

FRANK JOSEPH PAUL—A BIOGRAPHY

Much of this report will be about the activities of officers of the Vancouver Police Department (VPD) and of other public bodies, and will examine their policies and practices, especially as they relate to homeless chronic alcoholics.

As I examine these important matters, I ask you to keep in mind that at a more personal level this is a story about one man's life and untimely death.

Many more people have come to know Frank Paul in his death than knew him during his life. The public interest surrounding this inquiry's work put his photo on the front pages of newspapers, and on television screens. While this exposure serves the public interest in raising the profile of important social policy issues, it comes with a risk that when we see Frank Paul's photo we will think "homeless chronic alcoholic," and fail to see the man behind the photo.

Who was Frank Paul? The sad truth is that, even now, we know very little about Frank Paul—his hopes and dreams, his talents, and the traumatizing experiences that led eventually to his living rough on the harsh streets of Vancouver.

During our evidentiary hearings, Frank's cousin, Peggy Clement, and his sister, Frances Jourdain, provided some insights into Frank's life. I have used their testimony, as well as records compiled by the inquiry, to prepare the following short biography.



1. His early life

Frank Paul was born on July 21, 1951, in Big Cove (now Elsipogtog), New Brunswick, a small Mi'kmaq reserve community. His cousin Peggy Clement testified¹ that Frank had

¹ Transcript, Nov. 13, 2007, pp. 75–94.

two brothers (Andrew and Mark) and one sister (Frances). The only one alive today is Frances.

Frank's father, Joseph Henry Paul, had served in the Army during the Second World War. When he came home, he drank heavily. Frank's parents separated when Frank was young and his mother moved to the United States, where she later remarried and gave birth to three boys. Because of his father's excessive drinking, Frank, along with his brother Andrew and his sister Frances, were sent to a residential school in Nova Scotia. They attended the school for four or five years, until it closed down.

Ms. Clement said that when Frank, Andrew and Frances returned to Big Cove from the residential school, Frank was very quiet. By then his father had a new girlfriend. Frank wanted to see his father, but the girlfriend would not allow it. Frank stayed with Ms. Clement's family or with his father's family, moving around quite a bit. He began drinking by age 16 or 17. He had no interest in attending school after his experiences at the residential school, and before long he left Big Cove. He traveled to Maine to pick potatoes, as the family had done when he was younger.

2. His itinerant life

Ms. Clement testified that Frank moved around a lot in Canada and the United States, living as a migrant worker. From official records, we know that he was in New Brunswick in 1974, in British Columbia (Kamloops and Grand Forks) in 1978, in Toronto and Brandon, Manitoba, in 1981, and in Victoria in 1982. Official records indicate that Frank lived primarily in Vancouver from the early 1980s until his death in 1998.

Frank's sister Frances Jourdain, who lives in the eastern United States, testified² that Frank would sometimes phone her, or show up unexpectedly at her home and stay with her for several days, then move on. He traveled back and forth across the country by hitchhiking. She said that Frank was a good brother, was happy, and liked what he was doing with his life. He was never drinking when she saw him. His favourite thing to do was draw on canvas.

Ms. Jourdain testified that Frank moved to the West Coast in the 1980s. On one occasion in 1986 he called her to see how she and her family were doing. She told him that their brother Andrew had recently died. A month later he called again, and she had to tell him

² Transcript, Feb. 26, 2008, pp. 64–66.

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that her daughter had passed away. Frank did not say anything, and just hung up. She never heard from Frank again.

Ms. Clement said that in 1993 she received a phone call from a hostel in Vancouver, saying that Frank was staying there. However, by the time Frank's sister Frances phoned back, Frank had left.

The family heard nothing more about Frank until early 1999, when they were notified of his death in Vancouver. The family made arrangements to have Frank's body returned to New Brunswick for a funeral in the community.

3. His medical condition

My Terms of Reference did not mandate an inquiry into the medical system's treatment of Frank Paul's various injuries and illnesses. Nevertheless, his medical condition became relevant because there was evidence that the response of other public bodies may have been influenced by their lack of understanding or knowledge of his medical state. In particular, on December 5, 1998, the Vancouver Police Jail (Jail) sergeant said that Frank Paul was suffering from a condition that made him appear drunk, when he was in fact sober.

Several other witnesses testified that Frank Paul was a powerful man; seemingly at odds with his reported inability to walk with a regular and reliable gait, frequently taking support from buildings and other props to make his way around. The evidence also disclosed that Frank Paul had suffered grand mal seizures on the street and, when his body was discovered, there was evidence his body had made a "snow angel" from the gravel he was lying upon—suggestive of him suffering seizures before or at the time of his death.

Medical evidence added to my understanding. I heard from Dr. Laurel Gray, the pathologist who performed the autopsy on Frank Paul, and from Dr. John Butt, another well-known pathologist. At my request and with the consent of the Paul family, the Vancouver General Hospital provided 2,024 pages of Frank Paul's medical records, covering the 16-year period from November 1982 to September 1998. The inquiry retained Dr. Clifford Chan-Yan, from the University of British Columbia's Department of Medicine, Division of Nephrology, to conduct a mortality clinic case review. While we could not obtain the records from St. Paul's Hospital, the Vancouver General Hospital

records permitted a fairly thorough review of Frank Paul's medical history. Some of Dr. Chan-Yan's conclusions are as follows:

- Frank Paul had 93 encounters at Vancouver General Hospital, of which:
 - 82 encounters were in the emergency room or observation area, lasting for less than 24 hours, and
 - 11 encounters were longer stays in the observation area or admission to a hospital ward, lasting between 2 and 27 days.
- On 45 occasions, the admission was because of Mr. Paul's seizure disorder. The seizures could probably be attributed to several factors, including alcohol-induced, alcohol withdrawal or past traumatic brain injury.
- On 14 occasions, a main reason for admission to the emergency room was some form of trauma, usually a minor injury occurring as a result of accidental falls, assault or being hit by a car. One injury resulted in surgery for leg and elbow fractures.
- In 1998 he was thought to have developed Wernicke-Korsakoff Syndrome, a condition of alcohol dementia and incoordination of body movement that can be fatal.

Wernicke-Korsakoff Syndrome likely explained Mr. Paul's gait and weakness below the waist, while he still demonstrated strength in his upper body. The psychiatric consequences of that condition support the conclusion that his homelessness was accompanied with a history of mental illness of uncertain duration. I will discuss this later, when considering Dr. Butt's evidence.

4. His extraordinary use of medical and police services

Official records reveal that Frank Paul required a large number of medical and police interventions in Vancouver during his later years:

- He was taken into custody by the VPD on more than a dozen occasions in the months leading up to his death.
- The BC Ambulance Service responded to 121 calls between April 1996 and December 1998.
- He was treated at, or admitted to, Vancouver General Hospital 93 times.

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- He was treated at, or admitted to, St. Paul's Hospital 63 times by June 1997 (according to a notation on a BC Ambulance Service form dated June 14, 1997).³
- He had been to the Vancouver Detox Centre (Detox Centre) 82 times since 1983.

The professional responders working in the Downtown Eastside knew Frank Paul well. Almost all those who dealt with him in the last days of his life had dealt with him before. He had been, for at least 15 years, part of a small core of homeless chronic alcoholics of less than 100 people. Most of these people are men, and many of them are of First Nations descent.

One police officer witness recalled that during his training as a new officer, he was taken to a call where Mr. Paul was sitting on a sidewalk at a gas station; the field trainer told him he should expect to deal with Mr. Paul a number of times in his career.⁴ Ambulance personnel working in Vancouver were not surprised to encounter Mr. Paul, and developed strategies to obtain his cooperation.⁵

Frank Paul did not respond well to persons in authority, and clearly had issues with police officers in general. When he did not react to the uniform, he was cooperative and compliant with those helping him. The Detox Centre sobering unit had a very low tolerance for troublesome behaviour, but afforded him shelter dozens of times, with only one documented example of his behaviour requiring the police to attend.⁶

³ The Commission of Inquiry into the Death of Frank Paul, Report of the Commission of Inquiry into the Death of Frank Paul, 2007, pp. 8–11; evidence of J. Douglas, Transcript, Nov. 22, 2007, pp. 94–97, 110 and 114.

⁴ Evidence of Cst. Instant, Transcript, Nov. 22, 2007, pp. 94–97, 110 and 114.

⁵ Evidence of J. Douglas, Transcript, Nov. 22, 2007, pp. 94–97, 110 and 114.

⁶ Exhibit 30 (Detox Centre records), pp. 94–97, 110 and 114.



St. Paul's Hospital in

berg, Transcript, Nov. 22,

cript, Nov. 27, 2007,