

Archie Campbell, 65: Legal giant

thestar.com/news/2007/04/18/archie_campbell_65_legal_giant.html

18 de abril de 2007



By Debra Black

Wed., April 18, 2007

One of Canada's legal giants, the man who led a commission of inquiry into SARS, has died after a lengthy battle with a degenerative lung disease.

Justice Archie Campbell, 65, died Tuesday evening in hospital just days after he had been put on the waiting list for a transplant. Campbell heard the news last Friday - April 13th. It was his 65th birthday and he told family and friends - that it was the best birthday present he could ever receive. Campbell had also been suffering from cancer, which made any transplant more complicated. But sadly, he succumbed to his illness before his name ever came up on the list.

A renowned and respected member of the judiciary, Campbell didn't shy away from handling tough issues. Besides the SARS commission, Campbell also led an inquiry in 1995 into the botched investigation into the kidnapping and murders of two teenage girls by serial rapist and killer Paul Bernardo.

“Archie Campbell was really, in my view, one of the giants of the legal world,” said Roy McMurtry, Ontario’s chief justice and a friend of Campbell’s for over 50 years. “We’ve lost one of our most able judges in the country as well as a very dear friend. He had a gargantuan appetite for enjoying life in all its dimensions. He was a very serious scholar - not just in legal matters but also history.”

“He was a highly respected jurist who embodied the best characteristics of the bench: a deep knowledge and respect of the law, and the wisdom to apply it fairly,” added Ontario’s Attorney General Michael Bryant.

Despite his illness, he returned to the bench in recent months after finishing the SARS inquiry. He had been hearing criminal appeals until two or three weeks ago, said McMurtry. “He needed a wheelchair to get around and a giant oxygen tank to breathe.”

Ironically McMurtry received a handwritten note from him yesterday morning - thanking him for all his encouragement and support and telling him how much fun it was to be back in court.

“This court has lost an icon and a giant of criminal law,” said the Chief Justice of the Superior Court of Justice Heather Forster Smith.

Campbell, born in Montreal, graduated from Osgoode Hall Law School in 1967. He served as an appeal counsel for the attorney general and as deputy attorney general. In the mid-1970s he was a senior policy advisor to then Attorney General Roy McMurtry and helped with major law reform in the province as well as helping create the legal aid clinic system.

In fact, Campbell took a year’s sabbatical from the AG’s office to be the director of the Parkdale Legal Clinic in 1977. He also taught at Osgoode Hall Law School. Appointed to the bench in 1986, he became the regional senior justice of the Ontario court for the Toronto region from 1993 to 1996 before his appointment to the Superior Court.

“He was a man I had the highest regard for,” said Patrick LeSage, former Superior Court chief justice and now a lawyer at Gowlings. “Not only was he a dear friend, but someone whose advice I constantly sought-His judgment and wisdom were to me exception. He really had an ability to analyze a problem and the consequences of a decision.”

Friends have described him as a warm individual - larger than life with a great sense of humour. He was considered by some to be eclectic - his office had what many describe as the largest collection of stuffed owls in the country. McMurtry recounted how Campbell would often bring along a stuffed skunk - a skunk someone had given him and he called Buddy - to many social occasions.

His friend of more than 30 years, the *Toronto Star*’s Joey Slinger spoke fondly of the many canoe trips through Algonquin Park that Campbell, Slinger and other friends had taken.

“It was a glorious time,” Slinger recalled. “He would recite the Cremation of Sam McGee and the Shooting of Dan McGrew. It would be a wonderful thing to hear under the full moon by the campfire. He just had an amazing gift for being infected with the joy of things and getting you infected too.”

Perhaps one of his favourite memories is that of Campbell skinny-dipping into Big Trout Lake on one of their regular canoe trips in the fall. “It was a sight that tattooed itself on your heart.”

“He had a tremendous compassion and respect for everyone he dealt with,” added Doug Hunt, a Toronto lawyer who was Campbell’s chief counsel on the SARS inquiry. “I saw this during SARS as we dealt with so many people who had been touched by it in so many ways.”

It his work in both the SARS and Bernardo inquiries that Hunt believes Campbell will be remembered for. He worked hard to come up with practical and realistic recommendations that the government would implement, his former counsel said.

He was very unique, Hunt observed. He had a tremendous thirst for knowledge and was an expert on the U.S. civil war. “He didn’t fit the stereotypical view of a lawyer or a judge. The most important quality he had - he had great humility. He never took himself seriously.”

In his final report on SARS Campbell praised the courage of health sector workers whom he said put their lives and the lives of their loved ones at risk to care for gravely ill patients - many of whom were colleagues. Campbell also said health-care workers were not adequately protected during the SARS outbreaks. He charged that turf wars between infection control divisions of the hospitals and the Ministry of Labour led to a virtual sidelining of the department responsible for work place safety.

In his report on the Bernardo investigation, he found in a scathing report that the Bernardo investigation was hamstrung by outdated investigative tools and hampered by turf warfare between police forces that led to a “dangerous lack of co-operation.”

With files from Robert Benzie, The Star and Canadian Press