

Agenda

Bencher Meeting

Date:	Friday, December 5, 2025		
Time:	8:30 am – Call to Order* * The in camera portion of the meeting will commence at 8:30 am, with the the public portion of the meeting will likely start between 9:00 am and 9:30 am.		
Location:	The Bencher Meeting is taking place as a hybrid meeting. If you would like to attend the meeting as a virtual attendee, please email BencherRelations@lsbc.org		
Recording:	<i>The public portion of the meeting will be recorded.</i>		
IN CAMERA			
OTHER BUSINESS			
CONSENT AGENDA Any Bencher may request that a consent agenda item be moved to the regular agenda by notifying the President or the Manager, Governance & Board Relations prior to the meeting.			
2	Minutes of October 24, 2025 meeting (regular session)		
3	Minutes of October 24, 2025 meeting (<i>in camera</i> session)		
4	External Appointment: Land Title and Survey Authority		
5	External Appointment: Canadian Centre for Professional Legal Education		
6	Proposal to Amend Commentary [4] of BC Code Rule 3.3-3 (Future Harm/Public Safety Exception to Confidentiality) (<i>Item deferred</i>)		
7	Proposed Revision to Terms of Reference: Truth and Reconciliation Advisory Committee		
8	2026 Committees and Task Forces		
REPORTS			
9	President’s Report	10 min	Brook Greenberg, KC
10	CEO’s Report	10 min	Gigi Chen-Kuo

Agenda

DISCUSSION			
11	Implementing the Law Society's New Approach to Demographic Data Collection and Use	15 min	Kerryn Holt Sara Pavan
12	Report from the Access to Justice Advisory Committee on the Need for Better Data to Improve Access to Justice and Legal Services	15 min	Tanya Chamberlain
DISCUSSION & DECISION			
13	2026 - 2028 Strategic Plan	30 min	Gigi Chen-Kuo Annabelle Donovan
14	Whistleblower Policy	30 min	Brook Greenberg, KC Gigi Chen-Kuo
15	Governance Proposals <ul style="list-style-type: none"> Proposed revisions to <i>in camera</i> Policy Proposed new Benchers Leave Policy Developing a Board Evaluation Process 	30 min	Brook Greenberg, KC Thomas L. Spraggs, KC
UPDATE			
16	Financial Matters: <ul style="list-style-type: none"> 2025 Enterprise Risk Management Plan: Update Financial Report – 2025 - Q3 and Forecast 	30 min	Thomas L. Spraggs, KC Jeanette McPhee
FOR INFORMATION			
17	Year-End Advisory Committee Reports		
18	Update on the Health Justice Alliance		
19	External Appointments: Law Foundation of BC		
IN CAMERA			
OTHER BUSINESS			

Law Society of British Columbia

Bencher Meeting: Minutes (Draft)

To: Benchers

Purpose: Approval (Consent Agenda)

Date: Friday, October 24, 2025

Present:

Brook Greenberg, KC, President	Benjamin D. Levine
Thomas L. Spraggs, KC 1st Vice-President	Dr. Jan Lindsay
Michael Welsh, KC, 2nd Vice-President	Jaspreet Singh Malik
Simran Bains	Marcia McNeil
Paul Barnett	Jay Michi
Aleem Bharmal, KC	Georges Rivard, KC
Tanya Chamberlain	Michèle Ross
Nikki Charlton, KC	Gurminder Sandhu, KC
Jennifer Chow, KC	Nicole E. Smith
Christina J. Cook, KC	Barbara Stanley, KC
Tim Delaney	James Struthers
Cheryl S. D'Sa, KC	Natasha Tony
Katrina Harry, KC	Kevin B. Westell
Ravi R. Hira, KC	Gaynor C. Yeung, KC
Sasha Hobbs	Jonathan Yuen
James A.S. Legh	

Staff present:	Gurleen Aujla Avalon Bourne Kim de Bruijn Barbara Buchanan, KC Genevieve Chang Gigi Chen-Kuo Michaela David Jackie Drozdowski Su Forbes, KC Kerry Holt Jeffrey Hoskins, KC Jessica Jones Hoon Kim Jane Ladesma Nicolette Lang-Andersen	Michael Lucas, KC Alison Luke Tara McPhail Cary Ann Moore Doug Munro Sara Pavan Aster Peng Andrea Rayment Michelle Robertson Lesley Small Sherry Small Arrie Sturdivant Christine Tam Adam Whitcombe, KC Vinnie Yuen
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Guests:	Anita Bal Kimberley Barbosa Dom Bautista Patricia D. Blair Ian Burns Annabelle Donovan Eric Funk Sarah Khan, KC Derek LaCroix, KC Kristin Lathrop Desmond MacMillan Claire Marchant Caroline Nevin Nick Peterson Linda W. Russell Hannah Wells	Representative, Mediate BC Society Project Coordinator, Canadian Centre for Professional Legal Education Executive Director, Amici Curiae Friendship Society & ED of Law Courts Center President, Canadian Bar Association, BC Branch Dean of Law, University of Victoria Consultant Articling Student General Counsel, Law Foundation of BC Co-Executive Director, Lawyers Assistance Program of BC Representative, Canadian Centre for Professional Legal Education Assistant Dean of Law, Thompson Rivers University Co-Executive Director, Lawyers Assistance Program of BC Chief Executive Officer, Courthouse Libraries BC Second Vice-President, Trial Lawyers Association of BC Chief Executive Officer, Continuing Legal Education Society of BC Consultant
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Consent Agenda

1. Minutes of September 19, 2025, meeting (regular session)

The minutes of the meeting held on September 19, 2025 were approved unanimously and by consent as circulated.

2. Minutes of September 19, 2025, meeting (*in camera* session)

This item was removed from the Consent Agenda and discussed *in camera*.

3. 2026 Fee Schedules

The following resolution was passed unanimously and by consent:

BE IT RESOLVED to amend the Law Society Rules, effective January 1, 2026, as follows:

- 1. By striking the year “2025” in each of the headings for Schedules 1, 2 and substituting the year “2026”;***
- 2. In Schedule 1, by striking “\$2,321.00” at the end of item A 1 and substituting \$2,536.00”;***
- 3. In Schedule 1, by striking “\$1000.00” at the end of item A 3 and substituting “\$2,000.00”;***
- 4. By striking the table in Schedule 2 and replacing it with the following:***

	Practice fee		Indemnity fee assessment	
	Payable	Payable	Payable	Payable
	prior to call	by May 31	prior to call	by May 31
Full-time indemnification				
January	1,268.00	1,268.00	900.00	900.00
February	1,056.67	1,268.00	750.00	900.00
March	845.33	1,268.00	600.00	900.00
April	634.00	1,268.00	450.00	900.00
May	422.67	1,268.00	300.00	900.00
June	211.33	1,268.00	150.00	900.00
July	1,268.00	0.00	900.00	0.00

August	1,056.67	0.00	750.00	0.00
September	845.33	0.00	600.00	0.00
October	634.00	0.00	450.00	0.00
November	422.67	0.00	300.00	0.00
December	211.33	0.00	150.00	0.00
Part-time indemnification				
January	1,268.00	1,268.00	450.00	450.00
February	1,056.67	1,268.00	375.00	450.00
March	845.33	1,268.00	300.00	450.00
April	634.00	1,268.00	225.00	450.00
May	422.67	1,268.00	150.00	450.00
June	211.33	1,268.00	100.00	450.00
July	1,268.00	0.00	450.00	0.00
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September	845.33	0.00	300.00	0.00
October	634.00	0.00	225.00	0.00
November	422.67	0.00	150.00	0.00
December	211.33	0.00	100.00	0.00

REQUIRES 2/3 MAJORITY OF BENCHERS PRESENT

4. Reappointment of Tribunal Chair

The following resolution was passed unanimously and by consent:

BE IT RESOLVED that the Benchers reappoint Herman Van Ommen, KC as Tribunal Chair for a one-year term, commencing January 1, 2026, and concluding on December 31, 2026.

Reports

5. President's Report

Christina J. Cook, KC declared a conflict in regard to the single legal regulator litigation.

President Brook Greenberg, KC began his report by speaking about attending the opening of the Supreme Court of Canada and the celebration of the Court's 150th anniversary.

He then provided an overview of the recent meetings and events he had attended, including welcome ceremonies; the Law Society's Bullying, Harassment, and Discrimination Symposium, the Federation's annual conference in Winnipeg, the opening of an Indigenous wing at the University of Victoria, and the International Conference of Legal Regulators in Hong Kong.

Sherry Small, Director, Indigenous Initiatives, also spoke about the opening of the Indigenous wing at the University of Victoria.

Mr. Greenberg thanked Natasha Tony for her work in organizing the Bullying, Harassment, and Discrimination Symposium, and he also thanked First Vice-President Thomas L. Spraggs, KC for attending the CBABC annual conference on his behalf.

6. CEO's Report

Gigi Chen-Kuo, Chief Executive Officer and Executive Director, began her report with an update regarding the Law Society's constitutional challenge to the *Legal Professions Act*. She indicated that the hearing started on October 14, and was scheduled for 15 days.

Ms. Chen-Kuo then provided an update on the recent meeting of the transitional board and the transitional Indigenous Council, which took place on October 22. She indicated that the BC Paralegals Association had received funding from the Law Foundation to obtain a legal advisor to provide assistance throughout the potential amalgamation process.

Ms. Chen-Kuo spoke about the recent Kootenay Bar Association meeting, which she had attended.

Ms. Chen-Kuo concluded her report with some operational updates, including an overview of the results of the recent staff engagement survey and some hiring updates.

7. Briefing by the Law Society's Member of the Federation Council

Mr. Greenberg provided a brief overview of the recent Federation conference and Council meetings held in Winnipeg.

8. Bar Admission Training Program

Ms. Chen-Kuo introduced the item and provided some background on the Benchers' decision to enter into a participation agreement with the Centre for Professional Legal Education ("CPLED") to implement the Practice Readiness Education Program ("PREP") as the new bar admission program in BC.

Lesley Small, Senior Director, Credentials, Professional Development and Practice Support then provided further background information and context in relation to the Benchers' decision, an overview of PREP, including potential learning and engagement opportunities for students, as well as next steps regarding the transition from the Law Society's current Professional Legal Training Course ("PLTC") to PREP. She thanked PLTC staff for all of their efforts in successfully delivering PLTC over the past many years.

Benchers discussed the transition and the importance of adapting the Law Society's bar admission training program to the needs of those coming into profession, while also recognizing what had worked well and improving upon it.

Ms. Chen-Kuo recognized the efforts of staff in implementing this change,

Discussion & Decision

10. Strategic Plan 2026-2028

Annabelle Donovan, a consultant assisting with the Law Society's strategic planning process, joined the meeting for this item.

Ms. Chen-Kuo introduced the item and provided some background regarding the development of the Law Society's Strategic Plan for 2026-2028.

Ms. Donovan then provided an overview of the drafting process, as well as changes between drafts of the Plan considered by Benchers and the final version now before the Benchers for approval. Mr. Greenberg added that this matter was on the agenda for decision, but if more time was needed for Benchers to review, it could be brought back to the December Bencher meeting.

Benchers discussed the latest version of the Strategic Plan. Some Benchers were of the view that it would be helpful to have further discussion regarding specifics of the Plan prior to it being on the agenda for approval at the December Bencher meeting.

Mr. Greenberg indicated that discussion on this matter would be adjourned, and a final planning session would be held with Benchers regarding the Plan, prior to the December Bencher meeting, at which the Plan would be on the agenda for approval. He invited all Benchers to provide any additional comments to Ms. Donovan, so that these could be discussed at the final planning session.

9. Proposed Amendment to Rule 2-110 (Trust Administration Fee)

Mr. Greenberg introduced the item and provided some background regarding the proposed amendment to Rule 1-110, which reflects the Benchers' approval of a policy change to the implementation of the Trust Administration Fee ("Fee"), so that it will apply to each client matter undertaken by the lawyer in connection with which the lawyer received in trust \$10,000 or more in total.

Benchers reviewed the proposed Rule amendment and raised questions regarding the transition between the current Rule and the proposed new Rule, and how the timeframes between the current and new Rules would be managed to ensure that anything collected up to the end of 2025 would not be subject to the new Rule. Benchers discussed whether or not an additional

amendment to Rule 1-110 was needed to provide clarity regarding the timeframes, or if a communication to the profession on this matter would be sufficient. Following these discussions, Benchers were in general agreement that the Rule amendment should be approved, and that a communication should be drafted by staff to provide clarity that the new Rule would be applicable to new matters starting on January 1, 2026.

The following resolution was passed by the majority of Benchers:

BE IT RESOLVED effective January 1, 2026, to amend Rule 2-110 of the Law Society Rules by deleting subrule (1) and replacing it with:

“(1) A lawyer must pay to the Society the trust administration fee specified in Schedule 1 for each client matter undertaken by the lawyer in connection with which the lawyer receives in trust funds in an aggregate amount greater than \$10,000.”

REQUIRES 2/3 MAJORITY OF BENCHERS PRESENT

11. Whistleblower Policy

This item was discussed in the regular portion of the meeting.

Ms. Chen-Kuo introduced the item and provided some background regarding the development of the draft Whistleblower Policy, which would apply to both Benchers and to staff. She indicated that the draft Policy had been reviewed by the Executive Committee, at its October meeting, and that this matter was on the agenda for discussion, and then a final draft would be brought to the December Bencher meeting for approval.

Michael Lucas, KC, General Counsel and Senior Policy Counsel, provided an overview of changes that had been made to the draft Policy following the October Executive Committee meeting. Mr. Greenberg added that implementing a Whistleblower Policy was in line with good governance practices.

Benchers discussed the draft Policy, and some Benchers raised concerns about having a mechanism for anonymous reporting within the Policy, while other Benchers were of the view that anonymous reporting was in line with best practices for these types of policies, as complainants would not necessarily have a role in the issue being reported, and that it would be important to ensure a safe avenue for matters to be raised. Benchers also discussed the process by which a complaint against a Bencher would be managed.

Mr. Greenberg indicated that this matter would be on the agenda for the December Bencher meeting for decision.

CEO/ED Evaluation Process

This item was discussed in the regular portion of the meeting.

Hannah Wells, a consultant with White & Gayle, joined the meeting for this item.

Mr. Greenberg introduced the item and provided some background regarding the CEO/ED evaluation process, how it had managed in prior years, and the plan for the current and future years.

The Benchers then commenced the *in camera* portion of the meeting.

AB
2025-11-26

Proposed Revision to Terms of Reference: Truth and Reconciliation Advisory Committee

To: Benchers

Purpose: Approval (Consent Agenda)

From: Truth and Reconciliation Advisory Committee

Date: December 5, 2025

Introduction

1. The Benchers are asked to approve the Law Society’s Truth and Reconciliation Advisory Committee (“TRAC”) recommendation to amend its Terms of Reference (“TOR”). Below, this memorandum outlines TRAC’s proposed amendments to its TOR co-chair requirements that would increase its Indigenous co-chair representation.

Background

2. TRAC’s Mandate Letter and 2025 Work Plan specifies that it review its TOR and make any advisable recommendations to the Benchers regarding the co-chairs.¹ In 2025, TRAC discussed its TOR with particular attention to increasing Indigenous representation in leadership while maintaining a close connection to the Executive Ladder. In the existing TOR, the “Composition” section 5 contains the current co-chair requirements:

5. The Committee will have two co-chairs: a member of the Executive Ladder (i.e. the President, First Vice-President or Second Vice-President) of the Law Society of British Columbia and an Indigenous representative.²

3. TRAC’s conversations have led it to suggest new language to section 5 as described below and attached in **Appendix A** (red-lined) and **Appendix B** (clean).

Discussion

4. TRAC’s changes focus on updating the co-chair requirements to ensure Indigenous representation and voices are paramount in TRAC’s future leadership.
5. The proposed new language removes the listing of the Executive Ladder positions (i.e. the President, First Vice-President or Second Vice-President). For simplicity, the new language refers to the Executive Ladder that contains the three positions regardless of the list. This shortens the length of the proposed clause.
6. Most importantly, the proposed amendments ensure that Indigenous people take the lead on TRAC. The current language requires that TRAC have two co-chairs where there is both an Indigenous representative and a member of the Executive Ladder. However, this more often than not will result in there being less chance for two Indigenous co-chairs from year-to-year.

¹ Law Society of BC, *2025 Mandate Letter for the Truth and Reconciliation Advisory Committee*, online: <[2025-Mandate-Truth-and-Reconciliation-Advisory-Committee.pdf](#)> [Mandate Letter]. *Truth and Reconciliation Advisory Committee 2025 Workplan*. “2. Consider the TRAC Terms of Reference and make recommendations regarding any necessary amendments... Recommend any changes to the Terms of Reference that are advisable to Benchers... Consider amendments, including the co-chair requirement; and... Recommend any changes to Benchers the Committee determines are required.”

² [TOR](#) at “Composition” s 5.

The infrequent occurrence of having an Indigenous Executive Ladder member would be accounted for in the proposed amendments. If there is an Indigenous Executive Ladder member available from year-to-year, then two Indigenous TRAC *Co-Chairs* would be appointed (including the Indigenous Executive Ladder member). If there is not an Indigenous Executive Ladder member available to be a co-chair, then the alternative would kick in to allow for the appointment of an Indigenous representative as TRAC *Chair* and a non-Indigenous Executive Ladder member as TRAC *Vice-Chair*. This means that Indigenous voices would always be prioritized to the co-chair or chair level to guide TRAC's advice to the Law Society regarding important Indigenous policy matters.

7. The proposed amendments implement the Law Society's goal of advancing Truth & Reconciliation by taking action to promote Indigenous leadership on committees. It aligns Indigenous TRAC leadership to work directly with the Executive Ladder and heightens the value of their voices. The new language models after the TRAC leadership dynamic this year because TRAC's Mandate Letter already requires that the Indigenous Co-Chair take the lead wherever possible when working with the Executive Ladder Co-Chair.

Decision/Recommendation

8. TRAC presents the following resolution for Bench approval:

BE IT RESOLVED THAT the 'Composition' section 5 of the Truth and Reconciliation Advisory Committee's Terms of Reference is amended to the following clause, as set out in Appendix A and B:

"5. The Committee will have two Co-Chairs: an Indigenous representative and an Indigenous member of the Executive Ladder of the Law Society of British Columbia. If there is not an Indigenous member on the Executive Ladder, then the Indigenous representative will serve as Chair and a member of the Executive Ladder will serve as Vice-Chair."

Truth and Reconciliation Advisory Committee

Terms of Reference

Updated: ~~January~~ December 202~~5~~2

Background

On June 2, 2015, the Truth and Reconciliation Commission (TRC) released its Executive Summary Report (Report),¹ including 94 recommendations (Recommendations)² to redress the legacy of residential schools and to offer guidance for reconciliation.

At the October 30, 2015 Benchers meeting, the Benchers unanimously agreed that addressing the challenges arising from the TRC Recommendations is one of the most important and critical issues facing the country and the legal system today. Therefore, they decided to take immediate action to demonstrate their commitment to respond meaningfully to the Recommendations.

The Benchers acknowledged that Recommendations 27 and 28 speak specifically to the legal profession, but recognized that the role of lawyers in reconciliation goes beyond these two Recommendations. A number of the other Recommendations are also intended to alleviate legal issues currently impacting Indigenous communities and, although not directly aimed at lawyers, their implementation largely depends on the engagement of lawyers.

The Law Society's regulatory authority over lawyers in British Columbia provides a significant opportunity to facilitate the implementation of the TRC Recommendations that relate to the Law Society's mandate to uphold and protect the public interest in the administration of justice, by:

- (a) preserving and protecting the rights and freedoms of all persons;
- (b) ensuring the independence, integrity, honour and competence of lawyers;
- (c) establishing standards and programs for the education, professional responsibility and competence of lawyers and of applicants for call and admission;
- (d) regulating the practice of law; and

¹ http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Exec_Summary_2015_05_31_web_o.pdf.

² http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf.

- (e) supporting and assisting lawyers, articulated students and lawyers of other jurisdictions who are permitted to practise law in British Columbia in fulfilling their duties in the practice of law.³

The Law Society intends to support the realization of TRC's Recommendations that intersect with its mandate.

The TRC's Recommendations were the focus of the Benchers' Retreat and Conference on June 3, 2016. At the Benchers meeting on June 4, 2016, the Benchers supported the idea of a permanent advisory committee. A resolution was passed to create the Truth and Reconciliation Commission Advisory Committee at the July 8, 2016 Benchers meeting.

Preamble

The Law Society of British Columbia:

1. Acknowledges the Truth and Reconciliation Commission's finding that, for over a century, the central goal of Canada's Aboriginal policy can best be described as "cultural genocide";
2. Recognizes that lawyers have played, and continue to play an active role in past and present injustices that affect Indigenous people; and
3. Understands that the matters identified in the TRC's report and recommendations are some of the most critical issues facing the legal system today.

Therefore, the Law Society of British Columbia has constituted a Truth and Reconciliation Commission Advisory Committee to guide the Law Society's immediate and meaningful response to the TRC's calls to action.

Mandate

The mandate of the Truth and Reconciliation Advisory Committee is to provide guidance and advice to the Law Society of British Columbia on legal issues affecting Indigenous people in the province, including those highlighted in the Truth and Reconciliation Commission's Report and Recommendations, such as: Indigenous laws, the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples*, Aboriginal rights and title (including treaty rights), issues concerning jurisdictional responsibility for Indigenous people, child welfare, overrepresentation of Indigenous people in custody and the need for enhanced restorative justice programs, and the disproportionate victimization of Indigenous women and girls.

³ Section 3 of the *Legal Profession Act*.

Goals

The goals of the Truth and Reconciliation Advisory Committee are to support the Law Society in its efforts to:

1. Understand access to justice issues from the perspective of Indigenous people in British Columbia;
2. Address the unique needs of Indigenous people within the legal system in BC;
3. Improve cultural competence training for lawyers in British Columbia to:
 - a. Recognize and respond to diverse legal service needs; and
 - b. Understand the relevance and applicability of Indigenous laws within the Canadian legal system;
4. Address the unique needs of Indigenous people within the Law Society's regulatory processes; and
5. Support Indigenous lawyers to help ensure the legal profession reflects the public it serves.

Responsibilities

1. Monitor legal issues affecting Indigenous communities in British Columbia;
2. Recommend ways for the Law Society to develop and maintain positive relationships with Indigenous communities;
3. Ensure that Indigenous communities are effectively engaged in the efforts of the Committee to fulfill its mandate;
4. Promote collaboration and coordination across Law Society committees and departments on Indigenous policies, programs, and initiatives;
5. At the request of the Benchers or Executive Committee on matters regarding Indigenous issues pertaining to the legal system in British Columbia:
 - Develop recommendations, policy options, and initiatives;
 - Advise the Benchers on priority planning;
 - Analyze policy implications of Law Society initiatives;
 - Identify strategic collaborative opportunities; and

- Attend to other matters referred to the Committee.

Principles

The guiding principles for the Committee are as follows:

1. Reconciliation requires a willingness to promote structural and systemic change in the relationship between Indigenous and non-Indigenous peoples;
2. Inclusive engagement with Indigenous communities and the legal profession is required for the Committee to fulfill its mandate;
3. Relationships built upon respect are essential to the Committee's operation;
4. Flexibility is necessary for the Committee to address a broad range of issues, adapt to changing circumstances, and maintain relevance; and
5. Transparent communication is necessary to build and maintain trust in the Committee's endeavors.

Composition

1. At least half the members of the Committee will be comprised of Indigenous individuals.
2. Selection of Committee members will be in accordance with the Law Society's appointments practices, and will reflect:
 - a broad range of Indigenous representatives;
 - different regions of the province, including urban and rural locations;
 - a variety of practice areas; and
 - gender balance.
3. Committee members who are well respected by Indigenous communities will be selected, with the understanding that Committee members will be trusted to identify and convey the perspectives and concerns of Indigenous communities to inform the work of the Committee.
4. The Indigenous representatives on the Committee will be survivors or intergenerational survivors of the residential school experience.

5. The Committee will have two Co-Chairs: an Indigenous representative and an Indigenous member of the Executive Ladder of the Law Society of British Columbia. If there is not an Indigenous member on the Executive Ladder, then the Indigenous representative will serve as Chair and a member of the Executive Ladder will serve as Vice-Chair~~The Committee will have two co-chairs: a member of the Executive Ladder (i.e. the President, First Vice-President or Second Vice-President) of the Law Society of British Columbia and an Indigenous representative.~~

Meeting Practices

1. The Committee shall operate in a manner consistent with the Law Society's governance policies.
2. The Committee shall meet as required.
3. At least half of the members of the Committee will constitute a quorum.
4. The Committee will strive to reach consensus in decision-making. If consensus cannot be attained, then decisions will be made by a majority vote.

Reporting Requirements

1. The Committee will provide written reports to the Benchers two times annually by providing one mid-year report and one year-end report each year.
2. The Committee may provide additional updates at regularly scheduled Bencher meetings.

Review

These Terms of Reference are subject to review from time to time as deemed appropriate by the Benchers.

Staff Support

Staff Lawyer, Policy and Planning

Truth and Reconciliation Advisory Committee

Terms of Reference

Updated: December 2025

Background

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- (c) establishing standards and programs for the education, professional responsibility and competence of lawyers and of applicants for call and admission;
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3. Understands that the matters identified in the TRC's report and recommendations are some of the most critical issues facing the legal system today.

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2. Selection of Committee members will be in accordance with the Law Society's appointments practices, and will reflect:
 - a broad range of Indigenous representatives;
 - different regions of the province, including urban and rural locations;
 - a variety of practice areas; and
 - gender balance.
3. Committee members who are well respected by Indigenous communities will be selected, with the understanding that Committee members will be trusted to identify and convey the perspectives and concerns of Indigenous communities to inform the work of the Committee.
4. The Indigenous representatives on the Committee will be survivors or intergenerational survivors of the residential school experience.

5. The Committee will have two Co-Chairs: an Indigenous representative and an Indigenous member of the Executive Ladder of the Law Society of British Columbia. If there is not an Indigenous member on the Executive Ladder, then the Indigenous representative will serve as Chair and a member of the Executive Ladder will serve as Vice-Chair.

Meeting Practices

1. The Committee shall operate in a manner consistent with the Law Society's governance policies.
2. The Committee shall meet as required.
3. At least half of the members of the Committee will constitute a quorum.
4. The Committee will strive to reach consensus in decision-making. If consensus cannot be attained, then decisions will be made by a majority vote.

Reporting Requirements

1. The Committee will provide written reports to the Benchers two times annually by providing one mid-year report and one year-end report each year.
2. The Committee may provide additional updates at regularly scheduled Bencher meetings.

Review

These Terms of Reference are subject to review from time to time as deemed appropriate by the Benchers.

Staff Support

Staff Lawyer, Policy and Planning

2026 Committees and Task Forces

To: Benchers

Purpose: Approval (Consent Agenda)

From: Thomas L. Spraggs, KC
First Vice-President

Date: December 5, 2025

Background and Discussion

1. Each year as we approach the end of one Presidential term and the beginning of another, it is timely to review the current list of Committees and Task Forces and determine if any changes are necessary or desirable, taking into account the particular Strategic Plan objectives and organizational priorities for the year ahead.
2. In the last year, two Task Forces were concluded (Lawyer Development and Trust Review Task Force), and two new Task Forces were established (Bullying, Harassment, and Discrimination Task Force, and the Discipline Processes Task Force); each with a two-year mandate.
3. In considering the challenges and opportunities we can expect to encounter in 2026 and beyond, I am mindful that the Law Society has experienced and continues to experience a period of uncertainty and significant change. The organization's current mandate and priorities remain front of mind, while at the same time, the potential amalgamation to a new single legal regulator is on the horizon.
4. In my view, it is imperative for us to start 2026 with our efforts grounded in the new Strategic Plan for 2026 to 2028 that we have spent a large portion of 2025 thoughtfully considering and developing at the Bencher table.
5. We also have many new Benchers joining the Bencher table in 2026, with the general election having taken place this fall and there being turnover amongst the appointed Benchers due to maximum terms being reached. Ensuring we build on the good work already underway to improve the Law Society's governance practices, and that we strive for continuous improvement, is an area I feel passionately about that I hope remains a focus for us in the coming year.
6. With rapid advancements with technology, in particular with the introduction and evolution of artificial intelligence, ensuring the Law Society and the regulation of the legal profession is keeping pace with changes in these areas is vital to the future of both the organization and of the regulation of the legal profession. My hope is that we can engage experts in these areas on specific projects to help us be better placed to address these issues, respond appropriately and be a leader not only in this province but also across Canada.
7. As a practical matter, and so that we do not lose the tremendous institutional knowledge and expertise that President Brook Greenberg, KC has brought to the Bencher table and the organization as a whole throughout his time as a Bencher, I have asked President Greenberg if he is willing to be consulted from time-to-time in a past-president capacity. I am grateful that President Greenberg has agreed to make himself available as needed and I appreciate the

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perspectives he will continue to bring to bear both on difficult issues as well as opportunities that may come our way.

8. In terms of appointments to 2026 Committees and Task Forces, I anticipate being in a position to communicate appointments to Benchers and committee and task force members in mid-December.
9. Finally, I note that a Committee on Relations with the Judiciary was formed in the 1990s to assist lawyers who need emergency assistance in the course of a trial or other proceeding in circumstances where such assistance is requested by the judiciary, and to provide advice and assistance to lawyers who wish to make complaints about judges. In my view, fostering and maintaining effective relationships between the judiciary and the legal profession is essential to a proper functioning legal and justice system, and there is a need for even broader consultation. Accordingly, I propose the Benchers establish a new Judicial Liaison Committee. The primary function of that Committee will be to act in a liaison capacity between the judiciary and the Law Society on a wide range of matters. In my view, feedback from the judiciary on matters of importance to the public, the legal profession and the judiciary, both in the lower mainland and regionally, will help streamline those channels of communication and ensure we are working together to tackle many of the issues that are impacting the public and their access to legal services and the justice system on a daily basis. Proposed terms of reference for this committee will be developed and brought back to Benchers for approval at a subsequent meeting.

Decision

10. In keeping with the above, I would ask the Benchers to approve the following resolution:

BE IT RESOLVED that the Benchers approve:

- a. **The establishment of a Judicial Liaison Committee with proposed terms of reference to be brought back to Benchers for approval.**

Law Society

of British Columbia

CEO Report

To: Benchers

Purpose: Report

From: Gigi Chen-Kuo

Date: December 5, 2025

1. Bencher General Elections

An election was held earlier this month to elect Benchers, in all districts where elections were required, for a two-year term beginning January 1, 2026 and ending December 31, 2027. I wish to extend my congratulations to all of the newly-elected Benchers (Nazanin Aram, Tanya Heuchert, Sara K. Hopkins, Arun Mohan, Karen Tse, KC, and Michael Zimmerman) and re-elected Benchers (Aleem Bharmal, KC, Tanya Chamberlain, Christina Cook, KC, Tim Delaney, Cheryl D'Sa, KC, Ravi Hira, KC, Benjamin Levine, James Legh, Jaspreet Singh Malik, Marcia McNeil, Jay Michi, Georges Rivard, KC, Gurminder Sandhu, KC, Nicole Smith, James Struthers, and Kevin Westell).

I wish to express my thanks and deep appreciation to President Brook Greenberg, KC, Paul Barnett, Nikki Charlton, KC, Jennifer Chow, KC, Sasha Hobbs, Dr. Jan Lindsay, Barbara Stanley KC, Gaynor Yeung, KC, and Jonathan Yuen for their dedication and many contributions to the important work of the Law Society as they conclude their terms as Bencher at the end of December 2025.

2. National Action Committee – Listening Tour

On November 17, 2025, Access to Justice BC hosted the National Action Committee on Access to Justice in Civil and Family Matters. I was in attendance, along with representatives from the judiciary, government, legal profession, community organizations, and academia. We heard from speakers regarding a variety of topics, including the early resolution process for family matters in the BC Provincial court, the Law Foundation's approach to funding, and the role of libraries in empowering public legal education.

3. Single Legal Regulator

The transitional board and transitional Indigenous council met on November 19, 2025. On their agenda were policy papers on the topics of licensing and enrolment - business structures, discipline, alternative resolutions, practice reviews, privilege, the independence of licensees, and drafting guidelines for the rules. Their next meeting is scheduled for December 10, 2025.

The transitional board and transitional Indigenous council plan to complete consideration of policy papers by year end, and turn their attention to development of the rules in early 2026. Law Society senior staff are reviewing the policy materials being presented to the transitional board and transitional Indigenous council and providing supplemental memos for their consideration, where additional perspectives may be helpful to them for decision-making.

With respect to the Combined Operations Workplan, a first draft has been prepared by Cascadia Partners based on their interviews with the staff teams at the Law Society and the Society of

Notaries Public of BC. In the next few weeks, further work will be undertaken to identify critical path milestones and desired timing of actions that will require significant investment of staff resources or system changes, and an updated draft plan will be prepared. It should be noted that the operational workplan is a living document and will be continually updated and changed as more information becomes known over time about the dependencies and uncertainties.

4. Alberta's Bill 13 – *Regulated Professions Neutrality Act*

Last week, the Alberta provincial government tabled Bill 13 which would limit regulators' ability to discipline members for off-duty conduct. The Bill would also limit the types of training that can be mandated by regulatory bodies.

If passed, the Bill will apply to the Law Society of Alberta, which is in the process of reviewing the Bill and considering its implications for the Law Society, the public and legal profession in Alberta.

5. Counsel InForum

The Lawyers Indemnity Fund (LIF) team held its annual Counsel InForum in our Atrium on October 30, 2025. This educational event featured presentations by LIF claims counsel and our defence counsel on topics relevant to the defence of lawyers. Su Forbes, KC and our Directors of Claims, Greg Sexton and Leanne Wood, organized an informative session on how Artificial Intelligence can be used to enhance efficiency and productivity in litigation. Guest speakers Frank Ramos, a Miami-based defence lawyer and Robert Diab, a professor at Thomson Rivers University, offered expert insights into the practical applications of this rapidly evolving technology.

6. Employee Engagement Survey Action Plan

Leadership at the Law Society has been engaged in receiving feedback from staff on ways we can address areas of opportunity identified through the recent employee engagement survey.

At our November 18, 2025 all-staff Town Hall, I provided a high-level overview of the draft action plan that leadership is considering in order to invest in our people, develop learning opportunities for leadership and staff, enhance technology systems and support, encourage well-being, mental health support and safety, increase organizational connection, and review and understand employee benefits. We invited staff to provide further thoughts on the plan as we work to finalize initiatives and implement priority elements in the coming months.

As I conclude my last CEO report for 2025, I wish to express my gratitude to all of the Benchers and staff at the Law Society who have supported my on-boarding and shared their wisdom with me throughout the year, as we worked together to advance the public interest.

Gigi Chen-Kuo
Chief Executive Officer

Implementing the Law Society's New Approach to Demographic Data Collection and Use

To: Benchers

Purpose: Discussion

From: Staff

Date: December 5, 2025

Issue

1. Ensuring that access to the legal profession is equitable is part of the Law Society's duty to uphold the public interest, as recognized by the Supreme Court of Canada¹. To date, the Law Society of BC has not had robust data to capture the diversity of the bar or identify inequitable barriers to access and retention. To equip the Law Society with a new tool to build a clearer picture of the composition of the legal profession and where inequalities or barriers may exist, on November 1, 2024, the Benchers approved three key principles to govern a new approach for demographic data collection and use.
2. To operationalize the principles approved by Benchers, in 2025, staff engaged in a year-long engagement with the legal community and internal and external stakeholders, the results of which have informed the development of a new demographic data collection questionnaire and the determination of its deployment method. This paper outlines those activities and provides an update to Benchers on the operational implementation of the new demographic data collection approach, which will commence in early 2026.

Background

Approval of key governing principles for a new approach to demographic data collection

3. On November 1, 2024, the Benchers approved a proposal for a new approach to collect and use demographic data from licensees, based on the following principles:
 - That demographic data would continue to be collected on a voluntary basis, but in an identifiable rather than anonymous manner;
 - That demographic data would be collected from all categories of licensees (practising, non-practising, and retired), as well as other individuals governed by the Law Society; and
 - That the demographic questions asked at the time following completion of the Annual Practice Declaration would be reviewed and revised to ensure alignment with best practices and improve the quality of data being collected.
4. The Benchers approved these three key governing principles based on the fundamental premise that demographic data collected by the Law Society would be used solely at an aggregate level, and would not be used for individual regulatory decisions. The key principles were also grounded in the explicit acknowledgement and recognition of the systemic challenges and

¹ See [Trinity Western University v. Law Society of Upper Canada](#), 2018 SCC 33 at para 23 ("Access to justice is facilitated where clients seeking legal services are able to access a legal profession that is reflective of a diverse population and responsive to its diverse needs. Accordingly, ensuring a diverse legal profession, which is facilitated when there are no inequitable barriers to those seeking to access legal education, furthers access to justice and promotes the public interest").

barriers faced by lawyers from equity-deserving groups. The goal of improving demographic data collection is intended to provide the Law Society with insights into these barriers and to capture relevant social identities in a way that enables us to address the issues most effectively within the current context.

5. To develop the key governing principles, staff worked in consultation and deep engagement with both the Equity, Diversity and Inclusion Advisory Committee and the Truth and Reconciliation Advisory Committee, aligning with leading best practices for demographic data collection and considering the experiences of Law Societies in other jurisdictions.

Development of the demographic data collection tool

6. Since 2013, the Law Society has been collecting demographic data from lawyers as part of the Annual Practice Declaration (“APD”) process. A self-reported demographic question appears after the completion of the APD and asks respondents to select all applicable characteristics from the following options: 1) Aboriginal/Indigenous – First Nations, Metis, Inuit, 2) Visible Minority/Racialized/Person of Colour, 3) Person with a Disability, 4) Lesbian/Gay/Bisexual/Transgender, 5) I do not identify with any of these characteristics, and 6) I choose not to answer this question. A preamble to the question briefly identifies the purpose of self-identification process and clarifies the anonymity of responses. The limitations of the current approach were thoroughly described in the report recommending a new approach to demographic data collection that the Benchers reviewed and approved in November 2024.
7. The Benchers’ approval of the new approach to demographic data collection and use was predicated on the commitment to key best practices that would inform the operationalization of the approved principles. These key best practices include defining the purpose and objectives of demographic data collection to ensure they align with structural change or equity-seeking goals, permitting voluntary disclosure, ensuring the confidentiality of data in alignment with the *Freedom of Information and Protection of Privacy Act* (“FIPPA”), and sharing the data collection methodology and findings accurately with legal professionals. These key best practices were identified by staff, under the guidance of both the Truth and Reconciliation Advisory Committee and the Equity, Diversity and Inclusion Advisory Committee, and drawing on sources including the BC Office of the Human Rights Commissioner’s report *Disaggregated Demographic Data Collection in British Columbia: The Grandmother Perspective*, the UN Office of the High Commissioner for Human Rights’ report *Human Rights-Based Approach to Data Report*, the BC Government’s *What They Heard* reports, and the American Psychological Association’s (“APA”) *Publication Manual*.
8. Following the Benchers’ approval of the key governing principles in November 2024, staff, guided by the Advisory Committees, perused academic and research studies that represent the leading edge in demographic data best practices as well as existing questionnaires that have been validated and are widely used in Canada to collect demographic information. This in-depth work informed the development of a draft demographic data questionnaire, that was

presented to legal professionals from diverse backgrounds in focus group discussions in spring and summer 2025. Focus group participants were selected to ensure the inclusion of different perspectives based on their responses to a brief questionnaire that was available on the Law Society’s website in spring 2025.

9. Focus group discussions followed a three-part structure. After an introductory round on barriers faced by legal professionals, participants were asked to review and provide feedback on two versions of questions for the six key demographic characteristics that are currently included in the Law Society’s self-reported demographic question. Participants’ perspectives on the inclusion of additional categories of demographic data and their preferred deployment methods for the survey were also canvassed.
10. Findings from the focus groups informed the development of a revised demographic data survey, which was the subject of an online consultation on the new tool that was available on the Law Society’s website in the fall 2025. Guided by the Advisory Committees, the incorporation of feedback from the online questionnaire resulted in further refinements on some of the demographic data questions.

Development of the infrastructure required for questionnaire deployment

11. The self-reported demographic question currently used by the Law Society to collect demographic data is administered on a voluntary and anonymous basis after completing the APD. The information is collected in an unidentifiable manner and stored separately from individual “member profiles” in the Law Society’s Information System (LSIS).
12. In considering ways to administer the new voluntary and identifiable approach to demographic data collection, two options were explored: the deployment of demographic data questions through an independent survey, and the deployment of demographic data questions in the context of the existing APD.
13. Staff considered which of the two approaches would offer the best balance between user experience and operational feasibility, while also considering the key governing principles approved by Benchers. Guided by the Advisory Committees, staff consulted among departments and conducted internal reviews. The perspectives of participants in focus group discussions were also considered as part of the determination. In addition, staff also completed a Privacy Impact Assessment in compliance with the *FIPPA*, to ensure that all privacy risks associated with the new approach to demographic data collection were properly identified, assessed and managed.
14. A communications plan pertaining to the new approach to demographic data collection is also underway, to ensure that legal professionals across the province are informed about the new approach, its purposes and the way in which the new approach will be implemented starting in 2026.

Discussion

15. In this section, the report summarises the operational changes required to implement the three key governing principles of data collection approved by Benchers in 2024 and discusses the next steps.

Collection of demographic information on a voluntary and identifiable basis

16. The first of the three governing principles to the new approach to data collection is that demographic data collection will continue to be voluntary, but it will be identifiable. Voluntary disclosure is a best practice as it respects individuals' autonomy and privacy². However, anonymity creates a significant challenge for the identification of systemic barriers and potential inequities that it is in the public interest to remove.
17. For example, as delineated in the report reviewed by Benchers in November 2024, based on the current data available to the Law Society, it is not possible to determine in which ways one data point, such as an individual's gender, may be significantly associated with other data points, such as year of call, geographic region or practising status. Using identifiable data permits linking demographic data with other data points, making it possible to better understand the association between different factors.
18. Based on the findings of internal and external consultations conducted in 2025, the preferred method to operationalize the new approach to demographic data collection from licensees is through the APD process. This approach has been identified to have significant benefits in terms of operational feasibility and user experience. The post-APD deployment builds on an already existing process for licensees and the Law Society's current IT technology and functionality.
19. Post-APD deployment will also allow the storage and use of demographic information from licensees in a secure and confidential manner on the Law Society's server. In addition, the storage of both regulatory and demographic information in-house will facilitate the implementation and monitoring of organizational policies and procedures regarding internal data use, ensuring that access to individual demographic information is controlled and restricted. Results of the focus group discussions held with legal professionals in the spring and summer of 2025 also show broad support for the post-APD deployment method.
20. By contrast, findings of internal consultations identified both feasibility and user-experience issues associated with the deployment of the collection of demographic data through an independent survey. The Law Society currently administers independent surveys using external applications and tools. There are limitations to using this approach for demographic data collection, as a new functionality would have to be built in order to integrate the

² (See the *Anti-Racism Data Act*; [Disaggregated demographic data collection in British Columbia: The grandmother perspective](#); [A Human Rights-Based Approach to Data](#))

demographic information with other information collected by the Law Society. Further, and as already considered by the Advisory Committees, the deployment of demographic data collection through an independent survey would create user experience challenges, as completing the survey by using a separate link, as part of a separate process could create an additional burden for licensees, potentially impacting response rates.

21. The preferred deployment method of demographic data collection as part of the APD process would also respect the principle of voluntary disclosure, and allow licensees to choose not to answer any or all of the questions in the survey.

Collection of demographic data from all categories of licensees

22. Currently, only practising lawyers complete the APD. The deployment of the new demographic data collection tool as part of the APD process thereby means that, for the meantime, only practising lawyers will be able to respond to the new demographic data questionnaire.
23. While this approach does not achieve the second governing principle approved by Benchers in November 2024, which stated that the Law Society would begin collecting data from all categories of licensees (practicing, non-practicing and retired), as well as other individuals governed by the Law Society, such as, for example, articulated students, consideration of how best to operationalize the new demographic data collection approach for other categories of licensees is ongoing. It is anticipated that the new demographic data collection approach will be launched for these categories of licensees at a future date, once outstanding practical and operational issues have been resolved.
24. Practising lawyers represent the overwhelming majority of legal professionals. Attaching the new demographic data collection approach to the existing APD process also allows the Law Society to begin deploying the new approach in early 2026, as opposed to delaying the deployment until new IT functionalities are created and implemented to enable the collection of demographic data from all categories of legal professionals.
25. The collection of demographic data using the new data collection tool will commence in early 2026 through the APD process for practising lawyers, with the understanding that in 2026, staff will work to develop new functionalities to collect demographic information from legal professionals that do not participate in the annual APD process. This will ensure that some initial findings from the collection of demographic data of licensees will begin to be available in 2027, while information about other categories of legal professionals will be available at a later date. While the new functionalities are developed, staff will also update this project's Privacy Impact Assessment, to ensure that data collection, usage, storage and reporting processes remain in compliance with *FIPPA*.

Review and revision of the current demographic data questions

26. The third governing principle of demographic data collection approved by Benchers in November 2024 entailed that the demographic questions asked at the time following completion of the Annual Practice Declaration would be reviewed and revised to ensure alignment with best practices and improve the quality of data being collected. Under the guidance of the Advisory Committees, in 2025, staff undertook a rigorous and inclusive review and revision process, which proceeded in different stages.
27. As a first step, staff developed an initial draft of a new demographic data collection questionnaire, based on the review of existing demographic questions that have been validated and are widely used in Canada and internationally. The draft drew significantly on questions from the BC Statistics' Demographics Survey and Statistics Canada Surveys (e.g., the Census and the General Social Survey), with adaptations from other European and U.S. surveys where required to improve contextual sensitivity.
28. In spring and summer 2025, staff held seven focus groups with legal professionals of diverse backgrounds to seek feedback on the initial survey draft and potential deployment methods. Focus group participants were selected to prioritize diversity of backgrounds and experiences from a list of individuals who volunteered to participate in the focus group discussions through a survey on the Law Society's website. Focus group discussions opened with a brief round of introductions, followed by perspectives on barriers faced by lawyers in the legal profession and concerns about sharing demographic data.
29. Participants discussed and refined two versions of questions covering six key characteristics that the Law Society already collects: racial identity, Indigenous identity, gender, gender identity, sexual orientation, and disability. They indicated their preferred version of each question and suggested improvements. Subsequently, participants considered whether additional demographic characteristics, such as citizenship status, religion, or English as a first language, which the Law Society has not previously measured, should be included, whether all relevant characteristics had been captured, and whether demographic data collection is best placed at the end of the APD process.
30. Findings from the focus group participants indicated support for expanding data collection beyond gender, sexual orientation, Indigenous identity, racial identity, and disability. Further, participants supported asking questions on new categories, including immigration status, first language, and religion - these additions were suggested by Law Society staff. Participants also independently recommended adding two additional characteristics: socio-economic background and first-generation lawyer status. There was consensus among the participants that demographic data collection should continue at the end of the APD process for practising lawyers.

31. Based on the focus group findings, staff prepared a revised draft of the demographic data questionnaire. The draft also incorporates research evidence and expert guidance on best practices for collecting and using demographic data, ensuring that the questions are clear, respectful, and meaningful. The revised draft includes ten demographic questions. These characteristics being asked about are gender, sexual orientation, Indigenous identity, racial identity, disability, citizenship and immigration status, English as a first language, religion, and social class. Finally, an open-ended question was also added to give people the opportunity to share any additional comments about demographic data collection process.
32. Based on this draft, staff initiated a web-based consultation beginning in early September 2025, which remained open for approximately one month. Feedback from the online consultation resulted in further refinements to the demographic data questions and the information sheet that will accompany the new survey with details about its purpose, data collection, use and reporting procedures and a collection notice. There were no further changes to the number and type of demographic characteristics being included. The survey and information sheet are attached to this report as **Appendix A** and **B** respectively.

Next steps

33. Staff are completing final preparations for the launch of the new data collection approach in early 2026.
34. Demographic data will be collected from practising lawyers in a voluntary, identifiable, and secure manner, while staff continue to work on developing new functionality to collect demographic data from other categories of licensees and individuals governed by the Law Society.
35. The current demographic question that appears at the end of the APD process will be replaced with the revised questionnaire, including ten demographic characteristics, developed in 2025 through extensive engagement and consultation and in alignment with research best practices.

Appendix A

Law Society's Demographic Questionnaire

Law Society's Demographics Survey Instructions

Purpose of the Survey

The *Demographic Survey* is part of the Law Society's effort to:

- Build a clearer picture of who makes up the legal profession and capture its diversity,
- Identify where systematic inequalities and barriers may exist,
- Inform policies that advance equity, reconciliation, and accountability within the profession, ensuring it reflects the communities it serves.

The survey considers a wide range of demographic characteristics, so everyone can see themselves reflected.

What's Involved

- This survey asks 10 demographic questions on characteristics that can influence experiences and outcomes, helping reveal potential inequality in the legal profession: gender, sexual orientation, Indigenous identity, racial identity, disability, citizenship/immigration status, first language, religious/spiritual identity, socio-economic background, and first-generation lawyer status.
- Each question includes:
 - A brief explanation of the demographic characteristic to provide context.
 - Sample questions showing how the data may help uncover disparities.
 - A self-describe option to honor identities that may not fit predefined categories.
 - Instructions that specify whether you can select multiple responses ("Select all that apply") or only one ("Select one").
- There is also an open-ended question at the end for sharing any additional information.

How Your Data Will Be Managed and Kept Safe

- Responses are stored on encrypted servers and accessed only on password-protected computers.
- Only a small, designated team (IT and Policy staff) can access the data.
- Responses are linked to your member profile on the back end to connect with other profile details (e.g., practising status, career stage) for analysis. All identifying information is removed by IT staff before the Policy team accesses the data, so analysis is conducted entirely on de-identified data.

How Your Data Will Be Used and Reported

- Your responses will never be analyzed at the individual level. All findings are analyzed and reported in aggregate to identify group-level patterns. Your data will only be used for the purpose described at the start of these instructions.
- Results will be reported only at the aggregate (group) level, with anonymized quotes where used, and presented carefully to address barriers without labeling or stigmatizing any group.

Your Choice to Participate

- Your participation is entirely voluntary. You may skip any question or submit the survey without answering at all, and are invited to share only what feels safe and meaningful.
- You can request that your data be permanently deleted by emailing Policy@lsbc.org. (Note: data already included in published reports cannot be removed retroactively.)

Your Consent

- By completing and submitting this survey, you confirm that you have read and understood these instructions, as well as the more detailed version provided in the Information Sheet [{Insert link}](#).

Privacy Notice and Contact Information

- This data collection is authorized in accordance with the Freedom of Information and Protection of Privacy Act, RSBC 1996, c. 165, s. 26 (c). For questions about this survey or the data collection, please contact Kerryn Holt, Chief Operating Officer at KHolt@lsbc.org.

A Closing Note

We recognize that identity is personal, and sharing it in professional spaces can feel vulnerable. Thank you for your trust, your participation, and your commitment to building a more equitable and representative legal profession!

1. Gender

Gender refers to the social, cultural, and subjective dimensions of being male, female, or another gender category. It encompasses two key aspects:

- *Gender identity*: how an individual identifies and expresses their gender in everyday life, including roles and behaviors (man, non-binary, two-spirit, woman).
- *Gender congruence*: whether an individual's gender identity aligns with the sex assigned at birth (cisgender) or differs from it (transgender).

People may also use other terms like agender, gender-fluid, gender-queer, intergender, or others that reflect their unique gender experiences. Individuals are encouraged to self-describe if they feel comfortable doing so.

What This Data Can Help Answer: Are certain gender groups more likely to stay in the profession than others?

How would you describe your gender? Select all that apply.

- ☐ Man
- ☐ Non-binary person
- ☐ Two-spirit (for Indigenous individuals only)
- ☐ Woman
- ☐ Cisgender (my gender matches the sex I was assigned at birth)
- ☐ Transgender (my gender differs from the sex I was assigned at birth)
- ☐ Prefer to self-describe: _____

2. Sexual Orientation

Sexual orientation refers to who a person is emotionally, romantically, or sexually attracted to. It also includes how a person identifies based on these attractions and their connection to others with similar attractions. This question focuses specifically on the identity aspect of sexual orientation. You may choose from the terms listed below or provide another identity that best describes you.

What This Data Can Help Answer: Are lawyers of different sexual orientations more likely to leave the profession than others?

Which of the following best describes your sexual orientation? Select all that apply.

- ☐ Asexual
- ☐ Bisexual
- ☐ Gay (Homosexual)
- ☐ Lesbian (Homosexual)
- ☐ Pansexual
- ☐ Queer
- ☐ Straight (Heterosexual)
- ☐ Two-spirit (for Indigenous individuals only)
- ☐ Prefer to self-describe: _____

3. Indigenous Identity

In Canada, Indigenous identity refers to a person's First Nations, Métis, or Inuit identity. Indigenous peoples have distinct languages, cultures, relationships to the land, and ways of living together that are unique and predate contact with European settlers. Many Indigenous people identify as belonging to specific Nations.

What This Data Can Help Answer: What is the representation of Indigenous peoples in the legal profession in B.C.?

Do you identify as an Indigenous person in Canada? Select all that apply.

- ☐ I do not identify as Indigenous to Canada
- ☐ First Nations (Status)
- ☐ First Nations (Non-status)
- ☐ Métis
- ☐ Inuit
- ☐ Indigenous to Canada (but prefer not to specify as First Nations, Métis, or Inuit)
- ☐ Prefer to self-describe: _____

4. Racial Identity

Racial identity refers to an individual's sense of self and belonging to a particular racial group. Race is not a biological fact, but is a social construct – an idea created and shaped by society. It is commonly discussed in terms of physical features, geographic region, nationality, or cultural/ethnic heritage.

What This Data Can Help Answer: What racial groups make up practising lawyers in B.C.?

How would you describe your racial identity? Select all that apply.

- ☐ African, Black, or Caribbean
Examples: Afro-American, Afro-Canadian, Jamaican, Nigerian
- ☐ Arab

Examples: Egyptian, Lebanese, Palestinian, Syrian.

☐ East Asian

Examples: Chinese, Japanese, Korean, Mongolian, Taiwanese

☐ South Asian

Examples: Bangladeshi, Indian, Indo-Caribbean, Pakistani, Sri Lankan

☐ Southeast Asian

Examples: Filipino, Indonesian, Malaysian, Thai, Vietnamese

☐ West and Central Asian

Examples: Armenian, Iranian, Israeli, Tajikistani, Turkish

☐ Latin American

Examples: Brazilian, Colombian, Mexican, Peruvian, Salvadoran

☐ White or European

Examples: Anglo-European, Eastern/Western European, English, French, Scottish

☐ Indigenous to Canada

☐ Indigenous to other parts of the world

Examples: Māori, Sámi, Native American, Aboriginal Australian

☐ Prefer to self-describe: _____

5. Disability

Disability is a complex phenomenon, reflecting an interaction between features of a person's body and mind and features of the society in which they live, in ways that keep people from fully and effectively participating in society on an equal basis with others. A disability can occur at any time in a person's life; some people are born with a disability, while others develop a disability later in life. For the purposes of this survey, please consider disabilities that have lasted, or are expected to last, six months or longer.

Disabilities can:

- Be physical, mental, sensory, cognitive, communicative, etc.
- Be permanent, temporary, or episodic.
- Be visible or invisible.
- Include difficulties hearing or seeing even with aids (that is, hearing aids, cochlear implants, corrective lenses).

Barriers may include:

- Attitudes, architecture, communications, sensory information, systems, or technology.

What This Data Can Help Answer: What proportion of practising lawyers in B.C. have disabilities, and what kinds of disabilities do they experience?

Do you have a disability? Select all that apply.

☐ I do not have a disability

☐ Chronic illness: a long-lasting or recurring health condition that requires ongoing medical attention and management.

Examples: Crohn's disease, Fibromyalgia, Type 1 Diabetes, Epilepsy, Cancer.

- ☐ Communication disability: Conditions that affect speech, language, or the ability to communicate effectively.
Examples: Stuttering, Aphasia, Non-verbal Autism.
- ☐ Physical disability: Conditions that affect movement, mobility, physical function, flexibility, dexterity.
Examples: Quadriplegia, Arthritis, Muscular Dystrophy.
- ☐ Mental health disability: Conditions that affect mental health and emotional well-being.
Examples: Depression, Anxiety Disorders, Obsessive Compulsive Disorder, Eating Disorders.
- ☐ Neurodivergence or learning disability: Conditions that impact thinking, learning, memory, or problem-solving.
Examples: Dyslexia, Dyscalculia, Attention-Deficit/Hyperactivity Disorder.
- ☐ Sensory disability: Impairments related to the senses (vision, hearing, touch, taste, smell).
Examples: Blindness, deafness, Hard of hearing, Sensory Processing Disorder, Visual Impairment.
- ☐ Prefer to self-describe: _____

6. Citizenship/Immigration Status

Citizenship refers to a person's legal status as a Canadian, by birth or through naturalization. Immigration status reflects whether someone has moved to Canada from another country, which may affect their opportunities. We ask these questions to identify NCA candidates who are not Canadian and may encounter unique challenges related to immigration.

What This Data Can Help Answer: What are the similarities and differences in the experiences of NCA candidates who are Canadian citizens, permanent residents, temporary residents, or non-citizens/non-residents?

What was your status in Canada at the time you began your law studies? Select one.

- ☐ Canadian citizen
- ☐ Permanent resident
- ☐ Temporary resident (e.g., study or work permit)
- ☐ Not a Canadian citizen/resident (i.e., studied law in another country)
- ☐ Prefer to self-describe: _____

7. First Language

First language is the language you learned first in childhood and still use most naturally. This is sometimes called your mother tongue or native language. Having greater proficiency, fluency, or ease of communication in the dominant language of a given context can shape experiences and opportunities. For example, growing up speaking English may influence access to education, professional opportunities, and social interactions in British Columbia.

What This Data Can Help Answer: How many practising lawyers primarily use English as their first language, and how might language background influence their experiences and opportunities in legal education and practice?

What language did you first learned during childhood and still use the most naturally or comfortably in daily life? Select one.

- ☐ English
- ☐ French
- ☐ Indigenous languages [*Examples:* Halkomelem, Nisga'a, Secwepemctsin]
- ☐ Other: _____

8. Religious/Spiritual Identity

Religious identity refers to your personal affiliation or identification with a religion or spiritual tradition. It can include specific beliefs, practices, and community ties, but it may also reflect individual experiences, cultural background, or choosing not to follow any religion. Religious identity can influence experiences in society, and minority faith groups may face systemic barriers or inequalities. We understand that some response options listed below may be broad, so individuals can self-describe or provide more specific answers if they wish.

What This Data Can Help Answer: What is the religious or spiritual composition of practising lawyers in B.C., and are certain faith groups underrepresented or facing barriers within the profession?

Which of the following best describe your religious or spiritual identity? Select all that apply.

- ☐ Buddhist
- ☐ Christian
- ☐ Hindu
- ☐ Jewish
- ☐ Muslim
- ☐ Sikh
- ☐ Indigenous spirituality
- ☐ Spiritual but not religious
- ☐ No religious or spiritual identity
- Examples:* Atheist, Agnostic, Humanist, Secular
- ☐ Prefer to self-describe or specify: _____

9. Socio-economic Status

Socio-economic status can be measured using both objective indicators (such as income, education, or occupation) and subjective assessments (how people perceive their social and economic position). In this question, we are interested in your subjective experience of your household's overall socio-economic background during your upbringing.

What This Data Can Help Answer: What socio-economic backgrounds do practising lawyers in B.C. come from, and how does it relate to an individual's experience in the profession?

During your upbringing, how would you describe your household's overall situation in terms of financial security and access to opportunities? Select one.

- ☐ Often struggled to meet basic needs
- ☐ Sometimes struggled, but usually met basic needs
- ☐ Generally stable, able to meet basic needs consistently
- ☐ Comfortable, with some extra resources and opportunities
- ☐ Well-off, with many extra resources and opportunities
- ☐ Prefer to self-describe: _____

10. First-Generation Lawyer Status

Family exposure to the legal profession can influence access to legal education, career opportunities, professional networks, and familiarity with law. Identifying your generational status helps examine differences in experiences that may arise from this exposure.

- First-generation lawyer: The first in your immediate family (parents or guardians) to become a lawyer.
- Second-generation lawyer: At least one parent or guardian is or was a lawyer.
- Third-generation (or higher) lawyer: Parents/guardians and grandparents are or were lawyers.

What This Data Can Help Answer: What proportion of practising lawyers in B.C. are first-generation lawyers, and how might family exposure to the legal profession shape experiences in the legal profession?

Which generation of lawyers are you in your immediate family? Select one.

- ☐ First-generation: My parents/guardians are/were not lawyers
- ☐ Second-generation: At least one parent/guardian or guardian is/was a lawyer before me
- ☐ Third-generation or higher: Parents/guardians and grandparents are/were lawyers
- ☐ Other: _____

11. Closing Question

We want to hear from you. Please use the space below to share any additional feedback or comments for the Law Society regarding the demographic questions or the way this information is collected.

Appendix B

Information Sheet: Law Society's Demographic Survey

Purpose of the Survey

The *Demographic Survey* is part of the Law Society's effort to:

1. Build a clearer picture of who makes up the legal profession and capture its diversity.
2. Identify where systemic inequalities and barriers may exist.
3. Inform policies that advance equity, reconciliation, and accountability within the profession, ensuring it reflects the communities it serves.

The survey considers a wide range of demographic characteristics, so everyone can see themselves reflected.

What's Involved

- This survey asks 10 demographic questions on characteristics that can influence people's experiences and outcomes, helping reveal potential inequality in the legal profession:
 1. Gender
 2. Sexual orientation
 3. Indigenous identity
 4. Racial identity
 5. Disability
 6. Citizenship/immigration status,
 7. First language
 8. Religious or spiritual identity
 9. Socio-economic background
 10. First-generation lawyer status
- Each question includes:
 - A brief explanation of the demographic characteristic to provide context.
 - Sample questions showing how the data may help uncover disparities.
 - A self-describe option to honor identities that may not fit predefined categories.
 - Instructions that specify whether you can select multiple responses ("Select all that apply") or only one ("Select one").
- At the end, you'll find an open-ended question where you can share additional reflections, experiences, or insights.
- Most questions on the questionnaire are drawn from the B.C. Government's Demographic Survey (2023) and tailored for the legal profession through consultation with lawyers, benchers, leadership, and the public. The socio-economic status and first-generation lawyer status questions were developed in-house as suitable equivalents were not available in that survey. Both were designed to align with the overall format and ensure ease of response.

How Your Data Will Be Managed and Kept Safe

- We understand that sharing personal information requires trust. Here's how we protect yours:

- All responses are stored securely on encrypted servers and accessed only on password-protected computers.
- Access is limited to a small, designated team within the Law Society (select IT and Policy staff).
- Your responses are linked to your member profile only on the back end, so they may be combined with other profile information (e.g., practicing status, firm size, career stage, or professional conduct processes) for analysis.
- While your responses aren't fully anonymous at first (because they can be linked to your member profile on the back end), IT staff remove all identifying information before the policy team analyzes the data. The analysis is done only on a de-identified dataset.
- These measures allow us to understand group-level trends without compromising individual privacy.

How Your Data Will (and Will Not) Be Used

- **Never used at the individual level:** Your answers are never used in any discipline processes, individual call and admission to the bar, or Lawyers Insurance Fund matters.
- **Used only in group-level analysis:** Your responses are combined with those of other participants and analyzed only at the group level, not individually. This includes:
 - *Descriptive analysis:* Summaries, percentages, and graphs are used to show the composition of different demographic groups within the profession.
 - *Relational Analysis:* Examines relationships between demographic characteristics and other factors (such as practising status, firm size, career stage, or professional conduct). This helps identify whether certain groups experience different outcomes within the profession, which may point to systemic inequalities that warrant further examination.
- During analysis, your data will only be used for the purpose described at the start of this information sheet.

How Findings Will Be Reported

- Consistent with the group-level analysis described above, quantitative results will be reported only in aggregate, not for any individual.
- Any quotes from the open-ended/qualitative question will be included only in a way that cannot be linked to an individual.
- Findings will be presented carefully, with the goal of addressing systemic inequalities, not labeling or stigmatizing any group.

Your Choice to Participate

- Your participation is entirely voluntary. You may skip any question or submit the survey without answering at all, and are invited to share only what feels safe and meaningful.
- You can request that your data be permanently deleted by emailing Policy@lsbc.org. (Note: data already included in published reports cannot be removed retroactively.)

Possible Risks

- If some questions feel sensitive or bring up difficult feelings or memories, support is available through the [Lawyer Well-Being Hub](#), which offers resources such as Telus

Health One, the Lawyer Assistance Program, and our Equity Advisor. We encourage you to reach out if you need support at any time.

Privacy Notice and Contact Information

- This data collection is authorized in accordance with the *Freedom of Information and Protection of Privacy Act, RSBC 1996, c. 165, s. 26 (c)*.
- For questions about this survey or the data collection, please contact Kerryn Holt, Chief Operating Officer at KHolt@lsbc.org.

A Closing Note

- We know that identity is personal, and sharing it in a professional setting can feel vulnerable. Thank you for your trust, your participation, and your commitment to building a more equitable and representative legal profession.

The Need for Better Data to Improve Access to Justice and Legal Services

To: Benchers

Purpose: Discussion

From: Access to Justice Advisory Committee

Date: December 5, 2025

Executive Summary

1. This report reflects a synthesis of several topics President Brook Greenberg, KC asked the Committee to consider in 2025. The Committee was encouraged to use an evidence-based and intersectoral approach to consider how to advocate for greater resources for access to justice, highlighting the social benefits that might flow from increased access. The discussions were wide ranging, including topics contained in the mandate letter regarding funding for legal representation for people at risk of losing housing, to the question of what position to take regarding the tax on legal services. In addition, the Committee discussed how to support dialogue with the courts pertaining to a range of matters, including the need for better data collection.¹ It is this last point that is germane to all of the discussions, and essential to the task of demonstrating the social benefit of access to justice and legal services.
2. Absent data on the outcomes of interventions – whether help from a lawyer, a day in court, or government responses to social problems that have a “legal” aspect, etc. – it is difficult to state with confidence that an intervention is achieving a socially beneficial outcome. The lack of data makes it difficult to advocate for increased funding in the legal system as compared to other public services, in particular those that have better data to demonstrate positive outcomes associated with funding (and improved outcomes by virtue of the service being accessed), health care being, perhaps, the most notable example.
3. These observations are not novel. At various times over the past two decades the Committee has explored the topic of improving access to justice and legal services data, and those efforts have informed much of the Law Society’s work across a range of committees and task forces. As recently as 2022, the Committee considered the issue, and determined that the best path forward is to convene a workshop / symposium of justice system actors.² In this report the Committee reiterates the concept, and explains this approach is preferred, as opposed to recommending responses to various problems in the absence of better data.
4. It is important to recognize that there will be times when, absent data,³ the Law Society must continue to develop responses based on the collective wisdom and best judgement of those undertaking the work, with due consideration of the available evidence. And, when it does, it is incumbent on the organization to develop a method to collect data regarding the initiative

¹ Recommendations were provided to the President and CEO/ED with regard to this topic, in support of meetings they might have with the Chief Justices and Chief Judge.

² To be clear, there has been ongoing efforts in the community to advance these issues, and the University of Victoria’s “BC Access to Justice Centre for Excellence” ([BC ACE](#)) was developed for such a purpose, and has spearheaded several initiatives to move this important topic forward. Doug Munro, staff lawyer, has participated in some data discussion workshops and provided updates to the Committee in the past. At its September meeting, the Committee met with Michael Litchfield, Associate Director of BC ACE, to discuss data in the courts and justice system more broadly.

³ In some cases, data exists, but is not standardized across services, analyzed or shared; in other cases, data does not exist. Collectively, the justice system faces a challenge of non-standardized information and data collection, the lack of analysis and tracking outcomes, and the lack of sharing data with researchers, academics and other justice system actors.

to see if it is achieving the intended public interest benefit.⁴ In the meantime, the Committee agrees with prior determinations that the Law Society engage in the process of encouraging justice system actors to improve the collection, sharing, and analysis of justice system data to understand how legal services and systems can generate socially beneficial outcomes. This observation is consistent with the Law Society’s “Access to Justice Vision” statement ([An Access to Justice Vision for the Law Society of British Columbia, December 2020](#)).

5. Because the Committee’s analysis ultimately led to affirming prior policy decisions regarding data and access to justice as well as consultation and outreach, there is no “new” policy to adopt, and therefore no proposed resolution. It is understood that, because these concepts align with past policy as well as the proposed strategic plan, staff will take the necessary steps to operationalize the concepts in future work.

The Committee Members and Meeting Schedule

6. The Committee members are: Tanya Chamberlain, (Chair), James Struthers, (Vice-Chair), Simran Bains, Aleem S. Bharmal, KC, Meena H.K. Dhillon, Cheryl D’Sa, KC, Sasha Hobbs, Kendra Marks, Gaynor C. Yeung, KC, and Jonathan Yuen. The Committee met six times in 2025.

Issue

7. Although this report covers a range of topics, the central issue is the lack of justice system and legal services data that is collected, shared, and analyzed to support policy work and to help lawyers, the courts, and government determine how well legal services support fair and lasting outcomes to legal problems.

Background

8. In September 2009 the Committee considered a memorandum that raised the policy question about identifying the economic benefit of funding the justice system.⁵ This, and subsequent memoranda, started a multi-year effort by the Committee, and the Law Society (as part of its Strategic Plan), to better understand the economic value of delivering legal services.

⁴The Committee acknowledges that such efforts will confront the reality that, often, we won’t start with baseline data against which to compare reforms. But, over time, baseline data will exist if the organization makes it part of its methodology. Though framed in the “access to justice and legal services” context, this principle ought to apply to all policy interventions, and in particular those that require allocating lawyer funding to support the creation of programs and initiatives. Taking a more proactive role in encouraging improved data collection, sharing and analysis amongst justice system participants also aligns with the Law Society’s recent efforts to improve its own demographic data collection, and use of data for its regulatory and strategic policy development.

⁵ “The Economic Benefit of Funding the Justice System” (Doug Munro, August 2009).

9. The policy efforts confronted two realities. First, due to how cost/benefit analyses are constructed, the justice system (with all its attendant inputs and output and variables) is too complex to analyze in traditional cost/benefit terms. Second, across the justice system and services there are not standards for collecting data, cataloguing it, sharing it or analyzing it. There is no empirical access to justice and legal services base line, derived from data, against which to measure whether interventions improve outcomes, have a neutral effect, or make things worse.
10. This led to a recalibration of analysis and recommendations and, in the decade that followed, the Committee (and various Task Forces) began to discuss the value of advocating for an access to justice and legal services data architecture, or standardized data collection methods. These conversations were not necessarily the main point of the policy discussions but, instead, were concepts that could operate within a proposed policy initiative. For example, the concept of legal triage, which was discussed over the years and endorsed by the Benchers in 2017, contains within it the potential for data collection to inform the model and deliver better information regarding the efficacy of intervention. Closer to home, the Law Society has modified the optional access to justice and legal services questions on the Annual Practice Declaration over the years to collect better data about the profession's pro bono, low bono, legal aid and other access to justice and legal services work. In 2009 and 2020 the Law Society commissioned IPSOS Reid to conduct legal needs studies to obtain better data about the delivery of legal services in BC, which supported various policies such as designated paralegals, licensed paralegals and more recently the Innovation Sandbox. And, recently, the Law Society has embarked on adopting a new approach to improved demographic data collection and analysis.
11. In developing its Vision for Publicly Funded Legal Aid, the Legal Aid Task Force commissioned work by Professor Yvon Dandurand regarding the economic benefit of legal aid. These efforts confirmed the challenge researchers and academics face with respect to engaging in empirical research of legal services and the justice system. And, as noted, BC ACE has been instrumental in trying to move the topic of improved data collection and sharing forward. But efforts to get government, the courts, tribunals and the legal profession to collect, analyze and share data for research and quality improvement have been slow. Over the years when engaging in these conversations it is common to find agreement regarding the need for better data, but action to make it happen does not follow.
12. To the extent possible, the Committee is mandated to recommend policy based on empirical evidence. The absence of data across the justice system can make this difficult and, if such evidence is a precondition to change, impossible in some cases. The challenge of developing policy in such circumstances was highlighted by the Committee in its report *Alternative Business Structures and Multi-Disciplinary Practices* (December 8, 2023), in which the Committee stated at paragraph 9:

The Committee observes that people can have a tendency to assign a single cause to complex

issues or advance a unified theory of the solution. Efforts to reduce the issues in such a fashion are understandable, but risk creating more harm than good because over time the unmet and underserved needs are likely to persist and then initiatives that were helpful may be deemed to have failed because they did not solve the broader social crises that create the conditions of unmet and underserved need. At the same time, there is no system-wide snapshot that captures all the necessary data by which proposals can later be measured to determine success. Consequently, articulations that reforms succeeded or failed, went too far or not far enough, often reflect a political or ideological view without necessarily being supported by empirical evidence.

13. That caution remains, and will likely persist until such time as better data collection, sharing and analysis occurs.

Analysis & Consideration of Options

14. This section of the report details the Committee's analysis of several topics and highlights why it is important to promote better data collection and analysis within the Law Society and to engage in outreach and collaboration with other justice system actors to encourage the same across the justice system, and why the Committee favours this approach rather than advancing discrete responses to the other topics it analyzed during the year.

Provincial Sales Tax (PST) on legal services

15. In 1992 the provincial government passed⁶ the *Social Services Tax Amendment Act*, 1992 to apply the PST to legal services. The policy justification of the tax was to fund legal aid. The reality is that every provincial government since then has put the tax into general revenue and the amount of funding for legal aid is in the neighborhood of 50% of the tax collected, with the remainder funding other government initiatives. The legal profession has spoken out against the tax since its inception, with periodic bursts of advocacy to have the tax repealed or completely allocated to legal aid. These efforts have not been successful, despite being led by prominent lawyers, as well as policy and advocacy efforts of the CBA, the Law Society, and other organizations.
16. A 7% tax on all legal services creates a financial barrier to accessing justice. The barrier is not experienced equally. A woman with low income seeking to flee domestic violence, and needing the aid of a lawyer, experiences the hardship of the tax more profoundly than a large market cap company retaining counsel for a corporate purpose. The 7% tax on all legal services may have the unintended effect of disproportionately impacting the individuals who already experience the most barriers when seeking legal help.
17. Having said that, legal aid and other non-profit social services require funding. The majority

⁶ Via Bill 9.

of that funding comes from government. Government funding comes from a variety of sources, including general revenue. Therefore, while it may be philosophically objectionable to tax legal services, and also be objectionable not to have ever directed the entirety of that tax to legal aid, the reality is that many beneficial initiatives designed to help people with legal problems are funded from general revenue (and other government sources) and it is impossible to trace those funds back to the origin point of that government revenue.⁷

Furthermore, a government cannot bind future governments regarding an expression of policy, so even if the initial collection of the tax had been distributed for its stated purpose, the discretion of future governments could not be fettered by that policy determination.

18. Advocating for removing the tax would lead to a drop in general revenue in excess of \$250 million⁸ unless revenue was raised elsewhere. If the government decided to remove the tax, it would lead to cutting funding to programs or other cost-cutting measures. The programs that would, arguably, be most vulnerable are those that are least likely to drive people to the polls to vote for a new government. There is the risk, therefore, that removing the tax would harm funding to not only legal aid, but other worthwhile initiatives, including those that help the most vulnerable members of society, people who often need advocates to augment the power of their voices and help them access services and receive just treatment.
19. One might argue that the total amount collected by the tax should go to legal aid or other access to justice and legal services initiatives. Because the total amount the government spends on justice services exceeds the amount collected by the tax, the government could claim the entirety of the tax funds access to justice and legal services initiatives. This could no more be proved than it could be disproved and we would be arguing over which drops of water in a fiscal reservoir, collected from which revenue streams, go to which recipients. The real issues are whether the tax should exist at all and the sufficiency of funding for justice services, including legal aid. As noted, this requires recognizing that abolition of the tax can place worthwhile initiatives at risk.
20. One might argue that the amount of funding for legal aid and justice related programs should be increased by the difference of the amount collected and the amount currently funding legal aid, with no decrease to any “to be defined” programs. This would stray fairly far into government tax and social policy, matters for which it might be argued the electorate is the ultimate arbiter. In a time of increased pressure for fiscal restraint due to government debt and economic uncertainty, it would be a difficult case to make (recalling that in boom times no one has managed to successfully make this case for adequate justice system funding).
21. All of this circles back to the fundamental challenge of demonstrating the justice system, and

⁷ The initial promise regarding the purpose of the tax was revealed to be illusory the moment the funds went into general revenue, as opposed to being structured in a flow through mechanism.

⁸ For example, in 2023 the PST on legal services was \$286,004,554 and the amount provided for legal aid was \$111,966,575. This includes \$28,024,285 from Federal transfers, but with respect to the latter there are complexities to how this transfer works and its timing and this should not be read as purely analogous to Provincial funding.

government funded legal services, have a societal benefit that merit not only the current level of funding, but greater funding. Absent cogent data regarding long term outcomes for people who access these services, comparing similar matters against situations where people do not access the services, it is difficult to make a compelling case for increased funding. Efforts to advocate for increased funding run the risk of being categorized as “self-interested” to the extent the recipients of the funding are lawyers, even if the amount received is far less than lawyers traditionally bill for other services. Better collection, sharing and analysis of baseline data across legal and social programs that receive government funding is an important precursor to meaningful change with respect to funding. Better data regarding the value of legal services with respect to long term outcomes can also support improved funding as well as efforts to explain to the public and politicians the value of such funding and the services the funding makes possible.

22. Better data and analysis also enable lawyers, the government, the judiciary, and other justice system partners to evaluate the quality of the services and the outcomes they provide, and adjust services as needed to create better and more enduring outcomes for people. At present, the legal profession and the courts do not do a good job of tracking long term outcomes or soliciting meaningful feedback with which to recalibrate our services.
23. In July, the Committee met with Katrina Harry, KC (in her capacity as Manager of Family Law Services, Legal Aid BC) and in October, with Wendy Jackson, CEO of Legal Aid BC. Both meetings were very productive and rounded out the Committee’s understanding of the current state of legal aid, its successes and its challenges, and provided relevant information regarding the potential utility of the Law Society advocating for a particular usage of the tax on legal services.
24. Legal Aid BC does critical public interest work fulfilling an essential piece of the access to justice and legal services puzzle. It, like every other service, can always use increased funding for the simple reason that unmet and underserved legal needs dwarf the capacity of any service – and, indeed, the legal profession – to respond to. There are several challenges in advocating for complete allocation of the PST on legal services to fund legal aid.
25. First, no advocacy efforts since the inception of the tax, regardless of the groundswell of support and engagement, have achieved this outcome. This is not due to lack of effort, skill or principle on the part of the advocates. The arguments just haven’t resonated with government.
26. Second, in the past five years the government has increased legal aid funding in the neighborhood of \$50 million. A considerable amount of funding has gone into improving the tariff rates, but there has also been innovation such as the Family Law Centres (see: [Family Law Centre | Legal Aid BC](#)).
27. Third, the provincial budgetary landscape is such that were Legal Aid BC to preserve its

current level of funding that would be seen as a good result in light of the wave of funding cuts that are to be expected. In such an environment, efforts to ask for more funding are unlikely to be successful, unless there is a pressing connection between a problem experienced by constituents of an MLA on Treasury and the services offered by Legal Aid BC.

28. The conversations led the Committee to understand that while advocacy efforts would not harm relations between Legal Aid BC and the government, they would not likely lead to greater funding. In light of this, the Committee explored what alternatives might be of use.
29. The Committee asked whether the idea of encouraging greater data collection, standardization and sharing would be beneficial and was told this would be very helpful, not merely for Legal Aid BC, but efforts across the justice system.
30. The Committee asked what the Law Society might do beyond such efforts and it was suggested some consideration of assisting junior lawyers run practices that are sustainable (and which include a legal aid practice) would be helpful. Concepts for future consideration included fee relief (a pilot model of which the Law Society is currently exploring for lawyers who meet the financial criteria), specialized training and education, and a review of regulatory barriers to providing legal aid (which may fit within the work of the Discipline Processes Task Force).
31. The Committee found its consultations beneficial and strongly encourages the 2026 Committee to resume the historical practice of meeting with representatives of Legal Aid BC, the Law Foundation, and Access Pro Bono.

Providing legal advice to people who are experiencing homelessness or at risk of eviction

32. Another topic the Committee considered was the social benefit of providing legal advice to people at risk of eviction, or who are experiencing homelessness. A policy analysis requires understanding of the underlying issue or problem before positing solutions or responses. With respect to the identifying of the value of funding access to legal services for people experiencing housing instability, that requires some exploration of the various factors that contribute to people being without homes and/or being at risk of eviction. The Committee could have spent the entire year on this issue and just scratched the surface of the many root causes, issues, and current and past government responses to this pressing societal challenge. What follows is, by necessity therefore, simplistic in some respects, but the Committee did its best to review what information was available, as well as considering “right to counsel” programs in various US states, some data on incomes and the cost of living in BC, and consideration of the funding the government spends on social assistance housing initiatives.
33. There are many reasons an individual (or family) can lose shelter or find themselves at risk of eviction. These include, but are not limited to, the high cost of rent and home ownership in BC, the high cost of the other necessities of life in BC, the extent to which wage growth and

wealth inequality has worsened over the decades in a province where (for many) real estate has become an investment vehicle and not a shelter, to health problems, unemployment or insufficient income, addiction, trauma and mental health challenges, as well as systemic inequalities in our society. Even at this cursory level, it becomes clear that there is no single, obvious solution to the problem as there is not one singular root cause. In fact, multiple “causes” can exist in any given situation and multiple responses are required.

34. A right to counsel for those at risk of eviction makes sense given the complexity of the law, its processes, and the numerous risks associated with losing shelter. It makes sense for it to be part of a multifaceted response to a social problem. However, and this comes back to the challenges of advocating for funding in the absence of data, it is difficult to make the case that money spent on affordable housing is not an equally appropriate government response to the problem, and one that is upstream from the inflection point where housing stability is at risk and lawyers might need to be engaged. One might argue that the further upstream government directs social funding to ensure people have stable, safe, affordable homes, and jobs with living wages, is as prudent (or better) an allocation of government revenue as directing the money downstream to a right to counsel initiative.
35. Ideally, our society should value and support people from cradle to grave, both to prevent the risk of health and legal and economic harms arising, and to help mitigate risks when they manifest, and to help minimize legal and economic hardships triggered by the death of a family member. This spectrum of care would include access to affordable housing and safeguards to reduce the risk of losing housing. But it is difficult to champion one intervention over the other as a matter of government policy in the absence of data regarding the outcomes of a particular approach. Government might be encouraged to consider right to counsel funding as part of a broad, holistic response to housing, but it should not be assumed that the allocation of funding for such purpose might not shift funding away from other needed programs. The government is spending considerable resources to address the housing crisis⁹, and absent data relating to outcomes of possible approaches, it is difficult to make the case some portion of that funding should be directed to fund lawyers to represent people at risk of eviction or towards other needed social services as an alternative to the current responses.
36. Having said this, the Committee acknowledges that no right to counsel programs would exist if the necessary prerequisite for existence was proof of improved outcomes. Demanding outcome data to demonstrate the efficacy of something that doesn't exist is unprincipled. Until tested, these are hypotheses, and much of the Law Society's existing policy started as reasoned hypotheses that could be modified in the face of new information. The point, however, is that almost all responses to societal problems cost money, and if the justice sector wants to become more successful at advocating for increased funding and innovative

⁹ Since 2019 the BC Government has committed \$7 billion dollars over ten years to housing policy, to which Federal funding for discrete initiatives between 2019-2028 in the aggregate of \$638 million.

policies to meet public need, we need to recognize that the dearth of quality data about the nature of problems and the longitudinal utility of the existing services, inhibits our ability to do so. Lack of data limits our ability to assess the outcomes of the services we provide and their value in the eyes of the public and those allocating government revenue to programs.

Next Steps

37. The Committee's analysis led to the conclusion that prior policy considerations regarding the need for data and for collaboration remain sound, and that staff, as part of the operational priorities in advancing access to justice and legal services work (and with respect to relevant Strategic Plan initiatives) move forward with the following ideas:
 - a. In 2026 the Law Society should convene a workshop bringing together justice system actors and individuals knowledgeable about data collection and analysis to explore how to improve data collection, analysis and sharing across the justice system. The Committee is of the view such an event would also provide an excellent opportunity to advance discussions on the concept of a universal triage model/hub, and suggest that, if possible, all the Benchers participate in the workshop, as the concepts to be explored have implications beyond access to justice and legal services; and
 - b. When the Law Society develops regulatory and strategic policy initiatives and rules, it includes (to the extent possible) methods to collect and analyze data to determine if the changes are achieving the intended result.
38. The next steps are largely operational. With regard to a workshop, the Access to Justice Advisory Committee, with the assistance of staff, can plan for a workshop in 2026. It should be noted there will likely be some costs of hosting, but these can be limited if the Law Society uses the Benchers room and the Committee anticipates the costs should be no greater than the cost for hosting the recent symposium on bullying, harassment, and discrimination. The concept regarding developing data analysis metrics for future policy initiatives will need to be worked out by staff on a case-by-case basis as it is largely operational in nature.

Conclusion

39. Talking about the importance of better data can feel sterile and unsavory. This is, in part, because reducing our values to costs on a balance sheet, risks diminishing their importance in the public discourse. At the same time, the harsh reality is that, for a complex range of reasons, many people struggle to access the justice system and legal services. In addition, we have little empirical evidence that those who do are better off in terms of achieving outcomes that are fair and enduring and at a cost that does not create lasting harm. While we can rightly celebrate the values of our legal system and the role lawyers play in helping people, it is

important not to justify people's suffering as the collateral cost of our justice system and legal services. Many people lack the resources and capacity to achieve the full benefit of the system of laws and processes in our society, and many people who do access the services end up experiencing financial and other hardship as a result of how the system and services operate,¹⁰ so it is necessary to ask how we can do better. Better data is essential to answering that question.

40. There is no generally accepted accounting formula to reconcile the Rule of Law, judicial independence, the need for an independent legal profession, or many of the values enshrined in statute and the Common Law. But the systems and services that support these values cost money, and in the competition for finite fiscal resources we need to do a better job of demonstrating their worth in the broadest possible sense. Insisting on their importance with words is not enough. We must demonstrate and educate people about their value, and that can include asking hard questions about the systems and services we provide. We must also ensure the system and services lead to enduring and fair outcomes.
41. The stewards and gatekeepers of the justice system must not ignore unmet and underserved need in society, nor resist fair questions of what we can do to make our legal services and justice system a public good that anyone can access in times of need. We have a responsibility to honestly assess what is working and what can be improved, and the best way to do that is to better understand people's legal needs and how legal services and the justice system help them achieve fair and lasting outcomes, and how it fails them. This requires better data collection, sharing and analysis, and a willingness by lawyers, the judiciary and the government to reflect on that data and change (as necessary) to meet the needs of society. The access to justice and legal services challenges people face are real and they are urgent. In order to ensure our system and services are having desirable outcomes, better data is required. And, it is hoped, that better data will support the case for appropriate funding for these essential services.

¹⁰ The examples are too numerous to enumerate, but include the harms caused to families, including children, by the adversarial process for resolving family law disputes, to the incidences of people retaining a lawyer and having all their money consumed by litigation, then having the lawyer terminate the retainer so the individual has to proceed as a self-represented litigant, to the ability of individuals and organizations to leverage power imbalances (including financial inequality) to weaponize legal processes etc.

Strategic Plan 2026 - 2028

To: Benchers

Purpose: Discussion & Decision

From: Gigi Chen-Kuo, CEO/Executive Director

Date: December 5, 2025

Purpose

1. Further to the Benchers' consideration of a draft Strategic Plan at its October 24, 2025 meeting and feedback received, the purpose of this report is to present an updated draft of the Law Society's Strategic Plan 2026 – 2028 (the "New Plan") for approval by the Benchers.

Background

2. The Law Society is in its final year of its 2021 – 2025 Strategic Plan (the "Current Plan"). The Current Plan (attached at **Appendix A**) sets out the vision, mission, values of the Law Society, together with strategic objectives and actions. A new Strategic Plan is needed for the post 2025 timeframe.
3. Following extensive consultation with Benchers and senior staff over the summer months, a draft New Plan was presented to the Executive Committee on October 8, 2025. The Executive Committee approved the draft New Plan and recommended it for approval by the Benchers.
4. On October 24, 2025 the Benchers reviewed a draft of the New Plan and provided feedback during the meeting. The Benchers also asked for additional opportunities to provide feedback before the New Plan is presented for final approval.
5. Benchers were invited to provide feedback to the facilitator in the week following the October 24, 2025 meeting.
6. On November 5, 2025 a further workshop of the Benchers was convened to discuss the feedback received, provide further comments, and address any outstanding topics.
7. The New Plan was subsequently updated to reflect the feedback received and discussions at the November 5, 2025 workshop and minor wording changes that were made to enhance clarity.

Discussion

8. The following changes were made as a result of the November 5, 2025 workshop discussion:
 - a. Under the strategic objective "Leading as an Innovative Regulator of Legal Service Providers", references to modernization were included in the heading, description and actions.
 - b. Under the strategic objective "Taking Action to Improve Legal Services", in addition to increasing the number of legal service providers, a reference to increasing the type of service providers and emphasis on the need to meet public

demand for services (in addition to the stated need to reduce costs) have been added.

9. Other topics discussed at the November 2025 workshop include the following:

- a. In response to a question posed by a Benchers, staff noted that Key Performance Indicators (KPIs) will not be included as part of the New Plan. Once the New Plan is approved by the Benchers, staff will identify appropriate measures to support monitoring of progress for each of the strategic objectives.
- b. Attendees considered whether additional references to providing support for members of the Law Society should be included in the New Plan. Staff noted that the New Plan already includes several initiatives relating to education, training and support of the legal profession which will advance the competence and professionalism of the legal profession, in support of the public interest. These are in keeping with the Law Society's role as a regulator.
- c. Attendees considered alternative wording for the strategic objective "Working Towards Reconciliation". It was concluded that, since the proposed language was drawn directly from the Indigenous Engagement in Regulatory Matters Report (the "IERM") which has already been adopted by the Law Society, the language should remain unaltered.

10. Attached at **Appendix B** is the updated version of the New Plan reflecting the outcome of the Benchers' discussion held on November 5, together with minor wording adjustments suggested by the Communication's team. A redlined version, showing changes from the draft New Plan presented at the October 24, 2025 Benchers meeting, is attached at **Appendix C**.

Recommendation

11. Staff recommends that Benchers adopt the Law Society's New Strategic Plan: 2026 to 2028 attached at Appendix B.

Strategic Plan 2021–2025

MISSION STATEMENT

The Law Society serves the public interest by regulating the competence and integrity of legal service providers, promoting the rule of law and lawyer independence, and improving access to justice.

VISION

To be a leading regulator that promotes a culture of innovation and inclusivity when responding to challenges and opportunities in the delivery and regulation of legal services.

VALUES

Integrity

We act honestly and ethically.

Transparent

We are open in our processes and communications, and report publicly on our decisions.

Inclusive

We embrace and promote equity, diversity, inclusion and cultural respect within our leadership and staff, as well as in the legal profession, the justice sector and the public.

Objective

We seek data-driven solutions, apply evidence-based decision-making and measure our results.

Innovative

We are adaptive in our approach to regulation with the goal of achieving efficient, fair and appropriate outcomes.

Responsive

We are aware of the changing needs of the public and the profession and respond to such changes in a timely manner.

Fair

We treat the public and the legal profession with respect and are consistent in the application of our policies, procedures and practices.

Strategic Objectives

LEADING AS AN INNOVATIVE REGULATOR OF LEGAL SERVICE PROVIDERS

GOAL:

Continuously improve the regulation and education of lawyers, the legal profession and legal services in the public interest.

Policy, Rules and Governance

- Continuously improve regulatory structures to keep up-to-date with evolving money laundering risks, guided by regulatory best practices and constitutional imperatives
- Revise regulatory processes to support and promote mental and physical health
- Clarify and strengthen governance to support our mandate
- Revise the rules to permit innovations in alternate business structures and reduce the complexity of current multidisciplinary partnership rules
- Ensure policy development is data-based, evidence-driven and informed by the views of the public and the profession
- Introduce alternative pathways for entry into the legal profession
- Create new training on managing the business of practising law
- Develop resources to improve support for in-house counsel and government lawyers

WORKING TOWARD RECONCILIATION

GOAL:

Implement initiatives to take meaningful action toward reconciliation with Indigenous peoples in the justice system.

Reconciliation within the Justice System

- Support increased representation and retention of Indigenous lawyers in senior positions throughout the justice system
- Address the unique needs of Indigenous people within our regulatory processes
- Update our Rules and Code to reflect Indigenous law and experiences
- Support the advancement of the principles set out in the Declaration on the Rights of Indigenous Peoples Act and the implementation of the First Nations Justice Strategy, and support the continued implementation of the recommendations of the Truth and Reconciliation Commission
- Introduce cultural competency training to foster understanding of Indigenous perspectives
- Work with K-12 education providers, including the First Nations Schools Association, the First Nations Education Steering Committee and the Métis, to increase awareness of careers in law and the wider justice system within Indigenous communities

TAKING ACTION TO IMPROVE ACCESS TO JUSTICE

GOAL:

Increase availability of affordable legal services and access to the courts, administrative tribunals, other dispute resolution providers and our regulatory processes.

Access and Innovation

- Reduce regulatory barriers to improve delivery of legal services
- Develop and implement an innovation sandbox for provision of a wider range of legal services and providers, including licensed paralegals
- Increase the availability of legal services to people in the communities where they live
- Enhance engagement with governments, courts and other stakeholders to identify areas of improvement in the delivery of legal services
- Advocate for greater access to non-adversarial dispute resolution in family law matters
- Advocate for funding to address gaps in the delivery of legal services
- Maintain and enhance measures adopted in response to the COVID-19 pandemic that have improved access to legal services and the justice system

**PROMOTING A
PROFESSION THAT
REFLECTS THE
DIVERSITY OF THE
PUBLIC IT SERVES**

GOAL:
Greater diversity and inclusion in the legal profession and equitable treatment of every individual who interacts with the Law Society.

Policy Development

- Implement and communicate equity, diversity and inclusion work plan
- Ensure current and future regulation and policy development adhere to equity, diversity and inclusion principles
- Develop and deliver cultural competency training, as well as training addressing implicit and explicit biases in the profession
- Revise the language of forms and publications to ensure they conform to current principles of inclusion
- Update the demographic data of BC legal professionals to inform policy initiatives
- Partner with community organizations to educate youth from diverse and equity-seeking groups about the role of lawyers and to encourage entry into the legal profession
- Collaborate with organizations to increase the recruitment, retention and advancement of diverse lawyers

**INCREASING
CONFIDENCE IN THE
LAW SOCIETY, THE
ADMINISTRATION OF
JUSTICE AND THE
RULE OF LAW**

GOAL:
Greater public confidence in the ability of the Law Society to regulate in the public interest and greater public awareness of the importance of the rule of law and lawyer independence

Law Society Processes

- Increase timeliness of Law Society processes, decisions and communications
- Obtain legislative changes to increase fines and recover investigation costs
- Clarify authority to obtain an order of restitution where misconduct has resulted in a loss to a party
- Increase use of victim impact statements in disciplinary processes
- Enhance the independence of the Law Society Tribunal through further administrative separation from the Law Society
- Update disclosure and privacy policies relating to Law Society processes
- Increase the Law Society’s engagement with the profession and the public about initiatives, regulatory developments and other relevant information, including the basis for decisions affecting regulation
- Engage the Ministry of Education to incorporate more information about rights and obligations, the rule of law and the role of lawyers and judges into school curricula
- Improve communication and outreach explaining the role of the Law Society in the justice system, the importance of the rule of law in a civil society and the role of an independent, self-governing legal profession in preserving the rule of law

Strategic Plan

2026-2028



Mission statement

The Law Society serves the public interest by regulating the competence and integrity of legal service providers, promoting the rule of law and lawyer independence, and improving access to legal services.

Vision

To be a leading, independent regulator that protects the public interest in the delivery and regulation of legal services.



Values



We uphold integrity

We are honest and ethical and treat all people with fairness and respect.



We are transparent

We communicate our processes and policies with openness and clarity and report publicly on our decisions.



We advance reconciliation

We honour the diversity, dignity and distinctiveness of Indigenous people and foster healing through bridge-building across communities, systems and histories.



We foster inclusion

We embrace and promote equity, diversity, inclusion and cultural respect to create an environment where everyone, from staff and leadership to members of the legal profession and the public, feels welcomed, respected and empowered to contribute.



We are modern and innovative

We are data driven and proactively evolve and modernize our approach to regulation.



We are responsive

We engage with the public and the legal profession in a timely and informative manner to build trust and ensure we are accessible to everyone.

Strategic Objectives

2026-2028

STRATEGIC OBJECTIVES

Leading as a modern and innovative regulator of legal service providers

We will continuously modernize and improve the regulation and education of the legal profession and legal services in the public interest

- Identify opportunities to adopt a proportional and practical approach to the regulation of legal service providers
- Introduce alternative pathways to enter the legal profession
- Develop and promote resources and programs to support readiness to practice upon being called to the Bar
- Continuously improve regulation, education and resources, including combatting money laundering and promoting mental health and wellness in the profession
- Assess the opportunities and challenges that artificial intelligence (AI) creates, including understanding how AI will affect the legal system, and adopt responsive regulatory processes, training, and education
- Establish a regulatory framework to govern alternative legal service providers
- Modernize and strengthen governance structures and practices to support our mandate



Desired outcomes:

- Effective tools are in place to support the appropriate use of AI by the legal profession, reduce practice infractions related to AI, and increase the public's access to legal services from trusted, AI based sources
- Competent legal service providers are governed by an evolving and modern regulatory framework, and have access to the education and resources they need to deliver legal services in the public interest
- Law Society governance structures are effective and efficient

STRATEGIC OBJECTIVES

Working toward reconciliation

We will implement meaningful action toward reconciliation with Indigenous peoples in the legal profession and the justice system

- Implement and continuously monitor recommendations from the Indigenous Engagement in Regulatory Matters Report (IERM), including recommendations to:
 - decolonize the Law Society's institution, policies, procedures and practices;
 - Indigenize the Law Society's institution, policies, procedures and practices;
 - build trust and relationships with Indigenous individuals, organizations, and communities;
 - be more proactive in the prevention of harm to the public, particularly Indigenous individuals;
 - and follow up in a timely manner to assess the impact of actions taken and make appropriate adjustments as required
- Advocate for law school funding by government to foster increased access to the legal profession for Indigenous students



Desired outcomes:

- There is increased representation of Indigenous legal service providers entering and retained throughout the legal profession and the Law Society
- Indigenous complainants and witnesses involved in the complaint process report having positive engagement with the Law Society, including having access to culturally relevant and trauma-informed resources
- Meaningful action is taken toward the Indigenization of the Law Society's institution, policies, procedures and practices

STRATEGIC OBJECTIVES

Taking action to improve access to legal services

We will work with government, pro bono service providers, the legal profession and other agencies to increase equitable access to legal services for all British Columbians

- Facilitate an increase in the number and type of legal service providers, including alternative legal service providers, and continue to advocate for the licensing of paralegals
- Identify and address unnecessary barriers to accessing or providing legal services
- Explore incentives for legal service providers to meet the public's demand for, and ability to afford, legal services
- Encourage the creation of "triage hubs" to assist people who need help with legal issues and connect them with available resources
- Encourage use of virtual processes by courts and tribunals where remote delivery of services would benefit the public



Desired outcomes:

- Unnecessary barriers to accessing and providing legal services are identified and addressed
- There is an increase in competent service providers and legal resources resulting in more options for the public and increased affordability of legal services throughout BC

STRATEGIC OBJECTIVES

Promoting a profession that reflects the diversity of the public it serves

We will promote diversity and inclusion in the legal profession and treat every individual who interacts with the Law Society in an equitable manner

- Work with partners to identify and address barriers to entry and retention to the legal profession for people from equity-deserving groups
- Explore ways to help the public identify the best legal services and resources for their needs, including accessing legal service providers with similar lived experience
- Continue legal education and training regarding diversity, inclusion and cultural awareness for legal service providers and Law Society staff
- Ensure legal publications and documents published by the Law Society are accessible, including the use of different languages and formats



Desired outcomes:

- There is increased representation of legal service providers from equity-deserving groups entering and retained throughout the legal profession and at the Law Society, reflecting the diversity of the province
- Interculturally competent and trauma-informed resources and educational opportunities addressing equity and inclusion are available to the legal profession

STRATEGIC OBJECTIVES

Increasing confidence in the administration of justice and the rule of law

We will promote and take steps to increase public confidence in and respect for the rule of law, the administration of justice and the regulation of legal service providers to protect the public interest

- Develop communications, education and outreach to increase public awareness and respect for the importance of the rule of law in a civil society and the role of an independent, self-governing legal profession and judiciary in preserving the rule of law
- Proactively take steps to ensure the Law Society is adhering to the highest standards of regulatory oversight to preserve confidence in and respect for the independence of the legal profession



Desired outcomes:

- There is increased public and media awareness regarding the importance of the rule of law and the connection between the rule of law and the independence of the judiciary and legal profession
- There is a high degree of public confidence in the regulatory oversight of the legal profession

Strategic Plan
2026 – 2028

/ Mission Statement

The Law Society serves the public interest by regulating the competence and integrity of legal service providers, promoting the rule of law and lawyer independence, and improving access to legal services.

/ Vision

To be a leading, independent regulator that protects the public interest in the delivery and regulation of legal services.

/ Values

We Uphold Integrity

We are honest and ethical and treat all people with fairness and respect

We Are Transparent

We communicate our processes and policies with openness and clarity and report publicly on our decisions

We Advance Reconciliation

We ~~honor~~honour the diversity, dignity and distinctiveness of Indigenous people and foster healing through bridge-building across communities, systems and histories

We Foster Inclusion

We embrace and promote equity, diversity, inclusion and cultural respect to create an environment where everyone, from staff and leadership to members of the legal profession and the public, feels welcomed, respected and empowered to contribute ~~within our leadership and staff, as well as in the legal profession, the justice system and the public~~

We Innovate

We Are Modern and Innovative

We are data driven and proactively evolve and modernize our approach to regulation

We Are Responsive

We engage with the public and the legal profession in a timely and informative manner to build trust and ensure we are accessible to everyone

/ Strategic Objectives

LEADING AS ANA MODERN AND INNOVATIVE REGULATOR OF LEGAL SERVICE PROVIDERS

We will continuously modernize and improve the regulation and education of the legal profession and legal services in the public interest

Actions:

1. Identify opportunities to adopt a proportional and practical approach to the regulation of legal service providers
2. Introduce alternative pathways to enter the legal profession
3. Develop and promote resources and programs to support readiness to practice upon being called to the Bar
4. Continuously improve regulation, education and resources, including combatting money laundering and promoting mental health and wellness in the profession
5. Assess the opportunities and challenges that artificial intelligence (“(AI)”) creates, including understanding how AI will affect the legal system, and adopt responsive regulatory processes, training, and education
6. Establish a regulatory framework to govern alternative legal service providers
7. ~~Strengthen~~Modernize and strengthen governance structures and practices to support our mandate

Desired Outcomes:

- Effective tools are in place to support the appropriate use of AI by the legal profession, reduce practice infractions related to AI, and increase the public’s access to legal services from trusted, AI based sources
- Competent legal service providers ~~have the~~are governed by an evolving and modern regulatory framework, and have access to the education and resources ~~to serve~~they need to deliver legal services in the public interest
- Law Society governance structures are effective and efficient

WORKING TOWARD RECONCILIATION

We will implement meaningful action toward reconciliation with Indigenous peoples in the legal profession and the justice system

Actions:

1. Implement and continuously monitor recommendations from the Indigenous Engagement in Regulatory Matters Report ~~(“IERM”)~~, including recommendations to:
 - decolonize the Law Society’s institution, policies, procedures and practices;
 - ~~indigenize~~Indigenize the Law Society’s institution, policies, procedures and practices;
 - build trust and relationships with Indigenous individuals, organizations, and communities; and
 - be more proactive in the prevention of harm to the public, particularly Indigenous individuals
 and follow up in a timely manner to assess the impact of actions taken and make appropriate adjustments as required
2. Advocate for law school funding by government to foster increased access to the legal profession for Indigenous students

Desired Outcomes:

- There is increased representation of Indigenous legal service providers entering and retained throughout the legal profession and the Law Society
- Indigenous complainants and witnesses involved in the complaint process report having positive engagement with the Law Society, including having access to culturally relevant and trauma-informed resources
- Meaningful action is taken ~~toward~~toward the Indigenization of the Law Society’s institution, policies, procedures and practices

TAKING ACTION TO IMPROVE ACCESS TO LEGAL SERVICES

We will work with government, pro bono service providers, the legal profession and other agencies to increase equitable access to legal services for all British Columbians

Actions:

1. Facilitate an increase in the number and type of legal service providers, including alternative legal service providers, and continue to advocate for the licensing of paralegals
2. Identify and address unnecessary barriers to accessing or providing legal services
3. Explore incentives for ~~the legal professions~~ service providers to provide meet the public's demand for, and ability to afford, legal services at a lower cost
4. Encourage the creation of "triage hubs" to assist people who need help with legal issues and connect them with available resources
5. Encourage use of virtual processes by ~~Courts~~ courts and tribunals where remote delivery of services would benefit the public

Desired Outcomes:

- Unnecessary barriers to accessing and providing legal services are identified and addressed
- ~~Increased availability of~~ There is an increase in competent service providers and legal resources ~~provides~~ resulting in more options ~~to for~~ the public and ~~increases the~~ increased affordability of legal services throughout ~~the province~~ BC

PROMOTING A PROFESSION THAT REFLECTS THE DIVERSITY OF THE PUBLIC IT SERVES

We will promote diversity and inclusion in the legal profession and **provide equitable treatment of** every individual who interacts with the Law Society **in an equitable manner.**

Actions:

1. Work with partners to identify and address barriers to entry and retention to the legal profession for people from equity-deserving groups
2. Explore ways to help the public identify the best legal services and resources for their needs, including accessing legal service providers with similar lived experience
3. Continue legal education and training regarding diversity, inclusion and cultural awareness for legal service providers and Law Society staff
4. Ensure legal publications and documents published by the Law Society are accessible, including the use of different languages and formats

Desired Outcomes:

- There is increased representation of legal service providers from equity-deserving groups entering and retained throughout the legal profession and at the Law Society, reflecting the diversity of the province
- Interculturally competent and trauma-informed resources and educational opportunities addressing equity and inclusion are available to the legal profession

INCREASING CONFIDENCE IN THE ADMINISTRATION OF JUSTICE AND THE RULE OF LAW

We will promote and take steps to increase public confidence in and respect for the rule of law, the administration of justice and the regulation of legal service providers to protect the public interest

Actions:

1. Develop communications, education and outreach to increase public awareness and respect for the importance of the rule of law in a civil society and the role of an independent, self-governing legal profession and judiciary in preserving the rule of law
2. Proactively take steps to ensure the Law Society is adhering to the highest standards of regulatory oversight to preserve confidence in and respect for the independence of the legal profession

Desired Outcomes:

- There is increased public and media awareness regarding the importance of the rule of law and the connection between the rule of law and the independence of the judiciary and legal profession
- There is a high degree of public confidence in the regulatory oversight of the legal profession

Whistleblower Policy

To: Benchers

Purpose: Discussion & Decision

From: Executive Committee

Date: December 5, 2025

Purpose

1. The Law Society does not have a formal “whistleblower” policy in place. Such policies are common in other organizations, and are put in place in addition to respectful workplace policies (which the Law Society does have).
2. The Benchers reviewed a draft Whistleblower Policy prepared by staff at the October 24, 2025 Bencher meeting.
3. Generally, the Benchers supported the Policy, but made a few comments that staff agreed to take away and consider. That has been done, with the resulting draft being reviewed by the Executive Committee on November 19, 2025.
4. The revised version of the Policy drafted to address the comments is attached as **Appendix A**. A red-lined version showing changes to the Policy from the one presented on October 24 is attached as **Appendix B**.

Comments

5. Issues that were raised concerning the draft reviewed on October 24 centred around the following:
 - (a) ensuring that it was clear that Benchers, like staff, could raise concerns and that the process was clear about how to do so;
 - (b) recommending that the Whistleblower have no input into whether the process undertaken was formal or informal, as the Whistleblower is usually a third party raising a concern rather than a victim;
 - (c) ensuring that Benchers and employees understood that while the Policy protects whistleblowers who follow the reporting procedures in the policy, it will not protect those who use inappropriate means – such as gossip, social media, etc. – to do so.
6. A review of the Policy satisfied us that the first issue was adequately included in the draft. Benchers are included in the definition of “Whistleblower” and the table about how issues are to be raised clearly identifies concerns raised by Benchers. No further amendments were considered necessary.
7. The Policy was, however, edited to ensure that the exercise of discretion about formal versus informal procedures lay with the Reviewer and would not involve the

Whistleblower, and language was added to ensure readers understood the extent of the protections of the policy would not extend to inappropriate methods of addressing concerns. Both a redlined (to the October draft) and clean version of the Policy are attached for the Benchers' information and review.

8. Also discussed on October 24 was whether, when a bencher is the subject of a Whistleblower Incident, the review should be conducted by the President or by all the Benchers.
9. Staff considered this and recommend against changing the Policy as originally presented on this subject. To do otherwise would require convening the Benchers for discussions relating to the review, which would be expected to add to the time of investigation and review, even if only a quorum is convened. For fairness, the quorum would need to be the same for each meeting on a particular Incident, which would mean the President would then need to be involved in choosing an appropriate quorum. Leaving the task to the President of the organization is consistent with the processes for staff, where the Review is conducted by the Chief Executive Officer of the organization.

Recommendation

The Executive Committee recommends that the Benchers approve the following resolution:

BE IT RESOLVED to approve the Whistleblower Policy attached as Appendix A to this memorandum.

Whistleblower Policy

[Date approved]

Overview

The Law Society of British Columbia (the “Society”) is committed to conducting itself with honesty and integrity at all times both within and outside the organization. To do so, it requires the Benchers and its Employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities and to comply with all applicable laws and regulations. If, at any time, this commitment is not followed or appears to be in doubt, the Society will seek to identify and remedy such situations. With this in mind, all Benchers and Employees are encouraged to raise genuine concerns about the conduct of the organization, or those within it, without fear of reprisals or consequences.

1. Purpose and Scope

The purpose of this Whistleblower Policy is to provide direction and applies to all Benchers and Employees of the Society regarding the appropriate communication of concerns with respect to issues of honesty, integrity, breach of law, fraud, breach of the Society’s Code of Conduct or other ethical concerns.

This Whistleblower Policy does not replace other policies or processes of the Society for addressing Benchers or Employee misconduct, or employment related complaints, including the Society’s Respectful Workplace Policy. Where appropriate, the Society reserves the right to refer complaints or reports received under this Whistleblower Policy to other complaint, investigation or resolution processes.

It is important to note that **this Whistleblower Policy *does not protect* Benchers or Employees who engage in inappropriate communication of concerns that would constitute a Whistleblower Incident, (for example through gossip or by disclosure to media or social media), whether or not such concerns have been raised through this Policy.**

2. Definitions

“Employee” is a person employed by the Society.

“Benchers” are those persons as defined under the Legal Profession Act.

“CEO” is the Chief Executive Officer and Executive Director of the Law Society.

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“Designated Officer” is a person who will receive and respond to Whistleblower Incident Reports.

“Reviewer” is a senior official who will assess Whistleblower Incident Reports. The Reviewers are the General Counsel and the Director of Human Resources, or their designates, as well as additional individuals referred to in section 5 (1).

"Respondent" is a person whose alleged conduct is the subject of a Whistleblower Incident Report.

"Whistleblower" means any Employee or Benchers of the Society who has reported a Whistleblower Incident.

"Whistleblower Incident" is a concern related to serious issues of honesty and integrity within the Society.

For greater clarity, Whistleblower Incidents are intended to include (although are not limited to) the following:

- Serious breach of legal obligations, rules, regulations or policy;
- Substantial endangerment of health and safety;
- Gross or systematic mismanagement or omission or neglect of duty;
- Serious abuse of authority;
- Serious misuse of Society funds;
- Breach of fiduciary duty and/or abuse of trust.

“Whistleblower Incident Report” is a report made by a Whistleblower that summarizes a Whistleblower Incident.

3. Authority

Overall authority for this policy rests with the CEO, who has specific responsibility to facilitate the communication and operation of this policy, including appropriate training and review. All Benchers and Employees are responsible for the success of the policy and should ensure that they take the actions required to make the policy effective.

4. Process

The following outlines the general process of a Whistleblower Incident Report.

1. A Whistleblower who believes they have witnessed, or who has reason to believe that, a

Whistleblowing Incident has occurred should promptly report it to one of the Society's Designated Officers. Delays in reporting can adversely impact any investigation into the Whistleblower Incident. A Whistleblower Incident may be received verbally (by phone or in person) or in writing (by mail or email).

2. Whistleblower Incident Reports may be made anonymously. Because it may be more difficult for the Society to investigate and respond to anonymous Whistleblower Incident Reports, the Society retains the discretion to determine whether such anonymous Whistleblower Incident Reports will be investigated.
3. All reported Whistleblower Incidents will be treated in a confidential and private manner, to the extent possible, and will be disclosed only as described in this Whistleblower Policy and/or as permitted, authorized or required by law. The Society will make reasonable efforts to protect the privacy of the individuals involved in Whistleblower Incident Reports and investigations into wrongdoing and will make reasonable efforts to ensure the Whistleblower and the Respondents are treated fairly and respectfully. Absolute confidentiality cannot, however, be guaranteed and disclosure may be required by law; to ensure the fairness or integrity of the investigation; or to appropriately address the Whistleblower Incident, including by making appropriate reports to law enforcement agencies. The Society's collection, use and disclosure of personal information under this Whistleblower Policy will be done in compliance with the *Freedom of Information and Protection of Privacy Act*, [RSBC 1996], c.165, as amended from time to time.

The following expectations apply to all Benchers and Employees in respect of confidentiality related to any Whistleblower Incident Report and investigations into wrongdoing under this policy:

- recognize the seriousness of the circumstances and respect the sensitivity of the information, and the privacy of the persons involved;
- refrain from disclosing any third party personal or confidential information to any person other than under the procedures of this policy, or as required by law. This includes any information such as the name(s) of any persons involved in an incident or the circumstances; and
- report any perceived breaches of confidentiality to Human Resources or to General Counsel.

Any person who breaches these expectations regarding confidentiality may be subject to remedial, corrective or disciplinary action.

4. If an Employee considers it is appropriate given the situation, the Society suggests that they share their questions, concerns, suggestions or complaints regarding a possible Whistleblower Incident with their immediate supervisor or Human Resources. If an Employee is unsure about whether to make a Whistleblower Incident Report, they may seek guidance from their supervisor and/or Human Resources department. Their supervisor and/or a member of the Human Resources Department may require that requests for guidance be made to them in writing. If an Employee is not comfortable speaking with their supervisor and/or a member of the Human Resources Department, or is not satisfied with the supervisor's or Human Resources Department member's response, they are encouraged to submit a Whistleblower Incident Report.
5. Questions or concerns about the collection, use or disclosure of personal information by the Society can be made to the Society's Privacy Compliance Officer at:

Privacy Compliance Officer
The Law Society of British Columbia
845 Cambie Street
Vancouver, BC V6B 4Z9

Email: privacy@lsbc.org
Telephone: 604.669.2533

5. Procedures

1. Whistleblower Incidents Reports are to be reported to a Designated Officer as set out in the table below. If Whistleblower Incident Reports are otherwise received, they are to be forwarded immediately and confidentially to the appropriate Designated Officer. The Reports will be Reviewed by the Reviewer set out in the table below. A Designated Officer may, on their own initiative, also initiate a Whistleblower Incident Report if an issue that may constitute a Whistleblower Incident otherwise comes to their attention.

Whistleblower Incident Report About (Respondent)	Reported to (Designated Officer)	Reviewer
President	Chair of Finance and Audit Committee	Chair of Finance and Audit Committee
Bencher, other than the President	President	President
CEO	President	President
Member of Senior Leadership Team, General Counsel, Director of Human Resources or Chief Financial Officer	CEO	CEO
Any other person	Any of CEO, Director of Human Resources, General Counsel or Chief Financial Officer	General Counsel, Director of Human Resources.

2. The appropriate Reviewer will assess the Whistleblower Incident and advise the CEO of the outcome of the review. Where it will not otherwise interfere with any legal or confidentiality requirements, the Reviewer will update the Respondent from time to time during the course of the review, as appropriate.
 - a. Informal Procedures:
 - i. Where appropriate, the Reviewer may seek an informal resolution of a Whistleblower Incident, if the Reviewer considers it helpful or appropriate to do so. The Reviewer may implement any additional steps they consider necessary to create an informal resolution that, in the Reviewer's opinion, will appropriately address the concern while protecting the public interest. .
 - ii. Informal resolution will not be available in cases where the Reviewer considers

the Whistleblower Incident to be serious in nature, such as where the conduct is unlawful or threatens the health, safety or well-being of Employees and Benchers or the interests of the Society.

- iii. If an informal resolution of the Whistleblower Incident is achieved and the Respondent is an Employee, no record of the Whistleblower Incident will be entered in the Respondent's personnel records. However, the Reviewer will record the occurrence of the Whistleblower Incident Report and the informal resolution achieved and make a confidential report to the CEO.

b. Formal Procedures:

- i. If a Whistleblower Incident is not referred for, or resolved through, informal procedures, or if the Reviewer consider the nature of the Whistleblower Incident to be serious in nature, the Reviewer must investigate the Whistleblower Incident or otherwise ensure an investigation into the Whistleblower Incident occurs. Investigations will follow principles of procedural fairness, and all parties must maintain the confidentiality of the investigation process to the extent reasonably possible.
- ii. The Reviewer may dismiss a Whistleblower Incident Report without an investigation or stop investigating where:
 - 1. the allegations, if true, would not amount to wrongdoing;
 - 2. the alleged wrongdoing is already under investigation through another process or by another investigating body;
 - 3. it is not feasible to fairly investigate because the Whistleblower Incident is not sufficiently particularized or there has been a delay in filing the Whistleblower Incident Report;
 - 4. the allegations are frivolous, vexatious or false, or have not been made in good faith; or
 - 5. there is another more suitable policy or process for investigating the allegations comprising the Whistleblower Incident Report and the Society refers the Whistleblower Incident Report for resolution through that process.
- 3. Where the Reviewer determines that the Whistleblower Incident raises an urgent issue or concern including the health or safety of one or more individuals, the Reviewer

may, as they consider necessary, amend any processes set out in this Policy in order to expedite the review.

4. The Reviewer may refer any Whistleblower Incident for review by an independent third party other than one involving the Reviewer, in which case CEO may refer those Whistleblower Incidents for review by an independent third party. The independent third-party investigator will be instructed to prepare a written report of their findings and submit it to the Reviewer. The report shall be submitted to the CEO if the Whistleblower Incident involves General Counsel or the Director of Human Resources.
5. The Reviewer will make a decision about whether the Whistleblower Incident or any retaliation has occurred (including whether any allegations were knowingly false or made in bad faith), and recommend the appropriate discipline or remedial or corrective action, and report the outcome of the investigation to the CEO, and, subject to the requirements of the *Freedom of Information and Protection of Privacy Act*, to the Whistleblower and the Respondent, unless the Whistleblower Incident involves one or more of the Reviewers. The CEO will review and approve any discipline or remedial or corrective action involving Employees. If the Whistleblower Incident involves one or more of the Reviewers, the CEO will make a decision about whether the Whistleblower Incident or any retaliation has occurred and impose any discipline or remedial or corrective action involving Employees. The President will review and approve any corrective action involving Benchers.

6. Documentation

All documents and other evidence concerning a Whistleblower Incident Report or investigation under this policy must be held in confidence by all parties and participants under this policy except where disclosure is authorized or required by law. Official reports for the CEO or other designated parties must be kept confidential by any recipient unless otherwise authorized by the report or by the CEO. All relevant documentation including reports, discussions and supporting information is to remain in the control and custody of the Reviewers or their successors unless otherwise authorized pursuant to a report of a decision issued under this Policy. The relevant files must be retained for the longer of ten years, or five years after the completion of the Respondent's association with the Society, unless there is a legal, business or administrative reason to retain such files for longer. Access to such confidential files will be limited on a need-to-know basis.

7. No Retaliation

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It is contrary to the values of the Society for anyone to retaliate against any Benchers or Employees who in good faith submit a Whistleblower Incident Report under the provisions of this Whistleblower Policy. For the purposes of this Whistleblower Policy, retaliation is defined as any action taken against a Benchers or Employees for: (a) having invoked this Whistleblower Policy; (b) having participated or cooperated in any investigation under this Whistleblower Policy or (c) having been associated with a person who has invoked this Whistleblower Policy or participated in these procedures. An Employee who retaliates against someone who has reported a Whistleblower Incident in good faith is subject to discipline up to and including termination of employment. The President will review and approve any corrective action involving Benchers.

While making a Whistleblower Incident Report in good faith under this Whistleblower Policy protects the Whistleblower against retaliation, any dissemination of the Whistleblower Incident *outside* of the procedures involved under this Whistleblower Policy may be investigated and dealt with by the Society outside of this Policy.

8. Acting in Good Faith

Anyone reporting a Whistleblower Incident or suspected Whistleblower Incident must be acting in good faith and have reasonable grounds for believing the information disclosed is accurate. Any allegations that prove not to be substantiated and prove to have been made maliciously falsely, frivolously or in bad faith will be viewed as a serious disciplinary offense, subject to discipline up to and including termination of employment or corrective action for Benchers. Reports of suspected Whistleblowing Incidents that arose as a result of mistakes, misunderstandings or misinterpretations will not be considered to be made in bad faith.

9. Remedial, Corrective and Disciplinary Action

All conduct found to have been substantiated will be addressed by attempting to remedy the harm caused and to prevent further harm. This may involve corrective and remedial action, including the provision of training, coaching, counselling or other support or other appropriate intervention.

Discipline of Employees:

Where disciplinary action is warranted as a result of a substantiated or malicious/bad faith complaint, disciplinary actions may include, but are not limited to, verbal or written reprimand, reassignment and termination of employment with just cause.

Members of the Professional Employers Association retain all rights under the Collective Agreement

in respect of any discipline that is imposed under this policy.

Corrective Action for Benchers:

Where corrective action is warranted as a result of a substantiated or malicious/bad faith complaint, corrective actions may include, but are not limited to reprimand, reassignment, and removal from all committees, and, for Appointed Benchers, referral of the results of an investigation to the Lieutenant Governor in Council.

10. Reporting

At least once a year, the CEO will provide a standing report to the Finance and Audit Committee on the number and nature of Whistleblower Incident Reports received.

Whistleblower Policy

[Date approved]

Overview

The Law Society of British Columbia (the “Society”) is committed to conducting itself with honesty and integrity at all times both within and outside the organization. To do so, it requires the Benchers and its Employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities and to comply with all applicable laws and regulations. If, at any time, this commitment is not followed or appears to be in doubt, the Society will seek to identify and remedy such situations. With this in mind, all Benchers and Employees are encouraged to raise genuine concerns about the conduct of the organization, or those within it, without fear of reprisals or consequences.

1. Purpose and Scope

The purpose of this Whistleblower Policy is to provide direction and applies to all Benchers and Employees of the Society regarding the appropriate communication of concerns with respect to issues of honesty, integrity, breach of law, fraud, breach of the Society’s Code of Conduct or other ethical concerns.

This Whistleblower Policy does not replace other policies or processes of the Society for addressing Benchers or Employee misconduct, or employment related complaints, including the Society’s Respectful Workplace Policy. Where appropriate, the Society reserves the right to refer complaints or reports received under this Whistleblower Policy to other complaint, investigation or resolution processes.

It is important to note that this Whistleblower Policy **does not protect** Benchers or Employees who engage in inappropriate communication of concerns that would constitute a Whistleblower Incident, (for example through gossip or by disclosure to media or social media), whether or not such concerns have been raised through this Policy.

2. Definitions

“Employee” is a person employed by the Society.

“Benchers” are those persons as defined under the Legal Profession Act.

“CEO” is the Chief Executive Officer and Executive Director of the Law Society.

“Designated Officer” is a person who will receive and respond to Whistleblower Incident Reports.

“Reviewer” is a senior official who will assess Whistleblower Incident Reports. The Reviewers are the General Counsel and the Director of Human Resources, or their designates, as well as additional individuals referred to in section 5 (1).

“Respondent” is a person whose alleged conduct is the subject of a Whistleblower Incident Report.

“Whistleblower” means any Employee or Benchers of the Society who has reported a Whistleblower Incident.

“Whistleblower Incident” is a concern related to serious issues of honesty and integrity within the Society.

For greater clarity, Whistleblower Incidents are intended to include (although are not limited to) the following:

- Serious breach of legal obligations, rules, regulations or policy;
- Substantial endangerment of health and safety;
- Gross or systematic mismanagement or omission or neglect of duty;
- Serious abuse of authority;
- Serious misuse of Society funds;
- Breach of fiduciary duty and/or abuse of trust.

“Whistleblower Incident Report” is a report made by a Whistleblower that summarizes a Whistleblower Incident.

3. Authority

Overall authority for this policy rests with the CEO, who has specific responsibility to facilitate the communication and operation of this policy, including appropriate training and review. All Benchers and Employees are responsible for the success of the policy and should ensure that they take the actions required to make the policy effective.

4. Process

The following outlines the general process of a Whistleblower Incident Report.

1. A Whistleblower who believes they have witnessed, or who has reason to believe that, a Whistleblowing Incident has occurred should promptly report it to one of the Society's Designated Officers. Delays in reporting can adversely impact any investigation into the Whistleblower Incident. A Whistleblower Incident may be received verbally (by phone or in person) or in writing (by mail or email).
2. Whistleblower Incident Reports may be made anonymously. Because it may be more difficult for the Society to investigate and respond to anonymous Whistleblower Incident Reports, the Society retains the discretion to determine whether such anonymous Whistleblower Incident Reports will be investigated.
3. All reported Whistleblower Incidents will be treated in a confidential and private manner, to the extent possible, and will be disclosed only as described in this Whistleblower Policy and/or as permitted, authorized or required by law. The Society will make reasonable efforts to protect the privacy of the individuals involved in Whistleblower Incident Reports and investigations into wrongdoing and will make reasonable efforts to ensure the Whistleblower and the Respondents are treated fairly and respectfully. Absolute confidentiality cannot, however, be guaranteed and disclosure may be required by law; to ensure the fairness or integrity of the investigation; or to appropriately address the Whistleblower Incident, including by making appropriate reports to law enforcement agencies. The Society's collection, use and disclosure of personal information under this Whistleblower Policy will be done in compliance with the *Freedom of Information and Protection of Privacy Act*, [RSBC 1996], c.165, as amended from time to time.

The following expectations apply to all Benchers and Employees in respect of confidentiality related to any Whistleblower Incident Report and investigations into wrongdoing under this policy:

- recognize the seriousness of the circumstances and respect the sensitivity of the information, and the privacy of the persons involved;
- refrain from disclosing any third party personal or confidential information to any person other than under the procedures of this policy, or as required by law. This includes any information such as the name(s) of any persons involved in an incident or the circumstances; and
- report any perceived breaches of confidentiality to Human Resources or to General Counsel.

Any person who breaches these expectations regarding confidentiality may be subject to remedial, corrective or disciplinary action.

4. If an Employee considers it is appropriate given the situation, the Society suggests that they share their questions, concerns, suggestions or complaints regarding a possible Whistleblower Incident with their immediate supervisor or Human Resources. If an Employee is unsure about whether to make a Whistleblower Incident Report, they may seek guidance from their supervisor and/or Human Resources department. Their supervisor and/or a member of the Human Resources Department may require that requests for guidance be made to them in writing. If an Employee is not comfortable speaking with their supervisor and/or a member of the Human Resources Department, or is not satisfied with the supervisor's or Human Resources Department member's response, they are encouraged to submit a Whistleblower Incident Report.
5. Questions or concerns about the collection, use or disclosure of personal information by the Society can be made to the Society's Privacy Compliance Officer at:

Privacy Compliance Officer
The Law Society of British Columbia
845 Cambie Street
Vancouver, BC V6B 4Z9

Email: privacy@lsbc.org
Telephone: 604.669.2533

5. Procedures

1. Whistleblower Incidents Reports are to be reported to a Designated Officer as set out in the table below. If Whistleblower Incident Reports are otherwise received, they are to be forwarded immediately and confidentially to the appropriate Designated Officer. The Reports will be Reviewed by the Reviewer set out in the table below. A Designated Officer may, on their own initiative, also initiate a Whistleblower Incident Report if an issue that may constitute a Whistleblower Incident otherwise comes to their attention.

Whistleblower Incident Report About (Respondent)	Reported to (Designated Officer)	Reviewer
President	Chair of Finance and Audit Committee	Chair of Finance and Audit Committee
Bencher, other than the President	President	President
CEO	President	President
Member of Senior Leadership Team, General Counsel, Director of Human Resources or Chief Financial Officer	CEO	CEO
Any other person	Any of CEO, Director of Human Resources, General Counsel or Chief Financial Officer	General Counsel, Director of Human Resources.

2. The appropriate Reviewer will assess the Whistleblower Incident and advise the CEO of the outcome of the review. Where it will not otherwise interfere with any legal or confidentiality requirements, the Reviewer will update the Respondent from time to time during the course of the review, as appropriate.

a. Informal Procedures:

- i. Where appropriate, the Reviewer may seek an informal resolution of a Whistleblower Incident, if the Reviewer considers it helpful or appropriate to do so by facilitating communications between the Whistleblower and the Respondent. The Reviewer may implement any additional steps they consider necessary to create an informal resolution that in the Reviewer's opinion, will appropriately address the concern while protecting the public interest. is acceptable to both the Whistleblower and the Respondent.

- ii. Informal resolution will not be available in cases where the Reviewer considers the Whistleblower Incident to be serious in nature, such as where the conduct is unlawful or threatens the health, safety or well-being of Employees and Benchers or the interests of the Society.
- iii. If an informal resolution of the Whistleblower Incident is achieved and the Respondent is an Employee, no record of the Whistleblower Incident will be entered in the Respondent's personnel records. However, the Reviewer will record the occurrence of the Whistleblower Incident Report and the informal resolution achieved and make a confidential report to the CEO.

b. Formal Procedures:

- i. If a Whistleblower Incident is not referred for, or resolved through, informal procedures, or if the Reviewer consider the nature of the Whistleblower Incident to be serious in nature, the Reviewer must investigate the Whistleblower Incident or otherwise ensure an investigation into the Whistleblower Incident occurs. Investigations will follow principles of procedural fairness, and all parties must maintain the confidentiality of the investigation process to the extent reasonably possible.
- ii. The Reviewer may dismiss a Whistleblower Incident Report without an investigation or stop investigating where:
 - 1. the allegations, if true, would not amount to wrongdoing;
 - 2. the alleged wrongdoing is already under investigation through another process or by another investigating body;
 - 3. it is not feasible to fairly investigate because the Whistleblower Incident is not sufficiently particularized or there has been a delay in filing the Whistleblower Incident Report;
 - 4. the allegations are frivolous, vexatious or false, or have not been made in good faith; or
 - 5. there is another more suitable policy or process for investigating the allegations comprising the Whistleblower Incident Report and the Society refers the Whistleblower Incident Report for resolution through that process.

- 3. Where the Reviewer determines that the Whistleblower Incident raises an urgent issue

or concern including the health or safety of one or more individuals, the Reviewer may, as they consider necessary, amend any processes set out in this Policy in order to expedite the review.

4. The Reviewer may refer any Whistleblower Incident for review by an independent third party other than one involving the Reviewer, in which case CEO may refer those Whistleblower Incidents for review by an independent third party. The independent third-party investigator will be instructed to prepare a written report of their findings and submit it to the Reviewer. The report shall be submitted to the CEO if the Whistleblower Incident involves General Counsel or the Director of Human Resources.
5. The Reviewer will make a decision about whether the Whistleblower Incident or any retaliation has occurred (including whether any allegations were knowingly false or made in bad faith), and recommend the appropriate discipline or remedial or corrective action, and report the outcome of the investigation to the CEO, and, subject to the requirements of the *Freedom of Information and Protection of Privacy Act*, to the Whistleblower and the Respondent, unless the Whistleblower Incident involves one or more of the Reviewers. The CEO will review and approve any discipline or remedial or corrective action involving Employees. If the Whistleblower Incident involves one or more of the Reviewers, the CEO will make a decision about whether the Whistleblower Incident or any retaliation has occurred and impose any discipline or remedial or corrective action involving Employees. The President will review and approve any corrective action involving Benchers.

6. Documentation

All documents and other evidence concerning a Whistleblower Incident Report or investigation under this policy must be held in confidence by all parties and participants under this policy except where disclosure is authorized or required by law. Official reports for the CEO or other designated parties must be kept confidential by any recipient unless otherwise authorized by the report or by the CEO. All relevant documentation including reports, discussions and supporting information is to remain in the control and custody of the Reviewers or their successors unless otherwise authorized pursuant to a report of a decision issued under this Policy. The relevant files must be retained for the longer of ten years, or five years after the completion of the Respondent's association with the Society, unless there is a legal, business or administrative reason to retain such files for longer. Access to such confidential files will be limited on a need-to-know basis.

7. No Retaliation

It is contrary to the values of the Society for anyone to retaliate against any Bencher or Employee who in good faith submits a Whistleblower Incident Report under the provisions of this Whistleblower Policy. For the purposes of this Whistleblower Policy, retaliation is defined as any action taken against a Bencher or Employee for: (a) having invoked this Whistleblower Policy; (b) having participated or cooperated in any investigation under this Whistleblower Policy or (c) having been associated with a person who has invoked this Whistleblower Policy or participated in these procedures. An Employee who retaliates against someone who has reported a Whistleblower Incident in good faith is subject to discipline up to and including termination of employment. The President will review and approve any corrective action involving Benchers.

While making a Whistleblower Incident Report in good faith under this Whistleblower Policy protects the Whistleblower against retaliation, any dissemination of the Whistleblower Incident outside of the procedures involved under this Whistleblower Policy may be investigated and dealt with by the Society outside of this Policy.

8. Acting in Good Faith

Anyone reporting a ~~complaint concerning a~~ Whistleblower Incident or suspected Whistleblower Incident must be acting in good faith and have reasonable grounds for believing the information disclosed is accurate. Any allegations that prove not to be substantiated and prove to have been made maliciously falsely, frivolously or in bad faith will be viewed as a serious disciplinary offense, subject to discipline up to and including termination of employment or corrective action for Benchers.

Reports of suspected Whistleblowing Incidents that arose as a result of mistakes, misunderstandings or misinterpretations will not be considered to be made in bad faith.

9. Remedial, Corrective and Disciplinary Action

All conduct found to have been substantiated will be addressed by attempting to remedy the harm caused and to prevent further harm. This may involve corrective and remedial action, including the provision of training, coaching, counselling or other support or other appropriate intervention.

Discipline of Employees:

Where disciplinary action is warranted as a result of a substantiated or malicious/bad faith complaint, disciplinary actions may include, but are not limited to, verbal or written reprimand,

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reassignment and termination of employment with just cause.

Members of the Professional Employers Association retain all rights under the Collective Agreement in respect of any discipline that is imposed under this policy.

Corrective Action for Benchers:

Where corrective action is warranted as a result of a substantiated or malicious/bad faith complaint, corrective actions may include, but are not limited to reprimand, reassignment, and removal from all committees, and, for Appointed Benchers, referral of the results of an investigation to the Lieutenant Governor in Council.

10. Reporting

At least once a year, the CEO will provide a standing report to the Finance and Audit Committee on the number and nature of Whistleblower Incident Reports received.

Governance Proposals

To: Benchers

Purpose: Discussion & Decision

From: Executive Committee

Date: December 5, 2025

Purpose

1. This memorandum provides an overview of governance proposals recommended by the Executive Committee to Benchers for discussion and decision.

Background

2. As part of the Executive Committee's duties and responsibilities to provide oversight and direction on governance matters for consideration and approval by Benchers, as outlined in the Committee's Terms of Reference, the Committee considered the following governance proposals at its meeting of November 19, 2025:
 - a) Proposed Revisions to Bencher *in camera* Policy
 - b) Proposed adoption of Bencher Leave Policy, and
 - c) Re-institution of Board Evaluation Program.

Discussion

Proposed Revisions to Bencher in camera Policy

3. At its meeting of November 19, 2025, the Executive Committee considered proposed revisions to the *in camera* Policy. The proposed changes are intended to provide greater clarification regarding the authority in the rules to have discussions at a Bencher meeting *in camera*, Benchers' obligations regarding *in camera* discussions and decisions, and the communication of those decisions.
4. The *in camera* Policy is in place to provide guidance to facilitate private candid discussions on matters that fall under the Policy. These matters may be disclosed publicly once a decision has been confirmed, but the timing and approach to the disclosure is generally determined by the President and Executive Director, and the communication of a decision made *in camera* will not include the *in camera* discussions leading up to the decision.
5. The Executive Committee was in agreement that the Policy should be updated to clarify the President's authority to determine when *in camera* decisions should be made public, with the Executive Director's assistance, as well as to reflect that Bencher meetings are open to the public. The Committee was also in agreement that it would be helpful to have the revised Policy in place by the end of the year, so that it could be communicated to new and returning Benchers.
6. Red-lined and clean versions of the Policy are included as **Appendix A** and **B** respectively.

Proposed Adoption of Benchers Leave Policy

7. At its meeting of November 19, 2025, the Executive Committee considered a proposed draft Benchers Leave Policy, which would provide clarity on how Benchers' absences, due to health or other issues, should be managed in a safe and respectful manner.
8. Life events, health-related matters, and personal or professional circumstances that temporarily affect a Benchers' ability to participate fully in Benchers meetings or other commitments may arise from time to time, and currently, the Law Society rules and Benchers Governance Policies do not provide for any process or guidelines on how Benchers absences should be managed, or how those absences should be communicated. Due to the number of duties fulfilled by Benchers, including attending and participating in Benchers meetings, chairing and serving on committees, conducting Benchers/student interviews, providing guidance and advice to the profession, and sitting on adjudicative and hearing panels, it would be helpful for Benchers to have guidance regarding what should be done in a situation where they may not be able to fulfill these duties due to personal or professional issues.
9. The goal of the draft policy would be to offer understanding and support to Benchers when life events occur, while also ensuring Law Society business can continue and that any absences are communicated in a timely manner. While Benchers will often alert the President and staff if they are not able to attend meetings, there have also been occurrences when Benchers have not provided notice of their absence, not only for meetings, but for other duties and responsibilities, like Benchers/student interviews. This creates challenges regarding the planning and coordination of meetings, as well as for students who are required by the Law Society to have an interview with a Benchers before they are called to the profession. Having a dedicated policy in place would provide clear guidance for Benchers on the steps to take if they are unable to attend meetings or perform their duties, while ensuring that Law Society business continues to run smoothly.
10. The proposed draft Policy includes the following principles:
 - a) The President would be responsible for receiving and managing notification of Benchers absences.
 - b) Benchers are expected to attend all meetings and perform their duties; however, should Benchers be unable to attend meetings or fulfill duties due to personal or professional reasons, they are expected to notify the President promptly.
 - c) The Policy applies to all absences beyond Benchers control, such as illness, personal matters, and professional obligations, including ongoing trials or other work commitments.

- d) Any personal or health information shared by a Benchers would be handled confidentially and respectfully, in accordance with applicable privacy standards.
 - e) The President may follow up with Benchers who have frequent or prolonged absences to discuss available support or options to manage their duties effectively.
 - f) The Policy would take into account the impact of a Benchers absence, such as attending Benchers or committee meetings, chairing a committee, or other duties like participating in Benchers/student interviews.
 - g) The Policy aims to balance the expectation that Benchers attend and actively participate in meetings and fulfill their duties, with reasonable accommodation for absences.
11. The Executive Committee was of the view that it would be helpful to have dedicated policy in place to provide clear guidance for Benchers on the steps to take if they are unable to attend meetings or perform their duties, while ensuring that Law Society business continues to run smoothly. A draft version of the proposed Benchers Leave Policy for Benchers consideration and approval is attached as **Appendix C**.

Re-institution of Benchers Evaluation Program

12. From 2014 until 2020, the Law Society conducted an annual board evaluation process, which was overseen by the Governance Committee; however, this process was paused following low response rates received in 2020¹, along with agreement to delay revisions to the process until after the 2021 governance review conducted by Harry Cayton.
13. At its meeting of November 19, 2025, the Executive Committee discussed the re-institution of an annual board evaluation process, in alignment with the recent implementation of a formalized CEO/Executive Director performance evaluation process. The Committee was of the view that implementing an annual board evaluation process would be in line with governance best practices, and that possible different options could be considered, but that it would be helpful to retain the services of a consultant to design and implement a new board evaluation program.
14. The Committee was also of the view that as a first step it would be helpful to discuss this matter with Benchers at the December Benchers meeting, with further work to be conducted in early 2026 to develop the program.

¹ In 2020, less than two-thirds of Benchers completed the evaluations and less than 40 percent of committee members completed the evaluations.

Decision

15. The Executive Committee recommends that Benchers review and consider the above-referenced governance proposals and approve the following resolutions:

BE IT RESOLVED that the Benchers approve the proposed revisions to the *in camera* Policy as set out in Appendix A and B.

BE IT RESOLVED that the Benchers approve the adoption of a Bencher Leave Policy as set out in Appendix C.

BE IT RESOLVED that the Benchers approve the re-institution of a Board Evaluation program.

H Policy: Meeting *in Camera*

Meetings generally open

- (a) Benchers meetings are open to Benchers, Law Society staff, ~~the public~~, members and articulated students ~~unless the President (or other Benchers presiding) declares the meeting closed under Rule 1-16(4).~~
- (b) The President may permit ~~others to those~~ attending Benchers meetings ~~and~~ to speak, as appropriate in the discretion of the President.
- (c) The President (~~or other Benchers presiding~~) may declare a ~~Benchers~~ meeting *in camera* ~~or closed under Rule 1-16(4) and order that only Benchers and specified employees of the Law Society be present during the discussion of a confidential matter at a Benchers meeting, when, in the discretion of the President it is necessary or desirable,~~ but the Benchers may, by resolution, cause the meeting to be open despite the President's ruling.

When an *in camera* session is required or appropriate

- (a) The Benchers must meet *in camera*, with no staff, counsel or contractors present, to deliberate on a review of a panel decision or other matter that constitutes a hearing under the *Legal Profession Act* and Law Society Rules.
- (b) The Benchers may meet *in camera*, with only those Law Society staff, counsel and contractors necessary for the discussion to be conducted, to discuss:
 - i. matters relating to Law Society personnel; or
 - ii. matters of a financial or personal nature, ~~related to property matters~~, or other matters in respect of which, in the opinion of the Benchers, the need for ~~confidentiality~~ or privacy outweighs the public interest in disclosure.
- (c) The Benchers may meet *in camera*, with only Law Society staff, counsel and contractors, to discuss:
 - i. litigation involving the Law Society and to seek or receive legal advice in any matter;
 - ii. negotiations between the Law Society and another body or an individual, if the Benchers consider that disclosure might reasonably be expected to harm the interests of the Law Society;

- iii. any matter if, in the opinion of the Benchers, an open discussion would compromise the security of the Law Society or its property or of an identifiable individual; ~~or~~
- iv. ~~information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act; or~~
- v. any matter if the Benchers consider that disclosure may reasonably be expected to harm the conduct of an investigation or enforcement of the Act, Rules or Professional Conduct Handbook.

Bencher decisions *in camera*

- (a) The Benchers will not make a decision during an *in camera* session unless it is necessary to do so to protect privacy, security, confidentiality or privilege.

Record of *in camera* proceedings

- (a) A member of staff, or in the absence of appropriate staff, a Bencher, will keep a record of decisions made by the Benchers in a meeting or part of a meeting held *in camera*, and may keep a record of the discussion, whether or not any decision was made by the Benchers.
- (b) Minutes of a meeting or part of a meeting held *in camera* are confidential and must not be disclosed or distributed outside those entitled to attend, unless the ~~Benchers-President~~ decides otherwise.

Disclosure of *in camera* proceedings

- (a) A decision made *in camera* will be recorded in the regular minutes of the Benchers, unless to do so would compromise privacy, security, confidentiality or privilege.
- (b) ~~The President, with assistance from the Executive Director, will determine the appropriate timing and approach to disclose publicly decisions made *in camera* and advise the Benchers accordingly.~~
- (c) Benchers and staff, and any others present during an *in camera* portion of a meeting or becoming aware of the substance of a discussion held *in camera*, will not disclose any information concerning that discussion without the permission of the President ~~or as required by law~~, but the Benchers may, by resolution, overrule the President's decision.

H Policy: Meeting *in Camera*

Meetings generally open

- (a) Benchers meetings are open to Benchers, Law Society staff, the public, members, and articulated students.
- (b) The President may permit those attending Benchers meetings to speak, as appropriate in the discretion of the President.
- (c) The President (or other Benchers presiding) may declare a Benchers meeting *in camera* or closed under Rule 1-16(4) and order that only Benchers and specified employees of the Law Society be present during the discussion of a confidential matter at a Benchers meeting, but the Benchers may, by resolution, cause the meeting to be open despite the President's ruling.

When an *in camera* session is required or appropriate

- (a) The Benchers must meet *in camera*, with no staff, counsel or contractors present, to deliberate on a review of a panel decision or other matter that constitutes a hearing under the *Legal Profession Act* and Law Society Rules.
- (b) The Benchers may meet *in camera*, with only those Law Society staff, counsel and contractors necessary for the discussion to be conducted, to discuss:
 - i. matters relating to Law Society personnel; or
 - ii. matters of a financial or personal nature, related to property matters, or other matters in respect of which, in the opinion of the Benchers, the need for confidentiality or privacy outweighs the public interest in disclosure.
- (c) The Benchers may meet *in camera*, with only Law Society staff, counsel and contractors, to discuss:
 - i. litigation involving the Law Society and to seek or receive legal advice in any matter;
 - ii. negotiations between the Law Society and another body or an individual, if the Benchers consider that disclosure might reasonably be expected to harm the interests of the Law Society;

- iii. any matter if, in the opinion of the Benchers, an open discussion would compromise the security of the Law Society or its property or of an identifiable individual;
- iv. information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*; or
- v. any matter if the Benchers consider that disclosure may reasonably be expected to harm the conduct of an investigation or enforcement of the *Act*, Rules or Professional Conduct Handbook.

Bencher decisions *in camera*

- (a) The Benchers will not make a decision during an *in camera* session unless it is necessary to do so to protect privacy, security, confidentiality or privilege.

Record of *in camera* proceedings

- (a) A member of staff, or in the absence of appropriate staff, a Bencher, will keep a record of decisions made by the Benchers in a meeting or part of a meeting held *in camera*, and may keep a record of the discussion, whether or not any decision was made by the Benchers.
- (b) Minutes of a meeting or part of a meeting held *in camera* are confidential and must not be disclosed or distributed outside those entitled to attend, unless the President decides otherwise.

Disclosure of *in camera* proceedings

- (a) A decision made *in camera* will be recorded in the regular minutes of the Benchers, unless to do so would compromise privacy, security, confidentiality or privilege.
- (b) The President, with assistance from the Executive Director, will determine the appropriate timing and approach to disclose publicly decisions made *in camera* and advise the Benchers accordingly.
- (c) Benchers and staff, and any others present during an *in camera* portion of a meeting or becoming aware of the substance of a discussion held *in camera*, will not disclose any information concerning that discussion without the permission of the President or as required by law, but the Benchers may, by resolution, overrule the President's decision.

Bencher Leave Policy

[date approved]

Purpose

1. This policy provides a process and guidance for how Bencher absences from meetings and/or roles and responsibilities should be managed, and ensures continuity and respect for Bencher responsibilities as well as their personal well-being.

Policy

2. This policy applies to all Benchers of the Law Society of British Columbia.
3. All Benchers are expected to attend all Bencher meetings and all meetings of committees of which they are members, and to fulfill their duties and obligations as provided for in the *Legal Profession Act*, the Law Society Rules, and the Bencher Governance Policies.
4. This policy recognizes that Benchers may, from time to time, be unable to attend some meetings or fulfill their duties due to personal or professional matters or obligations. It is incumbent upon Benchers to advise the President prior to any such absences, as early as possible.
5. If, due to personal, professional, or health related matters a Bencher expects to be unable to fulfill that Bencher's duties, for an extended period of time, the Bencher should notify the President as soon as is reasonably possible in the circumstances.
6. For the purposes of this policy, an extended period of time means that a Bencher expects to be unavailable for consecutive Bencher or committee meetings due to the same cause.
7. When notifying the President of the need for an absence, Benchers should indicate to the extent possible, the expected duration of the absence, along with any accommodations needed. The President will then work with the Bencher to manage any expected effects arising from the Bencher's absence.
8. The President may exercise discretion to excuse a Bencher from that Bencher's duties as required, and to advise the Benchers of the excused absence without disclosing the reason.
9. Any personal or health information shared by a Bencher in relation to an absence will be handled confidentially and respectfully by the President, in accordance with applicable privacy standards.

10. The President will not disclose any confidential information provided by a Bencher, unless required to do so by law, or unless the Bencher providing the information expressly consents.
11. The President may follow up with a Bencher experiencing a longer extended absence to discuss available supports, as well as possible options to manage that Bencher's duties and obligations during the period of absence.

DRAFT

Quarterly Financial Report:

September 2025

To: Benchers
Purpose: Update
From: Staff
Date: December 5, 2025

Law Society
of British Columbia

DM5061539

Quarterly Financial Report - End of September

Attached are the financial results and highlights to the end of September 2025.

General Fund (excluding capital and TAF)

To the end of September 2025, the General Fund operations resulted in a small positive variance to budget, with revenues under budget and operating expenses lower than budget, mainly due to permanent savings, with some timing differences.

Revenue

Total revenue year to date was \$26.8 million, \$36,000 slightly above budget.

Practice fees were under budget by \$275,000, with 14,959 practicing lawyers projected to year end, compared to a budget of 15,250. PLTC fees have a positive variance of \$69,000 with 682 students projected for the year, compared to 650 budgeted.

Interest income is projected to be at or slightly above budget as interest rates have not dropped as much as forecasted previously.

Positive revenue variances include \$133,000 in program recoveries and penalties.

Operating Expenses Forecast

Operating expenses for the period were \$26.6 million, \$1.1 million (4%) below budget, due to mainly permanent savings and some timing differences.

Permanent savings include compensation of \$1.1 million with higher salary and vacancy savings along with lower tribunal hearings costs of \$300,000 as a result of fewer hearings. Offsetting this are additional external counsel fees and litigation costs of \$829,000 along with smaller savings in other areas.

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There are timing differences in a number of areas, and we expect these costs to be incurred before year end. This includes additional external counsel fees and litigation costs along with meeting and events.

Reserve Funded Items

Costs related to the Legal Professions transition were \$757,000 to the end of Q3, which are unbudgeted and funded from reserves.

TAF and Trust Assurance Expenses

TAF revenue was \$2.3 million to date, \$135,000 below budget.

Trust assurance program costs were under budget \$183,000 due to savings in consulting and travel expenses.

Lawyers Indemnity Fund

LIF assessment revenues were \$14.1 million, \$48,000 above budget due to higher surcharges.

LIF operating expenses were \$8.6 million, \$892,000 (9%) below budget, with savings in insurance, office and compensation.

At the end of Sept, the market value of the LIF long term investment portfolio was \$296.3 million, and portfolio returns for the period were 5.7%, below the benchmark of 8.5%. Real estate and equity funds are behind benchmark. Bonds and mortgage funds are at benchmark and infrastructure funds are above benchmark. The real estate funds are being redeemed according to the new asset mix approved earlier this year. Funds from the redemption will occur over the next 24 months and be transitioned into investments in balanced and infrastructure funds.

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The Law Society of British Columbia

General Fund - Summary of Financial Highlights (\$000's)

Results for the 9 months ended September 30, 2025

(\$000's)

2025 General Fund Results - YTD September 2025 (Excluding Capital Allocation & Depreciation)

	Actual	Budget	\$ Var	% Var
Revenue (excluding capital)				
Practice Fees	20,639	20,914	(275)	-1%
PLTC and Enrolment Fees	1,514	1,445	69	5%
Electronic Filing Revenue	808	763	45	6%
Interest Income	1,116	1,104	12	1%
Registration and Licensing Revenue	656	622	34	5%
Fines, Penalties & Recoveries	520	460	60	13%
Program Cost Recoveries	188	108	80	74%
Insurance Recoveries	-	-	-	0%
Other Revenue	361	365	(4)	-1%
Other Cost Recoveries	1	2	(1)	-50%
Building Revenue & Tenant Cost Recoveries	956	940	16	2%
	26,759	26,723	36	0%
Expenses (excluding depreciation)	26,582	27,685	1,103	4%
Surplus (Deficit) before reserve items	177	(962)	1,139	
Projects Funded from Reserves				
Legal Professions transition costs	757	-	(757)	
Net Surplus (Deficit) before TAF/TAP	(580)	(962)	382	

Summary of Variances - YTD Sept 2025

Revenue Variances:		
Permanent Variances		
Practice Fees - 15,250B vs 14,682LY vs 14,959F - 291 lawyers below budget		(275)
PLTC - 682 students projected; 646 budgeted		69
Electronic Filing - Dye and Durham unbudgeted \$100k offset with lower volume		45
Interest - lower rates did not happen as quickly as anticipated		12
Custodianship recovery positive variance		73
Trust Reporting Penalties positive variance		27
APP administrative penalties		33
Timing Variances		
Program Cost recoveries - timing of recoveries		52
		36
Expense Variances:		
Permanent Variance		
External counsel fees and litigation		(829)
IT Online service charges		50
Practice review files		60
Operations - mail costs		10
Finance costs		45
Forensic files		50
Tribunal hearing costs - fewer hearings - lower travel and per diems		300
Sub Plan		25
Compensation and benefits		1,085
Timing variance		
External counsel and litigation files		82
Software maintenance costs		30
Life Bencher dinner		34
Call ceremonies		22
Lawyer Development costs		58
Travel and meetings costs		50
General office costs		31
Total Expense Variances		1,103
Sub-total before reserve funded items		1,139
Projects Funded from Reserves		
Legal Professions transition costs		757
Net Surplus (Deficit) before TAF/TAP		382

Trust Assurance Program - YTD Sept 2025

	Actual	Budget	Variance	% Var
TAF Revenue	2,327	2,462	(135)	-5%
TAP Expenses	2,815	2,998	183	6%
Net Trust Assurance Program	(488)	(536)	48	

Lawyers Indemnity Fund Long Term Investments - YTD Sept 2025

Performance - Before investment fees	5.70%
Benchmark Performance	8.50%

The Law Society of British Columbia
General Fund
Results for the 9 Months ended September 30, 2025
(\$000's)

	2025 Actual	2025 Budget	\$ Variance	%
REVENUE				
Practice fees (1)	22,062	22,355	(293)	-1%
PLTC and enrolment fees	1,514	1,445	69	5%
Electronic filing revenue	808	762	46	6%
Interest income	1,116	1,104	12	1%
Registration and Licensing services	656	624	32	5%
Fines, penalties and recoveries	504	439	65	15%
Program Cost Recoveries	184	105	79	75%
Insurance Recoveries	16	19	(3)	-16%
Other revenue	361	365	(4)	-1%
Other Cost Recoveries	4	3	1	33%
Building Revenue & Recoveries	956	941	15	2%
Total Revenues	28,181	28,162	19	0.1%
EXPENSES				
Governance and Events				
Governance	540	581	41	7%
Board Relations and Events	229	218	(11)	-5%
	769	799	30	4%
Corporate Services				
General Office	606	624	18	3%
CEO Department	848	925	77	8%
Finance	995	1,071	76	7%
Human Resources	599	642	43	7%
Records Management	296	267	(29)	-11%
	3,344	3,529	185	5%
Education and Practice				
Licensing and Admissions	1,534	1,886	352	19%
PLTC and Education	2,771	3,006	235	8%
Practice Standards	563	607	44	7%
	4,868	5,499	631	11%
Communications and Information Services				
Communications	489	499	10	2%
Information Services	2,051	2,101	50	2%
	2,540	2,600	60	2%
Policy and Legal Services				
Policy and Legal Services	874	1,120	246	22%
Tribunal and Legislative Counsel	677	930	253	27%
Unauthorized Practice	223	220	(3)	-1%
	1,774	2,270	496	22%
Regulation				
CLO Department	791	825	34	4%
Intake & Early Assessment	2,190	2,113	(77)	-4%
Discipline	1,480	1,754	274	16%
Forensic Accounting	396	530	134	25%
Investigations, Monitoring & Enforcement	2,944	3,254	310	10%
Custodianships	1,532	1,603	71	4%
External Counsel Fees & Litigation	2,480	1,363	(1,117)	-82%
	11,813	11,442	(371)	-3%
Building Occupancy Costs				
Depreciation	1,474	1,544	70	5%
	918	1,015	97	10%
Projects Funded From Reserves				
Legal Professions transition costs	757	-	(757)	0%
	757	-	757	0%
Total Expenses	28,257	28,698	441	1.5%
General Fund Results before Trust Assurance Program	(76)	(536)	460	-85.8%
Trust Assurance Program (TAP)				
TAF revenues	2,327	2,462	(135)	-5.5%
TAP expenses	2,815	2,998	183	6.1%
TAP Results	(488)	(536)	48	9.0%
General Fund Results including Trust Assurance Program	(564)	(1,072)	508	-47.4%

(1) Membership fees include capital allocation of 1422k (Capital allocation budget = 1441k)

	2025 Actual	2025 Budget	\$ Variance	%
(1) Capital Allocation:				
Membership fees include capital allocation:	1,422	1,441	(19)	-1%

The Law Society of British Columbia
General Fund – Balance Sheet
As at September 30, 2025
(\$000's)

	Sep 30 2025	Sep 30 2024
Assets		
Current assets		
Cash and cash equivalents	9,309	10,440
Unclaimed trust funds	2,459	2,205
Accounts receivable and prepaid expenses	1,959	3,256
Due from Lawyers Indemnity Fund	26,829	24,243
	<u>40,556</u>	<u>40,144</u>
Property, plant and equipment		
Cambie Street property	9,680	10,548
Other - net	2,682	2,595
	<u>12,362</u>	<u>13,143</u>
	52,918	53,287
Liabilities		
Current liabilities		
Accounts payable and accrued liabilities	2,640	2,930
Liability for unclaimed trust funds	2,454	2,205
Deferred revenue	8,619	7,205
Deposits	88	88
	<u>13,801</u>	<u>12,428</u>
Net assets		
Capital Allocation	5,277	4,379
Unrestricted Net Assets	33,840	36,480
	<u>39,117</u>	<u>40,859</u>
	52,918	53,287

The Law Society of British Columbia
General Fund – Statement of Changes in Net Assets
Results for the 9 Months ended September 30, 2025
(\$000's)

	Invested in Capital	Working Capital	Unrestricted Net Assets	Trust Assurance	Capital Allocation	2025 Total	Year ended 2024 Total
	\$	\$	\$	\$	\$	\$	\$
Net assets - At Beginning of Year	12,991	20,416	33,407	1,896	4,379	39,681	38,862
Net (deficiency) excess of revenue over expense for the period	(1,168)	(329)	(1,497)	(488)	1,422	(564)	819
Contribution to LIF				-		-	
Purchase of capital assets:						-	
LSBC Operations	452	-	452	-	(452)	-	-
845 Cambie	71	-	71	-	(71)	-	-
Net assets - At End of Period	12,346	20,087	32,433	1,408	5,278	39,117	39,681

Lawyers Indemnity Fund
Results for the 9 Months ended September 30, 2025
(\$ooo's)

	2025 Actual	2025 Budget	\$ Variance	% Variance
Revenue				
Annual assessment	14,060	14,012	48	0%
Investment income	18,462	11,111	7,351	66%
Other income	15	51	(36)	-71%
Total Revenues	32,537	25,174	7,363	29.2%
Expenses				
Insurance Expense				
Provision for settlement of claims	11,661	11,662	1	0%
Salaries and benefits	2,843	3,021	178	6%
Contribution to program and administrative costs of General Fund	1,218	1,308	90	7%
Insurance	1,376	1,645	269	16%
Office	567	811	244	30%
Actuaries, consultants and investment brokers' fees	1,635	1,667	32	2%
	19,300	20,114	814	4%
Loss Prevention Expense				
Contribution to co-sponsored program costs of General Fund	997	1,066	69	6%
Total Expenses	20,297	21,180	883	4.2%
Lawyers Indemnity Fund Results before Contributions	12,240	3,994	8,246	
Contribution from Trust Assurance Program	-			
Lawyers Indemnity Fund Results	12,240	3,994	8,246	206%

The Law Society of British Columbia
Lawyers Indemnity Fund – Balance Sheet
As at September 30, 2025
(\$ooo's)

	Sep 30 2025	Sep 30 2024
Assets		
Cash and cash equivalents	987	1,268
Accounts receivable and prepaid expenses	1,850	2,027
Investments	295,487	278,586
	298,324	281,881
Liabilities		
Accounts payable and accrued liabilities	501	263
Deferred revenue	4,586	4,478
Due to General Fund	26,829	24,243
Provision for claims	85,582	74,089
Provision for ULAE	15,281	12,742
	132,779	115,815
Net assets		
Internally restricted net assets	17,500	17,500
Unrestricted net assets	148,045	148,566
	165,545	166,066
	298,324	281,881

The Law Society of British Columbia
Lawyers Indemnity Fund - Statement of Changes in Net Assets
Results for the 9 Months ended September 30, 2025

	Unrestricted \$	Internally Restricted \$	2025 Total \$	2024 Total \$
Net assets - At Beginning of Year	135,805	17,500	153,305	148,902
Net excess of revenue over expense for the period	12,240	-	12,240	4,403
Net assets - At End of Period	148,045	17,500	165,545	153,305

General Fund Forecast

September 2025

To: Benchers
Purpose: Update
From: Staff
Date: December 5, 2025

Law Society
of British Columbia

DM5061625

Forecast - as at September 2025

Attached is the General Fund forecast to the end of the fiscal year.

Overview

Based on the results to the end of September 2025, we are projecting to finish the year with a deficit of \$4.0 million, compared to a deficit of \$1.568 million.

Revenue Forecast

Total revenue is projected at \$35.5 million, \$512,000 (1%) under budget, with lower practice fee revenue, electronic filing revenue, offset by slightly higher PLTC revenues.

Practice fees are projected at \$27.3 million, \$573,000 (2%) below budget. There are 14,959 practicing lawyers forecasted, 291 below the budget of 15,250, a 1.9% increase over 2024, lower overall increase than recent years.

PLTC revenue is projected at \$2.0 million, \$109,000 (6%) above budget. The number of PLTC students is projected at 682, 36 students higher than budget, but as there are costs associated with additional students, there is little impact to the bottom line.

Electronic filing revenue is projected at \$953,000, \$64,000 below budget. The BCREA real estate unit sales forecast used for the 2025 budget predicted a 9.8% increase over 2024 levels, however, current BCREA information is forecasting a decrease of 2.7% over 2024. There is a new verification agreement which has contributed additional revenue this year, partially offsetting this decrease in real estate sales.

Interest revenue is projected to be close to budget at \$1.5 million, with interest rates projected at 3.6% for the year, compared to the forecast used to set the budget of 4%.

Building Revenue: Parking revenues are projected to be over budget \$12,000.

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Operating Expenses Forecast

At this time, operating expenses are projected at \$39.5 million, \$1.9 million (6%) over budget.

This is due to the following:

The current forecast for the Legal Professions transition costs is \$1.1 million, which is unbudgeted and funded from reserves. These costs include transitional board and Indigenous council meeting costs, project management consulting, Indigenous advisors, and Law Society staff resources seconded to the transition work.

Additional funding of \$192,000 is required to top up the committed fixed funding for external organizations as the number of practicing lawyers is lower than budgeted.

CanLII is developing a new generative AI tool that will be funded by all law societies across Canada. The Law Society of BC contribution to this initiative will be \$115,000 in 2025, based on a pro-rata share of practicing lawyers in BC. Further contributions will be made in 2026 in the amount of \$345,000, which will also be funded from Law Society net assets reserves.

There is a contribution towards the Rule of Law national campaign of \$251,000 which is funded from reserves.

Additional external counsel fees and litigation costs are projected \$1.540 million over budget due to additional activity.

In addition, there are net cost savings of \$1.1 million which includes compensation savings and lower tribunal hearing costs, offset by costs relating to the retirement of PLTC.

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Net Assets Reserves Balance

Taking into account the projected deficit of \$4.0 million in 2025, the balance of the General Fund net assets reserve is projected at \$16.4 million, approximately 5 months of operating expenses.

Trust Assurance Program

For 2025, Trust Administration Fees (TAF) are forecast at \$4.3 million, \$579,000 below budget. The 2025 TAF budget was set according to the BC Real Estate Association forecast for real estate unit sales of 9.8% over 2024 unit sales however the most current BCREA forecast is now negative 2.7% over 2024 levels.

The Trust Assurance operating costs is projected to have savings of \$210,000 in travel and consulting costs.

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The Law Society of British Columbia

General Fund

For the 12 Months ending December 31, 2025

(\$'000's)

			Forecast vs Budget	
			\$	%
	Forecast	Budget	Variance	
REVENUE				
Practice fees	27,313	27,886	(573)	-2%
PLTC and enrolment fees	2,016	1,907	109	6%
Electronic filing revenue	953	1,017	(64)	-6%
Interest income	1,473	1,473	-	0%
Registration and Licensing	832	832	-	0%
Fines, penalties & recoveries	590	586	4	1%
Program Cost Recoveries	170	170		
Other revenue	454	454	-	0%
Building Revenue & Recoveries	1,247	1,235	12	1%
Total Revenues	35,048	35,560	(512)	-1%
EXPENSES				
Benchers Governance and Events				
Governance	859	618	(241)	-39%
Board Relations & Events	353	298	(55)	-18%
	1,212	916	(296)	-32%
Corporate Services				
General Office	877	845	(32)	-4%
CEO Department	1,181	1,293	112	9%
Finance	1,416	1,471	55	4%
Human Resources	898	902	4	0%
Records Management	363	363	-	0%
	4,735	4,874	139	3%
Education and Practice				
Licensing & Admissions	2,263	2,549	286	11%
PLTC & Education	4,668	4,062	(606)	-15%
Practice Standards	997	843	(154)	-18%
	7,928	7,454	(474)	-6%
Communications and Information Services				
Communications	647	671	24	4%
Information Services	2,591	2,608	17	1%
	3,238	3,279	41	1%
Policy and Legal Services				
Policy & Legal Services	987	1,476	489	33%
Tribunal and Legislative Counsel	953	1,253	300	24%
Unauthorized Practice	298	298	-	0%
	2,238	3,027	789	26%
Regulation				
CLO Department	1,134	1,115	(19)	-2%
Intake & Early Assessment	3,022	2,765	(257)	-9%
Discipline	2,150	2,269	119	5%
Forensic Accounting	541	1,176	635	54%
Investigations, Monitoring & Enforcement	3,969	4,253	284	7%
Custodianships	2,042	2,097	55	3%
External Counsel Fees & Litigation	3,382	1,867	(1,540)	-82%
	16,265	15,542	(723)	-5%
Building Occupancy Costs	2,036	2,036	-	0%
Projects Funded From Reserves				
Legal Professions transition costs	1,068	-	(1,068)	0%
External Organization Funding	307	-	(307)	0%
	1,375	-	(1,375)	
Total Operating Expenses	39,027	37,128	(1,899)	-5%
General Fund Results	(3,979)	(1,568)	(2,411)	
Trust Assurance Program (TAP)				
TAF revenues	4,345	4,924	(579)	-12%
TAP expenses	3,837	4,047	210	5%
TAP Results	508	877	(369)	
General Fund Results including TAP	(3,472)	(692)	(2,780)	

(1) Membership fees include capital allocation of \$1,422K (Capital allocation budget = \$1,441K)

2025 Year-End Reports

Access to Justice Advisory Committee
Equity, Diversity and Inclusion Advisory Committee
Ethics and Lawyer Independence Advisory Committee
Truth and Reconciliation Advisory Committee
Bullying, Harassment, and Discrimination Task Force
Discipline Processes Task Force

To: Benchers

Purpose: For Information

Date: December 5, 2025

Introduction

1. This report is a compilation of the year-end reports of the four Advisory Committees and two Task Forces, and summarizes their work. More detailed information is contained in the various reports to the Benchers.

Access to Justice Advisory Committee

2. The Access to Justice Advisory Committee spent an extensive amount of the year analyzing (and consulting on) the issue of data in the justice system and legal services environment, the PST on legal services, and the possible ways to assist people at risk of eviction or who are experiencing homelessness. The findings of these discussions are contained in the December 5, 2025 report to the Benchers, “The Need for Better Data to Improve Access to Justice and Legal Services”.
3. In addition to this work, the Committee considered what the Law Society might do to support the courts’ efforts to improve access to justice, and provided a range of ideas to President Brook Greenberg, KC and the Law Society CEO and Executive Director, Gigi Chen-Kuo, to facilitate meetings they might have with the Chief Justices and Chief Judge. This input summarized existing Law Society policy. The Committee also reviewed data from the Annual Practice Declaration (“APD”) regarding lawyers’ efforts to support access through pro bono, reduced fee services, legal aid and other efforts. With respect to this work, the Committee reiterated past discussions of the Committee that concluded the Law Society should make the efforts better known, but also that there is an opportunity to improve the quantitative data in the optional APD. These tasks are operational in nature and staff have undertaken a review of the optional questions, and are working with the Communications department to determine the best ways to profile the many ways lawyers support access to justice.

Equity, Diversity and Inclusion Advisory Committee

4. The Equity, Diversity and Inclusion Advisory Committee spent significant time exploring ways to improve opportunities for lawyers to have the time and means to take care of health issues. It conducted an in-depth review of the findings of the second phase of the *National Study on the Psychological Determinants of Legal Professionals in Canada*. It also considered policy options related to the rebranding and enhancement of the existing locum program, which will result in the launch of a new Practice Coverage Network by the end of 2025.
5. The Committee also provided guidance to staff on the operationalization of the governing principles for the new approach to demographic data collection that the Benchers approved in

November 2024, which is reflected in the demographic data report that is part of this agenda package. Under the aegis of this Committee, an accessibility consultation is also under way to better understand how the profession can be made more accessible and inclusive.

Ethics and Lawyer Independence Advisory Committee

6. The Ethics and Lawyer Independence Advisory Committee advanced a broad work plan aimed at strengthening ethical guidance for the profession and supporting timely, client-focused practice. Following a presentation by Geoffrey D. Cowper, KC, the Committee considered the ethical dimensions of delay and timeliness and raised this issue with the Federation of Law Societies of Canada's Model Code Standing Committee ("Standing Committee"). Throughout the year, the Committee also reviewed and approved an initial set of ethics advisories on core practice topics. The Committee drafted and approved an ethics advisory on undertakings and trust conditions, and also began work on further advisories, such as on non-disclosure agreements and issues arising when a lawyer leaves a firm.
7. The Committee considered amending Commentary [4] of the Code of Professional Conduct for British Columbia ("Code") rule 3.3-3, which outlines the future harm / public safety exception to confidentiality, to clarify a lawyer's responsibilities in regard of seeking ethical advice. This matter is included in this agenda package for consideration and approval. The Committee furthermore received and considered two requests for advisory opinions: One regarding the obligations and responsibilities of government civil lawyers under section 3 of the Code, and one to opine on ethical considerations when outsourcing work to remote or overseas support staff. Finally, the Committee reviewed the Consultation Report of the Standing Committee regarding the Duty to Report and provided feedback.

Truth and Reconciliation Advisory Committee

8. This year the Truth and Reconciliation Advisory Committee reviewed its Terms of Reference with regard to increasing Indigenous representation on the Committee. The Committee spoke to the Director, Indigenous Initiatives and the Indigenous Navigator, who took part in the meetings. The Committee reviewed the implementation of the *Report of the Indigenous Engagement in Regulatory Matters Task Force* recommendations and discussed ways to build on the Indigenous intercultural competency course with post-call education. The Committee provided input into both the Law Society's response to the Federation of Law Societies of Canada's *Model Code of Professional Conduct* on the duty to report discrimination and harassment, as well as the Law Society's Demographic Data Collection Project questionnaire. The Committee continued to consider the regulation of contingency fee agreements and the emerging issue of Indigenous Identity Fraud.

Bullying, Harassment, and Discrimination Task Force

9. During the first half of 2025, the Bullying, Harassment, and Discrimination Task Force worked to develop a shared understanding of the nature and impact of bullying, harassment, and discrimination within BC's legal profession. The Task Force identified several priority areas, including training and awareness-raising, enhanced support systems, less adversarial processes, and evaluation and assessment approaches. The Task Force reviewed how other legal regulators address these issues, outlined the legal and regulatory framework, and mapped key stakeholders.
10. During the second half of 2025, the Task Force began discussing awareness-raising and training responses, support resources, and less adversarial processes. To inform their discussions, the Task Force designed and delivered a symposium held on October 9, 2025, bringing together several of the Law Society's advisory committees and task forces, external speakers, and staff for constructive dialogue. The Task Force also launched an anonymous survey for lawyers and non-lawyers who work or have worked in BC's legal profession. The survey asks about experiences with discrimination and harassment, including sexual harassment and bullying, and perspectives on how to these issues could be addressed. It has already attracted more than 500 responses and will remain open until December 15, 2025. Insights from these engagement initiatives will inform the Task Force's development of concrete recommendations in the next phase of its mandate.

Discipline Processes Task Force

11. The Discipline Processes Task Force had a productive first year of its two-year mandate by considering the Law Society's discipline processes and the potential preliminary recommendations that could be made to improve them in the future. The Task Force reviewed data, research and presentations and spoke to staff on: the complainants' experience, current processes and policies, evidence-based data collection & analysis, and the meaning of professional misconduct. The Task Force reviewed the Law Society's implementation updates for the *Report of the Indigenous Engagement in Regulatory Matters Task Force* recommendations and spoke with the Director, Indigenous Initiatives and the Indigenous Navigator about Indigenizing current processes.
12. In 2026, the Task Force's work plan includes considering data on staff experiences (from a Discipline Staff Focus Group held on October 8, 2025), research on deterrence and the public interest in discipline processes, and finalizing its recommendations to the Benchers by October 2026.

Avalon Bourne

Subject: Email to Executive Committee

Dear Executive Committee:

RE: Health Justice Alliance Activities

As some of you may know, following Justice Hamilton's appointment to the Supreme Court, I stepped into her shoes in a leadership role with the Health Justice Alliance, a collaboration started between lawyers and doctors through the efforts of Justice Hamilton, Dr. Ramneek Dosanjh and Jane Morley KC in 2022. Doug Munro and I are Members of the HJA Steering Committee along with other members from Health and Justice professions. Through this work I have been asked to speak about the HJA on two occasions and record a podcast. If it is appropriate, I would like to provide a brief written or verbal report on our work in 2025 and the work planned for 2026 to the Benchers table at the December 5, 2025 meeting.

1. Podcast:

On August 5, 2025, I was invited to record a Podcast with Dr. Ramneek Dosanjh for the Law Society entitled: "Helping Families Navigate Divorce and Separation". We spoke about the work of the HJA and the effects of high conflict separations on children and families. This is available for listening at: <https://www.lawsociety.bc.ca/news-and-engagement/lawcast-bc-podcast/helping-families-navigate-divorce-and-separation/>

2. Presentation on the HJA and the effect of ACEs in the context of family law:

If desired, my report would include the invitation by the A2J subgroup of the Federation of Law Societies (through Doug Munro) to present on ACEs and the impact of separation on families with Dr. Shirley Sze, another member of the Steering Committee. This led to an invitation from the Law Society of Ontario for Dr. Sze and me to present on October 29, 2025 at the Law Society of Ontario's Access to Justice Week. Our presentation was entitled: "The Impact of ACEs in the Context of the Family Justice System". I understand that this presentation has been recorded and will be available for viewing through the LSO's website.

3. Webinar:

Both the health and justice sides of the collaboration will be hosting webinars in 2026. The planning is being done primarily by me, Dr. Sze and Doug Munro. The health webinar will be hosted by UBC Continuing education and will include participants from both the health and justice sectors. The justice webinar will be hosted by the LSBC. Doug and I have discussed having three main speakers with lived experience: a family lawyer, an Indigenous doctor and an adult child of a high conflict separation.

I am grateful for the opportunity to represent the profession and the Law Society in this work that seeks to prevent harm to members of the public going through relationship breakdown by collaboration and education between the health and justice sectors. BC would seem to be the only province collaborating in this way. I believe this is an important access to justice initiative.

Should you have any questions or concerns, please do not hesitate to contact me.

Yours truly,

Tanya Chamberlain

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November 21, 2025

Sent via email

Josh Paterson, KC
Executive Director
The Law Foundation of BC

Dear Josh:

Re: Appointments to the Board of Governors of the Law Foundation of BC

I am pleased to advise that Law Society of BC's Executive Committee has re-appointed Leah Mack (Victoria County), Brandon L. Veenstra (Kootenay County), and R. Max Collett (Vancouver County) to the Law Foundation of BC's Board of Governors for three-year terms commencing January 1, 2026 and ending December 31, 2028.

The Executive Committee has also agreed to defer filling the three other vacancies on the Law Foundation of BC's Board of Governors until early 2026.

I am confident that the Law Foundation and its important work will be well-served served by the continuing contributions of those being reappointed.

Yours truly,



Brook Greenberg, KC
President, Law Society of BC

c. Karen Ameyaw, Chair, Law Foundation of BC

Paige Zawyrucha, Governance & Executive Services Coordinator, Law Foundation of BC

Gigi Chen-Kuo, Chief Executive Officer/Executive Director, Law Society of BC

Brook Greenberg, KC
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