

M. Smith #1
April 3, 2003

No: _____
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA
*Re: Judicial Review Procedure Act,
Employment and Assistance Act and
Employment and Assistance for Persons with Disabilities Act*

BETWEEN:

MARY SMITH

PETITIONER

AND:

**EMPLOYMENT AND ASSISTANCE APPEAL TRIBUNAL and
MINISTRY OF EMPLOYMENT AND INCOME ASSISTANCE**

RESPONDENTS

AFFIDAVIT OF MARY SMITH

I, **MARY SMITH**, welfare recipient, of 124 Main Street, in the City of Vancouver, in the Province of British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. I am the Petitioner in this matter and have personal knowledge of the matters herein referred to.

Background

2. I am 46 years of age.
3. I have been on welfare since 1999 when I had a motor vehicle accident.
4. I have three disabilities which are diabetes, depression and a back injury.

Application for Disability Benefits

5. On or about, January 23, 2003, I sent in an application to the Ministry of Employment and Income Assistance requesting a disability allowance. The application was filled out by myself and my family doctor, Dr. Kildare. A copy of that application is attached to this affidavit as a Exhibit "A".

6. On our about March 26, 2003, I received a letter from the Ministry of Employment and Income Assistance stating that my application for disability benefits was turned down. A copy of that letter is attached to my affidavit as Exhibit "B".

Reconsideration Review

7. On our about March 10, 2003, I filed an application for reconsideration with the Ministry of Employment and Income Assistance. A copy of that request for reconsideration is attached to my affidavit as Exhibit "C".

8. Along with the request for reconsideration I also attached a letter from my doctor, Dr. Kildare, a copy of that letter dated March 7, 2003, is attached to my affidavit as Exhibit "D".

9. On March 18, 2003, the Ministry of Employment and Income Assistance reconsideration was received by me. This reconsideration turned my appeal down. A copy of that reconsideration is attached to my affidavit as Exhibit "E".

Employment & Assistance Appeal Tribunal

10. On or about March 19, 2003, I sent an appeal into the Employment and Assistance Appeal Tribunal. A copy of that appeal is now attached to my affidavit as Exhibit "F".

11. On March 26, 2003, the Employment and Assistance Appeal Tribunal was convened to hear my appeal which I attended. The hearing started and I introduced my advocate, John Jones, who was going to represent me at the hearing. The Chairperson refused to let John Jones be my advocate on the grounds he was not a lawyer and he ordered Mr. Jones out of the hearing room. It was important for my case that Mr. Jones be present to represent me.

12. On the same day, on March 26, 2003, the Employment and Assistance Appeal Tribunal issued a decision. A copy of that decision is attached to my affidavit at Exhibit "G". I lost my appeal.

SWORN BEFORE ME at the City)
of Vancouver, in the Province)
of British Columbia, this 3rd)
day of April, 2002)
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A Commissioner for Taking Affidavits
in the Province of British Columbia

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RESPONDENT

AFFIDAVIT OF MARY SMITH

**Mary Smith
124 Main Street
Vancouver, BC
V6L 3L9**

Tel: (604) 666-5555