

Woman challenges ruling: In one of the first appeals of its kind in Alberta, a Bon Accord woman plans to ask a Court of Queen's Bench justice to review the province's decision to cut her off welfare. Theresa McBryan's benefits were taken away in February after a three-member citizen's appeal panel ruled she had poor attendance at her job training program. /A6

Woman cut off welfare will ask court to reverse decision

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In one of the first appeals of its kind in Alberta, a Bon Accord woman plans to ask a Court of Queen's Bench justice to review the province's decision to cut her off welfare.

Theresa McBryan's benefits were taken away in February after a three-member citizen's appeal panel ruled she had poor attendance at her job-training program at Goodwill Industries.

Since then, McBryan, a single mother of three grown children, has been living in Bon Accord in a friend's garage, which also doubles as her art studio.

"I have absolutely no money, I'm entirely dependent on her charity because I have no income of my own," McBryan said Thursday.

"I'd like to see what a real judge thinks of this situation and I'd like to find out what the people who elect our representatives think about it."

When she couldn't get a job in the design industry after two years at Grant MacEwan College, McBryan said she agreed to enrol in a job-training program called Power of Work. She didn't expect to land her dream job, but at least she would have something current on her resume.

McBryan started the program in December, driving the 40 km between downtown Edmonton and Bon Accord every day.

After a month, she began experiencing back pain, then developed a sinus infection. "I was physically



Shaughn Butts, The Journal

Theresa McBryan listens as lawyer Shirish Chotalia explains case to media

stressed out to begin with so when cold and flu season came around, I just went down ..."

McBryan got a letter from her physician giving her permission to miss the work program for 10 days, but the appeal panel ruled it did not explain all the days she was absent.

The panel also said McBryan couldn't explain why she missed an appointment with her social worker.

McBryan's lawyer, Shirish Chotalia, plans to file court documents within days, launching the review. McBryan also has the support of Leslie Regelous of the Reflections Acute Relief Society, a downtown relief agency.

McBryan's situation isn't unusual among welfare recipients, Regelous said. There's a growing trend by the

province to label health problems as an unwillingness to co-operate, which is considered reason to chop benefits, she said.

"Now it seems that non-compliance also includes bad health, and a very good many people who really need income assistance, the barrier for them to employability, or sustained employability, is health."

Social Services spokesperson Bob Scott couldn't speak specifically about McBryan's case. But he said the Citizen's Appeal and Advisory Secretariat typically err on the side of the client.

"Usually more than 50 per cent of the cases they either vary the department's decision or they give the client some leeway. They don't cut people off for no reason."