



Minutes

Benchers

Date: Friday, January 24, 2014

Present: Jan Lindsay, QC, President
Ken Walker, QC, 1st Vice-President
David Crossin, QC, 2nd Vice-President
Haydn Acheson
Joseph Arvay, QC
Satwinder Bains
Pinder Cheema, QC
David Corey
Jeevyn Dhaliwal
Lynal Doerksen
Thomas Fellhauer
Craig Ferris
Martin Finch, QC
Miriam Kresivo, QC
Dean Lawton
Peter Lloyd, FCA

Jamie Maclaren
Sharon Matthews, QC
Ben Meisner
Nancy Merrill
Maria Morellato, QC
David Mossop, QC
Lee Ongman
Greg Petrisor
Claude Richmond
Phil Riddell
Elizabeth Rowbotham
Herman Van Ommen, QC
Cameron Ward
Tony Wilson
Barry Zacharias

Excused: Not Applicable

Staff Present: Tim McGee, QC
Deborah Armour
Robyn Crisanti
Su Forbes, QC
Andrea Hilland
Jeffrey Hoskins, QC
Ryan Lee

Michael Lucas
Bill McIntosh
Jeanette McPhee
Doug Munro
Alan Treleaven
Adam Whitcombe

Guests:	The Hon. Robert J. Bauman	Chief Justice of British Columbia
	Dom Bautista	Executive Director, Law Courts Center
	Mary Ann Bobinski	Dean of Law, University of British Columbia
	Kari Boyle	Executive Director, Mediate BC Society
	Karima Budhwani	Program Director, The Law Foundation of BC
	Anne Chopra	Equity Ombudsperson
	Ron Friesen	CEO, Continuing Legal Education Society of BC
	Jeremy Hainsworth	Reporter, Lawyers Weekly
	Gavin Hume, QC	Law Society Member of the Council of the Federation of Law Societies of Canada
	Drew Jackson	Director of Client Services, Courthouse Libraries BC
	Derek LaCroix, QC	Executive Director, Lawyers Assistance Program
	Sherry MacLennan	Director of Public Legal Information and Application Services, Legal Services Society
	Caroline Nevin	Executive Director, Canadian Bar Association, BC Branch
	Priyan Samarakoone	Program Manager, Access Pro Bono
	Alex Shorten	Vice President, Canadian Bar Association, BC Branch
	Rose Singh	BC Paralegal Association
	Prof. Jeremy Webber	Dean of Law, University of Victoria
	Ryan Williams	President, TWI Surveys Inc.

CONSENT AGENDA

1. Oaths of Office

The Honourable Robert J. Bauman, Chief Justice of British Columbia, administered oaths of office sworn or affirmed by President Jan Lindsay, QC, First Vice-President Ken Walker, QC, Second Vice-President David Crossin, QC and the 2014 Benchers (except Vancouver Bencher Sharon Matthews, whose oath of office was administered by Ms. Lindsay).

2. Minutes

a. Minutes

The minutes of the meeting held on December 6, 2013 were approved as circulated.

The *in camera* minutes of the meeting held on December 6, 2013 were approved as circulated.

b. Consent Resolutions

The following resolutions were passed unanimously and by consent.

- Rules 2-69.1 and 4-38: Publication of hearing decisions

BE IT RESOLVED to amend the Law Society Rules as follows:

1. In Rule 2-69.1, by rescinding subrules (1) to (3) and substituting the following:

- (1) Subject to Rule 2-69.2, the Executive Director may publish and circulate to the profession a summary of the circumstances and of any final or interlocutory decision of a hearing panel or review board on an application under this Division and the reasons given for the decision.
- (2) When a publication is allowed under subrule (1), the Executive Director may also publish generally
 - (a) a summary of the circumstances of the decision of the hearing panel and the reasons given for the decision, or
 - (b) all or part of the written reasons for the decision.; and

2. *In Rule 4-38, by rescinding subrules (3) and (4) and substituting the following:*

- (3) When a publication is required under subrule (1) or permitted under subrule (2), the Executive Director may also publish generally
 - (a) a summary of the circumstances of the decision, reasons and action taken,
 - (b) all or part of the written reasons for the decision, or
 - (c) in the case of a conditional admission that is accepted under Rule 4-21, all or part of an agreed statement of facts.

- Rule 10-1: Service and delivery of documents

BE IT RESOLVED to amend Rule 10-1 as follows:

1. *In subrule (1), by rescinding the preamble and substituting the following:*

- (1) A lawyer, former lawyer, articled student or applicant may be served with a notice or other document personally, by leaving it at his or her place of business or by sending it by

2. *By rescinding subrule (3) and substituting the following:*

- (3) A document sent by ordinary mail is deemed to be served 7 days after it is sent.
 - (3.1) A document that is left at a place of business or sent by registered mail or courier is deemed to be served on the next business day after it is left or delivered.
 - (3.2) A document sent by electronic facsimile or electronic mail is deemed to be served on the next business day after it is sent.

REGULAR AGENDA – for Discussion and Decision

3. 2012 – 2014 Strategic Plan Annual Review

Mr. McGee presented a summary of the implementation status of the three goals and related initiatives set out in the current Strategic Plan. Those three goals are:

Goal 1: the Law Society will be a more innovative and effective professional regulatory body;

Goal 2: the public will have better access to legal services; and

Goal 3: the public has greater confidence in the administration of justice and the rule of law.

A copy of Mr. McGee's PowerPoint presentation is attached as Appendix 1 to these minutes.

4. Equity and Diversity Advisory Committee: Enhancing Diversity in the Judiciary

Ms. Morellato introduced this matter as Chair of the Equity and Diversity Advisory Committee. She reported that at the July 12, 2013 Bencher meeting the Honourable Lynn Smith, QC, and the Honourable Donna Martinson, QC, retired justices of the BC Supreme Court, presented on the importance of diversity in the composition of the judiciary. Following that presentation, President Vertlieb requested that the Equity and Diversity Advisory Committee develop recommendations to the Benchers to improve diversity on the bench.

To fulfill this request, a subcommittee of Equity and Diversity Advisory Committee was struck to develop recommendations. Appointed Bencher Satwinder Bains (Chair), Vancouver Bencher Thelma O'Grady, non-Bencher Linda Robertson and Staff Lawyer Andrea Hilland comprised the subcommittee. The subcommittee met over the course of October and November to develop draft recommendations. The Equity and Diversity Advisory Committee reviewed and amended those recommendations before approving them for presentation to the Benchers.

Ms. Bains referred to the Equity and Diversity Advisory Committee's memorandum at page 90 of the agenda package for the four recommendations (the Judicial Diversity Recommendations) being presented to the Benchers for approval:

The Equity and Diversity Advisory Committee recommends that the Law Society of British Columbia:

1. Be pro-active in selecting a more diverse list of lawyers as the Law Society's candidates for appointment to the Federal Judicial Advisory Committee;

2. Investigate and endeavour to address the systemic barriers impacting the retention and advancement of lawyers from equity seeking groups, through the development and implementation of effective programs and more informal ways of supporting lawyers from equity seeking groups;
3. On an annual basis, monitor and assess the effectiveness of Law Society of British Columbia initiatives relating to the retention and advancement of lawyers from equity-seeking groups, in light of the objective of improving diversity on the bench; and
4. Continue to collaborate with organizations representing lawyers from equity seeking groups in British Columbia to help disseminate information on the judicial appointments process, and to facilitate the career advancement of lawyers from equity seeking groups.

Ms. Bains confirmed that the focus of the recommendations is enhancement of judicial diversity in general, not just with respect to gender.

Mr. Meisner moved (seconded by Mr. Zacharias) that the Judicial Diversity Recommendations be approved by the Benchers for implementation by the Law Society.

In the ensuing discussion a question was raised regarding the relationship of the Judicial Diversity Recommendations to the work of the Justicia Project. Ms. Morellato confirmed that Justicia is presently focused on gender only, while the Judicial Diversity Recommendations go beyond gender diversity to include enhancing diversity for all equity-seeking groups. The intention is for the subcommittee to now move beyond the aspirational goals reflected in our 4 recommendations in order to foster diversity on the Bench for all equity-seeking groups, by implementing the recommendations in concrete ways.

The motion was carried unanimously.

Ms. Morellato confirmed that the 2014 Equity and Diversity Advisory Committee will form a new subcommittee to gather evidence, to develop strategies and initiatives, and to work with the Communications department on a public communications plan, all in aid of supporting implementation of the Judicial Diversity Recommendations. She advised that the Equity and Diversity Advisory Committee intends to report to the Executive Committee by June 2014 in that regard.

GUEST PRESENTATIONS

5. 2013 Employee Survey Results

Ryan Williams, President of TWI Surveys Inc., presented a summary of the results of the 2013 Law Society Employee Survey (a copy of Mr. Williams's PowerPoint presentation is attached as Appendix 2 to these minutes). Mr. Williams explained the purpose and value of annual employee surveys, noting that 2013 marked the eighth successive year that this voluntary survey has been conducted by the Law Society. Mr. Williams also noted that 86% of Law Society employees responded to the 2013 survey: the highest level of staff participation since the inception of the annual survey.

REPORTS

6. Federation of Law Societies of Canada (FLSC) Council Update

Gavin Hume, QC briefed the Benchers as the Law Society's member of the FLSC Council. He reported on matters covered in the December Council meeting in Ottawa, including:

- Receipt and review of committee reports regarding Trinity Western University's law school accreditation application
- Updates on the National Admission Standards Project and the National Discipline Standards Project
- Update on recent work and current projects of the Model Code Standing Committee
 - awaiting responses from the law societies regarding the Standing Committee's proposed changes to the current conflicts rules, and the rules regarding the handling of incriminating physical evidence

Mr. Hume confirmed that the next meeting of the FLSC Council is scheduled for April 2014 (in Regina), and the focus of that meeting will include a review of the Federation's governance structure and the final report on National Discipline Standards. The governance review will include recommendations for replacing the current process for selection of the Federation President, which is based on geographic rotation, with a process based on merit.

7. President's Report

Ms. Lindsay welcomed media representatives, regular Bencher meeting guests, and the 11 Benchers newly appointed or elected for the 2014-2015 term:

- Joseph Arvay, QC (Vancouver County – elected)

- Pinder Cheema, QC (Victoria County – elected)
- David Corey, (Victoria County – appointed)
- Jeevyn Dhaliwal (Vancouver County – elected)
- Craig Ferris, (Vancouver County – elected)
- Martin Finch, QC (Westminster County – elected)
- Dean Lawton (Victoria County – elected)
- Jamie Maclaren (Vancouver County – elected)
- Sharon Matthews, QC (Vancouver County – elected)
- Elizabeth Rowbotham (Vancouver County – elected)
- Cameron Ward (Vancouver County – elected)

Ms. Lindsay also welcomed First Vice-President Ken Walker, QC and Second Vice-President David Crossin, QC to their roles as Law Society officers for 2014.

Ms. Lindsay described the Law Society's three-year strategic plan as the foundation for the Benchers' work. She noted that development of the 2015-2017 Strategic Plan will be a key undertaking for the Law Society's Benchers and staff in 2014. Ms. Lindsay also noted that consideration of Trinity Western University's application for accreditation of a new law school will likely occupy a considerable portion of the Benchers' attention and time in 2014.

Ms. Lindsay commented on the importance of open, respectful discussion in Bencher meetings, describing consensus as the desired but not always attainable outcome of those discussions.

8. CEO's Report

Mr. McGee provided highlights of his monthly written report to the Benchers (attached as Appendix 3 to these minutes) including the following matters:

- Introduction
- Operational Priorities for 2014
- Implementation of Legal Service Providers Task Force Report Recommendations
- Law Society as Insurer and Regulator Working Group

- Implementation of Lawyer Support and Advice Project
- Support for Law Firm Regulation Review
- Review and Renewal of Staff Performance Management Process
- New Workplace Bullying and Harassment Policy
- Fall Justice Summit Report
- Continuing Professional Development (CPD) Program – Update
- 2013 Employee Survey

9. Report on the Outstanding Hearing & Review Reports

The Benchers received and reviewed a report on outstanding hearing and review decisions.

FOR INFORMATION

10. Briefing on Process re: Trinity Western University (TWU) Faculty of Law Matter

Ms. Lindsay briefed the Benchers regarding the process and timeline proposed by the Executive Committee for the Benchers' pending review of TWU's application for accreditation of a faculty of law. Ms. Lindsay referred to Law Society Rule 2-27(4.1) as the foundation for that review:

For the purposes of this Rule, a common law faculty of law is approved if it has been approved by the Federation of Law Societies of Canada unless the Benchers adopt a resolution declaring that it is not or has ceased to be an approved faculty of law.

Ms. Lindsay noted that the Federation of Law Societies has granted preliminary approval of Trinity Western University's (TWU) application for approval of a faculty of law at TWU, and that BC's Minister of Advanced Education has subsequently authorized TWU to grant law degrees.

Ms. Lindsay also noted that the Law Society has retained Geoffrey Gomery, QC of Nathanson, Schechter & Thompson LLP in this matter. She referred to the memorandum (page 150 of the

agenda package) for Mr. Gomery's advice on the nature of and basis for the duty of administrative fairness owed by the Law Society:

... In my opinion, Rule 2-27(4.1) confers on TWU what the cases describe as a legitimate expectation that its undergraduate law degrees will constitute academic qualification. The Law Society is therefore subject to an obligation of administrative fairness in considering any proposal that TWU's faculty of law be disapproved by the Law Society. That obligation requires that TWU be given notice of the proposal and an opportunity to make submissions before a final decision is made.

The duty of administrative fairness thus imposed on the Law Society only arises in the context of a resolution that TWU's faculty of law is not an approved faculty. It would not arise in the absence of any action by the Law Society, or in the event of a Benchers' resolution not to disapprove the TWU faculty.

Ms. Lindsay referred to the Executive Committee's memorandum at page 147 of the agenda package for explanation of the Bencher process developed by the Committee:

... [T]he Executive Committee concluded that there should be a background briefing at the upcoming January 24th Bencher meeting at which general information would be presented about the process to date, together with the Federation decisions and some other considerations.

In the interests of transparency and openness, following the January Bencher meeting the Executive Committee concluded we should also invite input in writing through a posting on our website and communication through our regular E-Brief communication to the members. These responses would be compiled and provided to the Benchers as part of the material for their consideration at the February 28th meeting. If questions occur to the Benchers following the January 24th meeting, they should feel free to send them to the President.

For the February 28th Bencher meeting, the Executive Committee expects that all the Benchers will have read and fully considered all of the relevant material, as well as had an opportunity to reflect on the January briefing. The agenda for that February meeting will provide for a full and open discussion of any issues that approval of a TWU faculty of law presents. At the conclusion of that discussion, in the absence of a motion from any of the Benchers, the President will remind the Benchers that an applicant for admission from TWU faculty of law will meet the requirements for academic qualification under our Rules (in effect, that TWU will be an approved faculty of law) unless the Benchers adopt a resolution otherwise. It is expected that the wording of such a resolution should reflect the advice from Mr. Gomery:

Pursuant to Rule 2-27(4.1), the Benchers declare that, notwithstanding the preliminary approval granted to Trinity Western University on 16 December 2013 by the Federation of Law Societies' Canadian Common Law Program Approval Committee, the proposed faculty of law of Trinity Western University is not an approved faculty of law.

If a resolution declaring that the proposed TWU faculty of law is not an approved faculty of law is moved, and seconded, the discussion of the motion would be adjourned to the April 11th Bencher meeting. TWU would be provided with a transcript of the Bencher discussion at the February 28th meeting and any input we have received. TWU would be given the opportunity to make written submissions for consideration by the Benchers on April 11th. We would also provide representatives of TWU with the opportunity to attend the April 11th Bencher meeting.

Ms. Lindsay noted that since the preparation of its memorandum, the Executive Committee has re-considered the matter of a deadline for submission of input from the profession and the public, and now recommends that such deadline to be set at March 3, 2014.

Ms. Lindsay confirmed that if a motion to adopt a resolution declaring that the Law Society does not approve TWU's proposed faculty of law is presented and seconded at the February 28th Bencher meeting, that motion will be tabled and TWU will be provided with:

- a transcript of the relevant February 28th Bencher meeting proceedings;
- copies of input received from the profession and the public by March 3;
- an invitation to provide written submissions for the Benchers' consideration
 - with an appropriate deadline to ensure that the Benchers will have reasonable opportunity to consider any such submissions in advance of their April 11th meeting; and
- an invitation to attend and be heard at the April 11th Bencher meeting.

Ms. Lindsay also confirmed that if it is apparent some or all of the Benchers are not ready to make their decision on this matter at the April 11th meeting, or for any other reason that it is premature to call for the Benchers' decision at their April 11th meeting, then the matter will be put over to another date.

The Law Society's member of the Federation Council, Gavin Hume, QC, provided the Benchers with an overview of the process followed by the Federation of Law Societies of Canada in reviewing and approving TWU's application.

Michael Lucas, Staff Lawyer and Manager of Policy & Legal Services, outlined issues arising from provisions of the National Mobility Agreement, the Agreement on Internal Trade and the *Labour Mobility Act (BC)*.

A discussion followed, during which the Benchers considered various issues in relation to their pending deliberations on this matter.

Ms. Lindsay confirmed that the Executive Committee will review Benchers' input provided in this discussion and then engage counsel to provide such additional legal opinions and briefings as seem warranted to the Committee, to be circulated to the Benchers for their consideration in advance of the April 11th meeting.

The Benchers discussed other matters *in camera*.

WKM
2014-02-03

The Law Society *of British Columbia*



STRATEGIC PLAN 2012 – 2014 IMPLEMENTATION UPDATE

January 24, 2014

TBD 2014:

- Law Firm Regulation
– **Task Force to be created in 2014**
- Different qualifications for different service providers – **2014**
Legal Service Providers Task Force (LSPTF)



Equity & Diversity

Support and retain
Aboriginal and
women lawyers
complete – **Justicia
and Indigenous
Lawyers Mentoring
programs**

Access to Legal Services

Consider ways to improve
affordability of legal
services:
paralegals; articling
students
2014 LSPTF
Develop ways to improve
rural articling opportunities
(REAL)
**Program assessment
pending**

Goal 2: The public will have better access to legal services

Staff

Work with other
stakeholders to
research economics of
the profession
TBD

TBD 2014:

- Address changing demographics of the profession - **awaiting analysis of REAL**

Executive Committee

Build broader, strong
relationships with
stakeholders
work and initiatives
ongoing

Goal 3:

**The public has greater
confidence in the
administration of
justice and
the rule of law**

Staff

Identify methods of
communicating about
rule of law and role of
Law Society through
media
some initiatives
complete - new ideas
pending at ROLIAC

The Law Society
of British Columbia



The Law Society of British Columbia Employee Survey 2013

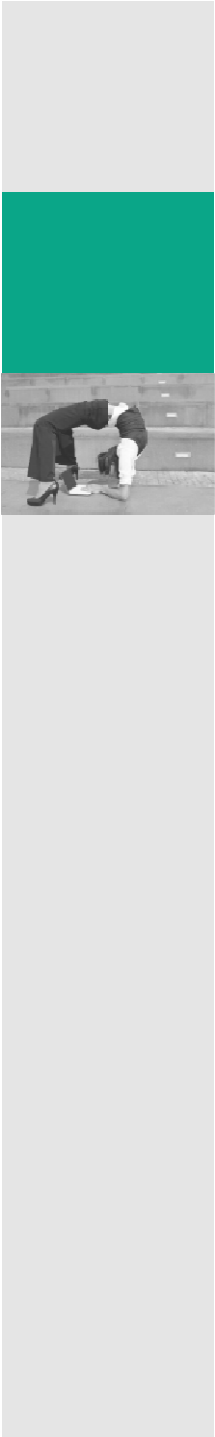
Summary of Results

January 24, 2014

Benchers Meeting

Agenda

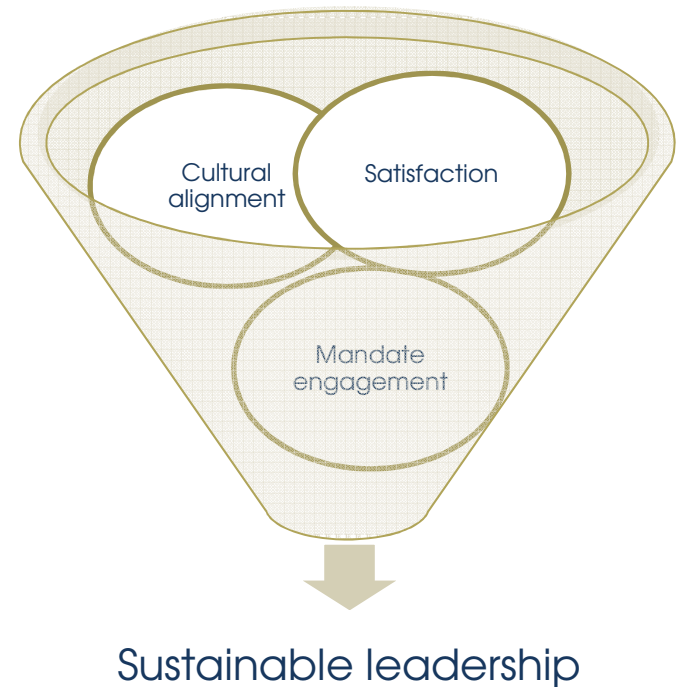
1. Why do engagement surveys?
2. What the survey 'Says'
3. Questions/ Discussion



Why employee surveys?

1. Results/ performance
2. Using our strengths
3. Motivation
4. Tracking creates intention

- **The TWI mix**





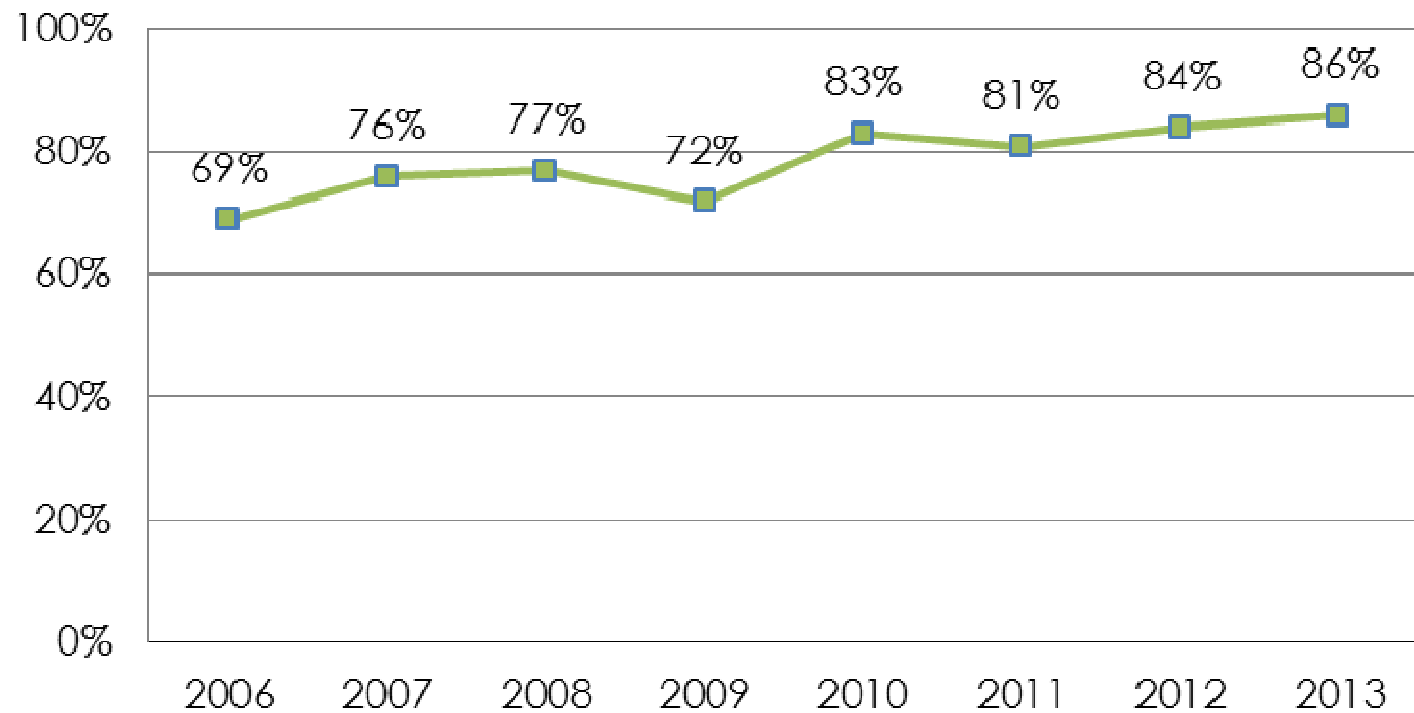
The Law Society

Survey process/ methodology

- The Law Society 2013 survey was conducted from Thursday, October 31, 2013 until Wednesday, November 13, 2013.
- This is the eight year that Law Society has conducted an employee survey.
- The survey consisted of 19 items using a 5-point Likert scale, and
 - Three demographic identifiers and
 - Four open-ended items.
- The survey generated **154 responses** for a response rate of 86%.
- This response yields data accurate to within +/- 2.96% at a 95% confidence level.



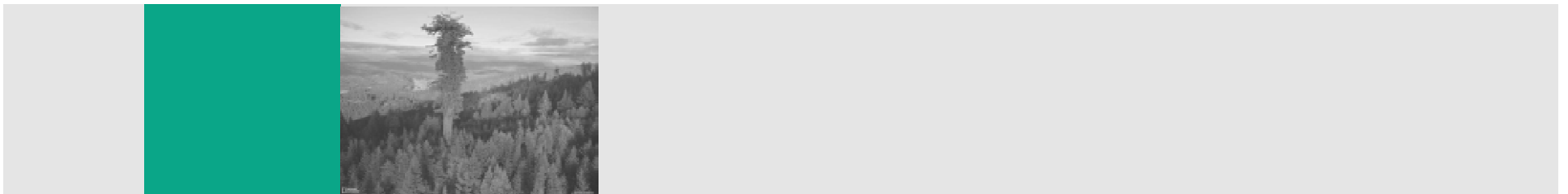
Response rates



Highlights

- Continue to trend up
- 6 questions with increases greater than 5 % in agreement
- 1 question decreased (specific to resources to do the job)
- All 11 comparable questions are above the normative data
- Only one item below 3.5 (salary and benefits) this item is normally low in most organizations

Groups	Data Filter	Mean	Category Percentages		Strongly agree/ Agree
			0 20 40 60 80 100		
Overall Summary	All Data 2013	3.96	17.1%	75.5%	75.5%
	All Data 2012	3.91	19.1%	72.7%	72.7%
	All Data 2011	3.89	19.5%	71.8%	71.8%



Understanding How it all fits together

Q1 the Law Society mandate
95% agreement

Q4 How my work contributes
93% agreement



Q4 How my department works
97% agreement

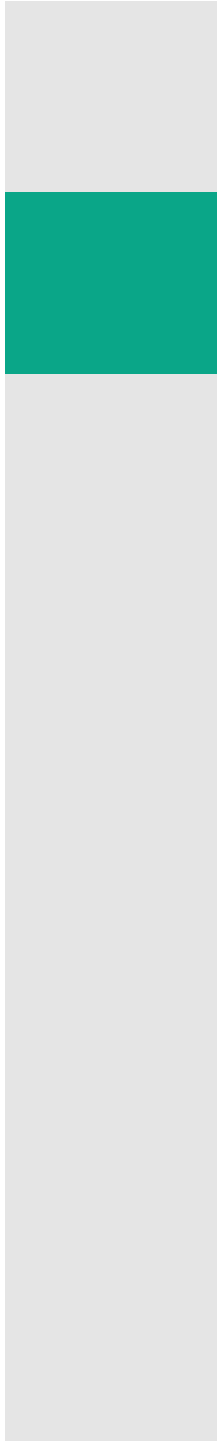
My work matters

Q2 Mandate inspires me
82% agreement

Q7 Uses my skills and knowledge
84% agreement



Q10 My work is meaningful
88% agreement



Q13 Manager recognizes performance
85% agreement

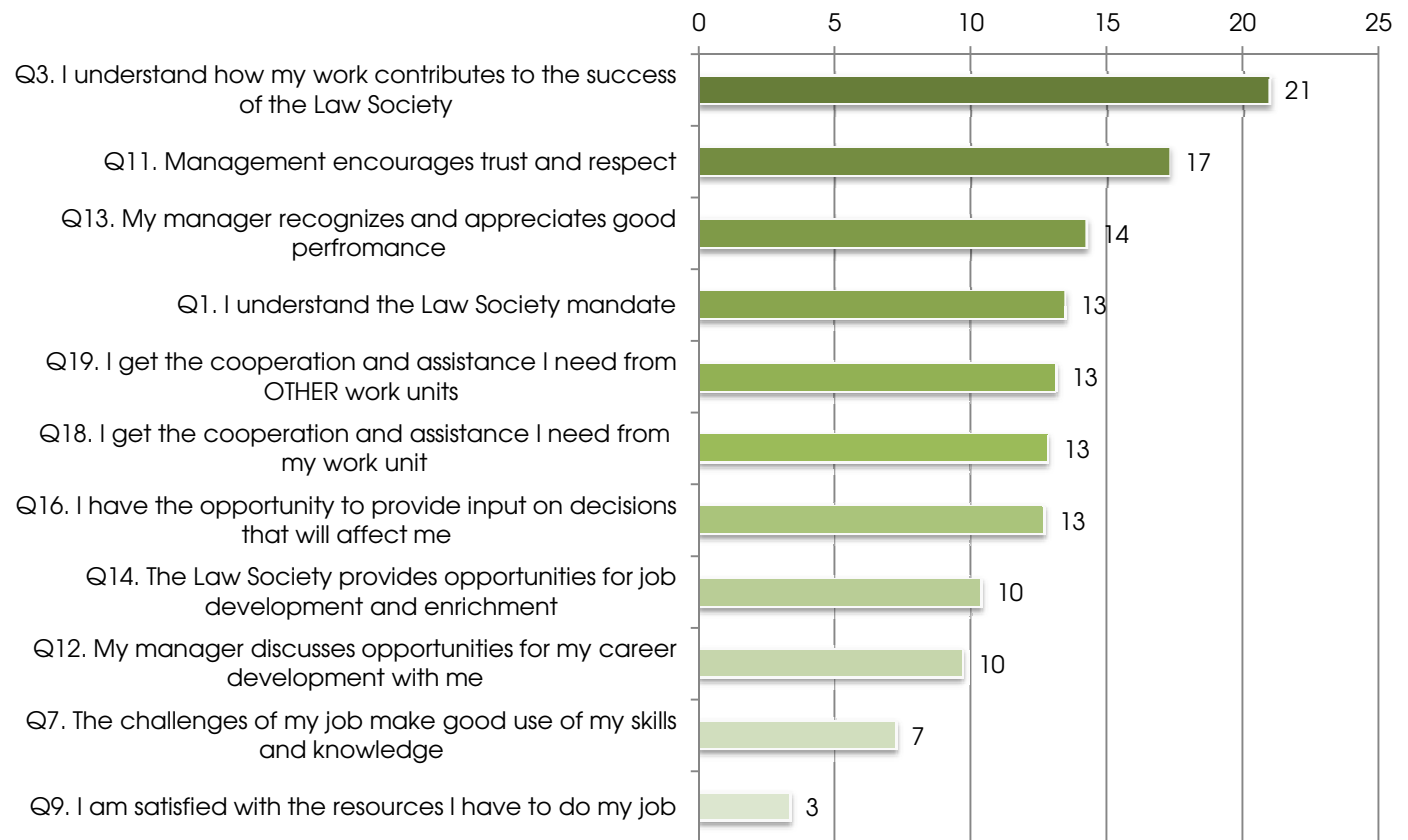


Support

Q18 Assistance from my work unit
92% agreement

Normative Comparison

% Difference Between TWI Norm and LSBC 2013





Sustaining excellence



Survey Comments

The Range of Opinions



20. What is the best thing about working at the Law Society?

- The people
 - Professionalism
 - Friendly and accommodating
 - Smart people
- Public interest mandate
 - Helping lawyers solve their problems
 - Feel like we are making a difference
- Interesting and challenging work
- Management care about what they do
 - Treated well on personal and financial level
 - My ideas are welcomed
 - Set and maintain high standards
- Work-life balance



21. If you could improve/change one thing at the Law society what would it be?

- Build on the work to understand other departments
- Continue to work on collaboration
- Career movement
- Move forward with secondment process
- LEO was the improvement(Improved document management)
- Solidify significant changes
- Consult on issues that will affect employees
- Simplify
- Improve efficiency
- A paperless office
- Work on performance management
- Ability to provide feedback
- Improve technology skills
- Focus on access to justice issues
- Pay, benefits, flex days



Q22. What ideas do you have for wellness initiatives?

- Spaces and times to be active

Q23. To provide more opportunities for job development and enrichment, would you be interested in any of the following?

- Secondment is a great career development opportunity
- I am happy with what I am doing now, don't want another job
- Shadowing and secondment would reduce efficiency

Discussion/Questions





CEO's Report to the Benchers

January 24, 2014

Prepared for: Benchers

Prepared by: Timothy E. McGee

Introduction

This is my first CEO's report to the Benchers for 2014 and I would like to wish you all the very best for the New Year. I would also like to extend a warm welcome on behalf of all the staff to our new President Jan Lindsay, QC and to both our new and returning Benchers. We look forward to working with all of you in the coming year.

Operational Priorities for 2014

In my first report each year I present management's top five operational priorities for the ensuing year. These priorities, which for 2014 are set out below, have been developed in consultation with the Leadership Council and have been discussed with President Lindsay.

I always emphasize that these priorities do not derogate from our day-to-day responsibility to perform all of our core regulatory functions to the highest standards. However, in each year there are certain items that require extra attention and focus to ensure success. The top five operational priorities (in no particular order) for management in 2014 are as follows:

Implementation of Legal Service Providers Task Force Report Recommendations

Following on the Benchers adoption in December of the three recommendations from the Legal Service Providers Task Force, steps have been taken to start work on the implementation of those recommendations.

In respect of the recommendation that the Law Society seek to merge regulatory operations with the Society of Notaries Public, I met earlier this month with Wayne Braid, CEO of the Society for a preliminary discussion of how merger discussions might be organized. We had a good discussion and Wayne expected to be meeting with his Board on January 17 to get direction on this issue.

The second recommendation directed that a program be created by which paralegals who have met specific, prescribed education and training standards could be held out as "certified paralegals". Staff will be working on developing a framework for certification of paralegals to be considered by the Benchers later this year.

The third recommendation provided that the Law Society develop a regulatory framework by which other existing providers of legal services, or new stand-alone groups who are neither lawyers nor notaries, could provide credentialed and regulated legal services in the public interest. The Benchers will soon create a task force to do the review and workup and provide the Benchers with a proposed regulatory framework.

These recommendations touch on most if not all aspects of the operations of the Law Society. As a result, we will be very focused in 2014 to ensure that we formulate appropriate operational impact assessments to assist the Benchers in their deliberations and decision making with regard to this very important body of work.

Law Society as Insurer and Regulator Working Group

Following the September 2014 approval by the Benchers of the recommendations in the April 12, 2013 Report of the Rule of Law and Lawyer Independence Advisory Committee, President Lindsay has established a working group to undertake a detailed examination and analysis of the two solution options described in the Report for future consideration by the Benchers. The working group members are:

Ken Walker, QC - Chair

Herman Van Ommen, QC
Vince Orchard, QC
Miriam Kresivo, QC
Hayden Acheson
Don Yule, QC
Su Forbes, QC
Deborah Armour
Jeanette McPhee
Michael Lucas
Tim McGee ex officio

This working group is comprised of Benchers and a non-Bencher member, as well as senior staff due to the breadth and significance of the policy and operational issues which will be considered. Our goal is to ensure that we provide the most thorough analysis and assessment of the options as possible from the operational perspective and to respond fully to the needs of the working group regarding additional information which may be required from third parties.

Implementation of Lawyer Support and Advice Project

The 2010 Core Process Review (CPR) revealed that over the prior five years the number of phone calls and email inquiries to the Practice Advice department alone was growing at a compound growth rate of 6.7%. The CPR report suggested ways to better handle calls through a triage system and to reduce calls by providing alternative means for obtaining information and assistance through web-based tools.

Lawyer support and advice is not limited to the Practice Advice group. Staff with the Lawyers Insurance Fund, Trust Regulation, Professional Conduct, Practice Standards and Member Services are also engaged in providing advice and support to lawyers. A survey of lawyers recently demonstrated very strong support for the Law Society providing practice advice and support.

Throughout 2013, a cross-departmental working group looked extensively at our current delivery of lawyer support services and concluded that our model needs to be broadened to provide more self-help assistance to meet lawyers' evolving expectations both in what is available and how it accessed. A series of recommendations from the working group was included in the budget planning process at the Finance Committee meetings this year. As a result of that review, specific resourcing support for the recommendations is now included in the 2014 budget approved by the Benchers earlier this year.

I look forward to sharing with the Benchers the roll out of the new lawyer support and assistance initiatives in 2014.

Support for Law Firm Regulation Review

In November 2013, the Executive Committee approved the establishment of a staff working group to compile information from other jurisdictions and develop possible models for law firm regulation in BC for the review and consideration of the Benchers. That direction from the Executive Committee followed on the amendment to the *Legal Profession Act* to include this additional jurisdiction (in addition to the regulation of individual lawyers), which was part of a package of amendments to the Act approved by the Benchers in 2010 and passed into law in 2012.

The staff working group will report its findings and ideas to a Bencher task force to be established in the new year. The Bencher task force will then direct and oversee additional work and refinement of the policy and operational issues with a view to reporting to the Executive Committee and ultimately to the Benchers on progress by the end of the year. Our goal is to ensure that the best possible review and due

diligence is undertaken at the staff level to assist the task force in its formulation of options for Bencher consideration.

Review and Renewal of Staff Performance Management Process

One of the aspects of our operations which we take great pride in is the extensive time and effort we take to ensure that every member of the Law Society's staff participates in an annual performance review and assessment. Today this involves an interactive process whereby managers and their reports share evaluation of individual performance in the year against personal and departmental goals and discuss achievements and areas for improvement. The current model for this has been in place for about seven years and much has changed both in the demographics of our staff and the way organizations go about performance management. We believe it is time to review and possibly improve how we do this important work.

With the introduction of the new employee rewards and recognition program last year known as RReX we completely overhauled the way we encourage and recognize the positive behaviours which we desire at all levels of the organization. By undergoing a review and assessment of our performance management process we will check to ensure that it aligns with RReX and also provides the best possible mechanism for staff to receive constructive, relevant and clear feedback on how they are doing.

We have struck a staff working group to be led by Donna Embree our Manager of Human Resources to review best practices, consult with staff and make recommendations as early as possible in the year.

New Workplace Bullying and Harassment Policy

Many of you may be aware from your own work environments that WorkSafeBC introduced new workplace bullying and harassment policies last November. The new policies set out the duties of employers, workers and supervisors to ensure or protect the health and safety of the workplace. We are now developing our own workplace bullying and harassment policy, based on the WorkSafeBC requirements, and are aiming for completion in February 2014.

This type of policy is not new for the Law Society as we have a respectful workplace policy today which is very similar in scope and intent to the new WorkSafeBC policy.

However, there are important aspects which are new in the WorkSafeBC rules which we want to ensure are properly covered here at the Law Society.

As mandated by WorkSafeBC, the new policy applies to all those working for the Law Society in any capacity including Benchers, management, professional staff, administrative staff, articling students, summer students, contract personnel, volunteers and committee members.

The policy further mandates that training be provided. Law Society managers received training on December 10 and we expect to complete the balance of staff training within the next few weeks.

We will need to ensure that Benchers have an opportunity to take this training to fulfill the Law Society's obligations. The training is not onerous and can be completed in a one hour session. We very much appreciate your cooperation and will communicate further once arrangements are in place.

Fall Justice Summit Report

The second Justice Summit was held at Allard Hall, at the UBC Faculty of Law on November 8 and 9. The summit brought together approximately 80 participants from stakeholders in the justice system including the Chief Justice of British Columbia Robert Bauman, Associate Chief Justice Austin Cullen, Chief Judge Thomas Crabtree, the Minister of Justice and Attorney General Suzanne Anton, QC and leaders from law enforcement, the Bar, social agencies and First Nations.

The summit was the follow up to the inaugural Justice Summit held in March and it built on the work from those sessions. The focus of the November summit was to expand and further articulate the goals and objectives for the criminal justice system in BC. In particular, the participants examined each of the stated goals of fairness, protection, sustainability, and public confidence highlighting the gaps between the current state of affairs and the desired vision. The report for the summit has now been prepared and is attached as Appendix A to this report.

As I have pointed out on prior occasions, the general sense among the participants was that while much remains to be done the emerging spirit of joint commitment and collaboration among the diverse stakeholders bodes well for the future.

Continuing Professional Development (CPD) Program – Update

Here is a brief update on the compliance statistics for our CPD program in 2013.

Of the 10,528 lawyers who had CPD requirements to report in 2013, 349 did not report year end completion (a modest decrease from 2012) and as at January 10, 2014, 233 had still not recorded completion and are overdue. Overall, 2013 continues a trend of increasing timely compliance by the members with the CPD requirements since inception.

2013 Employee Survey

Our eighth consecutive employee survey was conducted in November of 2013. We had a record high response rate of 86% for the survey and I think you will find the results both interesting and encouraging on several fronts. Ryan Williams, President of TWI Surveys Inc., the survey administrators, will be at the meeting to provide an overview of the results and to respond to any questions.

The results of our annual employee survey are used to help us measure how we are doing as an organization and to help management develop action plans to better engage employees in the work and life of the Law Society.

Timothy E. McGee
Chief Executive Officer

British Columbia
JUSTICE SUMMIT

SECOND JUSTICE SUMMIT
NOVEMBER 8 – 9, 2013

REPORT OF PROCEEDINGS

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REPORT OF PROCEEDINGS

This Report of Proceedings was prepared for the Honourable Suzanne Anton, Attorney General and Minister of Justice; the Honourable Chief Justice Robert Bauman, Chief Justice of British Columbia; the Honourable Chief Justice Christopher Hinkson, Supreme Court of British Columbia; and the Honourable Chief Judge Thomas Crabtree, Provincial Court of British Columbia.

BRITISH COLUMBIA JUSTICE SUMMITS

Justice Summits are convened by the Attorney General and Minister of Justice of British Columbia, at least once a year, to facilitate innovation in, and collaboration across, the justice and public safety sector. As indicated in s. 9 of the *Justice Reform and Transparency Act*, a Summit may:

- a. review and consider initiatives and procedures undertaken in other jurisdictions in relation to the justice system in those jurisdictions;
- b. provide input to assist the Justice and Public Safety Council of British Columbia in creating a strategic vision for the justice and public safety sector;
- c. make recommendations relating to priorities, strategies, performance measures, procedures and new initiatives related to the justice and public safety sector;
- d. assess the progress being made in justice reform in British Columbia, and
- e. engage in any other deliberations that the Justice Summit considers appropriate.

On the conclusion of its deliberations, a Justice Summit must report to the Minister on the outcome of those deliberations. By agreement between the executive and judicial branches of government, the report of the Justice Summit is simultaneously submitted to the Chief Justice of British Columbia, to the Chief Justice of the Supreme Court of British Columbia, and the Chief Judge of the Provincial Court of British Columbia.



Grand Chief Edward John of the British Columbia First Nations Summit addresses the plenary.

BACKGROUND TO THE SECOND BC JUSTICE SUMMIT

The *Justice Reform and Transparency Act (2013)* provides for the Attorney General to convene a British Columbia Justice Summit by invitation at least annually. Currently held twice a year, Summits are intended to encourage innovation and facilitate collaboration across the sector, by providing a forum for frank discussion between sector leaders and participants about how the system is performing and how it may be improved. As the Act also establishes a Justice and Public Safety Council, appointed by the Minister, to develop a Vision and an annual plan for the sector across the province, the Summit represents a key source of input and recommendations into the Council's planning process, and is a forum to assess the plans and the progress made under them.

The inaugural Justice Summit, held in March 2013, was based on the theme of criminal justice. The agenda for the Summit focused primarily on consideration of the basic values of the criminal justice system as a foundational element of future discussions around planning and system performance. The first Summit also provided an initial opportunity for participants to identify and discuss criminal justice policy priorities. Finally, both during the first Summit and in subsequent dialogue with participants, Summit organizers were provided with important feedback concerning the makeup and content of future Summits. The first Summit's deliberations were summarized in a *Report of Proceedings* in June 2013.

Participants at the March Summit agreed to return to a second Summit dealing with criminal justice in the fall, at which time it was anticipated that work done by the Justice and Public Safety Council on a Vision and set of Values for the sector – informed by the work of the Summit – would be tabled for discussion. Participants at the March Summit also expressed a desire to see a more diverse and representative population at future Summits, including increased participation by aboriginal organizations.

GOVERNANCE AND PLANNING

The Justice Summit saw the establishment of a Steering Committee (see Appendix 3) with representation from the executive and judicial branches of government, as well as independent legal and policing organizations. The Steering Committee was supported by an internal Working Group (see Appendix 3).

The Steering Committee met between April and November 2013, its principal tasks being to consider the deliberations of the first Summit; develop an agenda in furtherance of the discussion in March and informed by the work of Justice and Public Safety Council; settle on a representative list of participants; and reach agreement on facilitation, location, and other planning matters. Consistent with the theme of the first Summit, criminal justice was reconfirmed by the Committee as the broad-based topic of the second Summit, and as an organizing principle to determine participation.

Attendance at the first Summit had been consciously restricted in numbers to allow candid and productive dialogue in a new and untried forum. Based on the success and collaborative nature of the first event, the Steering Committee worked to increase participation from less than 50 to nearly 70 attendees.

As was the case in March, the Committee agreed that, consistent with protocol in similar gatherings in other jurisdictions to encourage free expression, no comments made by participants during the Summit would be attributed to those individuals or to their organizations in the Summit report.

Prior to the Summit, a productive bilateral meeting was held between the Attorney General and Minister of Justice, the Chief Justice of the Court of Appeal, and the Chief Judge of the Provincial Court (at the time of the meeting the Chief Justice of the Supreme Court had not yet been appointed). In this meeting the judiciary expressed strong support for this multilateral Summit process. It was also agreed that a high priority would be placed on completion of a Memorandum of Understanding between the executive and the judiciary that will outline how continued bilateral meetings will take place between these two branches of government and their relationship to the Justice Summit process.

AGENDA DEVELOPMENT

While the first Summit had established an important precedent for dialogue at this level, the Steering Committee believed that the agenda for the second Summit should focus more on substantive questions of criminal justice reform. In developing the agenda, the Committee saw an opportunity for participants to achieve four objectives.

First, it was appropriate for the Summit to return to the topic of values, first raised in March, to assess progress. Since the first Summit's work on the values that characterize the criminal justice system, the Justice and Public Safety Council had developed draft Vision and Values statements for the BC justice and public safety sector, in consultation with Summit participants (Appendix 4). One key opportunity for the Summit in November, therefore, was to **consider the progress made by the Council in developing a sector Vision and statement of Values** as foundational documents for governance and reform of the system.

Second, on the assumption that the Vision identified by the Council was sufficiently reflective of participants' goals for the criminal justice system, the Committee saw the Summit as an ideal opportunity for participants to **identify any gaps between the Vision for the system and reality**, in constructive but candid terms. In other words, participants would identify and discuss areas in which the criminal justice system was failing to meet commonly held aspirations. This would be achieved through sessions focusing on each of the four goals comprising the Vision: fairness, protection of people, sustainability, and public confidence.



The Honourable Suzanne Anton, Attorney General and Minister of Justice, addresses Summit participants on the first morning of the Summit.

Third, based on this gap analysis the Summit was well placed to **recommend priority actions to close these gaps**: participants were therefore encouraged to specify steps which should be given priority by sector organizations in terms of resources and effort. These recommendations, issued as part of the Summit's report, would offer a meaningful contribution to public debate over reform of the system, and would represent important input into the development of the Justice and Public Safety Council's first annual strategic plan in March 2014.

Fourth, and finally, the Summit was seen by the Committee as an opportunity to **consider the challenges and opportunities of sector-level performance measures and targets**, required by statute as a component of the Council's planning process. While the development of performance measures for the sector is still in its early stages, the relevance of these measures for Summit participants led the Committee to save space on the agenda for an initial presentation on performance measurement in justice systems.

SUMMIT PROCEEDINGS

VISION AND VALUES DOCUMENTS

OVERVIEW OF DEVELOPMENT

In accordance with its statutory mandate, and further to dialogue at the first Summit, between April and August 2013 the Justice and Public Safety Council (Appendix 5) developed a draft statement of Values applicable to the justice and public safety sector in British Columbia, as well as a draft Vision for the sector, with accompanying goals.

Participants were provided by the Council's Vice-Chair with an overview of the development of these documents, the manner in which Summit participants' recommendations in March had been incorporated, and the subsequent consultation activities undertaken by the Council with Summit participants between August and October 2013. It was noted that during consultation, Summit participants had provided feedback both on the draft Vision and Values, but also on policy questions relevant to the development of the Council's strategic plan in March 2014. The Council had returned a revised Vision statement and listing of Values (Appendix 4) to the Summit for consideration. The revised Vision statement was offered as the basis for the Summit's two days of deliberations around the four goals identified in the Vision: fairness, protection of people, sustainability, and public confidence in the system.

It was also acknowledged that the documents required that other voices be heard – as they did not yet reflect the product of consultation with aboriginal peoples, nor had they been subjected to a complete analysis from the perspective of family or civil justice – and were, thus, being tabled at the Summit by the Council as living documents.

Following the overview, the Summit facilitator posed a question to the room:

Recognizing that there is still work to do, has the Council done enough to start a useful conversation around these four goals – fairness, protection of people, sustainability, and public confidence – to begin considering how far we are from the ideal, and what we might do to bridge the gap?

PLENARY DISCUSSION

In plenary discussion, participants offered the following observations as important consideration with respect to the Vision and Values:

- Commitment to implementing the Vision implies a similar commitment to measure progress. This includes baseline measurement of our current situation and performance, in order to be able to show progress.
- Further clarity is required to communicate that the Vision is intended by the Council to reflect the full system of justice and public safety – including civil, family and administrative justice – not simply the criminal justice system.
- The Council has incorporated feedback from stakeholders, but the meaning of the Values and Vision as applied will become clearer as a plan emerges. How concepts such as proportionality or fairness are applied depends on the perspective brought to the issue and on the details of implementation.
- In the documents there could still be greater emphasis on education and information of the public with respect to the system, particularly early in life.
- Although words such as transparency and accountability are present, the power and intent of dialogue over these themes at the first Summit does not yet come through in the Vision.
- The role and interests of the accused and of offenders in the system is not yet sufficiently reflected in these documents, both in terms of rights of the accused and also with respect to rehabilitation.
- As the Vision leads to sector-wide planning, continuing awareness is required with respect to ways in which decisions made at one level of government can have significant impact on other levels of government – with respect to policing, but also regarding other services and system functions as well.
- Competence should be considered for inclusion within the Vision. The tools and training made available to personnel within the system need to match expectations created around the system's functioning and performance.

- With this Vision developed, it now needs to be shared with the public, people working in the system, and people experiencing the system. The Council and the Summit need to hear directly from the people who will be affected.
- As developed by the Council, these documents neither exclude nor assume the addition of new resources for the system. They are an exercise in prioritization towards most effective use of whatever resources are available.

Further to this discussion, with respect to the question put forward by the Summit facilitator, participants were satisfied that the documents were sufficiently developed to proceed with a comparison of the Vision and the current system. It was also agreed that should there be concerns arising during the Summit's remaining work, the Vision and Values documentation would be revisited at the conclusion of the Summit.

COMPARING THE VISION WITH REALITY

PUBLIC CONFIDENCE

The Summit heard a panel discussion on the question of public confidence in the system, followed by intensive work by all participants in small groups. Participants were asked to consider the goal of public confidence as defined in the Vision statement:

PUBLIC CONFIDENCE

Adaptive – We offer services and programs that are nimble; we solicit and respond to the needs of people and monitor the effectiveness of our programs.

Performance-focused – We assume collective and respective responsibility for system performance, engaging British Columbians in dialogue as users and observers of the system.

Empowering – People entering the system have sufficient opportunity to learn its rules and practices at their level of need; the public both understands and values the system.

Two questions were posed to the panelists and to participants as a whole in their small group discussion:

1. *What are the most significant gaps between this Vision and our criminal justice system as it is?*
2. *To close these gaps, where could we apply major change efforts (e.g., innovation, resources)?*

The following points emerged in the small group discussions and were reported in plenary on behalf of the group. Common themes are summarized in the sub-headings below; reporting of any particular point should not be taken as necessarily reflecting participant consensus.

More effective education, information and engagement is required

- It is important to engage proactively with the public, in a structured and appropriately designed manner, to identify issues or areas where confidence in the system is most important, and to monitor confidence in those areas. Questions of confidence should relate both to the specific internal workings of the system, but also to more general external perception.
- The system must be explained to British Columbians in simple, non-technical and accessible ways, accenting the human characteristics of the system and its processes.
- Efforts to inform and educate people about the system – what they need to know – should occur early, as part of basic life education, and at appropriate opportunities later in life, reflecting the importance of the system for life in our province. Education strategies should be tailored to reflect differing needs across society.

Greater transparency is required in working with the media

- In working with media, true transparency means reporting both good and bad news stories, and a willingness to distinguish successes and failures. Similarly,

as part of a more transparent regime, in the public interest there is a need to challenge inaccuracies and public misinformation.

- Information should be delivered proactively, with more public release of documentation. Media strategies should be channeled to providing meaningful information to target audiences; media lock-ups should be continued or expanded for important stories or events.
- Where this is possible given the independent roles of various elements of the sector, it is useful to deliver joint messages from system participants on the same issue, as opposed to segmented news releases.

Accountability and performance measures contribute to public confidence

- There will be an enduring lack of trust in system reporting unless performance is independently assessed. This includes complete reporting on the effectiveness of reforms, what is working and what has not worked.
- When there is a gap between our goals and our current effectiveness, measurement must also be aligned with incentives to improve.
- The appropriate methodologies for research and reporting on effectiveness exist and do not need to be created. Some have already been applied in other jurisdictions, from whom we can learn.
- Both qualitative and quantitative data are necessary to demonstrate progress, and appropriate investment is required (e.g., for survey methods and necessary information technology supports). In some areas of the system further work is required to capture progress.
- Research and reporting are necessary but not sufficient with respect to performance. We require a knowledge management strategy to translate our findings into policy and operations. This strategy needs to be effective at the community level, not just centrally.

Areas impacting directly on public confidence should be clearly identified and addressed

- There are several issues of significant concern which require public identification and attention. These include:
 - affordability of securing appropriate representation in justice processes;
 - the over-representation of aboriginal people in the criminal justice system.
- Wherever possible and appropriate, we need to demonstrate action, not simply engage in dialogue.

Broader engagement on justice reform is required

- The membership of the Justice and Public Safety Council should be expanded beyond the current Ministry of Justice executive.
- Documents developed within the reform process should be released proactively, with appropriate public consultation.

PROTECTION OF PEOPLE

The Summit heard a panel discussion on the question of the protection of people by the system, followed by intensive work by all participants in small groups. Participants were asked to consider the goal of protection of people as defined in the Vision statement:

PROTECTION OF PEOPLE

Preventative – We offer early, appropriate and effective interventions to reduce antisocial behaviour, assisting people in rebuilding healthy, productive lives.

Protective – We work together to reduce threats to public safety, protect complainants and victims of crime, and prevent re-victimization of the vulnerable by the system.

Comprehensive – We work across all levels of government to understand and address root causes of crime, and support and participate in effective alternative interventions.

Two questions were posed to the panelists and to participants as a whole in their small group discussion:

- 1. What are the most significant gaps between this Vision and our criminal justice system as it is?*
- 2. To close these gaps, where could we apply major change efforts (e.g., innovation, resources)?*

The following points emerged in the small group discussions and were reported in plenary on behalf of the groups. Common themes are summarized in the sub-headings below; reporting of any particular point should not be taken as necessarily reflecting participant consensus.

A distinct strategy is required to protect vulnerable populations

- Vulnerable populations include those vulnerable as victims and those with a high probability of criminal involvement. These categories, in some situations, may overlap.
- Any broad approach to justice and public safety requires recognition of the specialized needs of aboriginal peoples. Other vulnerable populations requiring specialized attention include the elderly, the mentally ill, addicted persons, domestic and sexual violence victims, and the homeless.
- Prolific offending is often a manifestation of vulnerability – a specialized approach should be taken with respect to prolific offenders.
- There is often a lack of services to address victim needs, poor knowledge of services available, or regional disparity in service. There is a need for more comprehensive and specialized services to support victims.
- Protection of vulnerable people needs to address alienation of individuals from the community. We must get communities more involved, not just professionals, to create communities of care. Through addressing environmental factors we have an opportunity to prevent people from becoming victims.
- We have exhibited a lack of creativity in addressing needs, including protective services. We need to develop and expand multi-disciplinary coordinated approaches. The criminal justice system is a last resort and an implicit recognition that other systems have failed an individual or a group; therefore, our system needs to connect better with other systems.



The Honourable Robert Bauman, Chief Justice of British Columbia, addresses the plenary at the close of the Summit.

- Proactive operational responses, including policing, must be proportionate in nature, targeting the right people and the right resources.
- The system's clients need better-coordinated services and early intervention
- Information sharing is vital, and must overcome existing obstacles in the need to balance privacy considerations with the goals of protection and fairness. Similarly, processes which impede timely protective activity unduly should be examined (e.g., making protection orders accessible without court intervention).
- Triage of individuals into one system or another is critical to avoid criminalization being the only option available (e.g., mental health workers working as first responders with police).
- The Justice and Public Safety Council should include other sectors to facilitate an overall provincial framework and strategy for services, such as education, health and social development. Cross-sectoral leadership is needed to sustain support for promising multi-disciplinary approaches, and to identify how changes in one sector can cause pressures in another (e.g., mental health treatment referrals).
- Broader strategies must overcome the pressures of the budget cycle and the election cycle – an inconvenient truth. Cross-sectoral preventative investments are required to realize future savings, but may require “double funding” in transition periods until effects are realized.
- We should show courage with innovation where this requires significant change (e.g., restorative justice, supervised injection site), piloting and considering local initiatives for broader application. Innovation may involve specialized courts, including consideration of the appropriate role of the judiciary and expanded use of discretion regarding appropriate responses.
- Training and investment in early assessment (of e.g. risk, lethality), education, prevention and care across sector service lines can address causes rather than symptoms. Arbitrary thresholds for service delivery (e.g. age) should be revisited.

SUSTAINABILITY

The Summit returned to plenary for a panel discussion on the question of the sustainability of the system, followed by intensive work by all participants in small groups. Participants were asked to consider the goal of sustainability as defined in the Vision statement:

SUSTAINABILITY

Effective – We measure and improve the return on investment of public resources, collectively and as institutions.

Managed – We allocate resources prudently across the system according to clear and demonstrated cause and effect; we treat the time of every participant as valuable.

Focused – Based on measurable demand, we take evidence-based decisions to resource the system’s necessary functions, ensuring these services are delivered efficiently.

Two questions were posed to the panelists and to participants as a whole in their small group discussion:

1. *What are the most significant gaps between this Vision and our criminal justice system as it is?*
2. *To close these gaps, where could we apply major change efforts (e.g., innovation, resources)?*

The following points emerged in the small group discussions and were reported in plenary on behalf of the groups. Common themes are summarized in the sub-headings below; reporting of any particular point should not be taken as necessarily reflecting participant consensus.

The need for long-term integrated strategies

- Complex systems of governance, accountability and financing are barriers to integrated long-term strategies. Governance of the system and its reform should be clear and should reflect alignment of decision-making and funding authority wherever possible.
- A cross-sector (as opposed to program-specific) approach should be taken to resource discussions, reflecting a continuum of decision-making. Policy choices should reflect understanding of the impacts of each decision on the whole system. The cheapest solutions within one program area may not be best for the system as a whole.
- Real change requires recognition of downstream impacts; we should not let short-term goals trump the public's long-term needs. Holistic planning cannot be based on short-term political priorities, and the system's tendency to respond reactively to high profile incidents works against longer-term reform.

The need for a robust evidence base

- Datasets used for performance metrics should be comprehensive and carefully chosen. Lots of data does not always translate into useful information, and likewise overly simple data should not drive decisions.
- Rigorous analysis should be undertaken regarding the effectiveness of system programs, requiring agreement in advance on definitions of success. Data should be openly available to allow meaningful analysis by those from outside the system.
- An evidence-based approach should not be an undue impediment to creative solutions.
- New capacity created by reform projects needs to be identified in advance and protected for reinvestment.
- Return on investment can be characterized as justice outcomes rather than cost (i.e., in terms of quality versus efficiency outcomes).

- System agencies should take advantage of existing, well-established and empirically supported research and tools on risk assessment.
- Innovation and risk taking should be valued.
- A culture of continuous improvement requires that leadership rewards risk-taking. A sustainable framework must support and encourage innovation.
- Resistance to change may be addressed through introducing appropriate incentives.
- Creative solutions to complex problems may include collaborative approaches (e.g., Victoria Integrated Court), while stand-alone services (e.g., traditional courthouses) may be a dated approach.

FAIRNESS

The Summit returned to plenary for a panel discussion on the question of the fairness of the system, followed by intensive work by all participants in small groups. Participants were asked to consider the goal of fairness as defined in the Vision statement:

FAIRNESS

Accessible – We offer services accessible to all regardless of means, provide meaningful redress, and ensure access to justice for vulnerable and marginalized people proactively.

Impartial – We model integrity, fairness and natural justice in our procedures and in delivering services, treating people equally.

Timely – We work together to reduce systemic delay as an impediment to justice; we seek early resolution of individual processes wherever possible.

Two questions were posed to the panelists and to participants as a whole in their small group discussion:

1. *What are the most significant gaps between this Vision and our criminal justice system as it is?*
2. *To close these gaps, where could we apply major change efforts (e.g., innovation, resources)?*

Remarks on aboriginal justice

As part of the panel session, participants heard a presentation by Grand Chief Edward John of the BC First Nations Summit and First Nations Leadership Council. Key points of this presentation included the following:

- Aboriginal peoples are significantly overrepresented in the Canadian prison system, but are underrepresented in positions of authority within the justice system as a whole.
- Understanding and application of the Gladue decision (requiring the courts to consider all reasonable alternatives to incarceration for aboriginal offenders) is lacking. The ‘crisis’ of overrepresentation at the time of Gladue has only worsened in terms of the numbers of incarcerated aboriginal people.
- The UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) report – which identifies significant connections between historical injustice and discrimination towards indigenous people, their current social and economic circumstances, and access to justice – is an instructive and useful document which may be of assistance to the Council in its planning activity.
- In British Columbia, the First Nations Leadership Council has concluded a protocol agreement with the Native Courtworker and Counselling Association of BC (NCCABC) for it to undertake a lead role in facilitating better justice outcomes for First Nations peoples and communities. An important step in that regard is the recent NCCABC report, *Better Outcomes for Aboriginal People and the Justice System*.

The following points emerged in the small group discussions and were reported in plenary on behalf of the groups. Common themes are summarized in the sub-headings below; reporting of any particular point should not be taken as necessarily reflecting participant consensus.

Action is required on specific fairness issues, particularly regarding aboriginal justice

- We require a strategy to address overrepresentation of aboriginal people in the court and correctional systems. This response needs to be based at the community level. We require a strategy to address overrepresentation of aboriginal people in the court and correctional systems. This response needs to be based at the community level.
- There are structural requirements to achieve fairness in the justice and public safety sector for the aboriginal community. We must address underrepresentation of aboriginal people in the justice professions and system leadership roles. More generally, we need to address barriers to justice which may lead to systemic discrimination on racial lines.
- Aboriginal justice issues warrant creation of a specific advisory board under the *Justice Reform and Transparency Act*.

Fairness is informed by the circumstances of the participants

- Fairness is both foundational and the measure by which we gauge our other efforts. Fairness can be enhanced by collaborative activities and by providing space to a range of perspectives.
- Fairness is, above all, a perception. Achieving or maintaining system fairness requires differing perceptions of fairness to be identified and addressed, such as those of accused persons, or those who are victims of crime.
- Within the Vision statement:
 - The wording around “impartial” should not suggest treating people the same regardless of other circumstances.

- Civility, empathy and respect are lacking in the overall wording of the goal of fairness.

Importance of accessibility as part of fairness

- Our adversarial system requires sufficient resourcing of both the accused and the state. However, improved access is not resolved through blanket resource increases to existing structures, but also entails effective targeting of resources, making use of key enablers such as e.g., outreach workers, and addressing imbalance between urban and rural accessibility. It also entails addressing how to ensure competent representation for the most vulnerable persons.
- Legal aid is inadequately funded, which represents a barrier to fairness. Changes to legal aid funding should clearly establish expected improvement in outcomes, as part of broader education regarding legal aid funding needs.
- Flexibility and specialization may increase access. We should explore the potential of specialized courts/court days in meeting specific needs; moving beyond “9 to 5” courtrooms and using weekends; and using technology to innovate where traditional access is ineffective.
- Balance in the resources allocated to represent the interests of accused persons with those representing state interests (police and crown) is critical to fairness. Adequate compensation to defence lawyers allows for the mentorship of young criminal lawyers which is essential to developing competent defence counsel to match competent, adequately-funded Crown counsel.
- In addition to the rights of the accused, access to justice should also address the needs of victims, and of offenders post-conviction.
- There is an enduring need to address the “culture of delay,” which relates inherently to access, through increased judicial control over what is occurring in the courts.

- An independent advocacy office function with respect to the justice system should be considered.

Need for stamina, collaboration and strategic focus in provincial criminal justice policy

- Real policy change entails risk. Getting more resources and seeking real change in the system entails risk to careers and institutions, and requires political will, effective communications and sustained support for those who assume risk.
- System reform cannot be accomplished through individual programs and silos. We require leadership in overall direction, and common training and language in the field.
- We need to recognize and accommodate significant delay for positive outcomes associated to new programs. Clarity of objective and commitment to measurement are required to maintain focus on long term benefits and outcomes, as some of the key determinants of crime are social (e.g., poverty).
- We should acknowledge that the criminal justice system cannot address all social conditions: prevention is the key. Effective investment in prevention requires active and reciprocal collaboration with other parts of government. An effective criminal justice system would achieve justice outcomes through broader community engagement and support.
- We require dialogue with the federal government, through federal-provincial-territorial meetings or other venues, to address unnecessary limitations placed on discretion within the system (e.g., minimum sentences).

PERFORMANCE MEASUREMENT

In light of the Council's requirement to produce a strategic plan by March 2014, complete with performance measures and targets, participants were provided with a presentation by Professor Yvon Dandurand of the University of the Fraser Valley on the development of useful measures of performance in the justice and public safety sector. While the

presentation was not the subject of plenary discussion, the key points of the presentation were as follows:

- **Clear measures and timely data:** successful justice reforms require clear goals and objectives to be achieved collectively and by each agency; explicit and measurable performance targets and expected timeframes; collection and timely analysis of relevant data.
- **Limited, clear, accepted and repeated measurement:** success also depends on a limited number of measures (with established targets/benchmarks); which are not controversial and represent in clear terms what the system is intended to deliver; which offer sensible feedback to managers and policy makers; which make sense to the population; and which are measured consistently over time.
- **Types of measures** can include workload, activity/input, output/cost, and outcome indicators.
- **Outcome indicators** might include timeliness, access to justice, social equity, public confidence, public trust and respect, public safety, public order, fear of crime, crime reduction, responsiveness to change, offender accountability, and reintegration. Groups of indicators are preferable to individual proxies.
- **Types of data** can include administrative data (statistical indicators), perception data (from the public, experts or key actors) or survey data about experience with the justice system (e.g., victimization).
- **Good examples** include key indicators developed by the Kennedy School of Government, the American Bar Association, the United Nations and Scotland's Ministry of Justice.
- **Pitfalls** include measures that are poorly designed, creating perverse incentives, "gaming" of the system, adverse effects on morale (constrains professionalism) and poor performance; and measures which focus on outputs instead of outcomes.

- **Obstacles** encountered implementing performance indicators may include confusion, different types of indicators, lack of data, competing interests within the system, unrealistic expectations that the indicators will satisfy all and every need for data/feedback, the challenge of an incremental process which is slow and long and may lead to wavering commitment.
- **Performance measures are challenging:** they are hard to define and difficult to implement; they are instruments of power; they define accountability; and they affect the reward structure within institutions. They may negatively affect behaviour and operations. Done well, they can be sources of insight and pride, promoting good governance, accountability and transparency through inspiration rather than coercion. They must be the result of a process of consultation and discussion. There is a technical aspect to “measurement,” but it should not entirely dictate the choice of indicators.

THE FORTHCOMING JUSTICE AND PUBLIC SAFETY PLAN

The Chair of the Justice and Public Safety Council provided participants with an overview of the process leading to the first Justice and Public Safety Plan by March 2014. Key points of the presentation included the following:

- The plan will be a strategic plan for the sector, covering the full range of justice and public safety. By statute it is the Council’s plan, not the Summit’s. Rather, the Summit provides the greatest single opportunity for input into the plan from leaders across the justice system not directly represented on the Council.
- The plan, released publicly and inviting public attention, will articulate goals for the sector, and identify ways in which progress towards these goals may be measured. As a Council document, it will not be binding on any one entity or agency. The different elements of the sector (such as the Ministry of Justice) will reflect elements of the plan which they are able to address in their own business planning.

- The Council is aware of the need not to conflate the ministry's perspective with that of the sector as a whole. As the Council membership evolves in the medium term to include individuals appointed by the Minister from outside the Ministry of Justice and/or the provincial government, this distinction will become clearer, and will make the Council itself and discussions at the Summits stronger. The Council has to speak to the entire sector. It should not, and will not, be a rebranded version of the interests of the executive branch.
- The plan will include the Vision that the Council has developed. The plan must contain positive actions, no matter how limited a first-year plan may be, and the Council will engage on the content of these actions. The sector has received abundant feedback and is in receipt of half a dozen or more major reviews and reports that point the way to needed reforms.
- The plan will include performance measures and targets. Initially, these will comprise a limited, manageable set of measures that relate directly to our goals.

2014 JUSTICE SUMMITS (SPRING AND FALL)

The Chair of the Summit Steering Committee provided participants with details around the planning of Justice Summits in the coming year (calendar 2014).

While the focus of the Summits will move from criminal justice in the short term, the work of participants is not yet finished. Based on the Vision for the sector, the input from participants at the March and November 2013 Summits, and other consultation, the Justice and Public Safety Council will finalize its strategic plan for the sector in the coming months. Participants will be provided with draft versions of the plan for review and comment as it moves from draft to publication.

The 2014 Summits will move in focus to other parts of the justice system to match progress achieved to date with respect to criminal justice, in particular, family justice and civil justice. This move reflects the need to attend to significant issues in these areas, and

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capitalizes on the work of the National Action Committee on Access to Justice in Civil and Family Matters: A Roadmap for Change.

Once initial family and civil Summits – or Summits on other key areas of the sector – have been held, the focus will return to criminal justice, such that the leaders gathered here today can assess the progress made in planning and implementing reforms.

As the system achieves a “mature state” of Summits, the annual cycle will include two Summits: a proactive, aspirational, issue-focused summit in the Spring of each year, and Fall Summits in which the Council consults on its draft three-year strategic plans, plans which will include criminal, civil and family justice.



Professor Yvon Dandurand addresses the plenary.

APPRECIATION

The Steering Committee would like to express its thanks to the participants at the Second British Columbia Justice Summit, whose continuing commitment and goodwill contributed greatly to the event.

For assistance in the development and realization of the second Summit, special thanks are due to: the Court of Appeal for British Columbia, the Supreme Court of British Columbia, the Provincial Court of British Columbia; the Law Society of British Columbia; the British Columbia Association of Chiefs of Police; the Canadian Bar Association (BC Branch); the Legal Services Society; the Public Prosecution Service of Canada; the Native Courtworker and Counselling Association of BC; and the Union of British Columbia Indian Chiefs.

Thanks, too, are due to those invited participants who made time to prepare presentations for panel discussions, including: Ken Walker, Len Goerke, Dr. Sharon McIvor, Mark Benton, Dr. Ray Corrado, Jonny Morris, Brad Haugli, Chief Doug White, Richard Fowler, Murray Dinwoodie, Tracy Porteous, and Grand Chief Ed John.

The Steering Committee would also like to thank Dean Mary Anne Bobinski and staff of the University of British Columbia, Faculty of Law, as well as the Law Society of British Columbia and their Chief Executive Officer (and Summit Moderator) Tim McGee, for their generosity and flexibility in again creating an excellent setting for the Summit.

Finally, the Steering Committee would like to thank the Summit facilitator, George Thomson; Professor Yvon Dandurand; Darlene Shackelly; Michelle Burchill; and the many individual employees of justice and public safety organizations in British Columbia who made direct personal contributions to the success of the Justice Summit.

SUMMIT FEEDBACK

Comments on this *Report of Proceedings* and the Summit process are encouraged and may be emailed to justicereform@gov.bc.ca. Written communication may be sent to:

Ministry of Justice
Province of British Columbia
1001 Douglas Street
Victoria, BC V8W 3V3
Attention: Justice Summit

APPENDIX 1: SUMMIT AGENDA

Second Justice Summit
 Allard Hall, Faculty of Law, UBC
 Friday, November 8 and Saturday, November 9, 2013

Friday, November 8

8:15	Registration and coffee	
8:45	Introduction	Tim McGee (Summit Moderator), Law Society of BC
	Greeting	Elder Debra Sparrow , Musqueam First Nation *
	Welcome from UBC	Emma Cunliffe , UBC Faculty of Law
	Welcome to participants	The Honourable Suzanne Anton , Attorney General and Minister of Justice
	Summit overview	George Thomson (Summit Facilitator)
9:20	Remarks: <i>Draft Vision, Goals and Values: Summary of Progress to Date</i>	Richard Fyfe , Deputy Attorney General and Vice-Chair, Justice and Public Safety Council
9:35	Plenary discussion on Vision and Values	George Thomson
10:00	Break	
10:15	Comparing our Vision to the sector today: Public Confidence	<i>Panel participants</i> Chief Doug White III , Snuneymuxw First Nation * Len Goerke , BC Association of Chiefs of Police Ken Walker , Law Society of BC
10:45	Small groups discuss, report	George Thomson

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12:00	Lunch Remarks: <i>Developing Useful Performance Measures in the Justice System</i>	Yvon Dandurand , University of the Fraser Valley
1:00	Comparing our Vision to the sector today: Protection of People	<i>Panel participants</i> Jonathan Morris , Canadian Mental Health Association Sharon McIvor , Nicola Valley Institute of Technology * Brad Haugli , BC Association of Chiefs of Police
1:30	Small groups discuss, report	George Thomson
2:45	Break	
3:00	Comparing our Vision to the sector today: Sustainability	<i>Panel participants</i> Mark Benton , Legal Services Society Murray Dinwoodie , City of Surrey Ray Corrado , Simon Fraser University
3:30	Small groups discuss, report	George Thomson
4:45	Daily wrap/ housekeeping	Tim McGee
5:00 to 7:00	Reception (Allard Hall)	<i>Sponsored by the Law Society of BC</i>

* Note: Due to unforeseen circumstances affecting travel, some participants were unable to attend as planned.

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Saturday, November 9

Time	Event	Lead
8:30	Coffee	
9:00	Welcome	Tim McGee
	Mid-point overview	George Thomson
9:15	Comparing our Vision to the sector today: Fairness	<i>Panel participants</i> Tracy Porteous , End the Violence Association Grand Chief Edward John , First Nations Summit Richard Fowler , Fowler, Smith
9:45	Small groups discuss	George Thomson
10:30	Break	
10:45	Small groups report	George Thomson
11:15	Presentation: <i>Towards a First Justice and Public Safety Plan</i>	Lori Wanamaker , Deputy Minister of Justice and Chair, Justice and Public Safety Council
11:30	Plenary discussion on developing Plan	George Thomson
12:00	Lunch	
1:00	Recap of Summit recommendations Plenary discussion to check accuracy and amend	George Thomson
2:00	Preview of Spring 2014 Summit	Jay Chalke , Chair, Justice Summit Steering Committee

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2:15	Closing remarks	The Honourable Robert Bauman , Chief Justice of British Columbia
2:30	Final remarks	Tim McGee
2:45	Summit concludes	

APPENDIX 2: SUMMIT PARTICIPANTS

Anton	Honourable Suzanne	Attorney General and Minister of Justice	Government of British Columbia
Bauman	Honourable Robert	Chief Justice	Court of Appeal for British Columbia
Benedet	Janine	Associate Professor	Faculty of Law, University of British Columbia
Benton	Mark	Executive Director	Legal Services Society
Blenkin	Johanne	Chief Executive Officer	BC Courthouse Library Society
Callens	Craig	Deputy Commissioner and Commanding Officer	"E" Division RCMP
Cavanaugh	Lynda	Assistant Deputy Minister	Community Safety and Crime Prevention Branch, Ministry of Justice
Chalke	Jay	Assistant Deputy Minister	Justice Services Branch, Ministry of Justice
Christensen	Tom	Chair	Legal Services Society Board
Corrado	Ray	Professor, Criminology Department	Simon Fraser University
Corrigan	Kathy	Opposition Critic for Public Safety and Solicitor General	British Columbia Legislative Assembly
Crabtree	Honourable Thomas	Chief Judge	Provincial Court of British Columbia
Craig	Rick	Executive Director	Justice Education Society
Crawford	Dean	President	Canadian Bar Association – B.C.
Cronin	Kasandra	Barrister	LaLiberté Cronin
Cullen	Honourable Austin	Associate Chief Justice	Supreme Court of British Columbia
Cunliffe	Emma	Associate Professor	Faculty of Law, University of British Columbia
Dandurand	Yvon	Professor and Associate Vice-President	Research and Graduate Studies, University of the Fraser Valley
DeWitt-Van Oosten	Joyce	Assistant Deputy Attorney General	Criminal Justice Branch, Ministry of Justice
Dicks	Bev	Assistant Deputy Minister	Provincial Office of Domestic Violence

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			and Strategic Initiatives, Ministry of Children and Family Development
Dinwoodie	Murray	Chief Administrative Officer	City of Surrey
Eder	Birgit	LAAC Co-chair	Trial Lawyers Association of BC
Faganello	Tara	Assistant Deputy Minister	Corporate Management Services Branch, Ministry of Justice
FitzGerald	Amy	Policy and Program Analyst	Ending Violence Association
Fowler	Richard	Barrister	Fowler and Smith
Fyfe	Richard	Deputy Attorney General	Ministry of Justice
German	Peter	Regional Deputy Commissioner	Correctional Service Canada
Gill	Honourable Gurmair	Associate Chief Judge	Provincial Court of British Columbia
Goerke	Len	Deputy Chief Constable	Abbotsford Police Department
Gottardi	Eric	Barrister	Peck and Company
Graham	Jamie	President	BC Association of Municipal Chiefs of Police
Grant-John	Wendy	Chair	Minister's Advisory Council on Aboriginal Women
Gutray	Bev	Chief Executive Officer	Canadian Mental Health Association, BC
Haugli	Insp. Brad	President	BC Association of Chiefs of Police
Jamieson	Gene	Legal Officer	Provincial Court of British Columbia
Jardine	Kevin	Assistant Deputy Minister	Court Services Branch, Ministry of Justice
John	Edward	Grand Chief	First Nations Summit
Jones	Dave	Chief	New Westminster Police Department
Juk	Peter	Director, Appeals and Special Prosecutions, Criminal Law Division	Criminal Justice Branch, Ministry of Justice
Kraemer	Frank	Executive Director and Senior Counsel	Superior Courts Judiciary
Krog	Leonard	Opposition Critic for Attorney General	British Columbia Legislative Assembly

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LeBlanc	Robert	Lawyer, Prosecution Office	City of Vancouver
LePard	Doug	Deputy Chief Constable	Vancouver Police Department
MacLeod	Sam	Superintendent of Motor Vehicles	Ministry of Justice
Mason	Heidi	Director, Legal Advice and Representation	Legal Services Society
McBride	Heidi	Legal Counsel	Supreme Court of British Columbia
McGee	Tim	Chief Executive Officer	Law Society of British Columbia
Merchant	Brent	Assistant Deputy Minister	Corrections Branch, Ministry of Justice
Morris	Jonathan	Director, Public Safety	Canadian Mental Health Association, B.C.
Morrison	Brenda	Director, Centre for Restorative Justice and Assistant Professor, School of Criminology	Simon Fraser University
Moyse	Geoff	A/Assistant Deputy Attorney General	Legal Services Branch, Ministry of Justice
Nevin	Caroline	Executive Director	Canadian Bar Association – B.C.
Outerbridge	Tim	Legal Counsel	Court of Appeal for British Columbia
Pearson	Paul	Barrister	Mulligan, Tam, Pearson
Pecknold	Clayton	Assistant Deputy Minister	Policing and Security Programs Branch, Ministry of Justice
Phillips	Honourable Nancy	Associate Chief Judge	Provincial Court of British Columbia
Plecas	Darryl	MLA and Parliamentary Secretary, Crime Reduction	Government of British Columbia
Porteous	Tracy	Executive Director	Ending Violence Association
Prior	Robert	Chief Federal Prosecutor	Public Prosecution Service of Canada (British Columbia)
Robertson	Wayne	Executive Director	Law Foundation
Ruebsaat	Gisela	Legal Analyst	Ending Violence Association
Shackelly	Darlene	Executive Director	Native Courtworker and Counselling Association of B.C.

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Sieben	Mark	Deputy Minister	Ministry of Children and Family Development
Somers	Julian	Professor	Faculty of Health Sciences, Simon Fraser University
Vance	Ken	Senior Policy Advisor	Union of British Columbia Municipalities
Veresh	Tim	Executive Director	John Howard Society, Lower Mainland
Walker	Ken	Second Vice President	Law Society
Wanamaker	Lori	Deputy Solicitor General and Deputy Minister, Justice	Ministry of Justice
Wilkinson	Craig	Executive Director	Provincial Court of British Columbia

APPENDIX 3: STEERING COMMITTEE AND WORKING GROUP

Steering Committee

Members:

Mark Benton	Executive Director, Legal Services Society
Jay Chalke (Chair)	Assistant Deputy Minister, Justice Services Branch Ministry of Justice
Joyce DeWitt-Van Oosten	Assistant Deputy Attorney General, Criminal Justice Branch Ministry of Justice
Mark Fisher	Chief Constable, Oak Bay Police BC Association of Chiefs of Police
Eric Gottardi	Barrister, Peck and Company/Canadian Bar Association BC Branch
Gene Jamieson	Legal Officer, Provincial Court of British Columbia
Heidi McBride	Legal Counsel, Supreme Court of British Columbia
Tim McGee	Chief Executive Officer, Law Society of BC (Summit Moderator)
Tim Outerbridge	Legal Counsel, Court of Appeal for British Columbia
Robert Prior	Chief Federal Prosecutor, Public Prosecution Service of Canada

Facilitator:

George Thomson Director, National Judicial Institute

Ex-officio:

Allan Castle Executive Lead, Justice and Public Safety Secretariat
Ministry of Justice

Michael Lucas Manager, Policy and Legal Services, Law Society of British
Columbia

Nancy Pearson Manager, Stakeholder Relations, Justice Services Branch,
Ministry of Justice

Working Group

Members:

Allan Castle (Chair) Executive Lead, Justice and Public Safety Secretariat
Ministry of Justice

Richard de Boer Director, Policy and Legislation, Criminal Justice Branch
Ministry of Justice

James Deitch Executive Director, Criminal Justice and Legal Access Policy
Division, Justice Services Branch, Ministry of Justice

Shelley Eisler Director, Planning and Performance Reporting, Justice and
Public Safety Secretariat, Ministry of Justice

Michael Lucas Manager, Policy and Legal Services, Law Society of BC

Nancy Pearson Manager, Stakeholder Relations, Justice Services Branch
Ministry of Justice

Special assistance provided by:

Edna Philippides Executive Administrative Assistant, Justice Services Branch
Ministry of Justice

Tiny Vermaning Administrative Assistant, Justice Services Branch
Ministry of Justice

APPENDIX 4: DRAFT VISION AND VALUES FOR THE SECTOR

British Columbia Justice and Public Safety Council Vision (including Goals and Objectives) and Values Draft – October 30 2013

Vision

British Columbia is committed to a system of justice and public safety founded on the rule of law. This system encompasses criminal, civil, family and administrative law. It is fair, protects people, is sustainable, and enjoys the public's confidence. This is achieved through the promotion of a peaceful and safe society and by being accessible, transparent, accountable, and focused on improving outcomes and services.

Goals and objectives

Our system is fair

- **Accessible** – We offer services accessible to all regardless of means, provide meaningful redress, and ensure access to justice for vulnerable and marginalized people proactively.
- **Impartial** – We model integrity, fairness and natural justice in our procedures and in delivering services, treating people equally.
- **Timely** – We work together to reduce systemic delay as an impediment to justice; we seek early resolution of individual processes wherever possible.

Our system protects people

- **Preventative** – We offer early, appropriate and effective interventions to reduce antisocial behaviour, assisting people in rebuilding healthy, productive lives.
- **Protective** – We work together to reduce threats to public safety, protect complainants and victims of crime, and prevent re-victimization of the vulnerable by the system.

- **Comprehensive** – We work across all levels of government to understand and address root causes of crime, and support and participate in effective alternative interventions.

Our system is sustainable

- **Effective** – We measure and improve the return on investment of public resources, collectively and as institutions.
- **Managed** – We allocate resources prudently across the system according to clear and demonstrated cause and effect; we treat the time of every participant as valuable.
- **Focused** – Based on measurable demand, we take evidence-based decisions to resource the system's necessary functions, ensuring these services are delivered efficiently.

Our system enjoys public confidence

- **Adaptive** – We offer services and programs that are nimble; we solicit and respond to the needs of people and monitor the effectiveness of our programs.
- **Performance-focused** – We assume collective and respective responsibility for system performance, engaging British Columbians in dialogue as users and observers of the system.
- **Empowering** – People entering the system have sufficient opportunity to learn its rules and practices at their level of need; the public both understands and values the system.

Values

In a justice and public safety system within a free and democratic society, the rule of law and principles of fundamental justice must guide the behaviour of the sector. Based on this foundation, the following values apply to our work, such that our actions are:

1. **Fair and equitable:** acting without discrimination with regard to ethnicity, age, religion, gender, gender identification, sexual orientation, belief or socio-economic status.
2. **Open and responsive to change:** thinking critically about existing practice, considering information that challenges orthodoxy, and responding actively to environmental changes.
3. **Outcome-focused:** setting realistic objectives, assessing our work according to results, and working together to ensure our activities do not have unintended adverse consequences.
4. **Accountable:** engaging the public on the effectiveness of our work, and reporting regularly on meaningful aspects of our performance.
5. **Evidence-based:** managing operations and innovating through shared collection and analysis of data about what works, and by enabling rigorous research through partnership.
6. **Proportionate:** allocating resources in ways that are necessary and reasonable, according to agreed-upon risks, and taking action in consideration of the sector's goals as a whole.
7. **Transparent:** making information broadly available about the sector's functions, enabling constructive democratic dialogue about goals, outcomes, services and performance.

APPENDIX 5: JUSTICE AND PUBLIC SAFETY COUNCIL

Under provisions of the *Justice Reform and Transparency Act*, Council members are appointed by the Attorney General and Minister of Justice.

Membership on the Council may include: an individual who is in a senior leadership role in the government and who has responsibility for matters relating to the administration of justice in British Columbia or matters relating to public safety, and includes any other individual the minister considers to be qualified to assist in improving the performance of the justice and public safety sector.

The Council is chaired by the Deputy Minister of Justice and, currently, includes Ministry of Justice executive members and a representative from the Ministry of Children and Family Development. The Council is supported by a Justice and Public Safety Secretariat within the Ministry of Justice. Further to Ministerial Order, the current membership is as follows:

Cavanaugh, Lynda	Asst. Deputy Minister, Community Safety and Crime Prevention, Ministry of Justice
Chalke, Jay	Asst. Deputy Attorney General, Justice Services Branch Ministry of Justice
DeWitt-Van Oosten, Joyce	Asst. Deputy Attorney General, Criminal Justice Branch Ministry of Justice
Faganello, Tara	Asst. Deputy Minister, Corporate Management Services, Ministry of Justice
Fyfe, Richard (Vice-Chair)	Deputy Attorney General, Ministry of Justice
Jardine, Kevin	Asst. Deputy Minister, Court Services Branch Ministry of Justice
MacLeod, Sam	Superintendent of Motor Vehicles, Ministry of Justice
Merchant, Brent	Asst. Deputy Minister, Corrections Branch, Ministry of Justice

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Moyse, Geoff	A/Asst. Deputy Attorney General, Legal Services Branch, Ministry of Justice
Pecknold, Clayton	Asst. Deputy Minister, Policing and Security Programs Ministry of Justice
Sadler, Bobbi	Chief Information Officer, Ministry of Justice
Sieben, Mark	Deputy Minister, Ministry of Children and Family Development
Wanamaker, Lori (Chair)	Deputy Minister and Deputy Solicitor General Ministry of Justice