every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law." As is often the case, the problem lies not with the ideals espoused by the laws, but in how those ideals are upheld, or not upheld, in the day-to-day operation of a country and in the interaction of its citizens.

The challenges faced by marginalized people in Canada are at turns visible and invisible. Walking

down the street, we can see that the homeless are homeless, but we cannot plainly see who has been treated unfairly by the legal system. To get a handle on what legal and human rights challenges face the homeless, or the addicted, requires a focused and sustained effort. The lack of such a sustained effort by a coherent body means that systemic legal issues affecting marginalized people slip quietly under the radar and rarely, if ever, are addressed. The rights of Vancouver's disempowered and disadvantaged—exposed to widespread drug addiction, homelessness, and the sex trade—are not being equally upheld and, given the current structure of the system, they are left with no legal course of action to set the situation right.

If a landlord, a potential employer, or a government official treats a marginalized citizen unfairly, that marginalized citizen has little recourse available to them in the current system. Many marginalized citizens are unaware of their rights under the law. Marginalized citizens don't have the economic power to hire a lawyer to take on their case. Government-funded legal aid is incredibly—and increasingly—difficult to access. Even a healthy legal aid system would never decrease the number of cases requiring attention without a mandate to analyze and attack the underlying structural legal issues.

Even relatively simple processes, such as filing a police complaint, are replete with barriers: to file a police complaint in the City of Vancouver, you can either download the proper form from the Internet, or pick up the form at a ninth-floor office located in the heart of Vancouver's business district. Even if a marginalized citizen was successful in obtaining the form, filling it out and following up requires high levels of literacy and persistence that are often beyond the means of stressed populations.

Vancouver's Downtown Eastside neighborhood (DTES) has been particularly hard-hit by such problems. Great human suffering, alarming rates of overdose and HIV/AIDS infection led the Vancouver Coastal Health Authority to declare a state of public emergency in the neighborhood in 1998, and the declaration stands to this day. Vancouver's DTES offers a window into the problems of homelessness, addiction, and prostitution that are on the rise throughout Canada. Twenty percent of the growing numbers of the homeless are aboriginal, 33 percent suffer from mental illnesses, and more than 66 percent suffer from drug or alcohol addictions. Many others have histories of sexual abuse, fetal alcohol syndrome, or dyslexia. Of the estimated 5,000 injection drug users who reside within the 10 city blocks of DTES, many suffer prior or concurrent trauma such as childhood sexual abuse (21 percent) and mental illness (30 percent), as well as incurable diseases such as HIV/AIDS (30 percent) and Hepatitis C (90 percent). Prostitutes face exploitation by pimps, traffickers and clients, but economic hardship have forced women into the profession, helping to raise the incidence of HIV/AIDS among women in the DTES to a level 40 percent higher than that of men.

The Strategy

John Richardson works to solve the problems of the Downtown Eastside with an eye toward solving problems of marginalization across Canada—and maybe even other parts of the world, where solutions to human rights violations are in dire need. He created Pivot Legal Society to break down the social prejudices and legal barriers that prevent marginalized people from accessing the rights they are guaranteed by the Canadian Charter. He also aims to integrate marginalized people into the structures of mainstream society, preparing them to effectively advocate on their own behalf before courts and halls of government.

Pivot Legal Society recently entered its fourth year of operation eight times larger than it was at the end of its first year. As its executive director, John oversees a small office of seven full-time employees and volunteers, and coordinates the efforts of more than 75 active volunteers who work in legal and outreach programs across the city.

In October 2002, Pivot released its first report, *To Serve and Protect*, which documented 50 affidavits

alleging police misconduct in Vancouver's Downtown Eastside. Those affidavits were filed with the Office of the Police Complaint Commissioner as evidence of widespread discrimination against marginalized persons in the neighborhood, and a subsequent investigation of the allegations verified systemic problems with policing. The 50 complaints have formed the keystone of a multifaceted police accountability campaign that has included litigation, policy proposals, public education, and lobbying.

Another Pivot program aims to reform laws and practices surrounding sex work. In March 2004, Pivot released *Voices for Dignity*, documenting and analyzing more than 90 affidavits from survival sex workers about the law and their experiences under the current legislative framework. The report was praised by the federal Minister of Justice, who has since convened a Parliamentary Subcommittee to take another look at criminal code provisions around prostitution. The subcommittee asked Pivot leaders to testify at the hearings, and to coordinate consultations with low-income sex workers.

Building on successes in the realms of policing and prostitution, John runs three legal campaigns to support and protect harm-reduction initiatives for drug users: a health drop-in center for addicts, a peer-run needle exchange, and the first openly-operated safe injection site in North America, the precursor to an official safe injection site now operated by the Health Authority. In the area of housing, Pivot provided legal support and ongoing representation to the more than two hundred homeless people camped around a vacant building in the DTES. Their tents lining the sidewalk became a rallying point for campaigns to secure greater access to affordable housing.

One of Pivot's most popular campaigns is the Downtown Eastside photography contest. For this three-day annual event, Pivot gives away several hundred disposable black-and-white cameras to low-income residents of the DTES. Participants document images in their lives, focusing on themes of compassion, joy, struggle, courage, faith, and friendship. They produce thousands of images, from which 16 winning photographs are chosen each year by a jury of professional photographers. Ten thousand calendars featuring those top images have been printed and distributed in Vancouver and throughout Canada.

One of John's guiding insights is that legislative change becomes possible only with strong and stable public support. Educating the public on the issues faced by marginalized persons is fundamental to his agenda. Since January 2002, Pivot campaigns have received coverage in more than two hundred articles in local, provincial, and national print media, not including national and local radio and television. Pivot also pursues public education on the street, distributing wallet-sized Rights Cards that provide a plain-English summary of legal rights. With the support of more than a dozen sponsoring organizations, more than 35 thousand Rights Cards have been distributed across Canada.

The Person

The eldest of four, John was very young when he became aware of how the relationships around him controlled his freedom and happiness. His father, a labor organizer, was his most important teacher in this regard; initially through the unpredictable violence that characterized their household, and later through his political philosophy and fierce independence.

At fourteen, John became interested in Buddhist philosophy. At fifteen, after being moved by a film on nuclear war by Dr. Helen Caldicott, John founded "Students Against a Violent Environment" (SAVE), and the group began touring classrooms in the local school district leading discussions on nuclear weapons and peace. The group's reach soon extended throughout Ontario and Quebec. In the ten years after high school, John completed an honors degree in mathematics and philosophy, traveled to Japan to study Zen Buddhism and the Japanese language, and completed his bachelor's of laws at the University of Victoria. He also launched his own Web site design company, Arakni Webcraft, while finishing his first year of law school, and worked as a legal researcher and writer for the British

Columbia Law Institute.

In 2000, John spent a pivotal summer working for the Wilderness Committee and reading about Mohandas Gandhi. He was inspired by Gandhi's example of someone whose spiritual strength had allowed him to use power without corruption. John saw how he could follow this path as well, using his legal training to work on behalf of marginalized people in Vancouver. By this time, John was well acquainted with the downtown east-side neighborhood and the issues it faced, having walked through the DTES every day on his way to work at the Wilderness Committee. John founded Pivot Legal Society, and became its full-time executive director in December of 2001.