

## ALECK TRAWICK, MENTAL HEALTH LEGAL ADVOCACY AND CMHA: A RETROSPECTIVE

---



In 1972 a young man named Harvey wandered into the Calgary office of the Canadian Mental Health Association. He was brandishing a knife after having assaulted a woman in a Calgary park. He spoke to Ron LaJeunesse, the Executive director of CMHA. LaJeunesse managed to talk Harvey into turning himself in to the police by telling him in part, that he would arrange the best possible legal representation. LaJeunesse called Earl Lomas of Macleod Dixon and Earl gave Trawick the job. Off Harvey and LaJeunesse went to Aleck's office in Ron's car, stopping at the curb in front of the law firm. Aleck joined Harvey in the back seat. Ron remembers Harvey showing Aleck the knife and declaring that Aleck had better be a good lawyer. He was. But eventually Harvey was found "fit to stand trial," convicted and given 18 months. Aleck would later joke that Harvey got 18 months but that he, Aleck, personally got a life sentence to mental health advocacy as a result. How true that was.

In 1972 legal advocacy for persons suffering from mental disorder was not common or even regarded as appropriate in some circles. After all, if anyone was mentally disordered it was automatically assumed that they were dangerous and probably guilty.

Aleck thought otherwise and with the Canadian Mental Health Association he found an eager partner in this cause.

Aleck's contributions to CMHA and mental health legal advocacy are legendary and could literally fill a book. At times it was controversial and somewhat risky. For example:

- In 1978 while serving as Calgary Regional President of the CMHA, Aleck criticized the Church of Scientology in a CMHA newsletter because of the latter's position on a mental health issue. This precipitated a million dollar lawsuit against Aleck;
- In 1982 while Aleck was serving as CMHA Alberta Division President, a CMHA report written in part by Aleck described conditions at the Ponoka Hospital as "nothing short of scandalous." Aleck wanted the report to get attention in the media. The attention included front-page stories and resulted in another lawsuit – this time a \$1.5 million claim from a civil servant.

Naturally, Aleck defended both lawsuits. Neither was successful.

Not all of Aleck's work was litigious in nature; but it was all passionate. As a founding member of the Horizon Housing Society he set up a corporation to kick-start construction of housing for the Society and personally guaranteed construction funding until financing could be put in place. That Society now owns and operates 600 units of housing for disabled and homeless individuals in Calgary. Aleck and his brother Ian were instrumental in its beginning.

Aleck's interest and caring for people with mental illnesses led him to sit on Alberta's psychiatric hospital review panels, where he altered the involuntary status of 40% of the people he interviewed.

He also sat on government advisory committees and contributed to Alberta's Mental Health Act review. Without doubt, his interest in disability and injustice led to his appointment as Provincial Ombudsman.

A few more highlights:

- His contributions spanned almost 40 years and he held positions as Regional President, Provincial President (in 1982 and again in 2002) and as National Vice President.
- He served as Honorary Solicitor to CMHA and acted for them and for individuals suffering from mental disorders in many cases, minor and important, criminal, civil and constitutional. In 1999 he and some colleagues at Blake Cassels acted for CMHA as an intervener in the Supreme Court of Canada case of *R. v. Mills*. The work was massive and the result was successful for CMHA. CMHA never got a bill, even for the airfare to Ottawa and back.
- His leadership and legal skill were instrumental in developing and copyrighting Alberta's suicide education program that is now being used across Canada, the US and Australia.
- Aleck has received more than a dozen CMHA awards and the National CMHA has an award in his name, the Aleck Trawick, QC Award. It is presented annually to a firm or counsel who have provided extraordinary legal advocacy.
- In 2001 a CMHA nomination resulted in the awarding of a Governor General's medal for his "significant contribution to Canada."

CMHA and Aleck worked together for many years at the provincial level of CMHA. During that time Alberta developed a nationwide reputation for providing leadership in organization, finance, advocacy, education, research and direct services to troubled people. Aleck and CMHA pushed the government hard during that time and can share a lot of credit for many changes that occurred.

Aleck had great values respecting the law and the rights of the mentally disordered, and he lived those values throughout his life. He truly made a difference for those who suffered and their families.

This was done before lawyers were expected to do pro bono work. There was nothing in it for him or for Blake Cassels and Graydon, Burstall and Company or Macleod Dixon. He and they made one proud of the legal profession.

We have to thank Beth, Geoff and Richard – indeed, Aleck's entire family – for sharing this extraordinary man and for sharing his time and talents with so many of us. There are literally thousands of ill and disadvantaged people who were helped by this man, many of whom are not even aware of his contributions. That is his legacy.

Ron LaJeunesse (former Executive Director, CMHA Alberta Division and Calgary Region)

Richard Drewry