



November 16, 2021 Bencher Election – County of Victoria

Candidate biographies and statements

The candidates were invited to submit biographical information and an election statement. The views expressed are those of the candidates and do not reflect the official policy or position of the Law Society.

Candidates are listed in order of their appearance on the ballot, as determined by drawing of lots, pursuant to Rule 1-28.

Candidate information for District 2 – County of Victoria

- PEARSON, Paul
- MULLIGAN, Michael
- AMEERALI, Peter
- LEGH, James A. S.
- LEBLANC, Lindsay R.



PEARSON, Paul

Called to the Bar: 1999

Crown Counsel

Email: paul.pearson@gov.bc.ca

BIOGRAPHICAL INFORMATION

I grew up in Victoria and attended UVic Law. After my call in 1999 I joined Mulligan Tam Pearson as a partner, where I practiced criminal defence work for over 18 years. In 2018 I moved to the BC Prosecution service and have been Crown Counsel in the Victoria office for the past three years.

I joined the Victoria Bar Association executive early in my career and held the position of president in 2003. I rejoined the board in 2016. I have acted as Social Coordinator (sports then dinners) since 2016. For the past two years I have been CBA Representative and website coordinator for the VBA.

I spent 5 years as the co-chair of the CBA Victoria Criminal Section from 2009-2014. I also was a member of, and then chaired, the CBA BC Sections Standing Committee.

Additionally, I was a member of and eventually co-chair of the Trial Lawyers' Legal Aid Action committee.

Since being elected a CBA BC Victoria County Representative in 2016 I have sat on the Indigenous Justice Advocacy, Access to Justice and Nominating Committees.

I also taught Criminal Procedure at UVic Law from 2016-2019 and was proud to receive the first LSS Adjunct Professor Award.

ELECTION STATEMENT

As Bencher I would hope to be an effective voice for the concerns and issues of Victoria lawyers. I have acted in a representative role on many committees and know the importance of prompt reporting back to members with updates. My years on the VBA board has given me a window into the importance of Bencher work, and variety of issues the Law Society addresses.

As someone who helped run a small firm for 18 years, I am keenly aware of the “on the ground” realities that arise as a result of new Law Society requirements or procedures. The public interest is sometimes best served by letting lawyers who are already fulfilling their professional responsibilities get on with the practice of law without additional overhead-swelling obligations.

I also have experience in the role of government lawyer and its unique duties and ethical challenges.

ACCESS TO JUSTICE AND ALTERNATIVE SERVICE PROVIDERS

I am an advocate for access to justice. I have lobbied hard for legal aid and streamlining our justice system to provide better access to more people who are being left behind. As it stands, it is unclear whether opening the provision of legal services to alternative providers will truly improve access to justice. Happily, other jurisdictions are trying a move to this model, and we can look to them for tangible, measurable results. I am optimistic the experiences in these jurisdictions can provide information that is determinative in assessing whether this change would actually improve access to justice through competent legal service providers.

An additional challenge is reconciling the proposed addition of alternative legal services providers with the worsening articling crisis. Adding more legal service providers will likely aggravate the dire employment prospects of law graduates, and the articling crisis seems to point to BC not having a “lawyer supply” problem.

RECONCILIATION

I am proud of my work on the BC CBA Indigenous Justice Advocacy Committee, and my addition of some Indigenous criminal justice curricula to the UVic Law Criminal Procedure course. In the nine years since the Truth and Reconciliation Commission, we have seen some improvement in the respect shown to Indigenous issues, but the work toward concrete progress in the justice system must continue.

VICTORIA

My entire legal career has been in this amazing city. We have something special here, as lawyers from Vancouver will tell you. Our collegiality and cooperation sets us apart from other places. One example of Victoria’s strong legal community is the UVic Law Centre program. Since my time there as a student, I have been a strong supporter of the Law Centre and the invaluable mentorship it provides law students; I have had dozens of them as temporary articulated students. This is an example of my history of engaging with the

lawyers of Victoria and my support for Victoria's valuable legal institutions. I hope you will give me the opportunity to now represent you as Bencher.

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MULLIGAN, Michael

Called to the Bar: 1998

Mulligan Defence Lawyers

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BIOGRAPHICAL INFORMATION

I have been practising criminal law in Victoria for twenty-three years.

My wife is also a lawyer. We have a ten-year-old daughter, a thirteen-year-old son, and a one-year-old Yellow Lab.

I have previously served as the chair of the Criminal Section of the CBABC in Victoria, as an elected member of the CBABC Provincial Council, on the executive of the National Criminal Section of the CBA, and as a member of the executive of the CBA BC Branch.

I was honoured in 2011 to receive the Pamela Murray Award from the Victoria Bar Association for maintaining high professional standards and contributing to the well-being of the local bar. In 2015, I was the recipient of the [CBA SOGIC Ally Award](#) and the Victoria Bar Association Contribution to the Law Award.

ELECTION STATEMENT

If elected, I would work to ensure that the Law Society carries out its mandate to uphold and protect the public interest in the administration of justice.

In my judgment, this mandate warrants the Law Society taking a more active role in advocating for access to justice and adequate resourcing of the justice system. It also requires policies that support a healthy, vibrant, and independent profession.

[Throughout my career](#) I have been an advocate for adequate legal aid funding to improve access to justice. If elected, this is something I will continue to pursue.

Access to justice should not be achieved by lowering professional standards. I do not support the proposals, currently being considered by the Law Society, to eliminate the requirement for students to article or for the licencing of unsupervised paralegals.

The Law Society mandate to protect the public interest in the administration of justice should also be interpreted as an obligation to oppose policies intended to prevent or discourage the public from engaging a lawyer or having a claim adjudicated in court. Recent examples of such policies include the ICBC no-fault system and some categories of Civil Resolution Tribunal disputes where parties are presumptively prohibited from having a lawyer represent them.

The Supreme Court of Canada has declared that “The independence of the Bar from the state in all its pervasive manifestations is one of the hallmarks of a free society.” In keeping with this principle, the Law Society should vigorously oppose legislation or policy inconsistent with the public interest.

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AMEERALI, Peter

Called to the Bar: 2005

BC Ministry of Attorney General, Legal Services Branch

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BIOGRAPHICAL INFORMATION

Peter has always been committed to improving the legal profession. He was a co-chair of the Young Lawyers subsection of the CBA and has since mentored dozens of students and lawyers both within government and in private practice. Peter has lectured at UVic, Thompson Rivers University and CLEBC and provided career guidance and coaching about the legal profession at the high school level.

Peter has been a leading practitioner of civil and constitutional litigation at the AG’s Legal Services Branch (“LSB”) for over 15 years. He has represented government before tribunals and every level of court in BC. Peter has contributed to improving the practice within LSB, including as the inaugural deputy chair of the Diversity and Inclusion Committee and as a principal, supervisor and trainer for students. In his current role as a deputy supervisor in the Litigation Group—and as a member of LSB’s Professional Standards Advisory Committee—Peter has ongoing experience advising his peers on legal ethics and practice standards.

Peter has always been active in the broader Victoria community. He has served for several years as a soccer coach, scouting parent, charity volunteer and member of the board of governors for a local school.

ELECTION STATEMENT

As a bencher, I would challenge and empower the Law Society to be even more innovative and active in supporting a strong bar. In fulfilling the many responsibilities of a bencher, there are four areas on which I wish to focus attention on during this election.

First, it is critical the Law Society remain worthy of the self-governance entrusted to it. Recent AGMs made it clear to me there are many voices which need to be heard. Our profession must be vigilant to exemplify the principles of the democracy we are key to protecting. This includes being responsive to our membership and actively seeking input

through consultation beyond the AGMs and bi-annual elections. It means listening to and, in some cases, amplifying diverse voices, educating ourselves and actively empowering marginalized communities. As your bencher, I would commit to hearing your concerns directly and would provide meaningful opportunities for your input to get to the governance table.

Second, our profession has responded creatively to the dual challenges posed by the ongoing climate crisis and global pandemic. Those lessons should not be lost when the latter crisis has passed, because the former will continue. I will work to ensure the Law Society leverages what we have learned to enable lawyers to keep practicing in a sustainable manner that ultimately increases access to justice.

Third, while the Law Society leads and enables change, it must not neglect its primary responsibility to monitor the practice standards of the profession. I pledge to maintaining high standards on admission to the bar, and to promoting and providing supportive mentorship and feedback for students and young lawyers in our community. Where practice standards call for decisive intervention, I will help ensure our profession provides appropriate discipline that demonstrably protects the public and the profession. Having spent much of the past three years helping to supervise dozens of lawyers and their staff, I have directly relevant experience to these core bencher functions.

Finally, the Law Society must be even more attentive and active in ensuring our profession reflects the diversity of the community we serve. As a BIPOC lawyer, I have already been a change maker and a strong advocate for diversity and inclusion in the legal profession. I have throughout my career taken positive action on diversity issues that is timely, considered, and meaningful. I applaud and would work to advance the efforts of the profession to expand awareness of visible and invisible barriers to practitioners and clients alike.

Over the course of my career, I have personally received exemplary guidance from our local benchers. I know they have left big shoes to fill and I am confident I am up for that challenge. As a long-time member of the Victoria bar, I understand Victoria County includes a unique mixture of everything from full-service private firms to government and public-law lawyers to semi-retired practitioners. I ask my peers in Victoria County to entrust me with the responsibility of representing our community at the Law Society governance table.

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LEGH, James A. S.

Called to the Bar: 1986

Stevenson Luchies & Legh

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BIOGRAPHICAL INFORMATION

James Legh maintains both a litigation and solicitor's practice at Stevenson Luchies & Legh. He is called in British Columbia (1988) and Manitoba (1986).

He teaches at the University of Victoria Law School, has coached a UVic Moot team, been a member of the Canadian Federal PILT, and undertaken a number of work place investigations.

James has been an active volunteer his whole life and has been recognised for his contributions with various awards as a result.

Professionally he has been a long-term member of the Victoria Bar Association Executive and acted as its president twice. He is a member of the CBA Judicial Advisory Committee and Automobile Insurance Working Group. He regularly provides Pro-bono services, and has presented at CLE and University programmes.

In his time away from the office, James has been an active leader with Scouts Canada for over 40 years, taking on local, national and regional roles including organizing National and Provincial events. He has also been a member of the Sannich Police Board, Victoria Foundation, Children's Museum of Victoria Association, Learning Disabilities Association of British Columbia, Stages Dance Theatre Society, Kaleidoscope Theatre Productions Society and is a founding member of Lawyers on Stage Theatre.

ELECTION STATEMENT

I am exceptionally proud of being a lawyer and have been practicing in Victoria for over 30 years. Throughout that time, through the Victoria Bar Association and other endeavours, I have promoted the wellbeing of lawyers and advocated for the profession.

It has come to the point when I would like to offer more and volunteer as a Benchler.

For many years, I have been active with the executive of the VBA, including as President twice and since 2006 editing *the Praecepta*, newsletter. Over the years I have mentored many lawyers and students and I currently teach Civil Procedure at UVic.

Throughout my career I have endeavored to ensure that ethical conduct is foremost in the conduct of those whom I might influence, as it is critical for us all. It is a privilege to be a lawyer and we each have an obligation to protect the legal process, reflect the best of society and ensure all lawyers uphold their responsibilities. Canadian society cannot afford to have lawyers who are not competent or ethical. As a professional society, we must, when education and assistance do not help, ensure steps are taken to address lawyers who are not able to uphold our responsibilities.

I am also very supportive of the steps taken by the Law Society towards addressing the Truth and Reconciliation Commission's recommendations and have promoted that with our own firm. I am equally supportive of continuing to promote an inclusive society with respect for all and the elimination of all forms of bias, prejudice, racism etc.

I am double vaccinated and support the need to "follow the science" in all things. We live in a world which, with the easy dissemination of false information, is dangerous. Decisions, particularly those affecting many people, need to be made with the best information practically available. Thus, it is important that decisions made by the Law Society be thoughtfully considered and evidence based, rather than reactive.

While I believe easy access to the courts and law must continue to be increased, I am concerned about the diminishment in the education of lawyers. Articles and mentorship of young lawyers is a linchpin of our profession it must be encouraged - not reduced. Any increase in the provision of legal services by less qualified individuals, outside the oversight of lawyers, must be very carefully considered.

The pandemic has opened many doors which the law must continue to push forward. The use of technology and new rules of conduct, which clearly benefit society and increase access to justice need to be encouraged.

As a Bencher, I will carry these perspectives with me in making decisions, which I will endeavour to ensure are in the best interests of not only lawyers but all British Columbians.

I would be pleased to discuss any issue, relevant to my application to be your Bencher. Feel free to reach out to me at 250-381-4040 or legh@sll.ca

Sincerely,

James (Jim) A. S. Legh, (he/him)
of the British Columbia and Manitoba Bars

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LEBLANC, Lindsay R.

Called to the Bar: 2006

Cox Taylor, Barristers & Solicitors

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BIOGRAPHICAL INFORMATION

I am a partner at Cox Taylor. My practice is a mix of solicitor and litigation in primarily property, administrative and commercial law. I was called to the Bar in 2006.

I am an active volunteer in the legal community with my current law related work including:

- (a) Chair of the Law Foundation of B.C. During my tenure at the Law Foundation, I have overseen and implemented a number of structural changes to the Board and the Foundation's operations.
- (b) Member of the Supreme Court of B.C. Rules Committee.
- (c) Appointed member of the Law Society of B.C. Disciplinary Hearing Panel.

I am also a Director of UVic Properties and the K. Irving Scholarship Society.

I have extensive past volunteer work in the Victoria community, including sitting for 6 years as a Governor to the University of Victoria, as Director of the Vancouver Island Sexual Health Society, and on a number of CBA committees. I have lectured at PLTC sessions.

I am a member of the Metis Nation. I was born and raised in Quesnel, B.C., though after completing my law degree in Victoria, I sought to call Victoria home permanently. Most of my immediate family quickly followed suit.

ELECTION STATEMENT

I seek the support of my colleagues to be elected as bencher as I feel I could bring a unique perspective to the position having maintained a joint practice as a solicitor and litigator and from my volunteer experience on various law and community boards. I seek

the opportunity to work within the Law Society and my community towards a voice of reconciliation and to facilitate collaborative and meaningful relationships between the Law Society and its members.

The legal profession is seeing ever increasing reporting requirements being imposed on lawyers, such as the newly adopted Land Transparency Register and the Corporate Registry. These practices are likely to become the norm in all practice areas. The practice of law generally is becoming more complex and Law Society support of lawyers, in a timely manner, is critical. Support to the legal profession across a diverse range of practice areas is something I wish to bring to members of the Victoria County.

From my experience gained as the Chair of the Law Foundation and Lawyer Representative of the Rules Committee, I have heard from my colleagues that the Law Society could provide better support to its members in respect of matters facing those practicing in Victoria including:

- Training and retention of legal support staff/paralegals;
- Assisting firms/students to provide meaningful articling positions/experience;
- Assisting with standard HR policies in respect of both lawyers and support staff; and
- Adapting to quickly changing court policies and procedures – recognizing they are regionally distinct.

The above noted examples are just the tip of the iceberg – I believe your benchers ought to consult regularly with the membership to help the Law Society evolve with the current trends.

The needs of lawyers are not stagnant and the benchers should be able to adapt quickly. If elected, I will strive to provide a voice within the Law Society that seeks change and to work with our members to provide a diverse, safe, and practical support and resources.

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