

## Bencher election results

THE 2016-2017 BENCHER election results are in: six Benchers were elected for the first time and 16 were re-elected (three by acclamation). There will be at least 12 women Benchers, the highest number ever.

Members had previously elected the following Benchers as president, first vice-president and second vice-president, respectively, for 2016:

- David Crossin, QC (president and Bencher for Vancouver);
- Herman Van Ommen, QC (first vice-president and Bencher for Vancouver);
- Miriam Kresivo, QC (second vice-president and Bencher for Vancouver).

Crossin, Van Ommen and Kresivo continue as Benchers for their district by virtue of their executive office.

President Kenneth Walker, QC congratulates the elected and re-elected Benchers, and thanks all those who stood for election. Walker also thanks the elected Benchers who will not be returning, acknowledging the years of dedicated service of Joseph Arvay, QC, David Mossop, QC, Cameron Ward, Edmund Caissie and Jeevyn Dhaliwal. Mossop and the outgoing president will become Life Benchers in 2016. ❖

Here are the Benchers who were elected on November 16, 2015 for the 2016-2017 term:

### District No. 1 Vancouver

Jeff Campbell  
 Craig A.B. Ferris  
 Brook Greenberg  
 Lisa Hamilton  
 Jamie Maclaren  
 Sharon Matthews, QC  
 Steven McKoen  
 Maria Morellato, QC  
 Elizabeth Rowbotham  
 Tony Wilson

### District No. 2 Victoria

Pinder K. Cheema, QC  
 Dean P.J. Lawton

### District No. 3 Nanaimo

Nancy Merrill

### District No. 4 Westminster

Martin Finch, QC  
 Christopher A. McPherson  
 Phil Riddell

### District No. 5 Kootenay

Lynal E. Doerksen

### District No. 6 Okanagan

Thomas P. Fellhauer

### District No. 7 Cariboo

Lee Ongman  
 Gregory Petrisor

### District No. 8 Prince Rupert

Sarah Westwood

### District No. 9 Kamloops

Michelle D. Stanford

For full election results, see [About Us > Governance > Benchers > Bencher Elections](#).

## NEW BENCHERS IN 2016



*Jeff Campbell*



*Brook Greenberg*



*Lisa Hamilton*



*Steven McKoen*



*Christopher A. McPherson*



*Michelle D. Stanford*

## David Crossin, QC, 2016 president

WHEN WE MEET at his Gastown office, it's clear that David Crossin, QC, is not enamored with the prospect of talking about himself. "Already I don't like this," he says with a laugh, glancing distrustfully at the voice recorder placed before him. However, as the interview proceeds, he slowly warms and shares his thoughts on topics ranging from access to justice to the role of the Law Society.

Crossin didn't always want to be a lawyer. After graduating from Burnaby North High School he went to Simon Fraser

University, initially thinking he might one day be a writer. However, he soon found his talents didn't lie in that direction, and it was upon entering UBC law school that he discovered what might be his true calling.

While articling under the mentorship of Thomas Braidwood, Crossin discovered a passion for litigation. "I came out of law school thinking I might be a solicitor," he explains, "but I happened to article with Tom Braidwood, who was a very highly regarded litigator, one of the best. He took me under his wing, and I never did any solicitor work. I enjoyed it, and that was that."

Crossin stayed on at Braidwood, Nuttall, MacKenzie, Brewer & Greuell following his articles, leaving in 1986 to join Len Doust and Ken Smith at Doust and Smith. In 1988, that firm merged with what is now McCarthy Tétrault. Crossin continued to practise there until he started his own practice in 1993. In 2007, he rejoined several former colleagues from his Braidwood days at Sugden, McFee & Roos LLP, where he continues to practise today.

Throughout his career, Crossin has had his share of complex, high-profile cases. Crossin represented Glen Clark, when the former premier was accused of libel for his comments about a fast-ferry critic. Perhaps Crossin's most well-known client was Ripudaman Singh Malik, whom Crossin, along with Bill Smart, successfully defended against charges of conspiracy to commit murder regarding terrorist bombings targeting Air India.

Crossin's former clients also include several lawyers, but he says that was more by happenstance than by plan. Early in his

career, he and a small group of Vancouver lawyers, including Chris Hinkson, Rick Sugden and Len Doust, represented lawyers before Law Society discipline hearings; mostly on a pro bono basis. "As a result of that, the same lawyers tended to get the calls," Crossin explains, "so it was just self-generating."

Crossin has also devoted considerable time to legal aid, both through pro bono work early in his career and by serving on the board of the Legal Services Society for several years, including two as chair. Crossin deflects praise for his commitment to legal aid, saying only, "I happen to think that legal aid is an important underpinning of our justice system, so I tried to play a small part." He's quick to direct credit toward those he believes deserve it; recalling his work with Legal Services, he refers to the "hundreds of unsung heroes in this province who quietly commit a good part of their lives to the welfare of other people."

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As our interview draws to a close, Crossin hints at a vision of a more prominent role for the Law Society. "It's an incredibly talented organization and a group of people with tremendous heart and soul," he says. "I think their voice should be heard in a lot of areas of our justice system."

Crossin lives in North Vancouver with his partner, also a lawyer, and has three grown children, all of whom live in Vancouver. He has a Harley-Davidson and says he likes to get away for road trips "in theory," admitting, with a laugh, that it's not always as easy as he would like to find the time. ❖





## British Columbia Access to Justice Committee Q&A

Friday, November 13, 2015

*The Honourable Chief Justice Robert J. Bauman, Court of Appeal for British Columbia  
David Crossin, QC, incoming president, Law Society of British Columbia*

### INTRODUCTION

IN JULY 2014, 14 representatives from multiple agencies within the BC justice system attended a colloquium in Toronto devoted to access to justice. Impressed by the novel ideas discussed there, they returned determined to bring a new approach to improving access to justice in the province.

The upshot is Access to Justice BC, a committee formed last spring and chaired by the Honourable Chief Justice Robert J. Bauman, Court of Appeal for British Columbia. Not only is the committee chaired by the province's top adjudicator, but its

membership includes David Crossin, QC, incoming president of the Law Society of BC, as well as leaders from the Provincial and Supreme Courts, from government and academia, and from such institutions as the Canadian Bar Association, the Law Foundation of BC and the Legal Services Society. In all, the committee has a total of 26 members representing all sectors of the province's justice system, as well as sectors not typically considered part of the justice system.

The aim of the committee is not to produce yet another report and recommendations, but rather to coordinate the

many components of the justice sector to facilitate innovation and action. For an explanation of how this committee expects to make a difference, *Benchers' Bulletin* sat down recently with Chief Justice Bauman and David Crossin, QC, who in addition to representing the Law Society serves on the committee's executive.

**A lot of organizations have committees looking at how to improve access to justice. Why do we need a new committee, and how will this committee differ from others?**

**David Crossin:** That's exactly the point: a

lot of institutions and stakeholders in our justice system have committees dedicated to improving our justice system. This committee is a gathering place where all these committees can share aspirations and ideas. It's a place where all of these people of goodwill who are attempting to move forward can coordinate their efforts.

**Chief Justice Bauman:** The coordination of those efforts will lead to efficiencies and a much fuller response to the problem. A coordinated, multidisciplinary response that speaks to a common vision is going to be much more effective.

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But beyond coordination and leadership, we want to encourage innovation. We've spent untold hours in our various efforts to improve access to justice, and the issue still seems to be intractable. The problem is complex, and complex problems require extraordinary new answers. We have to inspire innovation, and we have to fundamentally look at culture change.

**Can you expand on what you mean by culture change, and how culture might stand in the way of access to justice?**

**Chief Justice Bauman:** I have immense respect for our profession, but we are a profession rooted in the past, and the answers to some of these modern-day problems take more imaginative thinking than perhaps we've brought to bear previously. We have a healthy skepticism about change for change's sake, but I think we have to quicken our pace a bit and be open to new ideas that perhaps challenge some of our basic notions of what a justice system looks like in 2015 and beyond.

**David Crossin:** One of the areas Access to Justice BC has identified that can be improved is family law. This is one area, and I'm as guilty as anyone, where participants in the justice system have spent the better part of their lives suggesting to users of

the justice system what they need. Maybe we need to start listening to the users as to what they need. And that's a big ask from a culture point of view. Take, for example, family violence: is a courtroom necessarily the answer, or is a model more geared to reconciliation and healing and education required? But to a lawyer, that's counter-intuitive if someone has committed a crime. Those are the sorts of thing we have to think about, and it does require culture change.

**Chief Justice Bauman:** David put his finger on it: one of the central focuses of our approach is to put the user at the centre of our efforts. We call it a triple-aim approach, always with user experience at the centre. Our goals are to improve the user experience with the system, to improve outcomes for citizens generally in British Columbia and to do so in a sustainable fashion. It's an approach that we borrowed from other sectors, but we think it offers promise and represents a significantly new approach to improving the system.

**David Crossin:** The people on the committee represent multiple sectors of our justice system: health, courts, legal services, lawyers. And we are all charged with going back to our institutions and attempting to initiate efforts through the coordination of the access committee. For instance, the Law Society of British Columbia is committed to putting a plan in place to address the recommendations and the call to action of the Truth and Reconciliation report. We think it's one of the most fundamental challenges in our lifetime, but clearly in order to be effective, the society will have to coordinate with other institutions and with the Indigenous community. This committee is perfectly situated to facilitate that because it will be able to say, this is what everyone else is doing, this is what the institutions should be doing, and here's how we can focus our efforts. That's how we'll actually get something done. Instead of each institution working in its own silo, now they have a meeting place to share their ideas.

**If each institution has its own mandate, budget and timelines, will communication and collaboration be enough to break down institutional barriers, or will the committee be considering broader**

**structural changes?**

**Chief Justice Bauman:** We all agree at this point in our deliberations that we have to respect the independence of the various institutions of law, but that doesn't mean we can't have a coordinated response to the problems, or a response that's informed by other people's ideas of what each institution should be doing. I think there are going to be some fundamental changes in attitudes, but I'm not sure that the entire structure has to fundamentally change.

**David Crossin:** Communication and collaboration are a good start, and I think it goes a long way because it hasn't happened before. There's a responsibility on the committee to come up with ideas that are going to be innovative and operational. And there's going to be a responsibility on committee members to go back to their institutions with some enthusiasm and to get buy-in. And in my experience, if you get buy-in then the structure of the institution tends to shift to try to accommodate new ideas.

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**– Chief Justice Bauman**

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**Chief Justice Bauman:** And let's not jump to the conclusion that independence of the institutions is a bad thing. They're independent for very good reasons, but that doesn't mean there can't be a coordinated response.

**Does the committee have a timeline? Is there a point at which you say you're done?**

**Chief Justice Bauman:** (laughing) We're going to have it all fixed by this time next

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