

Howard had little time for the trivial and shallow dimensions of life. He had a talent for drilling to the core. I remember a lunch some years ago where Howard asked me about a very challenging situation in my life. In attempting to explain the situation, tears welled up in my eyes. I stopped myself cold and apologized for "losing it". Howard responded, "You haven't lost it. You just found it." He was right, of course. Life according to Howard was to be shared, to be felt, to be faced and to be lived to its fullest. He did precisely that.

Mark Sachs



Terrence George Ison



On September 2, 2015, Terry Ison died suddenly on Salt Spring Island, B.C., at the age of eighty years. The immediate cause of death was a stroke, which occurred as he was playing chess with his partner of the past 27 years, Sheryl Taylor-Munro.

Born in Hertfordshire, England, on September 26, 1934, Terry grew up in Letchworth Garden City, about 37 miles outside London. Letchworth was the first fully developed idealized "garden city," a turn of the century urban planning movement initiated in the U.K. by Sir Ebenezer Howard and inspired by the utopian novel *Looking Backward* and Henry George's work *Progress and Poverty*. Garden cities were intended to be planned, self-contained communities surrounded by "greenbelts", containing proportionate areas of residences, industry and agriculture.

When I learned about the nature of the community in which Terry was raised, it occurred to me that the specificity regarding the contents and layout could well be a metaphor for the measured way Terry typically viewed the world and expressed himself. He was a man with well-defined and clearly articulated opinions.

Terry was a unique and academically brilliant man, with a complex personality. He was also one whom even close friends could sometimes find idiosyncratic.

Terry's early life was marked by the loss of his mother when he was five years old. Tragically, his mother's death occurred at the same time that

Terry was himself in isolation at the local "fever" hospital with a serious childhood illness.

The traditional English grammar school was not a good fit for Terry and what became a stellar academic career did not begin very auspiciously. Terry dropped out of school without graduating. No one in his family had attended college and it was not until he was doing his National Service, where he was put to work refining the development of radar, that he voiced an interest in going to university.

On completing his required military service, Terry was admitted to the London School of Economics and Political Science, from which he graduated in 1957 with an LL.B. (First Class Honours). His pupillage at the English bar followed and he was called to the bar in England (Middle Temple) in 1958. After completing an LL.M. at Harvard in 1959, Terry followed his sister, Joan, in immigrating to Canada.

Called to the B.C. bar in 1961, Terry practised for a time at Lawson, Lundell before becoming a lecturer, then assistant professor of law, at the University of British Columbia.

Terry was one of the founders of the British Columbia Civil Liberties Association, formed in 1962, to advocate for civil liberties and human rights amidst the controversy regarding persons in the Dukhobor community having been accused of terrorism.

In 1968, the first of Terry's six books was published: *The Forensic Lottery: A Critique on Tort Liability as a System of Personal Injury Compensation* (London: Staples Press). That same year Terry was appointed a professor of law at Queen's University, a position he held until 1980.

On leave from Queen's between 1973 and 1976, Terry, returned to British Columbia to serve as chair of the Workers' Compensation Board. In *The Art of the Impossible: Dave Barrett and NDP in Power 1972-1975* (Harbour Publishing, 2012), Geoff Meggs and Rod Mickleburgh chronicled some of the changes in workplace health and safety and compensation law and policy that took place during that period. Terry, as "the country's leading expert on workers' compensation", was (along with Paul Weiler) "another of the group of 'bright young men' whom the NDP 'sought out and hired to bring the province into the modern age."

I first met Terry in 1974 when I applied for articles in the legal department of the WCB. Terry believed that lawyers working in public institutions ought to maintain the same high standards of practice and professionalism expected of private law firms. He initiated a program for the lawyers within the WCB, who primarily did civil litigation, to take on articled students. Terry believed that keen articling students would contribute high quality

legal research, writing, and legislative drafting skills in implementing the many changes that were being initiated within the system. To ensure we had some exposure to criminal law each of us was loaned to the Legal Aid Society for a time, fulfilling what Terry saw as an obligation of more senior lawyers to mentor the next generation on their way to becoming members of the bar. What I learned about Terry over the years was that, consistent with his British training, he was at heart very traditional in his views about the responsibility of the legal profession to do its part to uphold the rule of law and work for the greater good of society.

Terry set about to improve the WCB's decision making processes by imposing a requirement that adjudicators at the Board provide written reasons for their conclusions. While in 2015 this may seem an obvious aspect of natural justice, it was not regarded as such at the time. Terry went on to create the *Workers' Compensation Reporter (BC)* where significant decisions of the WCB Commissioners and the newly founded independent Review Boards were published. This was a groundbreaking practice among Canadian compensation systems.

Other major changes Terry initiated were to enforce compliance with existing health and safety standards in the province's smelters; to introduce a program for non-traumatic hearing loss, a major issue in the forest industry in general, and sawmills in particular; and to extend workers' compensation coverage to the fishing industry. By any standard, Terry produced a phenomenal amount of work during his tenure as chair of the WCB.

In 1976 Terry returned to Queen's before moving to Osgoode Hall Law School, York University, in 1980, where he was a full-time member of the faculty for 15 years and a professor emeritus thereafter.

Over the years, Terry had numerous academic publications of note, including several contributions to books, encyclopedias and journal articles. He fulfilled appointments as adjunct professor at the University of Toronto, School of Medicine and visiting professor roles at major universities around the world, including in Wellington, Stockholm, Laval, Oxford, Adelaide and Kobe. He was appointed Japan Foundation Scholar at the University of Tokyo in 1992.

Several of Terry's academic projects included survey work and statistical analysis. One book, *Workers' Compensation in Canada* (Toronto: Butterworths, 1983; 2d. ed., 1989), is a conventional legal text. But the other books, and most of his other publications, resulted from investigating how systems work and the significance of the choices made in system design. Terry's longtime friend and colleague, Professor Harry Glasbeek, now retired from Osgoode Hall, told me that Terry was unusual among fellow academics in

“doing everything from scratch”, using primary sources for virtually all of his work.

Ross Wilson, the current deputy chair of Worksafe New Zealand, acknowledged the international impact of Terry’s research, saying: “Terry had a profound influence on the New Zealand comprehensive no fault compensation system from his early discussions with its architect, Mr. Justice Owen Woodhouse in the late 1960s, but also by his continuing interest and critiques, including a very insightful book he published in 1980.” This is a reference to Terry’s work *Accident Compensation: A Commentary on the New Zealand Scheme* (London: Croom Helm).

Terry’s passion was for the social good and in pursuing that he had a particular abhorrence for what he called “the ‘isms’.” To Terry, that referred to any preset belief system that did not meet his strict criteria of rationality.

In 1981, after a review of his history of academic publications and the body of his work, the University of London awarded Terry an LL.D. It was not an honorary degree, but a doctorate for cause. When Terry told me that he was to receive this degree and that it would be conferred in London by the Queen Mother, he seemed incredulous that I would expect that he would travel to England for the event, saying: “It is not required. They will mail it to me.” That response was typical of Terry. He regarded many social interactions, events, and conventions as a waste of time!

On completing his full-time teaching duties in 1996, Terry became the Benjamin Meaker Visiting Professor at the University of Bristol for three months.

Following this work in Bristol, Terry and Sheryl moved from Toronto to Salt Spring Island. Terry re-activated his membership in the B.C. bar and continued to consult, take on a few cases that interested him, and attend speaking engagements. However, for the most part he retired, to spend time sailing with Sheryl, whom he had met when he sailed out of the Boulevard Club in Toronto. Together they were active members of the Salt Spring Sailing Club until selling their boat in 2007.

They had become increasingly involved in the Salt Spring Trail and Nature Club. Hiking on Salt Spring and travelling to visit friends around the globe kept them busy until the last few years when Terry’s health began to decline.

Sheryl remained dedicated in caring for Terry to the end of his life.

By Terry’s request, no service was held. Sheryl fulfilled Terry’s wish that she accompany his body to England for internment with his parents’ at Letchworth.

He is survived by Sheryl, his sister Joan, nephews Mike (Jan) and Robert (Joanne) and their families.