

MacLean, Madeline AVED:EX

From: Porter, Rodney GCPE:EX
Sent: Wednesday, March 5, 2014 11:46 AM
To: Avison, Claire AVED:EX; Bakowski, Valarie AVED:EX; Thiessen-Wale, Katherine AVED:EX; Rogers, Dorothy AVED:EX
Cc: Wyllie, Sandra AVED:EX
Subject: FW: IN_TWU
Attachments: IN_TWU Law Degree proposal_March 4 2014_FINAL.DOCX

FYI – interesting point on labour mobility implications for the bc law society.

From: Heiman, Carolyn GCPE:EX
Sent: Wednesday, March 5, 2014 11:39 AM
To: Mulholland, Lauren GCPE:EX
Cc: Funk, Richelle GCPE:EX; Porter, Rodney GCPE:EX; Phelps, Blair GCPE:EX
Subject: RE: IN_TWU

Just sat in a briefing with the law society. Interestingly they are going to webcast the vote on April 11 and debate started at 8:30. I believe this is in the calendar but perhaps time/details can be added. BC is the first provincial law society to vote on this so there will be lots of attention

Interesting twist to this which I am cc-ing Blair Phelps about: Apparently there is uncertainty around what implication a decision to not allow TWU graduates to practice would have on trade mobility questions, if, for example, a TWU grad gets green light to practice in another province, they could theoretically then apply to have their licence transferred to BC. Would that put the law society afoul of the trade mobility agreements?



Carolyn Heiman

Communications Director | Government Communications & Engagement
Ministry of Justice | Attorney General
PH 250 387-3672 | CELL 250-888-3545

From: Mulholland, Lauren GCPE:EX
Sent: Wednesday, March 5, 2014 11:01 AM
To: Heiman, Carolyn GCPE:EX
Cc: Funk, Richelle GCPE:EX
Subject: IN_TWU

Signed off by program.



Lauren Mulholland

Communications Manager | Government Communications
Ministry of Justice | Attorney General
Ph: 250 952.7302 | s.17
lauren.mulholland@gov.bc.ca

MacLean, Madeline AVED:EX

From: Rogers, Dorothy AVED:EX
Sent: Friday, March 7, 2014 12:07 PM
To: Simmons, Vicki AVED:EX
Subject: FW: Trinity Western University
Attachments: 20140307072136.pdf; ATT00001.htm

Dorothy Rogers
Director, Quality Assurance
Governance and Quality Assurance Branch
Ministry of Advanced Education
250-387-6298
Cell 250-217-0689

From: Thiessen-Wale, Katherine AVED:EX
Sent: Friday, March 7, 2014 12:06 PM
To: Bakowski, Valarie AVED:EX; Rogers, Dorothy AVED:EX
Subject: FW: Trinity Western University

s.14

It seems the attachment is corrupted somehow, so I will try to obtain another copy.

Katherine

From: Avison, Claire AVED:EX
Sent: Friday, March 7, 2014 11:55 AM
To: Thiessen-Wale, Katherine AVED:EX
Subject: Fwd: Trinity Western University

Sent from my iPhone

Begin forwarded message:

From: "Greathead, Leah R JAG:EX" <Leah.Greathead@gov.bc.ca>
To: "Avison, Claire AVED:EX" <Claire.Avison@gov.bc.ca>
Cc: "Irwin, Josie M JAG:EX" <Josie.Irwin@gov.bc.ca>, "Morgan, Jean A JAG:EX" <Jean.Morgan@gov.bc.ca>, "Petkovic, Anita M JAG:EX" <Anita.Petkovic@gov.bc.ca>, "Lloyd, Christine R JAG:EX" <Christine.Lloyd@gov.bc.ca>
Subject: Trinity Western University

Hello Claire,

I am writing to let you know that the Lawyers' Rights Watch Canada (LRWC) has served the AG with Notice of a constitutional question in regards to the proposal for a new law school at Trinity Western University (TWU). LRWC describes itself as "a committee of lawyers and students who promote human rights and the rule of law internationally through education, legal research and advocacy for lawyers and other human rights defenders".

s.14

Please feel free to contact me if you have any questions. I have attached a copy of the notice to this email.

Leah

NOTE: This message is protected by solicitor-client privilege. In keeping with the Standards of Conduct for Public Service Employees it is not to be disclosed outside of provincial government without prior written approval from Legal Services Branch, Ministry of Attorney General. It is intended only for the use of the person to whom it is addressed. If you have received this email message in error, please telephone me and destroy the message. Any further dissemination or copying of this communication is prohibited.

Leah Greathead
Barrister and Solicitor
Ministry of Attorney General
Legal Services Branch
PO Box 9280, Stn. Prov. Gov't
Victoria, BC V8W 9J7
Phone: (250) 356-8892
Fax: (250) 356-9154

MacLean, Madeline AVED:EX

From: Lloyd, Christine R JAG:EX
Sent: Friday, March 7, 2014 2:29 PM
To: Greathead, Leah R JAG:EX; Thiessen-Wale, Katherine AVED:EX
Subject: RE: Trinity Western University
Attachments: 20140307142645.pdf

Categories: Red Category

As attached.

From: Greathead, Leah R JAG:EX
Sent: Friday, March 7, 2014 2:24 PM
To: Thiessen-Wale, Katherine AVED:EX
Cc: Lloyd, Christine R JAG:EX
Subject: RE: Trinity Western University

I have asked Chris to rescan and send you the attachment. Chris –can you come get it from my office please.

Thanks

Leah

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Legal Services Branch
PO Box 9280, Stn. Prov. Gov't
Victoria, BC V8W 9J7

Phone: (250) 356-8892
Fax: (250) 356-9154

From: Thiessen-Wale, Katherine AVED:EX
Sent: Friday, March 7, 2014 12:07 PM
To: Greathead, Leah R JAG:EX
Cc: Irwin, Josie M JAG:EX; Petkovic, Anita M JAG:EX
Subject: FW: Trinity Western University

Good afternoon Leah, Claire Avison has passed your message to me. I can't seem to open the attachment – it might be corrupted. Would it be possible to have it re-scanned? Thank you,

Katherine Thiessen-Wale

Director, Legislation and Board Appointments
Governance and Quality Assurance Branch
Ministry of Advanced Education

From: Avison, Claire AVED:EX
Sent: Friday, March 7, 2014 11:55 AM
To: Thiessen-Wale, Katherine AVED:EX
Subject: Fwd: Trinity Western University

Sent from my iPhone

Begin forwarded message:

From: "Greathead, Leah R JAG:EX" <Leah.Greathead@gov.bc.ca>
To: "Avison, Claire AVED:EX" <Claire.Avison@gov.bc.ca>
Cc: "Irwin, Josie M JAG:EX" <Josie.Irwin@gov.bc.ca>, "Morgan, Jean A JAG:EX" <Jean.Morgan@gov.bc.ca>, "Petkovic, Anita M JAG:EX" <Anita.Petkovic@gov.bc.ca>, "Lloyd, Christine R JAG:EX" <Christine.Lloyd@gov.bc.ca>
Subject: Trinity Western University

Hello Claire,

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Leah Greathead
Barrister and Solicitor
Ministry of Attorney General
Legal Services Branch
PO Box 9280, Stn. Prov. Gov't
Victoria, BC V8W 9J7
Phone: (250) 356-8892
Fax: (250) 356-9154

Johnstone, Judy E AVED:EX

Subject: Cliff 97107 - INFO/FILE FW: Re: Loke v. Minister of Advanced Education of British Columbia
Attachments: Affidavit of Jill Bishop SWORN.pdf; Sworn Affidavit of Cheryl McKinnon.pdf
Importance: High

From: Cheryl McKinnon [<mailto:cmckinnon@rubyshiller.com>]
Sent: Monday, April 14, 2014 9:23 AM
To: president@twu.ca; emeehan@supremeadvocacy.ca; Minister, AVED AVED:EX
Cc: Gerald Chan; Clayton Ruby; Angela Chaisson; KBrooks@jfkllaw.ca; ESigurdson@jfkllaw.ca; Mandy Machin
Subject: FW: Re: Loke v. Minister of Advanced Education of British Columbia

Dear Sir/Madam:

Further to my email of this morning, please find attached the following materials:

1. Affidavit of Catherine Taylor
 2. Affidavit of Barry Adam
 3. Affidavit of Ellen Faulkner
 4. Affidavit of Jill Bishop
 5. Affidavit Cheryl McKinnon
-

Additional materials will be forwarded to you throughout the day as we are able to scan them. As indicated in my email earlier this morning, a hard copy of all our materials will be served on you shortly.

Yours truly,

Cheryl McKinnon
Law Clerk

**RUBY
SHILLER
CHAN
HASAN
BARRISTERS**

11 Prince Arthur Avenue
Toronto Ontario M5R 1B2
T: 416 964 9664 • F: 416 964 8305 • Web: www.rubyshiller.com
E: cmckinnon@rubyshiller.com

"The information contained in this electronic message is legally privileged and confidential information that is exempt from disclosure under applicable law and is intended only for the use of the individual or entity to which it is addressed. If you have received this communication in error, please notify us immediately by telephoning (416) 964-9664 or by email at cmckinnon@rubyshiller.com Thank you for your cooperation."

From: Cheryl McKinnon
Sent: April-14-14 7:51 AM
To: 'aved.minister@gov.bc.ca'; 'emeehan@supremeadvocacy.ca'; 'president@twu.ca'

Cc: Gerald Chan; Clayton Ruby; Angela Chaisson; 'KBrooks@jfkllaw.ca'; 'ESigurdson@jfkllaw.ca'

Subject: Re: Loke v. Minister of Advanced Education of British Columbia

Dear Sir/Madam:

Please be advised that Clayton Ruby and the law firm of Janes Freedman Kyle in Vancouver have been retained by Trevor Loke to challenge the decision of the Minister of Advanced Education to consent to Trinity Western University's Law School. Please find enclosed an electronic copy of the Petition and Affidavit of the Petitioner, Trevor Loke (without the exhibits). Our materials will be filed by the end of the day today, upon which hard copies will be served on you.

Yours truly,

Cheryl McKinnon
Law Clerk

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Johnstone, Judy E AVED:EX

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Cc: Gerald Chan; Clayton Ruby; Angela Chaisson; KBrooks@jfkclaw.ca; ESigurdson@jfkclaw.ca; Mandy Machin
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Law Clerk

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Subject: Re: Loke v. Minister of Advanced Education of British Columbia

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Yours truly,

Cheryl McKinnon
Law Clerk

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Pages 11 through 14 redacted for the following reasons:

s.13, s.14

s.14

s.17, s.14



Our Ref. 98451

November 17, 2014

Mr. Robert Kuhn, President
Trinity Western University
7600 Glover Rd
Langley BC V2Y 1Y1

Dear Mr. Kuhn:

I write in response to your letter of October 31, 2014 advising that Trinity Western University ("TWU") intends to bring a legal challenge to the decision of the Benchers of the Law Society of British Columbia that the proposed law faculty at TWU is not an approved program for the purpose of admission to the bar in British Columbia.

I am aware that TWU has also brought legal challenges to the decisions of the Law Society of Upper Canada (Ontario) and the Law Society of Nova Scotia not to approve the proposed law faculty at TWU.

In my letter to you of July 11, 2014, I advised that I may reconsider my consent to the proposed law program at TWU under the *Degree Authorization Act* if the initial decision of the Benchers of the Law Society of British Columbia approving the program was reversed.

In the circumstances, it seems unlikely that there will be a final determination by the courts with respect to the decisions by the various law societies, including the Law Society of British Columbia, not to approve the proposed law faculty at TWU before my conditional consent will expire. As you are aware under the terms and conditions of consent TWU must enroll students within three years from the date of consent. As a result, I am considering revoking my consent for TWU's proposed law program.

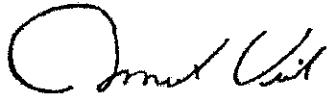
In advance of making that decision, I will accept written submissions from TWU in relation to whether the likely expiry of my consent before the resolution of the impending challenge to the Law Society of British Columbia's decision should cause me to revoke or change my consent for the proposed program. If I decide to revoke my consent after considering TWU's submissions, TWU would, of course, be welcome to resubmit a further application in the future, when the legal issues have been determined.

.../2

- 2 -

I would ask that you please provide your submissions to me in this regard by close of business on November 28, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Amrik Virk". The signature is fluid and cursive, with a large initial "A" and "V".

Amrik Virk
Minister

pc: Sandra Carroll
Deputy Minister
Ministry of Advanced Education

Kurt Sandstrom
Assistant Deputy Attorney General
Ministry of Justice

Pages 17 through 19 redacted for the following reasons:

s.13, s.14

MacLean, Madeline AVED:EX

From: Sutherland, Scott GCPE:EX
Sent: Friday, April 11, 2014 12:47 PM
To: Shaw, Mary A AVED:EX
Cc: Thiessen-Wale, Katherine AVED:EX; Avison, Claire AVED:EX; Porter, Rodney GCPE:EX
Subject: Fw: Bencher Decision - TWU Law School
Attachments: TWU Law School Press Conference Comments.pdf

Categories: Red Category

FYI - note embargoed til 2

Scott Sutherland
Communications Manager,
GCPE, B.C. Ministry of Advanced Education
250 952-6400

From: Heiman, Carolyn GCPE:EX <Carolyn.Heiman@gov.bc.ca>
Sent: Friday, April 11, 2014 12:43 PM
To: Porter, Rodney GCPE:EX; Sutherland, Scott GCPE:EX
Subject: FW: Bencher Decision - TWU Law School

Embargoed til 2 p.m. Law Society statement to media.



Carolyn Heiman
Communications Director | Government Communications & Engagement
Ministry of Justice | Attorney General
PH 250 387-3672 | CELL s.17

From: AWhitcombe@lsbc.org [<mailto:AWhitcombe@lsbc.org>]
Sent: Friday, April 11, 2014 12:35 PM
To: Heiman, Carolyn GCPE:EX
Subject: Bencher Decision - TWU Law School

Carolyn – In case you've not heard, the Benchers approved the law school at TWU. I'm attaching the comments President Jan Lindsay, QC will be making at our press conference at 2 PM PST. Please hold these embargoed until after the press conference when we expect to post them to our website, along with a link to the video of the conference. If you have any questions or follow up, please feel free to call me at 604.443.5767 or cell at s.22 or our communications officer, Ryan Lee at 604.443.5708 or cell s.22

Regards,

Adam

Adam Whitcombe | Chief Information and Planning Officer
Barrister & Solicitor
Law Society of British Columbia
845 Cambie St., Vancouver, BC V6B 4Z9

t 604.443.5767 | BC toll-free 1.800.903.5300

Regulating in the public interest | www.lawsociety.bc.ca

This email transmission and any accompanying attachments may be subject to solicitor/client privilege or may contain confidential or privileged information. Any use of the information by unintended recipients is prohibited. If you have received this transmission in error, please delete it and the attachments immediately and contact me by telephone or email. Thank you.

President Lindsay:

Welcome everyone, and thank you for joining us.

In late 2013, both the Federation of Law Societies Approval Committee and BC's Ministry of Advanced Education approved the establishment of law school at Trinity Western University. As you will know by now, the Benchers of the Law Society have also decided to approve the proposed Faculty of Law at TWU. This means that graduates from that law school will be eligible to enter the Law Society's admissions program.

From the outset of our consideration of a faculty of law at TWU, we have attempted to maintain an open, fair and transparent decision-making process.

Early on, the Law Society invited written submissions from the public and lawyers and by the time the deadline on March 3, the Law Society had received nearly 300 submissions. Together, the submissions of TWU and interested organizations, lawyers and the public totaled nearly 800 pages. I would like to thank everyone who took the time to make a submission. We appreciate the contribution the submissions made to the discussion and I would like to emphasize that the submissions were carefully considered by the Benchers.

Because of the public interest in this matter, the Law Society has webcast the Benchers' discussion and decision. This permitted more people, including lawyers and the public, to watch and hear the proceedings than could have been reasonably accommodated in our usual meeting room. The webcast will be archived for future reference and is now a matter of public record.

The Benchers arrived at their decision through a process that has been open, thorough and fair – from the beginning, right through to the decision. It has involved consideration of legal advice from a number of advisors, review and consideration of the Federation reports and the proposal from TWU and the public submissions. It has occupied our attention for some time and the decision was thoroughly considered and not taken lightly.

Because of the administrative nature of the decision the Benchers have made, I cannot comment on the decision itself or the reasons behind it. However, I can make a few observations about the discussion.

Many Benchers spoke meaningfully about their personal struggle with the decision. For those of you who had the opportunity to view the webcast, I believe you will have seen how seriously the Benchers have taken this decision, regardless of whether they supported or opposed the resolution.

The necessity of balancing two Charter Rights; the right to equality and the right to freedom of religion, was discussed by many of the Benchers. It was obvious that the Benchers

discussion reflected a deep and abiding belief in the equality rights in the Charter but also the range of views, opinions and perspectives was impressive in its diversity and thoroughness.

A number of Benchers mentioned the necessity of supporting and deciding in a manner consistent with the Rule of Law and the 2001 Supreme Court of Canada in *Trinity Western University v. British Columbia College of Teachers*. On the other hand, several Benchers noted that the issues before the Court in that case might be decided differently if before the Court today.

Finally, many Benchers expressed the hope that TWU embrace tolerance, work with the legal community and consider whether it needs to maintain the Covenant as it is currently worded to reflect its faith, despite the legal protection afforded to the Covenant by the 2001 Supreme Court of Canada decision.

Lawyers in British Columbia take an oath to uphold the Rule of Law and fundamental constitutional values set out in the Constitution of Canada, including the Charter of Rights and Freedoms and human rights legislation. In British Columbia, all articulated students – no matter which law school they graduate from – complete Law Society training and evaluation in the core aspects of professional responsibility, including non-discrimination. And the Law Society requires that lawyers not discriminate in the exercise of their professional duties. If anyone feels that he or she has experienced discrimination by a lawyer, he or she should make a complaint to the Law Society.

Going forward, we will continue to protect the public interest in the administration of justice, by setting and enforcing standards of professional conduct for lawyers. And as always, the Law Society will continue to ensure that the public is well served by legal professionals who are competent, honourable and independent.

Thank you.

MacLean, Madeline AVED:EX

From: Thiessen-Wale, Katherine AVED:EX
Sent: Monday, April 14, 2014 3:47 PM
To: Irwin, Josie M JAG:EX
Subject: RE: MEDIA REQUEST - Legal challenge to Minister's approval of TWU law school

Categories: Red Category

Thank you Josie. I am not aware of any statement having been put out officially as yet.

Katherine Thiessen-Wale

Director, Legislation and Board Appointments
Governance and Quality Assurance Branch
Ministry of Advanced Education

From: Irwin, Josie M JAG:EX
Sent: Monday, April 14, 2014 2:42 PM
To: Thiessen-Wale, Katherine AVED:EX
Subject: FW: MEDIA REQUEST - Legal challenge to Minister's approval of TWU law school

s.14

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Josephine Irwin
Legal Counsel
Legal Services Branch
Ministry of Justice
Tel: (250) 356-8451 Fax: (250) 356-9264

From: Irwin, Josie M JAG:EX
Sent: Monday, April 14, 2014 11:15 AM
To: Sutherland, Scott GCPE:EX; Shaw, Mary A AVED:EX
Cc: Avison, Claire AVED:EX; Thiessen-Wale, Katherine AVED:EX; Petkovic, Anita M JAG:EX; Sandstrom, Kurt JAG:EX; Horsman, Karen JAG:EX; Heiman, Carolyn GCPE:EX
Subject: RE: MEDIA REQUEST - Legal challenge to Minister's approval of TWU law school

Hello Mary and Scott,

s.14

Josie

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Josephine Irwin
Legal Counsel
Legal Services Branch
Ministry of Justice
Tel: (250) 356-8451 Fax: (250) 356-9264

From: Sutherland, Scott GCPE:EX
Sent: Monday, April 14, 2014 10:24 AM
To: Shaw, Mary A AVED:EX; Petkovic, Anita M JAG:EX; Irwin, Josie M JAG:EX
Cc: Avison, Claire AVED:EX; Thiessen-Wale, Katherine AVED:EX
Subject: RE: MEDIA REQUEST - Legal challenge to Minister's approval of TWU law school
Importance: High

s.13

STATEMENT

For Immediate Release
2013AVED0047-001903
Dec. 18, 2013

Ministry of Advanced Education

Statement on Trinity Western University's proposed law degree

VICTORIA – Advanced Education Minister Amrik Virk issued the following statement after he granted consent for the proposed new law school program at Trinity Western University.

"Trinity Western University is a faith-based, private university that does not receive operating or capital funding from government.

"I have now had an opportunity to consider the Degree Quality Assessment Board's recommendation and findings, as well as the Federation of Law Societies of Canada reports.

"The Degree Quality Assessment Board reviewed Trinity Western University's proposed law degree and found that it met the degree program quality assessment criteria for private and out-of-province public institutions.

"Further, the review by the Federation of Law Societies confirmed that graduates of the proposed law program could meet the national standards to practise law.

"As Advanced Education Minister, I have granted consent for Trinity Western University's application for its proposed new law school program."

From: Shaw, Mary A AVED:EX
Sent: April-14-14 10:15 AM
To: Petkovic, Anita M JAG:EX; Irwin, Josie M JAG:EX
Cc: Sutherland, Scott GCPE:EX; Avison, Claire AVED:EX; Thiessen-Wale, Katherine AVED:EX
Subject: FW: MEDIA REQUEST - Legal challenge to Minister's approval of TWU law school
Importance: High

Hi Anita and Josie,

Thanks,
Mary Shaw
Executive Director, Governance and Quality Assurance Branch
Ministry of Advanced Education

s.17

From: Sutherland, Scott GCPE:EX
Sent: Monday, April 14, 2014 9:44 AM
To: Shaw, Mary A AVED:EX; Avison, Claire AVED:EX
Cc: Thiessen-Wale, Katherine AVED:EX; Porter, Rodney GCPE:EX
Subject: MEDIA REQUEST - Legal challenge to Minister's approval of TWU law school
Importance: High

We have a media request for comment on Clay Ruby's release that they are launching a lawsuit in MAV's decision to approve TWU

Would like you to review, and advise please:

Seeks Ministry comment:

Transmitted At: 2014-04-14 08:27

<http://www.newswire.ca/en/releases/archive/April2014/14/c2758.html>

The Minister's Decision to Allow Trinity Western University's Law School Challenged in Court

TORONTO, April 14, 2014 /CNW/ - On December 17, 2013, the Minister of Advanced Education in British Columbia exercised his discretion to allow Trinity Western University to operate a law school.

To be admitted to the Law School, students are required to sign a Community Covenant. The Community Covenant requires, among other things, that students abstain from "sexual intimacy that violates the sacredness of marriage between a man and a woman."

In making his decision to consent to the Law School, the Minister refused to consider whether the Canadian Charter of Rights and Freedoms applied to his decision. Instead, he took the position the application of the Charter is "outside the purview of my Ministry" and should be left to the Court.

Trevor Loke, an openly gay Christian who intends to go to law school, is asking the Court to now decide that question. "I find the Minister's endorsement of TWU's law school humiliating", says Mr. Loke. He says that the Minister was required to consider whether his decision interferes with Charter rights. He says the Minister's failure to do so:

- (i) violates the Charter value of equality by approving a school that requires all law students to abstain from same-sex intimacy, whether married or not; and

- (ii) violates the Charter value of freedom of religion by approving a school that requires all students to adhere to an aspect of Christianity which condemns same-sex intimacy, whether married or not.

He also says the Minister also should have considered:

- (iii) that his mandate as Minister of Advanced Education requires him to improve access for law students in British Columbia in an equitable fashion; and
- (iv) that Trinity Western's policy violates its own statutory mandate, which requires it to provide an education to students without discrimination on the basis of "any creed".

Mr. Loke says that had the Minister considered these factors, he could not have granted his consent to Trinity Western's law school.

Mr. Loke has retained the law firms of Ruby Shiller Chan Hasan (Toronto) and Janes Freedman Kyle Law Corporation (Vancouver). "Welcome to the 21st century: this discrimination is simply unacceptable," says Clayton Ruby. "And don't sell religion short by using it as an excuse for this discrimination."

The Minister gave the government's stamp of approval to a law school with a discriminatory admission policy. His stamp of approval is especially troubling given the unique nature of a law degree program. Law school seats are a scarce public resource. Law degrees are the first entry point to the legal profession. Members of the legal profession are afforded a wide range of privileges. Only lawyers can become judges. Therefore, everyone should have equal access to a legal education and the legal profession.

A joint press conference will be held at the offices of Ruby Shiller Chan Hasan (11 Prince Arthur Ave., Toronto) and Janes Freedman Kyle Law Corporation (340 - 1122 Mainland Street, Vancouver) on Monday, April 14th at 1:15pm EST / 10:15 am PST.

SOURCE Ruby & Shiller

For further information:

For more information, please contact Clayton Ruby in Toronto at (416) 964-9664 or Karey Brooks in Vancouver at (604) 687-0549 ext. 102. You may also email Mr. Ruby at ruby@rubyshiller.com and Ms. Brooks at kbrooks@jfkllaw.ca. For copies of court documents, please go to www.rubyshiller.com and click on "Documents"; they will be uploaded to the website as soon as they are filed with the Court on Monday, April 14th.

Page 29 redacted for the following reason:

s.13

MacLean, Madeline AVED:EX

From: Rogers, Dorothy AVED:EX
Sent: Friday, April 25, 2014 1:08 PM
To: Wolfe, Karrie JAG:EX
Cc: Horsman, Karen JAG:EX; Avison, Claire AVED:EX; Shaw, Mary A AVED:EX; Thiessen-Wale, Katherine AVED:EX; Brown, Susan B AVED:EX; Wyllie, Sandra AVED:EX
Subject: FW: records required - TWU
Attachments: s.13, s.14

Categories: Red Category

Hi Karrie,

I hope I have included all the items you have requested below.
s.13, s.14

Thanks,

Dorothy

Dorothy Rogers
Director, Quality Assurance
Governance and Quality Assurance Branch
Ministry of Advanced Education
250-387-6298
Cell s.17

Page 31 redacted for the following reason:

s.13, s.14, s.17

**MINISTRY OF ADVANCED EDUCATION,
INNOVATION AND TECHNOLOGY
DECISION NOTE**

PREPARED FOR: Honourable John Yap
Minister of Advanced Education, Innovation and Technology
and Minister Responsible for Multiculturalism

ISSUE: Trinity Western University -- Proposal for a Juris Doctor degree program

BACKGROUND:

The *Degree Authorization Act* (DAA) requires that private and out-of-province public institutions undergo a quality assessment process and meet the published criteria before they can receive consent from the Minister to offer, advertise or grant degrees in British Columbia. Trinity Western University (TWU) is a faith-based, not-for-profit, private university governed by the *Trinity Western University Act*, authorizing it to grant theological and academic degrees. However, all new academic degree programs proposed by TWU require consent under the DAA.

TWU is proposing to offer a Juris Doctor degree (see Attachment 1 for the program proposal). The Juris Doctor is a second-entry bachelor's degree in law. Admission to a second-entry bachelor's degree program requires the completion of at least two years undergraduate study. Most Canadian law schools have changed their existing law degrees from a Bachelor of Laws to a Juris Doctor over the past four years, including the other three law degree programs offered in British Columbia. TWU states the proposed program was approved by its Senate and its Board of Governors in April 2012. If consent is granted, TWU expects to launch the program in September 2015.

s.13, s.14

Pages 33 through 166 redacted for the following reasons:

s. 14

s.13, s.14

s.13, s.14, s.17

s.14

s.14, s.17

s.14, s.22

MacLean, Madeline AVED:EX

From: Thiessen-Wale, Katherine AVED:EX
Sent: Friday, June 6, 2014 1:35 PM
To: Sutherland, Scott GCPE:EX
Subject: Special Meeting of Law Society re TWU JD
Attachments: Notice to Profession

Categories: Red Category

Hi Scott, as mentioned, the attached Notice contains the following:

There have been some questions about the import of the resolution should it pass at the special general meeting. Section 13 of the *Legal Profession Act* provides that a resolution of a general meeting is not binding on the Benchers except as provided in that section. If the resolution has not been substantially implemented by the Benchers within 12 months following the general meeting at which it was adopted and the executive director receives a petition signed by at least 5% of members in good standing of the society requesting a referendum on the resolution, a referendum of all members must be conducted. If at least 1/3 of the members vote in the referendum and 2/3 vote in favour, then the resolution is binding, provided that implementation would not constitute a breach of the Benchers' statutory duties.

I interpret this to mean that the Benchers can deliberate on the outcome of Tuesday's meeting for up to a year, and if it has not been acted upon by the end of the year, a petition can be initiated. If the requisite numbers are achieved through petition (and it is not a high threshold), a referendum of the membership must be called. If the requisite number of votes is reached through the referendum, then the resolution is binding on the Benchers. This could certainly drag out the issue, but eventually, the benchers would be required to do something. It seems to me that the outcome could depend on how strongly members continue to feel about the issue after the passage of time. If it dies down and members don't bother to follow through with a petition, the Benchers' original decision could stand irrespective of what happens Tuesday.

Katherine Thiessen-Wale

Director, Legislation and Board Appointments
Governance and Quality Assurance Branch
Ministry of Advanced Education

MacLean, Madeline AVED:EX

From: lawsociety@lsbc.org
Sent: Monday, June 2, 2014 4:23 PM
To: s.22
Subject: Notice to Profession

Message from President Jan Lindsay, QC

Fast Track Pre-Registration

As there may be a significant turnout at all of the locations for this special general meeting, we are providing members with a fast track pre-registration process. For those who wish to avoid registration lineups on the day of the meeting, the fast track pre-registration form will permit you to obtain your voting card. You will need to sign and present the form, which will show your name and member number and states that, by presenting the form at the fast track registration desk, you are certifying you are the person named in the form. You will also be asked for some form of identification, such as a driver's licence, Law Society member card or business card.

If you would like to take advantage of the fast track pre-registration process, please click [here](#), select the location where you plan to attend, and click "Submit." Then print the form, sign it and bring it with you to the meeting. If you are unable to follow the link or print the form or if the information on the form is incorrect, please visit the Law Society home page at www.lawsociety.bc.ca and log in using the Lawyer Login. You will see a link to the expedited registration form which will permit you to print the form.

Registration will remain open until the close of voting at 6 pm PDT.

If you have any difficulties obtaining the printed form, please contact 604.605.5335.

Voting

While voting at a general meeting is usually by a show of hands, as provided in Rule 1-11(16) I intend to order voting by paper ballot for the motion to adopt the resolution. This will accommodate a number of requests that voting remain open for a period of time after the vote is called. Voting will start once the question is called, and that time will be determined by the meeting itself. Once voting has started, you will be asked to exchange your voting card for a paper ballot, which you will then mark in a voting area and deposit in one of the available ballot boxes. Voting will remain open until 6 pm PDT at all locations and members may register for the meeting and vote up until that time.

Special General Meeting

There have been some questions about the import of the resolution should it pass at the special general meeting. Section 13 of the *Legal Profession Act* provides that a resolution of a general meeting is not binding on the Benchers except as provided in that section. If the resolution has not been substantially implemented by the Benchers within 12 months following the general meeting at which it was adopted and the executive director receives a petition signed by at least 5% of members in good standing of the

society requesting a referendum on the resolution, a referendum of all members must be conducted. If at least 1/3 of the members vote in the referendum and 2/3 vote in favour, then the resolution is binding, provided that implementation would not constitute a breach of the Benchers' statutory duties.

Members' Meeting

This is a members' meeting convened to consider a resolution to require the Benchers to decide differently than they did on April 11. I would encourage all members who plan to attend the meeting and vote to review the transcript of the Bencher discussion and the webcast of the April 11 discussion and decision. Under Rule 2-27(4.1), a common law faculty of law is approved if it has been approved by the Federation of Law Societies of Canada unless the Benchers adopt a resolution declaring that it is not or has ceased to be an approved faculty of law. On April 11, a resolution that the proposed faculty of law at TWU is not an approved faculty of law was defeated by a 20 - 7 vote. The Benchers made their decision after a thoughtful and considered expression of views and careful consideration of reports, submissions and opinions and the judgment of the Supreme Court of Canada in Trinity Western University v. British Columbia College of Teachers 2001 SCC 31. The Benchers have agreed that, because they have already considered and fully discussed the issue on April 11 which is now a matter of record, they will refrain from speaking to the resolution at the meeting in favour of having the members' voices, both for and against, fully heard.

Inquiries and Requests

We have received a significant number of inquiries and requests in relation to the upcoming special general meeting.

The most common inquiry has been a request for more locations to be added to the 16 identified in the Notice of Special General Meeting mailed out earlier this month. The Benchers have made significant efforts to accommodate members' interest in attending and voting on the special general meeting resolution. In addition to the main location in the Vancouver Convention Centre, they have approved 15 other locations around the province. For the most part, those other locations have reflected those at which the annual general meeting has been held. The Benchers understand that both the timing and the locations may not be convenient for all those who might wish to attend and vote on the resolution. However, with over 13,000 lawyers located throughout the province, the Benchers have done their best to reasonably accommodate as many as possible within the current Rules.

We have also been asked frequently about whether members can vote online or by proxy. The procedure regarding the conduct of general meetings is set out in Rules 1-7 and 1-9 through 1-11. In particular, Rule 1-11(15) requires that you be present at the meeting to be entitled to vote. Rule 1-11(17) provides that proxy voting is not permitted. However, as the Bencher message in the Notice of Special General Meeting indicated, in light of the current experience with this special general meeting, the Benchers will consider looking at a range of different options for future general meetings.

Meeting Process

Although the Benchers' Message in the Notice of Special General Meeting indicated that the Chair would propose a time limit of three minutes for member speeches and that no member would speak for a second time on the same matter, the feedback on these proposals suggests I should not propose a specific time limit. Subject to the will of the meeting on June 10, speaking will be governed by *Robert's Rules of Order*, which provide a maximum of 10 minutes for each speaker and no more than two opportunities to speak for each speaker. I will, however, ask speakers to be mindful of others who may wish to speak at the meeting and try to avoid repeating points made by earlier speakers.

Page 170 redacted for the following reason:

s.13, s. 14

Thank you for the input this morning. Attached is the updated issues note as discussed.

ADVICE AND RECOMMENDED RESPONSE:

- The establishment of a law program at Trinity Western University has been the subject of much debate.
- I'm aware that the issue was the subject of a special general meeting of all members of the BC Law Society (June 10).
- The BC Law Society is the independent regulator for lawyers in BC and has the authority to determine who can practice law in BC.
- We will continue to monitor the follow-up to this vote to determine if there are any implications for government.

IF ASKED ABOUT THE JUDICIAL REVIEW:

- In April 2014, a petition was filed challenging my decision, under the Degree Authorization Act, to allow TWU to issue law degrees.
- Government will be filing a response to the petition and a hearing date has been set for later this year.
- It would be inappropriate to comment further while the matter is before the courts.

SECONDARY MESSAGING (NOT TO BE USED AT THIS TIME)

- Trinity Western University is a private, faith-based university in British Columbia, which receives no operating or capital funding from government.
- Based on an assessment of the quality of the programming and preliminary approval of the Federation of Law Societies, the Minister of Advanced Education gave consent under the *Degree Authorization Act* in December 2013.
- The decision to approve followed the Degree Quality Assessment Board's recommendation and findings, as well as preliminary approval by the Federation of Law Societies of Canada.

BACKGROUND ON BC LAW SOCIETY VOTE:

- At the Law Society of BC special general meeting on June 10, members voted to adopt a resolution that directs the Benchers to declare that Trinity Western University's law school is not an approved faculty of law for the purposes of allowing its students to enter our admissions program. The result of the vote was 3,210 in favour and 968 opposed.
- Benchers voted 20-6 on April 11, 2014 against such a resolution, but a campaign by a Victoria lawyer obtained enough votes to force the special general meeting.
- The vote is not binding and does not legally compel the Benchers to reverse the April decision. The BC Law Society has up to one year to implement the resolution. Otherwise, another petition is needed to conduct a referendum on the resolution.

BACKGROUND REGARDING THE JUDICIAL REVIEW:

- On April 14, 2014 a petition was filed with the BC Supreme Court on behalf of Trevor Loke, 25, an openly gay Anglican and Vancouver Park Board commissioner. Government was served with the petition on April

16. The petition contends the province had a duty to consider how accrediting the proposed Trinity Western University law school law might violate Charter guarantees of equality and even freedom of religion, and the minister of Advanced Education must ensure BC students have equal access to law schools.

- Clayton Ruby and his Toronto-based firm, Ruby Shiller Chan Hasan, and lawyers from Vancouver-based Janes Freedman Kyle (JFK) Law Corporation, are representing Mr. Loke.
- Government must file its response to the petition by the end of June 2014. A hearing has been scheduled for December 1-5.

KEY FACTS:

- TWU, a faith-based, private university in Langley, wants to offer a Juris Doctor degree, a professional degree required to practice law in Canada. Currently, it plans to launch the program in September 2016.
- On Dec. 16, 2013, the Federation of Law Societies of Canada granted preliminary approval to a proposed new law school program at TWU. Final approval cannot be granted until the program graduates its first students. The Federation of Law Societies does not undertake a quality review but does undertake a review of proposed new law programs regarding whether the learning outcomes of the program enable graduates to meet the competencies required to practice law (the national requirement). This is done on behalf of the provincial regulatory bodies, including the Law Society of BC. If the Federation had not approved the program, graduates would not have been able to write the bar exam.
- The Rules of the Law Society of British Columbia provide the Benchers with a discretion not to approve a law program despite the approval of the Federation.
- s.13
- The community covenant defines marriage as being between one man and one woman. This has created controversy given that Canada has recognized same-sex marriages since 2005.
- In 2001, the Supreme Court of Canada overturned a decision of the College of Teachers not to allow a teaching program at TWU.
- On April 24, the Law Society of Upper Canada (Ontario) voted 28-21 against accrediting Trinity Western's proposed law school.
- On April 25 the council governing Nova Scotia Barrister's Society voted 10 to nine in favour of conditional accreditation for TWU law school graduates to enrol in that province's bar admission program as long as TWU drops its covenant.

Rodney Porter | Communications Director
Government Communications & Public Engagement
B.C. Ministry of Advanced Education

Mobile: 250.889.7494 | email: rodney.porter@gov.bc.ca

From: Porter, Rodney GCPE:EX

Sent: Wednesday, June 11, 2014 8:21 AM

To: Avison, Claire AVED:EX; Thiessen-Wale, Katherine AVED:EX; Brown, Susan B AVED:EX; Horsman, Karen JAG:EX; Wolfe, Karrie JAG:EX

Cc: Wyllie, Sandra AVED:EX; Sutherland, Scott GCPE:EX

Subject: DISCUSSION: Updated issues on TWU

Importance: High

Updated draft issues note for review as part of this morning's meeting.

ADVICE AND RECOMMENDED RESPONSE:

- The establishment of a law program at Trinity Western University has been the subject of much debate.
- I'm aware that the issue was the subject of a special general meeting of all members of the BC Law Society (June 10).
- The BC Law Society is the independent regulator for lawyers and they have the authority to determine who can practice law.
- We will continue to monitor the outcome of this vote to determine if there are any implications for government.
- Ultimately, I expect that the issues raised will be decided by the Supreme Court of Canada.

IF ASKED ABOUT THE JUDICIAL REVIEW:

- In April 2014, a petition was filed challenging my decision, under the Degree Authorization Act, to allow TWU to issue law degrees.
- Government will be filing a response to the petition and a hearing date has been set for later this year.
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- The vote is not binding and does not legally compel the Benchers to reverse the April decision. The BC Law Society has one year to implement the resolution. Otherwise, another petition is needed to conduct a referendum on the resolution. But even that is not binding.

BACKGROUND REGARDING THE JUDICIAL REVIEW:

- On April 14, 2014 a petition was filed with the BC Supreme Court on behalf of Trevor Loke, 25, an openly gay Anglican and Vancouver Park Board commissioner. Government was served with the petition on April 16. The petition contends the province had a duty to consider how accrediting the proposed Trinity Western University law school law might violate Charter guarantees of equality and even freedom of religion, and the minister of Advanced Education must ensure BC students have equal access to law schools.
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- s.13

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- On April 25 the council governing Nova Scotia Barrister's Society voted to allow TWU law school graduates to enrol in that province's bar admission program as long as TWU drops its covenant. Members of the council voted 10 to nine in favour of granting the conditional accreditation for TWU, which would prevent future graduates from articling in Nova Scotia, but would permit them to practise in NS.

Communications Contact: Rodney Porter
 Program Area Contact: AVED - Katherine Thiessen-Wale/Claire
 Avison
 JAG – Karrie Wolfe/Karen Horsman
 File Created: April 15, 2014
 File Updated: April 28/May 22/June 11, 2014
 File Location: Issue Notes

Minister's Office	Program Area	A/Deputy	Comm Director / Manager
	Katherine Thiessen-Wale Karrie Wolfe/Karen Horsman	Claire Avison/SC	Scott Sutherland

Ruby Schiller news release – April 14, 2014

The Minister's Decision to Allow Trinity Western University's Law School Challenged in Court

TORONTO, April 14, 2014 /CNW/ - On December 17, 2013, the Minister of Advanced Education in British Columbia exercised his discretion to allow Trinity Western University to operate a law school.

To be admitted to the Law School, students are required to sign a Community Covenant. The Community Covenant requires, among other things, that students abstain from "sexual intimacy that violates the sacredness of marriage between a man and a woman."

In making his decision to consent to the Law School, the Minister refused to consider whether the Canadian Charter of Rights and Freedoms applied to his decision. Instead, he took the position the application of the Charter is "outside the purview of my Ministry" and should be left to the Court.

Trevor Loke, an openly gay Christian who intends to go to law school, is asking the Court to now decide that question. "I find the Minister's endorsement of TWU's law school humiliating", says Mr. Loke. He says that the Minister was required to consider whether his decision interferes with Charter rights. He says the Minister's failure to do so:

- (i) violates the Charter value of equality by approving a school that requires all law students to abstain from same-sex intimacy, whether married or not; and
- (ii) violates the Charter value of freedom of religion by approving a school that requires all students to adhere to an aspect of Christianity which condemns same-sex intimacy, whether married or not.

He also says the Minister also should have considered:

- (iii) that his mandate as Minister of Advanced Education requires him to improve access for law students in British Columbia in an equitable fashion; and
- (iv) that Trinity Western's policy violates its own statutory mandate, which requires it to provide an education to students without discrimination on the basis of "any creed".

Mr. Loke says that had the Minister considered these factors, he could not have granted his consent to Trinity Western's law school.

Mr. Loke has retained the law firms of Ruby Shiller Chan Hasan (Toronto) and Janes Freedman Kyle Law Corporation (Vancouver). "Welcome to the 21st century: this discrimination is simply unacceptable," says Clayton Ruby. "And don't sell religion short by using it as an excuse for this discrimination."

The Minister gave the government's stamp of approval to a law school with a discriminatory admission policy. His stamp of approval is especially troubling given the unique nature of a law degree program. Law school seats are a scarce public resource. Law degrees are the first entry point to the legal profession. Members of the legal profession are afforded a wide range of privileges. Only lawyers can become judges. Therefore, everyone should have equal access to a legal education and the legal profession.

BCLS NEWS RELEASE – June 10, 2014

Resolution adopted at Law Society's special general meeting

Vancouver – At a special general meeting today, members of the Law Society voted to pass a resolution directing the Board of Governors, known as Benchers, to declare that Trinity Western University's (TWU) law school is not an approved faculty of law for the purposes of the Law Society's admissions program. The vote was 3,210 in favour and 968 opposed.

Under the *Legal Profession Act*, the resolution is not binding on the Benchers and does not reverse the Benchers' decision made in April of this year, which permitted TWU's law school graduates to enter the Law Society's admissions program.

"The decision regarding whether to admit graduates from the proposed law school at TWU is a Benchers decision," said President Jan Lindsay, QC. "However, the Benchers will give the result of today's members meeting serious and thoughtful consideration."

The Benchers made their decision on April 11 after thorough review and consideration of more than 800 pages of submissions, two reports of the Federation of Law Societies of Canada, a number of legal opinions and the Supreme Court of Canada decision in a previous Trinity Western University case.

"This is a complex issue that engages many points of view," Lindsay said. "There is currently litigation challenging the BC provincial government's decision to approve a law school at TWU and litigation in Ontario and Nova Scotia challenging the decision by law societies there not to approve the proposed law school at TWU. Ultimately, I fully expect that the issues raised will be decided by the Supreme Court of Canada."

The Law Society of British Columbia regulates the more than 11,000 practising lawyers in the province, setting and enforcing standards of professional conduct that ensure the public is well-served by a competent, honourable legal profession.

-30-

TWU news release – June 10, 2014

LSBC meeting attendees at odds with Benchers' decision

TWU President Bob Kuhn, J.D. expressed concern with the Resolution. "Difficult decisions involving fundamental rights and freedoms should not be decided by popular opinion," he said. "In April, the LSBC Benchers made their decision, in a 20 to 7 vote, after the thoughtful and measured expression of views and careful consideration of reports and submissions, and the judgment of the Supreme Court of Canada in 2001 SCC 31. The thorough process taken by the LSBC should not be undermined by a vocal group that organizes a special general meeting."

"The Supreme Court of Canada ruled eight to one in our favour in 2001 to allow our education graduates to teach in public schools, and we feel that landmark decision needs to be respected," said Kuhn. "Further, Section 3.1 of the (2005) recognizes that it is not against public interest to hold and publicly express diverse views on marriage."

There is no evidence to suggest that the religious beliefs of TWU-educated lawyers would affect the ability of those lawyers to serve all clients. "In a free and democratic society, the faith of TWU graduates cannot preclude them from practicing law," said Kuhn. "A just society protects the rights of religious minorities."

The resolution is not binding on the Benchers and does not legally compel them reverse the April decision. If the resolution has not been implemented within the following year, and the executive director receives another petition signed by at least five per cent of LSBC members, a referendum on the resolution must then be conducted. Even that cannot compel the Benchers to disregard their statutory duties.

Founded in 1962, TWU has been a part of higher education in British Columbia for over 52 years. TWU has six professional schools, including business, nursing, education, human kinetics, graduate studies, and arts, media and culture. The School of Law would be its seventh.

Pages 177 through 179 redacted for the following reasons:

s. 14 s. 17

s. 14, s.17

MacLean, Madeline AVED:EX

From: Thiessen-Wale, Katherine AVED:EX
Sent: Monday, June 23, 2014 11:01 AM
To: Porter, Rodney GCPE:EX
Subject: Status of Provincial Law Societies' Acceptance of TWU JD

Categories: Red Category

Hi Rodney, here is a summary of the status in common law jurisdictions (ie. excluding Quebec):

Alberta – Law Society adopts the Federation of Law Societies of Canada's recommendation automatically; TWU graduates can be admitted

Saskatchewan -- Law Society adopts the Federation of Law Societies of Canada's recommendation automatically; TWU graduates can be admitted

Manitoba – Uncertain -- as of May 22 2014, the Law Society is monitoring the situation, and will not engage in discussion about local approval process other than the Federation of Law Societies

Ontario – Law Society of Upper Canada rejected the TWU JD on April 24 2014 ; TWU graduates will not be admitted

New Brunswick – Law Society meeting on June 27 2014 to consider the issue.

Nova Scotia – NS Barristers' Society rejected TWU JD as long as the covenant remains in place' TWU graduates will not be admitted

PEI -- Law Society adopts the Federation of Law Societies of Canada's recommendation automatically

Newfoundland & Labrador – Uncertain – as of June 6 2014, Law Society is monitoring the situation, and will hold a decision in abeyance

Yukon -- Law Society adopts the Federation of Law Societies of Canada's recommendation automatically

NWT – no information available

Nunavut – no information available

Katherine Thiessen-Wale

Director, Legislation and Board Appointments
Governance and Quality Assurance Branch
Ministry of Advanced Education

Pages 181 through 187 redacted for the following reasons:

s.13, s.14

Culleton, Anita Y AVED:EX

From: Minister, AVED AVED:EX
Sent: Friday, July 11, 2014 4:00 PM
To: 'president@twu.ca'
Subject: Ltr to Robert Kuhn - Re: Juris Doctor Program at TWU
Attachments: Ltr to Robert Kuhn - July 11 2014.pdf

Attached is a signed letter from the Honourable Amrik Virk, Minister of Advanced Education.

Office of the Honourable Amrik Virk
Minister of Advanced Education
Ph: (250) 356-0179



Our Ref: 97560

July 11, 2014

Mr. Robert Kuhn, President (Interim)
Trinity Western University
7600 Glover Rd
Langley BC V2Y 1Y1

Dear Mr. Kuhn:

I write further to my letters of December 17, 2013 and February 12, 2014 advising of my consent under the *Degree Authorization Act* to a Juris Doctor program at Trinity Western University ("TWU").

The consent included a number of terms and conditions. Included in both the original and revised Special Terms and Conditions of Ministerial Consent was the following requirement:

5) **Reporting:** The institution must provide a report to the Board on the status of faculty recruitment and regulatory body approval prior to launching the program.

This term is consistent with the published criteria for quality assessment under the *Degree Authorization Act* in the Degree Program Review Criteria and Guidelines. The criteria to be considered by the Board include evidence that relevant regulatory bodies will recognize the credential (see page 24). The Federation of Law Societies and the Law Society of BC are the relevant professional and regulatory bodies for the practice of law in BC.

I am aware that on June 10, 2014, a special resolution of the members of the Law Society of BC was passed directing the Benchers to declare that TWU is not an approved law faculty for the purpose of the bar admissions requirements in British Columbia. I understand that the special resolution is not binding on the Benchers, however it may nonetheless be adopted and implemented by the Benchers voluntarily. In addition, the *Legal Profession Act* also provides for a further process by which the resolution may become binding following a referendum.

I request that TWU ensure it fulfills its reporting requirement under the terms and conditions of consent in the event that the Benchers' initial decision to approve the law faculty is ultimately reversed.

.../2

If TWU law school graduates are not eligible to practice law in British Columbia, that would constitute a substantive change to the program that may require further consideration of the consent granted under the *Degree Authorization Act*.

Sincerely,

A handwritten signature in black ink, appearing to read "Amrik Virk". The signature is fluid and cursive, with a large initial "A" and a stylized "V".

Amrik Virk
Minister

pc: Degree Quality Assessment Board

Pages 191 through 196 redacted for the following reasons:

s.13, s.14

s.14, s.17

MacLean, Madeline AVED:EX

From: Rogers, Dorothy AVED:EX
Sent: Tuesday, October 14, 2014 9:37 AM
To: Simmons, Vicki AVED:EX
Subject: FW: TWU JD : Law Society Referendum Info

Dorothy Rogers
Director, Quality Assurance
Governance and Quality Assurance Branch
Ministry of Advanced Education
250-387-6298
s.17

From: Thiessen-Wale, Katherine AVED:EX
Sent: Tuesday, October 14, 2014 9:23 AM
To: Porter, Rodney GCPE:EX
Cc: McGaghey Jones, Stacey GCPE:EX; Rogers, Dorothy AVED:EX
Subject: TWU JD : Law Society Referendum Info

Hi Rodney and Stacey, the following might be of interest to you for communications at the end of the month. The Law Society referendum ballots have been sent out. The ballot question is: Are you in favour of the following resolution?
BE IT RESOLVED THAT the Benchers implement the resolution of the members passed at the special general meeting of the Law Society held on June 10, 2014, and declare that the proposed law school at Trinity Western University is not an approved faculty of law for the purpose of the Law Society's admissions program.

A Yes vote supports disapproval, and a No vote supports approval of the school of law as an accredited faculty of law for the BC Law Society's admissions program.

Info included in the package states that the resolution will be binding and will be implemented if at least 1/3 of all members in good standing of the Law Society vote in the Referendum, and 2/3 of those voting vote in favour of the resolution.

Ballots completed and delivered to the Executive Director of the Law Society by 5:00 on October 29 will be reviewed and counted on October 30, and voting results will be announced on the Law Society website later that day.

Katherine Thiessen-Wale
Director, Legislation and Board Appointments
Governance and Quality Assurance Branch
Ministry of Advanced Education

MacLean, Madeline AVED:EX

From: McGaghey Jones, Stacey GCPE:EX
Sent: Tuesday, October 14, 2014 9:46 AM
To: Thiessen-Wale, Katherine AVED:EX; Porter, Rodney GCPE:EX
Cc: Rogers, Dorothy AVED:EX
Subject: RE: TWU JD : Law Society Referendum Info

Categories: Red Category

Great – thanks for sharing this info. Noted. We'll update the IN.

From: Thiessen-Wale, Katherine AVED:EX
Sent: Tuesday, October 14, 2014 9:23 AM
To: Porter, Rodney GCPE:EX
Cc: McGaghey Jones, Stacey GCPE:EX; Rogers, Dorothy AVED:EX
Subject: TWU JD : Law Society Referendum Info

Hi Rodney and Stacey, the following might be of interest to you for communications at the end of the month. The Law Society referendum ballots have been sent out. The ballot question is: Are you in favour of the following resolution?
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Katherine Thiessen-Wale
Director, Legislation and Board Appointments
Governance and Quality Assurance Branch
Ministry of Advanced Education

Pages 199 through 200 redacted for the following reasons:

s.14

s.22

Culleton, Anita Y AVED:EX

From: Minister, AVED AVED:EX
Sent: Tuesday, November 4, 2014 5:50 PM
To: AVED MCRU Incoming Corresp Working Box AVED:EX
Cc: Carey, Linda J AVED:EX; Dolan, Chelsea AVED:EX
Subject: Cliff 98577 - INFO/FILE: Attn: Minister Amrik Virk - TWU
Attachments: Amrik Virk 10312014.pdf

Categories: Info/File, Minister

Please INFO/FILE as follows:

Issue: Degree Approval
Branch: G&QA Br

Lorie McLeod
A/Manager, Business Services &
Ministerial Correspondence and Research Unit
Office of the Deputy Minister
Ministry of Advanced Education
(250) 952-7408

This message may contain information that is privileged and confidential. If you have received this message in error, please notify me immediately and delete the original transmission without making a copy.

From: Ann Coats [<mailto:Ann.Coats@twu.ca>]
Sent: Friday, October 31, 2014 4:41 PM
To: Minister, AVED AVED:EX
Subject: Attn: Minister Amrik Virk

The attached letter is sent on behalf of Bob Kuhn, President, Trinity Western University. Please confirm that the document has been received.

Kind Regards,

Ann

ANN COATS

Senior Executive Assistant to the President and Board of Governors | Office of the President
Trinity Western University | t: 604.513.2021 | f: 604.513.2145



October 31, 2014

Honourable Amrik Virk
Minister of Advanced Education
PO Box 9080 Stn Prov Govt
Victoria BC V8W 9E2

Minister Virk,

At a meeting of the Benchers of the Law Society of British Columbia held earlier today, they decided to reverse their prior decision of April 11, 2014. Based on a referendum vote of the members of the Law Society, the Benchers have declared "that the proposed law school at Trinity Western University is not an approved faculty of law." This is substantively the same motion that the Benchers defeated by a vote of 20-7 on April 11, 2014.

As we have done in Ontario and Nova Scotia, we anticipate proceeding under the *Judicial Review Procedure Act* to ask the Supreme Court of British Columbia set aside this decision of the Benchers. We anticipate such proceedings being commenced in due course. We will keep you informed as to progress. If there are any questions or concerns, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Bob Kuhn'.

Bob Kuhn, J.D.
President



Pages 203 through 205 redacted for the following reasons:

s.13, s.14