

Lawyer of the Pack

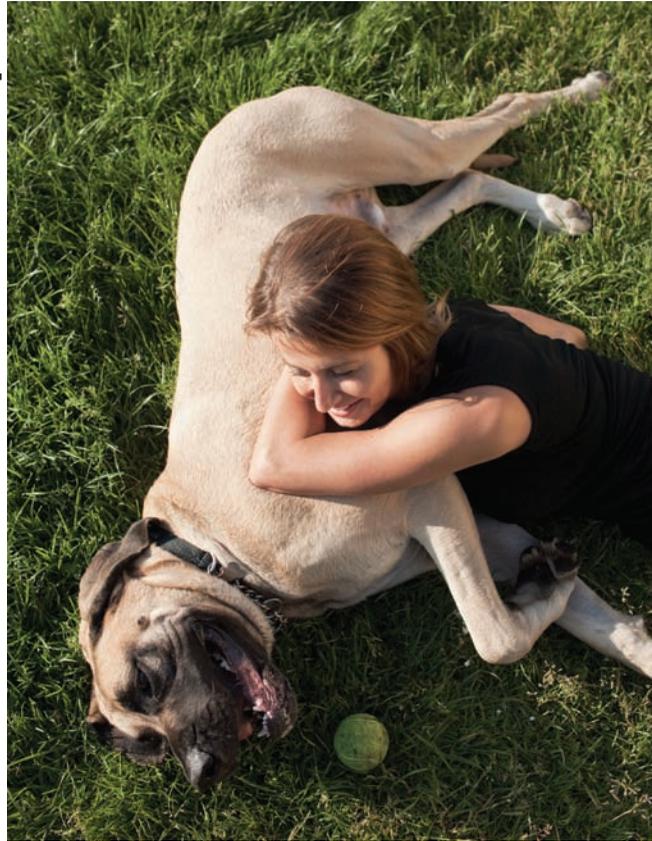
Rebeka Breder has devoted her life to defending creatures that cannot defend themselves. The rest of the world is finally catching up **By Roberta Staley**

Litigation

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WHEN THE CELLPHONE rang one night at 9:30, it was with bad news. The caller, Nicolle Huminuik, was a member of the Invermere Deer Protection Organization, a citizens group hastily formed to stop the cull of deer in the mountain city near Kootenay National Park. Huminuik said her neighbour had just given the city permission to use the yard for a Clover trap, a mesh cage with bait and a trip wire. Huminuik was distraught and wanted to remove the trap before deer were harmed. “I could completely relate,” says her lawyer, Rebeka Breder. “But as legal counsel I told her she had no right to do it.”

The IDPO formed in February after Invermere city council voted to cull 100 of the estimated 175 deer that were nibbling urban landscape and gardens into disarray. Some citizens also complained that does, protective of their fawns, were attacking dogs and people. The community split into camps that sparred on



Beasts' Best Friend “Sometimes I feel really tired at the end of the day because of how emotionally exhausting it can be,” Breder says, with Tero

Facebook. The anti- group, outraged by the cruelty—deer bloodying themselves attempting escape, collapsing in exhaustion, then being dispatched hours later with a slaughterhouse bolt gun—searched for a lawyer to help them stop the cull. It couldn't be just anyone, IDPO cofounder Shane Suman says. They picked Breder not only because of her expertise in animal law but also for her “passion for animal rights.”

She hasn't disappointed. To laypeople, the provincial Prevention of Cruelty to Animals Act would seem protection enough for wild creatures, but they aren't covered by that legislation, and “nothing under the British Columbia Wildlife Act says that you can't be cruel to wildlife,” says Breder, an animal law litigator with Boughton Law Corporation and founder of the Canadian Bar Association's Animal

Law section. She argued that common law gives citizens the chance to take part in the decision-making process on matters of community importance.

It was a gutsy move: there was no precedence that the right to participate applies to animal control and animal welfare—“This is where I need to do a lot of convincing to the court,” she says. She was successful in securing an injunction from the province, but it was only temporary. By the time the cull permit expired, 19 deer had been killed.

The Invermere campaign remains for Breder a tragic chapter in a lifelong fight against the physical and mental harm humans inflict on animals—be they pet, domestic, or wild. Her formative experience began when, at age 13, while strolling along one of Montreal's many woodland lakes, she came across a dead duck, a bloody pellet hole marring its plumage. Clearly the creature was a victim of the hunters who would aim their motorboats at flocks feeding near shore and shoot the panicked birds as they took flight. Breder carried the body home and placed it in the freezer. Distraught, she researched the bylaws concerning duck hunting. One stuck out: hunters were not allowed to discharge firearms within a kilometre of municipal shorelines. For five years,

until she turned 18, Breder attended council meetings, holding up the fowl in its plastic shroud as proof that a bylaw was being snubbed. She became known as Duck Girl, and she eventually won: councillors called for enforcement of the bylaw through fines. The protracted crusade taught a key lesson: the welfare of animals may be the underlying principle of a legal initiative, but existing law must be creatively applied for it to be upheld. And that, says Breder now, sipping a cappuccino at Café de France, the noisy little coffee shop across from Vancouver Supreme Court, “was the beginning of my legal career.”

Breder is no animal-rights activist posting clandestine videos of abattoir horrors online or participating in shocking PETA stunts. Rather, she finds herself at the vanguard of a movement seeking to legally enshrine animals’ basic rights to life, liberty, and well-being. It is a global crusade: recent successes include the EU’s ban on battery cages for chickens, the outlawing of bullfighting in Catalonia, and California’s prohibition of foie gras.

For many, laws that uphold animals’ interests contradict a concept of dominance branded into our cultural DNA, the belief that non-humans lack rationality and language and thus deserve less consideration. Yet despite such prevailing attitudes, the law defining and protecting animal rights is a slowly rising tide mirroring a growing public sensitivity toward animals and their suffering.

Music

Friend of the Band

Childhood soured him on fame; now Jonathan Fluevog Jr. seeks it only for others **By Neal Giannone**

CLEAN-CUT, TALL, AND (SINCE losing 60 pounds) slender, Jonathan Fluevog Jr. is standing behind a massive SSL 4048E/G mixing board at Vogville Studios. The studio, nestled between a poultry factory and a junior high in Port Coquitlam, has been his recording home for the past 14 years. It appears unremarkable, but inside it manages to be both state-of-the-art and comfortably inviting.

Peering through the glass at the recording room (vacant at the moment), Fluevog,



39, explains that hype is something he’s avoided throughout his creative endeavours—which have included stints as musician, manager, promoter, producer, and, most recently, documentarian. It’s not that he hasn’t worked with acclaimed acts—he has. It’s just that to him there is no equity in celebrity. “It looks really grand—it doesn’t mean you are grand.”

That’s a lesson he and his siblings learned firsthand. Their parents—fashion cobbler John Fluevog and ’60s glamour model Kecia Nyman—divorced in 1977. Nyman’s modelling career was finished by then, as were the condos in Paris and New York. With only a Grade 8 education, she struggled to find work. She and the kids—Jonathan Jr.; half-sister Britta Fluevog, an

artist and low-income-housing advocate; and half-brother Adrian, who now works for their father—wound up on welfare. “Here’s my mom, she’s beautiful and she’s dressed nice and everything. She’s doing these modelling clinics, and literally, we’re going back to the welfare tenements after the convention.”

Even when people like Madonna and Lenny Kravitz were wearing Fluevog, his father was still making only a basic salary. “That’s what I grew up with. My version of celebrity was, ‘It’s all a big façade.’”

In 1994, Fluevog Jr. was running an underground studio in town when he caught a show by a band called Lavish. He offered to help get their sound out. “I woulda worked my ass off for practically free and made them, like, a holy crap amazing good record.” Instead, they opted for another producer “who drank Scotch the whole recording.” It was a disappointment and the birth of Vogville Studios in one.

In 2005, when his own son was born, Fluevog stopped recording bands. “I got really tired of dealing with managers and labels, with bands with their backpack full of dreams and no follow-through.” Nowadays, he’s given to renting out Vogville’s space and spending his time coaching groups, such as now-defunct Light Machines, through the circuits of the



Remastered

Jonathan Fluevog has been a music lover since childhood, when he spent more time at church watching the sound guys than the preacher. At his \$2 million PoCo studio he’s recorded Bedouin Soundclash, Matthew Good, Hanson, Ashlee Simpson, the Scissor Sisters, and more

music business. This includes a forum he created in 2003 (first on Myspace, now on Facebook), as well as promoting up-and-comers through last year’s Vogville Day and Night Festival. His success as a producer bankrolls these widening endeavours.

Lately, Fluevog has been devoting his time to the Vogville Presents video series—short docs about idiosyncratic musicians’ life stories—with the expertise of journeyman music videographer Gene Greenwood. Currently, the two are shopping it to major networks. It’s a nice break from the stagnancy of the past, but that hasn’t entirely stopped the famous, or quasi-famous, from dropping by. He tolerates them: “I go, ‘Oh cool, they could be as broke as my parents were when I grew up. Good for them.’” **VM**

Animal law cases take up about 30 percent of Breder's practice, which includes general corporate commercial litigation, municipal and administrative law, and environmental law. She helped draft

The allegation of negligence was never proven, so the judge didn't have to decide on damages. But Breder's efforts were not in vain. The court heard arguments that pets are intrinsically valuable as compan-

Breder is part of a global crusade: the outlawing of bullfighting in Catalonia, California's **prohibition of foie gras**

a legal opinion for Vancouver's Shark Truth on whether municipalities in Metro Vancouver have the jurisdiction to ban products made from shark fins. So far, Port Moody has been the only city to do so. "This drive to advance the interests and welfare of animals is something I was born with," says Breder, who, when her cat Leonard was accidentally poisoned a few years ago, set up a desk outside his cage at the clinic to comfort him while he battled for his life. Leonard died, and the memory still brings tears to her eyes.

She's gone to court to save dogs accused of being aggressive or dangerous from euthanization, and a few years ago, she took on the case of a Belgian Tervuren show dog from Williams Lake named Shadow who was put down at age 14 after alleged negligent treatment for a broken leg by a veterinarian. Shadow's owner, psychiatrist Vona Priest, demanded compensation for damages—not to cover the substantial vet bills but to compensate her for loss of companionship. "I wanted some recognition of the bond between me and the animal," Priest says.

ions, an elevated status that she hopes will one day be enshrined in law. "Something huge happened: we had the opportunity to present arguments about how the law should view animals that technically are considered property," says Breder, who shares her home with a 62-kilogram Great Dane mastiff-cross named Tero, three cats (all rescues), and husband and fellow animal lover Pete Poulin.

She draws parallels between slavery and animals' legal status. At one time, slaves were considered property, valued not for their innate humanity but for their coerced labour; similarly, says Breder, domestic animals and pets are considered property—"chattel, the same as this chair I'm sitting on"—while it's open season on wilderness creatures. She goes so far as to liken the current legal status of animals to that of Canadian women before suffragettes won them the battle to be declared persons with rights and privileges. Something—a burning sense of righteousness—kept them going. Breder has that, too. "That flame has only gotten bigger." **VM**

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