

January 22, 2021

Sent via email

Elizabeth Rowbotham
Ministry of Justice - Legal Services
1301 - 865 Hornby Street
Vancouver V6Z 2G3

Dear Elizabeth:

Dean Lawton, QC
President

Office Telephone
604.605.5394
Office Email
president@lsbc.org

Re: 2021 Mandate for Rule of Law and Lawyer Independence Advisory Committee

Thank you for agreeing to accept the appointment as Chair of the Rule of Law and Lawyer Independence Advisory Committee for 2021.

The 2021-2025 Strategic Plan and the Terms of Reference along with the particular priorities outlined below should guide the Rule of Law and Lawyer Independence Advisory Committee in its work this year.

The mandate from the Terms of Reference for the Rule of Law and Lawyer Independence Advisory Committee is:

1. *To advise the Benchers on matters relating to the rule of law and lawyer independence so that the Law Society can ensure its processes and activities preserve and promote the preservation of the rule of law and the independence and effective self-governance of lawyers and the legal profession and the public are properly informed about the meaning and importance of the rule of law and how a self-governing profession of independent lawyers supports and is a necessary component of the rule of law; and*
2. *To monitor issues (including current or proposed legislation) that affect or might affect the independence of lawyers and the rule of law, and to develop means by which the Law Society can effectively respond to those issues.*

I expect that you will guide the Rule of Law and Lawyer Independence Advisory Committee in its work over the year in a manner that reflects its

terms of reference, the Bencher Code of Conduct and the Bencher governance policies regarding committees, always ensuring we remain committed to evidence-based decision-making that takes into consideration the impacts of policies on our members and the public and that we act in the public interest.

In particular, please keep in mind that the Benchers have directed that:

- a) Bencher committees are to help the Benchers do their job, not to help the staff do its jobs. Committees ordinarily will assist the Benchers by preparing policy alternatives and implications for Bencher deliberation.
- b) Bencher committees do not exercise authority over staff.
- c) In keeping with the Benchers' broader focus, Bencher committees will normally not have direct dealings with current staff operations.

I expect you and the members of Rule of Law and Lawyer Independence Advisory Committee to work in a professional and respectful manner with the staff assigned to support the Advisory Committee.

During 2021, I would like to see the Rule of Law and Lawyer Independence Advisory Committee make substantial progress on the following priorities:

1. *Consider current issues that pose threats, or the risk of erosion, to the rule of law in British Columbia, and Canada, and prepare periodic articles on such subjects for consideration by the Executive Committee for publication for lawyer education, and protection of the public in the administration of justice; and*
2. *As set out in the 2020 mandate letter to the committee, continue to focus on the theme of the rule of law vs. rule by law and consider ways to widen the audience for our message.*

As Chair of Rule of Law and Lawyer Independence Advisory Committee, please ensure that all members of the Rule of Law and Lawyer Independence Advisory Committee understand they are expected to abide by the Bencher Code of Conduct and the Law Society's workplace policies and that the Rule of Law and Lawyer Independence Advisory Committee is expected to act within its Terms of Reference.

I look forward to hearing about the work of Rule of Law and Lawyer Independence Advisory Committee over the balance of the year and trust

that you and the Rule of Law and Lawyer Independence Advisory Committee will make substantial progress on the priorities in this letter.

Yours truly,

A handwritten signature in black ink, appearing to read "Dean Lawton".

Dean Lawton, QC
President, Law Society of BC