

LEADERSHIP AND GOVERNANCE

Public Interest Mandate

A COMPETENT, HONOURABLE AND INDEPENDENT LEGAL PROFESSION IS FUNDAMENTAL TO A FAIR AND EFFECTIVE JUSTICE SYSTEM AND IS ESSENTIAL TO UPHOLDING THE RULE OF LAW, WHICH IS THE FOUNDATION OF CIVIL SOCIETY.

THE SOCIETY IS RESPONSIBLE FOR THE LICENSING, COMPETENCE, PROFESSIONAL CONDUCT AND DISCIPLINE OF LAWYERS IN BC.

The Law Society's mandate is set out in section 3 of the *Legal Profession Act*:

Public interest paramount

3. It is the object and duty of the society

- (a) to uphold and protect the public interest in the administration of justice by
 - (i) preserving and protecting the rights and freedoms of all persons,
 - (ii) ensuring the independence, integrity and honour of its members, and
 - (iii) establishing standards for the education, professional responsibility and competence of its members and applicants for membership, and
- (b) subject to paragraph (a),
 - (i) to regulate the practice of law, and
 - (ii) to uphold and protect the interests of its members.



The Benchers and Chief Executive Officer (September 2007)

FRONT: *President Anna K. Fung, QC (Vancouver County)*

FIRST ROW, LEFT TO RIGHT: *Barbara Levesque (Lay Bencher), CEO Timothy E. McGee, G. Glen Ridgway, QC (Nanaimo County), First Vice-President John J.L. Hunter, QC (Vancouver County), Second Vice-President Gordon Turriff, QC (Vancouver County), Rita C. Andreone (Vancouver County)*

SECOND ROW, LEFT TO RIGHT: *Bruce A. LeRose, QC (Kootenay County), Leon Getz, QC (Vancouver County), Gavin H.G. Hume, QC (Vancouver County), Joost Blom, QC (Vancouver County), Robert D. Punnett (Prince Rupert County), Thelma O'Grady (Vancouver County)*

THIRD ROW, LEFT TO RIGHT: *David M. Renwick, QC (Westminster County), Patrick Kelly (Lay Bencher), Kathryn A. Berge, QC (Victoria County), Terence E. La Liberté, QC (Vancouver County), Dr. Maelor Vallance (Lay Bencher), Kenneth M. Walker (Kamloops District), June Preston, MSW (Lay Bencher), David A. Zacks, QC (Vancouver County)*

FOURTH ROW, LEFT TO RIGHT: *James D. Vilvang, QC (Vancouver County), Jan Lindsay (Westminster County), Richard N. Stewart, QC (Victoria County), Ian Donaldson, QC (Vancouver County), Arthur E. Vertlieb, QC (Vancouver County), William F.M. Jackson (Cariboo County), Ken Dobell (Lay Bencher)*

NOT PICTURED: *Michael J. Falkins (Lay Bencher), Carol W. Hickman (Westminster County), Dirk J. Sigalet, QC (Okanagan District), Ronald S. Tindale (Cariboo County)*

LEADERSHIP AND GOVERNANCE

Benchers

THE LAW SOCIETY IS GOVERNED BY THE BENCHERS, WHO ARE CHARGED BY THE *LEGAL PROFESSION ACT* WITH RESPONSIBILITY FOR THE AFFAIRS AND ADMINISTRATION OF THE SOCIETY.

In fulfilling the mandate of the Society, the Benchers have stated that, “[they] will govern the Law Society of British Columbia with a strategic perspective through a continually improved capability to express values and vision.” See www.lawsociety.bc.ca (under Benchers, go to Governance Policies, Part 3, Governance Process). In November 2007, the Benchers sought to strengthen the strategic perspective of their meeting and working processes by committing to three improvements:

- the cycle of Bencher meetings during the year must be directed toward development and consideration of strategic priorities and plans, and the resources necessary to support those plans;
- the content of Bencher meetings must permit the Benchers to focus on what is most important, and to ensure that individual Benchers are sufficiently informed so they can meaningfully participate in knowledge-based decision making; and
- the relationship between the Benchers and the various committees, task forces and working groups must support the Benchers’ strategic priorities and plans, while ensuring that the regulatory work of the Law Society is done.

These Bencher initiatives will be reflected in a new process for Bencher priority-setting and strategic planning, beginning in 2008, and in a Key Performance Measures report to be released late that year.

In July 2007, the Benchers adopted a set of Key Performance Measures to ensure that the Society is making continuous improvements in its capacity to deliver on its regulatory and service programs. The Key Performance Measures will allow the Benchers to assess whether the programs and projects of the Society are contributing value and are consistent with their vision for the Law Society. In focusing on outcomes rather than outputs, the Key Performance Measures reflect the current best thinking about the assessment of self-regulatory organizations.



LEFT TO RIGHT: Ken Dobell, the late Michael J. Falkins, Dr. Maelor Vallance, June Preston, MSW, Patrick Kelly and Barbara Levesque.

Lay Benchers' Assessment

THE STATUTE GOVERNING THE LAW SOCIETY OF BC — THE *LEGAL PROFESSION ACT* — MAKES IT CLEAR THAT UPHOLDING AND PROTECTING THE PUBLIC INTEREST IS THE SOCIETY'S PARAMOUNT OBJECT AND DUTY.

The Lay Benchers make an important contribution to the public interest through their participation in the governance of the Society. The following is the collective assessment of the 2007 Lay Benchers.

"The Lay Benchers confirm that Law Society of BC's staff and Benchers consider the public interest to be of paramount importance and continuously strive to protect it. The Lay Benchers participate in all aspects of Law Society governance activities and decisions, including Benchers meetings and committees that address core responsibilities such as discipline, credentials, practice standards, complaints, lawyers education, equity and diversity, ethics, and others. In any background work, debate, and decision on policy, rules, review panels, and issues large or small, the public interest prevails. It is standard practice that if a proposal before the staff or Benchers does not meet the public interest test, it does not proceed. Lawyer Benchers and Lay Benchers demonstrate a shared commitment to carrying out the duties of upholding and protecting the public interest in the administration of justice in BC.

As with other self-regulating professions, a common question from the public is, "Won't lawyers protect the interests of their members first?" The Law Society of BC does have a duty to ensure the independence, integrity and honour of its members. It also establishes standards for their education, professional responsibility and competence. However, lawyers' interests are always subject to the Law Society's paramount responsibility to protect the public interest in the administration of justice."