

**MINISTRY OF JUSTICE
POLICING AND SECURITY BRANCH
POLICE SERVICES BRIEFING NOTE
BRIEFING NOTE**

PURPOSE: FOR INFORMATION for Honourable Suzanne Anton, Attorney General and Minister of Justice

ISSUE: Status update on the calibration and maintenance of Approved Screening Devices (ASDs) used in British Columbia impaired driving enforcement.

SUMMARY:

- The Impaired Driving Advisory Committee (IDAC), formerly known as the Breath Test Advisory Committee, British Columbia Association of Chiefs of Police Traffic Safety Committee (BCACP TSC), is a police special working group that meets regularly to discuss issues relating to the enforcement of impaired driving.
- IDAC monitors Approved Screening Device (ASD) calibration issues and documentation, as well as police training, operational policies and procedures that support police in their use of BC's Immediate Roadside Prohibition legislation in particular, and impaired driving in general.
- IDAC is also responsible for developing and advancing a new provincial training process for recertifying Qualified Breath Technicians (QT), which is being implemented in BC in 2014.

BACKGROUND:

- Standardized ASD calibration forms are utilized by all police across BC and are subject to ongoing monitoring by IDAC subject matter experts who provide feedback to the respective police agencies to ensure accurate and complete documentation.
- If an ASD calibration error on a particular device is discovered, police pass that information to the Superintendent of Motor Vehicles at RoadSafetyBC, who has the authority to review any cases that may have been affected.
- In 2012, government also made changes to the review process for drivers whose breath samples yield either "warn" or "fail" readings.
- These changes include the requirement for police to advise drivers they have the right to a second breath test on a second Approved Screening Device and drivers can also challenge the results through an administrative review.
- Recent media stories have reported that a Vancouver lawyer claims that ASD maintenance records from 70 RCMP detachments, obtained under the *Access to Information and Privacy Act*, show a number of defective ASDs. The lawyer called upon government to direct police to suspend their issuing of roadside prohibitions and has further suggested that government enforce a scheme to report maintenance, calibration and repairs of ASDs.

- One media story reported the roadside experience of an individual last month in Surrey where he was reportedly prohibited from driving for 90 days and had his car impounded for "Refusing to provide a suitable breath sample". The individual reported that after trying to blow into the ASD "numerous times" the device kept reading "Void".
- The ASD currently used by police in BC is the AlcoSensor IV DWF. A "Void" reading on the AlcoSensor IV DWF indicates that a sample falls outside of the instrument's breath test parameters. Specifically, "Void" is displayed when either no breath sample is provided within one minute OR after a third insufficient sample attempt is preceded by two prior insufficient samples resulting in a "NoGo".
- Supt. Boucher of 'E' Division Traffic Services advised that the information contained in the recently released ASD maintenance records confirms that police are following the operations and maintenance procedures set out in the manufacturer's specifications.
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s.13, s.16

OTHER MINISTRIES IMPACTED/CONSULTED:

- N/A

Prepared by:

Jan Staples
Director, Road Safety Unit
Policing and Security Branch
604 775-2108

Recommended by:

Lisa Anderson
Executive Director and
Deputy Director of Police Services
Policing and Security Branch
250 356-8146

Approved July 31, 2014 by:

Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Programs Branch
250 387-1100

**MINISTRY OF JUSTICE
POLICING AND SECURITY BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for Honourable Suzanne Anton, Attorney General and Minister of Justice

ISSUE: Consultation meeting on policing-related Missing Women Commission of Inquiry (MWCI) recommendations with the Missing and Murdered Women's Coalition and SisterWatch on Monday, September 8, 2014.

SUMMARY:

- On December 17, 2012, *Forsaken – The Report of the Missing Women Commission of Inquiry (MWCI Report)* was released. The *MWCI Report* discusses the findings of the MWCI and outlines recommendations for action.
- Since the release of the *MWCI Report*, a substantial amount of work has been undertaken to implement the recommendations and to enhance the safety and security of vulnerable women in British Columbia.
- While government has taken the lead, work on the recommendations has been a collaborative effort. Government has engaged stakeholders in a number of targeted ways to ensure that actions taken are informed by their knowledge and expertise.
- At a meeting with the Missing and Murdered Women's Coalition on April 14, 2014, Policing and Security Branch committed to consulting on a number of policing-related MWCI recommendations with the Coalition, SisterWatch, victims' family members and other community groups as appropriate.
- The consultation meeting will provide participants an opportunity to provide input and feedback into policing-related initiatives aimed at addressing MWCI recommendations.

BACKGROUND:

- On July 10, 2013, the Missing and Murdered Women's Coalition – a coalition comprised of a number of agencies who provide services to and/or advocate for vulnerable and marginalized groups – wrote an open letter to the Minister expressing concern about perceived delays in implementing the MWCI recommendations.
- Since receiving the initial letter from the Coalition, the Ministry of Justice has been in correspondence and has met with the Coalition twice within the past year – November 25, 2013 and April 14, 2014 – to discuss the MWCI recommendations.

- On May 20, 2014, Ministry staff wrote to the Coalition in follow-up to the April 14, 2014 meeting and subsequent correspondence to propose a process for obtaining input into a number of MWCI policing-related recommendations. At which point, a consultation framework was sent to the Coalition for their consideration and input.
- As part of the Ministry's commitment to the Coalition, the Policing and Security Branch has been working in partnership with two representatives from the Coalition to set up a consultation meeting with SisterWatch (a multi-faceted program designed to combat violence against women in the Downtown Eastside and make the community safer for everyone who lives and works there), the Missing and Murdered Women's Coalition, victims' family members, and other suitable community groups/individuals as identified by SisterWatch and the Coalition.
- The consultation meeting is scheduled to take place on Monday, September 8, 2014 from 9:00 am to 4:00 pm in the Alice MacKay Room at the Library Square Conference Centre (350 West Georgia Street, Vancouver).
- The consultation session is by invitation only and a select group of participants have been invited to share their perspectives and provide input into a number of initiatives aimed at addressing policing-related MWCI recommendations.
- Media and elected officials have not been invited to participate in this community focussed consultation.
- The purpose of the consultation meeting is to solicit input on the following MWCI policing-related recommendations:
 - Provincial policing standards on missing person investigations (MWCI recs. 7.1, 7.2, 7.3, 7.4);
 - *Missing Persons Act* regulations (MWCI rec. 8.1);
 - Indigenous Cultural Competency training for police officers (MWCI rec. 4.10, 4.12);
 - Missing person website to educate the public about the missing person process (MWCI rec. 7.7); and
 - Provincial 1-800 # for missing person calls (MWCI rec. 7.8).
- Meeting participants will be invited to provide suggestions, comments, and ideas on the work accomplished to date to address MWCI recommendations, as well as on recommendations where work remains to be done.
- The Policing and Security Branch is committed to incorporating participants' feedback when feasible and appropriate, and to reporting out on feedback gathered to participants following the consultation session.

OTHER MINISTRIES IMPACTED/CONSULTED:

- No other Ministries will be impacted by the consultation as the session will focus solely on the five above mentioned policing-related recommendations.

Prepared by:
Danielle Duplissie
Project Manager
Policing and Security Branch
604.660.2647

Reviewed by:
Sophie Mas
Senior Project Manager
Policing and Security Branch
604.660.4451

Approved August 12, 2014 by:
Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Branch
250.387.1100

Attachment - September 8, 2014 Consultation Session Invitation List

Consultation on Missing Women Commission of Inquiry Policing-Related Recommendations

#	Organization	Name	Email Address
1	Aboriginal Front Door Society	Woodward, Mona	mona@abfrontdoor.com
2	Amnesty International Canada	Wright, Don	dwright@amnesty.ca
3	Asian Women Coalition Ending Prostitution	Lee, Alice	s.22
4	Atira Women's Resource Society	Abbott, Janice	janice_abbot@atira.bc.ca
5	Battered Women's Support Services	MacDougall, Angela Marie	director@bwss.org
6	BC Assembly of First Nations	Wilson-Raybould, Jody	regionalchief@bcfn.ca
7	BC Civil liberties Association	Paterson, Josh	josh@bccla.org
8	BC Society of Transition Houses	Ali, Shabna	TBD
9	Butterflies in Spirit	Williams, Lorelei	communitycoordinator@vacpc.org
10	Canadian Association of Sexual Assault Centres	Steacy, Lisa	casac01@shaw.ca
11	Carrier Sekani Tribal Council	Tegee, Mary	Mary@csfs.org
12	City of Vancouver	Mistry, Ty	Ty.Mistry@vancouver.ca
13	City of Vancouver	Wood, Jessica	Jessica.Wood@vancouver.ca
14	Coalition of Child Care Advocates of BC	TBD	info@cccabc.bc.ca
15	Downtown Eastside Sex Workers United Against Violence Society	Chettiar, Jill	s.22
16	Downtown Eastside Women's Centre	Kendall, Alice	alice@dewc.ca
17	Ending Violence Association BC	Jacobs, Beverly	jacobs@endingviolence.org
18	EVE, Formerly Exploited Voices Now Educating	Baptie, Trisha	trisha@honourconsulting.com
19	Family member	s.22	
20	Family member		
21	Family Member		
22	Family Services of Greater Vancouver	Bonesky, Caroline	cbonesky@fsgv.ca
23	February 14th Women's Memorial March Committee	George, Marlene	s.22
24	February 14th Women's Memorial March Committee	Yellowquill, Lisa	TBD
25	First Nations Health	Gallagher, Joe	pamela.finn@fnha.ca
26	First Nations Summit	Grant, Howard	hegrant@fns.bc.ca
27	Justice for Girls	TBD	TBD
28	Metis Nation British Columbia	Drown, Dale	ddrown@mnbc.ca
29	Metro Vancouver Aboriginal Executive Council	Ward, Dave	dward@mvaec.ca
30	Ministry of Justice	Anderson, Lisa	lisa.r.anderson@gov.bc.ca
31	Ministry of Justice	Arthur, Emily	emily.arthur@gov.bc.ca

Consultation on Missing Women Commission of Inquiry Policing-Related Recommendations

#	Organization	Name	Email Address
32	Ministry of Justice	Bard, Jenni	jenni.bard@gov.bc.ca
33	Ministry of Justice	Cavanaugh, Lynda	lynda.cavanaugh@gov.bc.ca
34	Ministry of Justice	Cunningham, Susan	susan.cunningham@gov.bc.ca
35	Ministry of Justice	Duplissie, Danielle	danielle.duplissie@gov.bc.ca
36	Ministry of Justice	Graham, Rachel	rachel.graham@gov.bc.ca
37	Ministry of Justice	Kirby, Kathy	katherine.kirby@gov.bc.ca
38	Ministry of Justice	McInally, Lynne	lynne.mcinally@gov.bc.ca
39	Ministry of Justice	Mezzarobba, Marcie	marcie.mezzarobba@gov.bc.ca
40	Ministry of Justice	Pecknold, Clayton	clayton.pecknold@gov.bc.ca
41	Ministry of Justice	Rodermond, Pamela	pamela.rodermond@gov.bc.ca
42	Ministry of Justice	Vallieres, Lucie	lucie.vallieres@gov.bc.ca
43	National Congress of Black Women's Foundation	Callender, Nalda	natbwf@telus.net
44	PACE: Providing Alternatives Counselling and Education Society	Dille, Laura	pace-admin@telus.net
45	Pivot Legal Society	Wrinch, Peter	peter@pivotlegal.org
46	Portland Hotel Society Community Services Society	TBD	TBD
47	Poverty and Human Rights Centre	Day, Shelagh	sheday@interchange.ubc.ca
48	Poverty and Human Rights Coalition	TBD	TBD
49	Provincial Council of Women of BC	TBD	TBD
50	Provincial Health Services Agency	Ward, Cheryl	cward-02@phsa.ca
51	Provincial Health Services Agency	Varley, Leslie	LVarley@phsa.ca
52	Provincial Health Services Agency	Daniels, Rain	Rain.Daniels@phsa.ca
53	RCMP	Assist. Comm. Rideout Wayne	wayne.rideout@rcmp-grc.gc.ca
54	Social Worker (Aboriginal Front Door Society)	Maxwell, Simone	s.22
55	Social Worker (Aboriginal Front Door Society)	Jardine, John	
56	TBD	TBD Elder	TBD
57	TBD	TBD Facilitator	TBD
58	Union Gospel Mission	Mollard, William	contact@ugm.ca
59	Union of BC Indian Chiefs	Bain, Don	ubcic@ubcic.bc.ca
60	Union of BC Indian Chiefs	Pinette, Celia	cpinette@ubcic.bc.ca
61	University Women's Club of Vancouver	TBD	uwcv@uwcvanancouver.ca
62	Urban Aboriginal Peoples Advisory Committee	Ludwig, Nicole	Nicole.ludwig@vancouver.ca

Consultation on Missing Women Commission of Inquiry Policing-Related Recommendations

#	Organization	Name	Email Address
63	Vancouver Aboriginal Community Policing Centre Society	Sakamoto Kramer, John	executivedirector@vacpc.org
64	Vancouver Aboriginal Friendship Centre	Tatoosh, Susan	executivedirector@vafcs.org
65	Vancouver Rape Relief and Women's Shelter	Russell, Louisa	LouisaR@rapereliefshelter.bc.ca
66	VPD	LePard, Doug	doug.lepard@vpd.ca
67	West Coast LEAF	Govender, Kasari	exec@westcoastleaf.org
68	WISH Drop-in Centre Society	Gibson, Kate	wishdropincentre@telus.net
69	Women's Equality and Security Coalition	N/A	N/A

**MINISTRY OF JUSTICE
POLICING AND SECURITY BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for Honourable Suzanne Anton, Attorney General and Minister of Justice

ISSUE: Response to Chief Donny Van Somer, Kwadacha First Nation, July 21, 2014 letter requesting a meeting with the Minister in Kwadacha to discuss a permanent police force in his community and inviting the media to view the "vacant" RCMP detachment.

SUMMARY:

- The Kwadacha First Nation receives policing services from the Tsay Keh RCMP Detachment which is approximately 70 km south of Kwadacha. Travel time between the two communities is generally 45 minutes but can take up to two hours during bad weather.
- Since 2007, Chief Van Somer has been active in pursuing a permanent police presence in his community.

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s.15, s.16

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BACKGROUND:

Community Profile:

- The population in Kwadacha is approximately 300-400. It is approximately 570 km north of Prince George and is considered one of the most isolated communities. It is a two hour flight from Prince George and travel time by vehicle on a logging road via Mackenzie is approximately eight to ten hours depending on weather conditions.
- According to RCMP substance abuse is a major problem in both Kwadacha and Tsay Keh.

Policing and Law Enforcement:

- The Tsay Keh Detachment requires s.15, s.16 member response to Kwadacha given the distance for backup, the number of alcohol and violence-related calls, and the number of firearms in the area.
- Kwadacha and Tsay Keh have entered into a Community Tripartite Agreement under the federal First Nations Community Policing Service (FNCPS) to receive culturally sensitive policing and law enforcement s.15, s.16 FNCPS RCMP members serve both communities and this service is cost shared by Canada at 52% and the Province at 48%.
- The RCMP s.15, s.16
- s.15 The new RCMP police facility was constructed in 2011 with the objective of enhancing the RCMP FNCPS in the community. In accordance with the FNCPS cost share ratio Canada paid 52% and the Province paid 48% of the construction costs.

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s.13

Next Steps

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s.16

OTHER MINISTRIES IMPACTED/CONSULTED:

- N/A

Prepared by:

Betty Graf
Senior Program Manager
First Nations Policing
Policing and Security Branch
250 356-7910

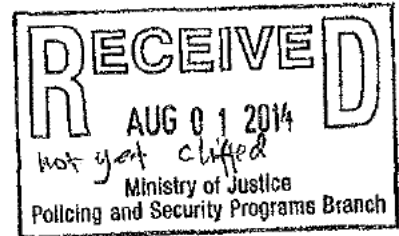
Recommended by:

Perry Clark
Executive Director,
Policing, Security and Law Enforcement
Infrastructure and Finance
Policing and Security Branch
250 356-7926

Cliff: 503657
Date Prepared: August 18, 2014

Approved August 19, 2014 by:
Clayton Pecknold
Assistant Deputy Minister
And Director of Police Services
Policing and Security Branch
250 387-1100

Attachment: July 21, 2014 letter to Minister Anton from Chief Von Somer



July 21st, 2014

Suzanne Anton
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Anton,

I am in receipt of your letter of July 7th, 2014 and find it disturbing that you have chosen to respond with information that we're not only already aware of, but have been listening to for some time now. Your response is unacceptable and I would like to schedule a meeting with you as soon as possible.

I will reiterate, *"This is a very important issue in our community; members feel very strongly that the current approach whereby policing is facilitated via RCMP members stationed out of Tsay Keh does not work."*

Perhaps we could schedule the meeting here in Fort Ware and invite the media along to have a look at our brand new, four year old, *vacant* detachment. We could also arrange to have the Aboriginal Community Policing Reports for the past year on hand as well.

Yours truly,

Donny Van Somer, Chief
Kwadacha Nation

cc. Christy Clark, Premier
PO Box 9041 STN Prov Gov't
Victoria, BC V8W 9E1

Chief Supt. Rod Booth, District Officer North District "E" Division
4020 5th Avenue
Prince George, BC V2M 7E7

Perry Clark, CA Executive Director Policing Security and Law
Enforcement Infrastructure and Finance Policing and Security Branch
Ministry of Justice 10th Floor
1001 Douglas Street PO Box 9285 Stn Prov Govt
Victoria, BC V8W9J7

Michelle Lanouette, Regional Manager Aboriginal Policing Public Safety Canada
607-3292 Production Way
Burnaby, BC V5A 4R4

Inspector Jacques Boissoneault, OIC Aboriginal Policing Services
"E" Division Aboriginal Policing Services
Mailstop 101 1420
GreenTimbers Way
Surrey, BC V3T 6P3

SUPT. Leslie Bain, North District "E" Division
4020 5th Avenue
Prince George, BC V2M 7E7

SGT Wallace, Aboriginal Policing, North District
4020 5th Avenue
Prince George, BC V2M7E7

Bob Cole, Senior Program Manager, Policing and Security Branch
Minister of Justice
10th Floor, 1001 Douglas Street
PO Box 9285 STN Prov Govt.
Victoria, BC V8W 9J7

**MINISTRY OF JUSTICE
POLICING AND SECURITY BRANCH
BRIEFING NOTE**

PURPOSE: For DECISION by the Honourable Suzanne Anton, Attorney General and Minister of Justice.

ISSUE: Proposal to change Emergency Communications for Southwest British Columbia's (E-COMM) corporate name.

DECISION REQUIRED/ RECOMMENDATION:

1. Minister signs approval document/response letter enabling E-COMM's name change.

SUMMARY:

- E-COMM shareholders have approved a corporate name change that appropriately reflects the company's expanded service portfolio.
- Minister approval is required to affect E-COMM's corporate name change.

BACKGROUND:

- The notion of consolidating emergency communications in southwest BC was borne in the early 1990s amid a series of international disasters and provincial emergencies, including major earthquakes in California and the 1994 Stanley Cup riot in Vancouver. These events highlighted the importance of effective and coordinated communications systems during wide-scale emergency events.
- With this purpose in mind, in 1997 the provincial government created E-COMM under the *Emergency Communications Corporations Act*, affording the new agency responsibility for:
 - Regional 911 call answer services;
 - Operation of the region's Wide-Area Radio System; and
 - Dispatches for over 30 police and fire departments across Metro Vancouver, Sunshine Coast, Whistler, Squamish and Squamish-Lillooet Regional District.
- E-COMM is shareholder-owned:
 - 27 "Class A" shareholders are part of the E-COMM radio system and are bound by the terms and conditions of the Members' Agreement (requires them to cover all of E-COMM's financial obligations); and
 - 22 "Class B" shareholders which secures the holder future system access.
- E-COMM is a not-for-profit, cost-recovery entity with a \$50 million annual budget.
- E-COMM governance occurs through a shareholder-nominated, 18 member Board of Directors. The Board is responsible for governance, strategic direction, finances and operating results. E-COMM management is accountable to the Board.

- E-COMM member agencies are charged for services under a levy system (Radio Levy, Dispatch Levy, and 911 Levy).
- E-COMM's multi-year strategic plan ('Vision 2020') is based on broad consultation with Board members, partners, shareholders, employees and key stakeholders. Its goals, strategies and key initiatives are intended to position the corporation to achieve major advancements in public safety communications.
- Further to Vision 2020, E-COMM has increasingly expanded its 911 service roles beyond southwest BC. For example, in fall 2014, six regional districts under the North Island 911 Corporation will begin using E-COMM for 911 call answer services, followed by a further nine interior regional districts in November 2014.
- To reflect E-COMM's expanded service portfolio, at the June 19, 2014 Annual and Special General Meeting of Shareholders, shareholders were asked to consider removing "Southwest" from their corporate name.
- The proposed name change was unanimously approved by shareholders, and Minister's approval is now required to affect the change.
- On July 02, 2014, E-COMM has sent correspondence (Appendix 1) to the Minister that includes
 - A Special Resolution, signed by E-COMM's Corporate Secretary, reflecting shareholders' decision to change the corporate name; and
 - A 'Ministerial Approval' document for the Minister's signature, is required as;
 - The name contains the words 'British Columbia', the use of which is restricted per the *Provincial Symbols and Honours Act* (Note: E-COMM has already submitted the required application to the Protocol BC office, which approved the name change pending the Minister's signature; and
 - E-COMM must alter its Notice of Articles and Members' Agreement – changes that require Minister approval per Sections 4(4) and 5(5) of the *Emergency Communications Corporations Act*.
- PSB staff consulted with provincial agencies – including Emergency Management BC, BC Ambulance Service, HealthLink BC, BC Emergency Health Services, and the Ministry of Health – to determine if there are concerns about the proposed name change. There were no risks identified regarding the proposed name change by these agencies.
- Given stakeholder, executive and Board support for the proposed name change, the fact that the proposed name change more accurately reflects the company's expanded service reach, and there were no identified risks associated with the name change from key stakeholders, it is recommended that the name change be approved by the Minister.

OPTIONS:

- **OPTION 1 (RECOMMENDED)** – Minister signs Approval Document (Appendix 1) and Response Letter (Appendix 2) to enable E-COMM's name change.

- OPTION 2 – Minister does not sign Approval Document.

OTHER MINISTRIES IMPACTED/CONSULTED:

- Ministry of Health, BC Ambulance Service, Emergency Management BC, HealthLink BC, BC Emergency Health Services.

DECISION APPROVED / NOT APPROVED DATE:

Honourable Susanne Anton
Attorney General and Minister of Justice

Prepared by:
Rob Ferrier
Senior Manager
Policing & Security Branch
250-356-6522

Recommended by:
Kjerstine Holmes
Director, Public Safety Initiatives
Policing & Security Branch
250-387-2170

Recommended by:
Lisa Anderson
Executive Director and
Deputy Director of Police Services
604-660-1741

Approved August 19, 2014 by:
Clayton Pecknold
Assistant Deputy Minister and
Director of Police Services
250-387-1100

Attachments: Appendix 1 - July 02, 2014 E-COMM correspondence / Approval Document
 Appendix 2 - Response Letter

July 2, 2014

The Honourable Suzanne Anton, QC
Minister of Justice and Attorney General
PO Box 9044, Stn Prov Govt
Victoria, BC
V8W 9E2

RECEIVED
502970
JUL 08 2014
de.ooo - 01/E-Comm
DEPUTY SOLICITOR GENERAL

Dear Minister Anton,

Re: Name Change: E-Comm, Emergency Communications for Southwest BC Incorporated

At the June 19, 2014 Annual and Special General Meeting of the Shareholders (the "ASGM") a proposed revision to the company's name was approved by the Class A Shareholders.

By way of background, the E-Comm Board of Directors has identified that the current company name *E-Comm Emergency Communications for Southwest British Columbia Incorporated* is not reflective of the company's current service footprint and is geographically limiting with regard to E-Comm's increasing role in providing call answer and additional 9-1-1 services outside of the southwest region of the Province of British Columbia.

Accordingly, at the ASGM the shareholders were asked to consider removing "southwest" from the company name by way of special resolution (attached) which was unanimously approved in accordance with the requirements of the E-Comm Members' Agreement and Articles of the Company.

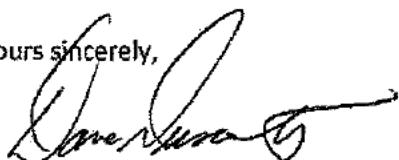
The following information and supporting documentation is included in this package:

- Ministerial approval document
- Declaration by our Corporate Secretary verifying member resolution

If you approve of the name change, we respectfully request your approval be returned to Jody Robertson, E-Comm Corporate Secretary, at 3301 East Pender Street, Vancouver, British Columbia V5K 5J3.

We appreciate your attention in this matter.

Yours sincerely,



David W. Guscott
President and CEO

Enclosures

cc Lori Wanamaker, Deputy Solicitor General
Clayton Pecknold, Assistant Deputy Minister and Director of Police Services


**E-COMM EMERGENCY COMMUNICATIONS FOR SOUTHWEST
BRITISH COLUMBIA INCORPORATED**
(the "Company")

I, JODY ROBERTSON, the Corporate Secretary of the Company, hereby certify the following to be a true and exact copy of a special resolution of the shareholders of the Company duly passed on June 19, 2014, which resolution has not been amended and is still valid and in full force and effect on the date hereof:

BE IT RESOLVED, AS A SPECIAL RESOLUTION, THAT:

1. The name of the Company be changed from E-Comm Emergency Communications for Southwest British Columbia Inc. to E-Comm Emergency Communications for British Columbia Inc.
2. The Articles and the Notice of the Articles of the Company be altered accordingly.
3. Any director or officer of the Company is authorized and directed to sign all documents and to do all things necessary or desirable to effect such alteration including the filing of a Notice of Alteration to a Notice of Articles with the Registrar of Companies.
4. Alexander Holburn Beaudin + Lang LLP are authorized and directed to electronically file the Notice of Alteration with the Registrar of Companies.
5. The alteration to the Articles of the Company referred to above does not take effect until the Notice of the Alteration to the Notice of Articles of the Company has been filed with the Registrar of Companies and takes effect.

Dated July 2, 2014



JODY ROBERTSON
Corporate Secretary

Ministerial Approval

Pursuant to
Emergency Communications Corporations Act

Whereas E-COMM EMERGENCY COMMUNICATIONS FOR SOUTHWEST BRITISH COLUMBIA INCORPORATED (the "Company"), a corporation designated as an emergency communications corporation, has requested that certain amendments to its Notice of Articles and its Members' Agreement, as duly authorized by the members of the Company on June 19, 2014, be approved.

I, Suzanne Anton, Minister of Justice and Attorney General, pursuant to the *Emergency Communications Corporations Act*, HEREBY APPROVE:

1. the name of the Company be changed from E-Comm Emergency Communications for Southwest British Columbia Inc. to E-Comm Emergency Communications for British Columbia Inc.; and
2. the consequential alterations to the Company's Articles, Notice of Articles and Members' Agreement.

Dated the ____ day of _____, 2014.

Honourable Suzanne Anton
Minister of Justice and Attorney General

Mr. David W. Guscott, President and CEO
E-COMM 911
3301 East Pender Street
Vancouver BC V5K 5J3

Dear Mr. Guscott:

Thank you for your correspondence of July 2, 2014 regarding the proposal of the E-COMM Board, which has been approved by Class A Shareholders, to revise the company name to better reflect its expanded service portfolio.

I am writing to advise you that I have signed the Ministerial Approval document you provided to affect the corporate name change. A copy of this signed document is attached.

I wish E-COMM much success in its expanded capacities.

Yours very truly,

Suzanne Anton QC
Attorney General
Minister of Justice

Attachment – Signed Ministerial Approval Document

PSPB PECKNOLD/ANDERSON/HOLMES/FERRIER

C/503248

**MINISTRY OF JUSTICE
POLICING AND SECURITY BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for Honourable Suzanne Anton, Attorney General and Minister of Justice

ISSUE: Overview of the Ministry of Justice and Ministry of Health joint project to review police/health integrated responses to persons experiencing a mental health or substance use crisis.

SUMMARY:

- In December 2013, the Ministry of Justice released the *BC Policing and Community Safety Plan* (BCPP) which was developed through public and community engagement. The increasing number of mental health related police calls and the impact it has on police resources was identified as a serious concern throughout the consultation process.
- Under Action Item #12 in the BCPP, the Ministry of Justice committed to:
 - a) work with stakeholders to promote best practices and expand successful policing strategies such as integrated police/health initiatives across the province; and
 - b) conduct a study to examine contact between police officers and persons with a mental illness and/or addictions to develop resource-efficient and effective strategies for these interactions.
- In response to BCPP Action Item #12, the Ministry of Justice (Policing and Security Branch) and the Ministry of Health have initiated a joint project to review integrated responses to persons experiencing a mental health and/or substance use (MHSU) crisis.
- The goal of the project is to produce an evidence-based tool which will provide clear and practical guidance to police agencies and MHSU service providers on their respective roles and responsibilities when working together to provide an effective, resource efficient, and integrated response to the needs of people with MHSU problems who come into contact with police.
- The Canadian Mental Health Association (BC Division) has been contracted to complete the project in 2014/15 and the first phase of the project – which includes a literature review and an environmental scan – is currently underway.

BACKGROUND:

- Research indicates that individuals with mental illness are three times more likely to interact with police than the general population¹ and 20-40% of those with mental illness will be arrested in their lifetime.
- Individuals with MHSU problems are over-represented in emergency department² and hospital admissions, among the unemployed³, and within correctional facilities⁴, requiring an integrated and collaborative response.
- Since the early 1990's, there has been considerable effort across the ministries of Justice and Health and the regional health authorities to work collaboratively and in consultation to provide joint services that would improve health, social, and public safety outcomes.
- Examples of collaborative initiatives between police and MHSU services include mobile response teams that provide a joint health and police response to people in a mental health crisis (e.g., Car 87) including on-site psychiatric assessments, interventions, and linking people to appropriate services.
- In addition, there are 15 Assertive Community Treatment (ACT) Teams in the province that work in partnership with local police to address complex care needs of severe MHSU clients.
- In recent years, the sharp increase in the number of mental health related calls has had an impact on police resources and led to criminal justice interventions on individuals in crisis who would be better dealt with through appropriate health supports.
- While there have been considerable efforts to collaborate to address the needs of this client population, there are increasing numbers of individuals experiencing a mental health crisis coming into contact with police and brought to the emergency department under Section 28 of the *Mental Health Act*.
- Section 28 apprehensions are only an option in situations where the individual is acting in a manner likely to endanger that person's own safety or the safety of others, leaving police with a large proportion of interactions with MHSU individuals who are not suitable for such an apprehension.

¹ Cotton, D. & Coleman, T. G. (2010) *Reducing Risk and Improving Outcomes of Police Interactions with People with Mental Illness*, Journal of Police Crisis Negotiations, 10:39-57, page 40.

² Hackman AL, Goldberg RW, Brown CH, Fang LJ, Dickerson FB, Wohlheiter K, Medoff DR, Kreyenbuhl JA, & Dixon L. (2006). *Psychiatry Services*, 57(4), 563-6.

³ National Mental Health Development Unit. (nd). *Mental health and employment*. London, UK: Author.

⁴ Somers, J., Ogloff, J., Ferguson, A. M., & Davis, M. (2005). *Mental disorder, substance use, and criminal justice contact*. Victoria, BC: BC Ministry of Health.

- The issue of police time spent on individuals with a MHSU problem, particularly those who are dealt with repeatedly, and the impact it has on police resources and their ability to respond to other calls was an important consideration for the initiation of the joint project.
- The joint project is a partnership between the Ministry of Health, Mental Health and Substance Use, Integrated Primary and Community Care; Health Authorities; and the Ministry of Justice, Policing and Security Branch.

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- Ultimately, information gathered throughout the project will assist with the development of practical tools to support the development of locally appropriate protocols that strengthen the interfaces between health authorities and police agencies across the province.

OTHER MINISTRIES IMPACTED/CONSULTED:

- The Ministry of Health is actively involved in the joint initiative – a key partnership that furthers the BC Government's commitment to providing the best supports for people facing challenges associated with mental health and substance use.

Prepared by:

Danielle Duplissie
Program Manager
Policing and Security Branch
604-660-2647

Approved by:

Lisa Anderson
Executive Director and Deputy Director of
Police Services
Policing and Security Branch
604-660-1741

Approved October 1, 2014 by:

Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Branch
250-387-1100

**MINISTRY OF JUSTICE
POLICING AND SECURITY BRANCH
POLICE SERVICES DIVISION
BRIEFING NOTE**

PREPARED FOR: Information for Honourable Suzanne Anton
Attorney General and Minister of Justice

ISSUE: 2014/15 Policing priorities letter for RCMP

BACKGROUND:

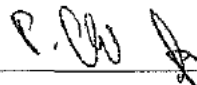
- Under the Provincial Police Services Agreement (PPSA) Article 6.1, the Provincial Minister sets the objectives, priorities and goals of the Provincial Police Service.
- Annually the Minister provides a letter to the Commanding Officer of RCMP "E" Division identifying the provincial policing priorities for the coming year.
- Executive staff from the Policing and Security Branch participate in the RCMP "E" Division's yearly Strategic Planning Session. During this workshop, the Province has the opportunity to provide additional information and scope regarding the Province's policing priorities and future vision for policing in British Columbia including increased oversight.
- The RCMP aggregates the Province's priorities with the RCMP's national priorities in order to develop projects, programs and assignments to fulfill these priorities.
- On a quarterly basis, the Commanding Officer, "E" Division, provides a status report to the Minister and Executive Policing and Security Branch staff regarding priority achievements.
- The 2014/15 provincial policing priorities identified for the RCMP "E" Division are based substantially on the June 10, 2014, Minister's Mandate Letter.

Prepared by:
Mike Aubé
Program Manager
Policing and Security Branch
604 660-2986

Recommended by:
Perry Clark
Executive Director, Policing, Security & Law
Enforcement Infrastructure & Finance
Policing and Security Branch
250 356-8146



Approved by:
Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Branch
250 387-1100



**MINISTRY OF JUSTICE
COMMUNITY SAFETY AND CRIME PREVENTION
BRIEFING NOTE**

PURPOSE: For INFORMATION for Suzanne Anton,
Attorney General and Minister of Justice

ISSUE: Release of One Year Status Report for BC's Action Plan to Combat Human Trafficking on July 21, 2014.

SUMMARY:

- The Action Plan sets out BC Government's priorities and actions for the next three years in the fight against human trafficking.
- The Action Plan contains a number of short and long term actions to address human trafficking and commits the Ministry to report annually on its progress.
- The One Year Status Report describes the activities implemented to fulfill the immediate term actions outlined in the Action Plan, including activities around awareness raising; training and education; community-led responses; service coordination; and policy and legislation.

BACKGROUND

- BC's Action Plan to Combat Human Trafficking was launched in March of 2013 to set a renewed three year direction for British Columbia in efforts to address human trafficking.
- The plan was informed by:
 - Three stakeholder consultations, with over 130 stakeholders participating, held in 2012 (Vancouver, Victoria and Prince George);
 - Consultations with 5 key ministries including: Justice, Aboriginal Relations and Reconciliation, Children and Family Development, Social Development and Jobs, Tourism, Skills Training and Responsible for Labour;
 - The recent *National Action Plan to Combat Human Trafficking*;
 - International human rights instruments, United Nations protocols and relevant research.

- The Status Report outlines the progress that has been made after one year of implementation of the Action Plan. Some highlights include:
 - Public launch of the second edition of OCTIP's online training course *Human Trafficking: Canada is not Immune* (April 2014);
 - "Train the Trainer" workshops on human trafficking in six British Columbia communities, reaching over 90 service providers (April 2013-March 2014);
 - \$1M in funding to communities for projects that prevent the sexual exploitation of youth and human trafficking (March 2014).
- Many of the activities contained in the Status Report were supported through grant funding from civil forfeiture. Additional funding was leveraged with support from the federal Department of Justice Victims Fund, Public Safety Canada, the Canadian Women's Foundation, and WelcomeBC.

NEXT STEPS:

On July 21, 2014 the Ministry will send the Status Report to key stakeholders and post it online. Ministry staff are also working with GCPE to showcase the progress on the Action Plan commitments at an upcoming event this fall.

Prepared by:

Erin Hobday and Victor Porter
Senior Policy/Acting Director
Community Safety and Crime Prevention
604 775 2315

Approved by:

Lynda Cavanaugh
Assistant Deputy Minister
Community Safety and Crime Prevention
604 660 5272

Attachment(s)

BC's Action Plan to Combat Human Trafficking, One Year Status Report March 2013 to April 2014

**B.C.'s Action Plan to Combat
Human Trafficking**

ONE YEAR STATUS REPORT

March 2013 to April 2014

DRAFT July 16, 2014



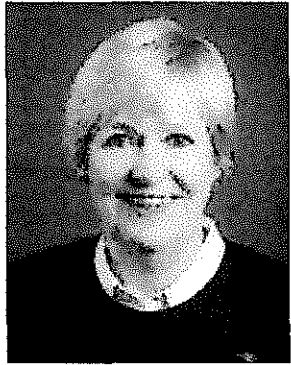
Ministry of
Justice

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- 08. Priority Action 4: Increase coordination of services to address the unique needs of trafficked persons in B.C. communities, emphasizing culturally appropriate responses
- 08. Priority Action 5: Increase research, policy and legislative responses to human trafficking in B.C.
- 09. Conclusion



Minister's Message



The Office to Combat Trafficking in Persons (OCTIP) launched B.C.'s Action Plan to Combat Human Trafficking in 2013, a framework that set out the Province's priorities over the next three years.

This update report reinforces our commitment to working together with communities and partners to prevent and respond to human trafficking in British Columbia. It provides a summary of immediate actions taken in the past year to address five priority areas.

For example, working with our partners, we've made significant progress in raising awareness of this complex issue through the distribution of brochures and posters in five different languages. In addition, the launch of the second edition of OCTIP's online training course Human Trafficking: Canada is Not Immune has meant that more service providers have received training in this important area.

British Columbia is a national leader when it comes to providing an effective and comprehensive response to the often hidden crime of human trafficking. Much has been accomplished in the past year and we will continue to take action as we work through the remaining two years of the plan.

I would like to thank OCTIP and all partner agencies for their hard work and contributions this past year. Human trafficking is a form of modern-day slavery and it is imperative that we remain committed to addressing this complex issue.

We will continue to work together to make B.C. a safer place for all.

Hon. Suzanne Anton
Attorney General and Minister of Justice

Introduction

The B.C. Action Plan to Combat Human Trafficking 2013-2016 was launched in March 2013 to set a renewed three year direction for British Columbia in efforts to address human trafficking. B.C.'s Office to Combat Human Trafficking (OCTIP), part of the Ministry of Justice, coordinates B.C.'s response to human trafficking. Human trafficking is recognized globally as a form of modern-day slavery and a serious human rights violation.

The B.C. Action Plan sets out both short and long term actions to address human trafficking in five priority areas: awareness raising, training and education, community-led responses, service coordination, and policy and legislation. This one year status report provides a summary of the immediate (within 12 months) actions and additional activities completed to fulfill the first year of the B.C. Action Plan from March 2013 to April 2014. The B.C. Action Plan to Combat Human Trafficking can be [found here](#).

The Action Plan focuses on three identified groups: youth at risk of human trafficking for sexual exploitation, vulnerable workers at risk of human trafficking for labour exploitation, and Aboriginal communities at risk of human trafficking for sexual exploitation.

The priority groups and actions were identified by partners and community stakeholders during consultations held in 2012. Over 130 participants representing a broad range of sectors including police, Crown counsel, community agencies, government ministries, members of the faith-based community, and academics contributed recommendations reflected in the B.C. Action Plan to Combat Human Trafficking.

Many of the actions taken were supported by grant funding from the Civil Forfeiture Office through Crime Prevention and Remediation Grants. Additional funding was leveraged with support from the Department of Justice Victims Fund, Public Safety Canada - Government of Canada, the Canadian Women's Foundation, and WelcomeBC. In all, the actions completed demonstrate our commitment to work with communities and partners to prevent and respond to human trafficking in British Columbia.

Priority Action 1: Raise awareness and increase public understanding of human trafficking in B.C.

Action: Increase the number of school-based awareness-raising sessions on human trafficking and sexual exploitation by supporting Children of the Street Society in delivering workshops to B.C. schools.

Result:

- Children of the Street Society delivered 655 peer-led workshops about sexual exploitation and human trafficking to over 27,000 youth in B.C. schools from April 1, 2013 to March 31, 2014. Referrals to the workshops came from a variety of sources, including OCTIP and branch staff at the Ministry of Justice.
- Over 100 Aboriginal youth participated in workshops about sexual exploitation and human trafficking led by Children of the Street Society and OCTIP at the annual Gathering Our Voices Aboriginal Youth Conference.

Action: Support the development and testing of an innovative computer-based game on human trafficking aimed at youth.

Result:

- The "Get Eddie" computer game is currently in the final pilot testing stage and has been accepted for introduction into Vancouver schools at the grade eight and nine levels. Other Lower Mainland school districts have also expressed interest in the game. A teachers' manual is being developed to accompany the game. Funding and content advice was provided by OCTIP to support the development and testing of this innovative learning tool for B.C. students.

Action: Increase the number of teachers in B.C. who are aware of human trafficking indicators and prevention methods by providing funding and support to the BC Teachers' Federation workshop on human trafficking.

Result:

- Thirty-six Aboriginal teachers from northern schools in B.C. were trained at a one day session in Prince George about human trafficking indicators and prevention methods organized by the BC Teachers Federation.
- Twelve social studies teachers from around the province attended a workshop on human trafficking and sexual exploitation by Children of the Street Society and OCTIP at the BC Social Studies Teachers Association Conference in Vancouver.
- BC Teachers Federation received funding for a workshop for Lower Mainland teachers on sexual exploitation and human trafficking to be held in Surrey later this year.

Public Awareness Highlights:

A booklet on Canada's laws on human trafficking called "Human Trafficking in Canada" was updated and translated into five languages this year including French, Chinese, Punjabi, Tagalog (Filipino), and Spanish. This publication is widely distributed by OCTIP at public presentations. B.C.'s People's Law School was a key partner in this initiative.

Legal information regarding labour exploitation and human trafficking in Canada was provided to over 200 live-in caregivers, their networks of social supports, and service providers in 15 B.C. communities as part of OCTIP's Preventing Labour Exploitation and Human Trafficking Project. OCTIP partnered with West Coast Domestic Workers Association on the project.

"Do You Feel Trapped", a new poster addressing domestic servitude as a form of human trafficking was produced and translated into five languages as an outreach tool for domestic workers in B.C. The poster provides OCTIP's 1-800 help-line for 24 hour support in situations of human trafficking and is being widely distributed through various networks.

Priority Action 2: Increase the number of service providers and front line personnel with training on human trafficking to ensure trafficked persons are identified, protected and assisted with appropriate and culturally relevant services

Action: Increase the distribution of the OCTIP bilingual online training tool on human trafficking for front line service providers *Human Trafficking: Canada is Not Immune*. Work with partners to link to training website and distribute the bilingual promotional bookmark for the online training website to B.C. and Canadian stakeholders (10,000 bookmarks to be distributed).

Result:

- The second edition of OCTIP's online training course *Human Trafficking: Canada is Not Immune* was publicly re-launched in April 2014. The updated course includes new information on human trafficking laws in Canada, a national list of resources on human trafficking, stories from trafficked persons, and a certificate of completion for service providers to recognize their professional development in this area.
- Over 5,000 promotional bookmarks advertising the OCTIP online training course were distributed throughout B.C. and nationally.
- Organizations in B.C. and across Canada that have linked to the OCTIP training website include: Clicklaw BC, Canadian Council of Refugees, RCMP Human Trafficking National Coordination Centre, Act Alberta, UBC Liu Institute of Global Studies, Public Safety Canada, and CATHII(Quebec).

Since April 2012, 9,089 people have accessed the OCTIP online training course, *Human Trafficking: Canada is Not Immune*. Between 2011 and 2013 OCTIP, acknowledged 240 people who had completed the OCTIP training and requested a formal notification for professional development requirements. In the first two months of the re-launched second edition of the OCTIP online training, nearly 100 people have completed it, with 24 Certificates of Completion printed from the training site.

Action: Work with Ministry of Social Development and Social Innovation to train front line workers using the OCTIP online training course *Human Trafficking: Canada is Not Immune*.

Result:

- Training Ministry of Social Development and Social Innovation's front line staff on indicators of human trafficking is carried forward to 2014-15 and expanded to include offering the training to five other Ministry partners who provide front line services. These staff will be encouraged to complete the updated second edition of OCTIP's online training course to learn more about the indicators of human trafficking and ways to offer appropriate assistance to potentially trafficked persons whom they may encounter.

Action: Increase the number of staff in Community Safety and Crime Prevention Branch funded programs with knowledge and training on human trafficking. Increase the number of communities in B.C. with trained personnel to deliver human trafficking education and awareness sessions.

Result:

- In 2014, OCTIP staff met with contracted service providers in ten communities around the province to increase knowledge about human trafficking indicators, OCTIP's role and mandate, and to help increase coordination of services for trafficked persons. OCTIP staff travelled to the following communities: Fort St. John, Dawson Creek, Cranbrook, Victoria, Nanaimo, Prince Rupert, Prince George, Quesnel, Sauteau First Nation, and Kamloops.

- Quarterly reminders to complete the OCTIP online training course are provided to contracted program staff. A certificate of completion for professional development recognition can now be downloaded from the OCTIP training site offering additional incentive to service providers and contracted program staff to complete the training. Completion rates for the online training course are currently being tracked by the Community Safety and Crime Prevention Branch.

Action: Increase the number of Crown counsel and other justice system partners in British Columbia with knowledge about human trafficking.

Result:

- OCTIP partnered with federal and provincial prosecutors in 2014 to provide province-wide training for British Columbia Crown counsel and immigration lawyers on human trafficking laws in Canada.
- OCTIP met with Vancouver-based victim service programs network to provide information about human trafficking in an effort to increase knowledge about human trafficking among community-based victim service programs.

Action: Increase professional and industry specific training on human trafficking and encourage collaboration and partnership on the development of curriculum.

Result:

- The Fraser Health Authority developed a toolkit/online learning module and protocol for emergency room nurses and front line staff about the indicators of human trafficking with OCTIP's support and input. The toolkit will be publicly released in the coming months and nurses and emergency room staff throughout the Fraser Health Authority region will be trained using this unique British Columbia-based tool. This toolkit will also be made available to the BC Ambulance Service.

Priority Action 3: Empower and build capacity in local B.C. communities (including Aboriginal communities) to prevent human trafficking and provide assistance to trafficked persons

Action: Increase capacity in B.C. communities to prevent and address human trafficking by facilitating a "Train the Trainer" event in northern British Columbia, including Aboriginal and rural communities.

Result:

- In 2013-14, OCTIP implemented six community "Train the Trainer" workshops on human trafficking in B.C., mainly in central and northern B.C. Of the six communities that received this funding, three have held successful "Train the Trainer" events reaching over 90 service providers in Prince George, Kamloops, and the Nisga'a First Nation. Three remaining communities will hold their events later this year (Prince Rupert, Quesnel, and Sauteau First Nation/Treaty 8 [Cherwynd]).

In early 2014, OCTIP began work on a Toolkit for Communities on Human Trafficking Awareness and Prevention. The toolkit will be completed in the summer of 2014 and provided to participants at upcoming Train the Trainer events in the fall of 2014. Long term plans include posting the toolkit on OCTIP's website for easy access by community members around the province who wish to take action to prevent and address human trafficking.

Action: Provide Crime Prevention and Remediation grants for human trafficking and sexual exploitation awareness and prevention projects in B.C. communities.

Result:

- In 2013/14, \$1 million in grant funding was provided to organizations for prevention projects that address sexual exploitation of youth and human trafficking, including labour trafficking. Since 2011, in total \$1.4 million has been provided to communities around B.C. to address these issues.
- This year several projects were launched that focus on preventing vulnerable Aboriginal youth and women from being lured by traffickers and sexually exploited, especially when transitioning from rural to urban centres. Prevention projects were launched in communities around B.C. by the following organizations: Boston Bar First Nation, the Aboriginal Front Door Society (Vancouver), the Circle of Indigenous Nations Society (Krestovar), the Vancouver Aboriginal Community Policing Centre Society, Prince George New Hope Society, the Friendship House of Prince Rupert, and the Kwikwetlen First Nation (Coquitlam).
- The BC Association of Aboriginal Friendship Centres received funds to raise awareness and build capacity to address the issue of sexual exploitation and human trafficking among Aboriginal youth province-wide.
- West Coast Domestic Workers Association conducted unique B.C.-based research on labour exploitation and human trafficking among migrant workers, temporary foreign workers and live-in caregivers. A public launch of the report to highlight key recommendations for further action was held in May 2014.

Priority Action 4: Increase coordination of services to address the unique needs of trafficked persons in B.C. communities, emphasizing culturally appropriate responses

Action: Support efforts in northern B.C. to increase coordination of services for trafficked persons.

Result:

- Two organizations in northern B.C. received Crime Prevention and Remediation Grants to increase outreach efforts to vulnerable women and youth, potentially trafficked persons and provide case coordination when situations emerge.
- Three organizations in the Lower Mainland received Crime Prevention and Remediation Grants to increase outreach efforts to vulnerable women and youth, potentially trafficked persons and provide case coordination when situations emerge.

Action: Increase the number of Branch-funded programs with knowledge about human trafficking and encourage their participation in leading efforts to coordinate services for trafficked persons in their local communities.

Result:

- Approximately 25 contracted service provider program staff are now fully trained and providing leadership in their communities to coordinate services and local responses for trafficked persons in B.C.

Priority Action 5: Increase research, policy and legislative responses to human trafficking in B.C.

Action: Support B.C.-focused research on vulnerabilities of temporary foreign workers to labour trafficking.

Result:

- OCTIP supported three research reports on labour trafficking: one report addressed labour trafficking and migrant workers and two reports focused on domestic servitude as a type of human trafficking and the vulnerability of live-in caregivers. West Coast Domestic Workers Association was a key partner in this research.

Action: Contribute information and participate in consultations on human trafficking to further inform the development of the National Action Plan to Combat Human Trafficking.

Result:

- OCTIP contributed information and knowledge to Public Safety Canada's research about labour trafficking situations in British Columbia.
- OCTIP partnered with West Coast Domestic Workers Association and the International Centre for Criminal Law and Criminal Justice Policy to hold a one-day forum on labour trafficking in March 2014 as part of ongoing efforts by Public Safety Canada and the Province of B.C. to understand the dynamics of labour trafficking in Canada.
- OCTIP gave a presentation on B.C.'s model of coordinating the province's response to human trafficking at the National Forum on Human Trafficking organized by Public Safety Canada in January 2014.
- OCTIP represents B.C. on the Federal-Provincial-Territorial Working Group on Human Trafficking chaired by Public Safety Canada to coordinate efforts across Canada to prevent and address human trafficking.

OCTIP participated as a member of the Canadian Women's Foundation: Task Force on Trafficking of Women and Girls in Canada.

Action: Contribute B.C.-specific information to the RCMP Human Trafficking National Coordination Centre's Threat Assessment Report on domestic trafficking in Canada.

Result:

- OCTIP provided information on domestic human trafficking in B.C. to inform the RCMP's Threat Assessment Report on domestic human trafficking. The report "Domestic Human Trafficking for Sexual Exploitation in Canada October 2013" was publicly released by the RCMP in 2014. This report was prepared by the RCMP's Human Trafficking National Coordination Centre.

Conclusion

OCTIP, in collaboration with our partners and stakeholders, has successfully implemented the immediate actions in the B.C. Action Plan to Combat Human Trafficking 2013-2016.

We would like to express our appreciation to the many community agencies, police, Crown counsel, federal prosecutors, service providers, and citizens who continue to work with us to bring awareness to and combat human trafficking in British Columbia.

B.C.'s Office to Combat Trafficking in Persons

For assistance with coordination of services for trafficked persons, please call toll-free/ 24 Hrs: 1-888-712-7974 (interpretation available).

OCTIP Office Contact:

Phone: 1-604-660-5199 E-mail: octip@gov.bc.ca

Website: www.pssg.gov.bc.ca/octip

**MINISTRY OF JUSTICE
BC Coroners Service
BRIEFING NOTE**

PURPOSE: For INFORMATION for Minister Suzanne Anton

ISSUE: Privacy breach

SUMMARY: On August 6, 2014, a Vancouver coroner's camera and binder were taken from a bus stop in Surrey. The camera and the binder included information about the deaths of approximately 12 individuals.

BACKGROUND:

- A Vancouver coroner inadvertently left her briefcase, containing camera and binder, unattended at a Surrey bus shelter.
- Realizing her error, she immediately returned and found the case and contents gone.
- The privacy breach was reported to the ministry Chief Information Officer (CIO) immediately.
- Personal information at risk includes photos of the deceased and of their scenes of death. Names of decedents may also be contained in some of the photos.
- The binder also contained the coroner's investigative notes for several files including names and contact information for family members.
- The materials did not contain any information potentially harmful to law enforcement or police investigations.
- The Surrey RCMP and Transit Police have been notified of the briefcase loss.
- To mitigate any potential for harm, the Coroners Service will be contacting all individuals whose privacy may be compromised, including nearest relatives of the deceased.
- Notification will begin the afternoon of August 13th, 2014.
- The Coroners Service is conducting an internal investigation into the breach and will also work with the CIO to identify preventative measures to avoid future incidents.
- This is the first breach of this nature for the Coroners Service in recent memory.

OTHER MINISTRIES IMPACTED/CONSULTED:

No other ministries impacted or consulted.

Prepared by:
Lisa Lapointe
Chief Coroner
BC Coroners Service
250 356-9326

Approved by:
Lori Wanamaker
Deputy Solicitor General
Ministry of Justice
250 356-0149

**MINISTRY OF JUSTICE
COMMUNITY SAFETY AND CRIME PREVENTION BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for Suzanne Anton, Attorney General and Minister of Justice.

ISSUE: Background information for upcoming meeting with Dr. Balbir Gurm to discuss issues faced by victims and offenders/accused in cases of domestic violence. ADM Lynda Cavanaugh will also attend.

SUMMARY:

- On August 15, 2014, Dr. Balbir Gurm requested a meeting with the Minister to discuss issues faced by victims and offenders/accused in cases of domestic violence. In her email, Dr. Gurm references three main issues she would like to discuss to see if there are ways to mitigate these concerns:
 - Access and Custody Issues,
 - Services for Offenders, and
 - Services for Male Victims.

Access and Custody Issues

- Dr. Gurm references numerous cases where victims struggle with access and custody issues including support payments and visitation schedules.
- The province's *Family Law Act* (FLA) governs the mediation of custody disputes when parents separate or divorce. The FLA came into force on March 18, 2013 and makes the best interests of the child the only consideration when decisions affecting the child are made. The act expands the best interests of the child test to include the impact of family violence on the child's safety, security or well-being.
- Family Justice Centres can help parents resolve disagreements without going to court. Located in communities across BC, these centres provide short-term counselling, mediation, emergency and community referrals and other free services.
- The province's Family Maintenance Enforcement Program monitors and enforces maintenance orders and agreements (for either child or spousal support) to ensure payments are paid on time and in full.

Services to Offenders

- Dr. Gurm notes that there are no services for those accused in domestic violence cases unless they are convicted.
- Currently, there is no systematic, province-wide program for non-sentenced abusers although the *Provincial Domestic Violence Plan* includes a commitment of \$1 million

over two years to provide direct services for perpetrators of domestic violence prior to potential involvement with the criminal justice system. This commitment does not currently have an identified Ministry lead.

- The Corrections Branch operates a comprehensive Family Violence Prevention Program that is delivered to medium and high risk sentenced spousal assault offenders in custody and in the community. The program includes a 10 week pre-treatment Respectful Relationships (RR) module delivered by Corrections staff, followed by a 17 week Relationship Violence Program (RVP) module delivered by contracted service providers.

Services to Male Victims

- Dr. Gurm's final concern pertains to the lack of services for male victims of domestic violence, particularly the lack of transition house/shelter services.
- While there are no shelters in BC for male victims of domestic violence, there are numerous victim service programs. All but seven of the Branch's 160+ victim service programs are mandated to serve both men and women (three only serve men and four only serve women). Other programs mandated to serve men include the Crime Victim Assistance Program, VictimLink BC, the Victim Safety Unit, the Victim Court Support Program and Children Who Witness Abuse Programs.
- The Ministry has received no information or research to suggest that a shelter program for men is warranted based on existing demand for services.

BACKGROUND:

- Dr. Balbir Gurm is a nursing instructor at Kwantlen Polytechnic University in Surrey. She is also the Chair of the Network to End Violence in Relationships (NEVR), a network of academics, service providers and community leaders in the Surrey/North Delta/White Rock area that aims to reduce and eliminate violence in relationships (domestic violence) through coordinated, open and seamless service delivery, collaboration and sharing of resources.

OTHER MINISTRIES IMPACTED/CONSULTED:

- Not applicable.

Prepared by:
Thomas Taller
Senior Policy Analyst
Community Safety and Crime Prevention
604-660-3854

Approved by:
Lynda Cavanaugh
Assistant Deputy Minister
Community Safety and Crime Prevention
604-660-5272

**MINISTRY OF JUSTICE
LIQUOR DISTRIBUTION BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Honourable Suzanne Anton.

ISSUE: Recent denial of BC Tree Fruits Cooperative's (BCTFC) application to be classified as a Land Based Winery (LBW)

SUMMARY:

- BCTFC applied for a Land Based Winery (LBW) classification for their proposed cider manufacturing business in order to receive 100 per cent mark-up benefits for products that they would direct sell.
- BCTFC does not meet the requirements to be classified as a LBW and its application has been denied by the Liquor Distribution Branch (LDB).
- Around this same period, Josie Tyabji (who has family connections to BCTFC executives) representing Constellation Brands Canada wrote to the Minister opining that wine failing to meet the LBW criteria for the same reason as the proposed BCTFC cider should also receive the same treatment as wine produced by a LBW.
- LDB is not considering amending the policy or making exceptions for either request because it would have negative revenue implications, create a potential for backlash, and be contrary to the objectives of the LBW policy.

BACKGROUND:

BCTFC Request

- The BCTFC plans to establish a cider production business. They are seeking designation as a LBW to benefit from the ability to sell directly to licensees and private liquor stores without paying mark-up to the LDB. (For the LDB's purposes, cideries are categorized as wineries).
- To be considered for a LBW designation:
 - The product must be 100 per cent BC grown/produced.
 - There must be at least two acres of vineyards/orchards at the licensed winery site and the grape or fruit from this acreage must be used in the production of their product.
 - At least 25 per cent of the grape or fruit used to produce their product must come from land owned or leased by the manufacturer.
 - The product must be manufactured using traditional techniques.
 - The manufacturer may not buy wine or juice from, or have common ownership with, a commercial winery.

- The BCTFC would not have any orchards attached to their licensed cidery site and is asking the LDB to make an exception and grant them LBW designation on the basis that, individually, each of its member farmers would have qualified for the two-acre minimum.
- The BCTFC is requesting that the LBW criteria be relaxed so that 100 per cent BC grown/produced product is in itself sufficient to allow a manufacturer to receive 100 per cent mark-up benefits.
- Loosening the LBW criteria would have negative revenue implications totalling an unknown amount as it remains unknown the number of wineries that would be able to qualify for LBW designation if the restrictions were lifted.
- Equally important, the currently 249 LBWs in BC that have successfully qualified under the existing criteria and incurred additional expenses to meet the current requirements would find that competitors meeting lesser requirements would now receive the same benefits.
- There would likely be significant backlash from the current group of existing LBWs.
- The current LBW policy is also intended to support BC agriculture, small business, and tourism.
- Wineries that grow fruit and manufacture their wine on the same acreage are more attractive tourist destinations than wineries that produce wine in industrial areas. Widening the LBW criteria to include more industrial operations with off-site manufacturing facilities will not serve the multiple purposes of the current policy.
- It is possible that a change like the one BCTFC is suggesting could negatively impact tourism as manufacturers move their facilities off-site.
- Minister Anton responded to a letter from a representative of BCTFC stating that the LBW criteria would not be changed (see Appendix A).
- Additionally, the LDB also denied BCTFC's application (see Appendix B).
- The CEO of the BCTFC is Alan Tyabji who was also the general manager of the Okanagan Similkameen Cooperative Growers Association (OSCGA) in 2007, when they requested the same exception and were denied (see Appendix C).

Ms. Josie Tyabji Request:

- On July 30, 2014, Ms. Josie Tyabji, chair of the board for the British Columbia Wine Institute and representative for Constellations Brand Canada contacted the Minister's office opining that 100 per cent British Columbia wine is identical to wines manufactured at LBWs and should receive the same mark-up benefits from government.
- LDB drafted a briefing note for the Minister explaining why Ms. Tyabji's request could not be granted. (See Appendix D).
- Ms. Tyabji, like the BCTFC, is requesting that the LBW criteria be relaxed so that 100 per cent BC grown/produced product is in itself sufficient to allow a manufacturer to receive 100 per cent mark-up benefits.
- The LDB does not support any amendments to the LBW policy that would relax the current criteria, for the reasons noted above.

OTHER MINISTRIES IMPACTED/CONSULTED:

- The Ministry of Agriculture will be represented in the meeting.

Prepared by:

Audrey S.F. Wong
A/ Director, Corporate Policy and
Communications
Liquor Distribution Branch
604 252-3035

Approved by:

Blain Lawson
General Manager and CEO
Liquor Distribution Branch
604 252-3021

Attachment(s)

Appendix A – Minister Anton's reply to BCTFC

Appendix B – LDB denial letter to BCTFC

Appendix C – LDB denial letter to OSCGA

Appendix D – Briefing note to Minister re: Josie Tyabji, Constellation Brands Canada's request

Appendix A

August 26, 2014

Mr. Michael Daley
Email: wineryconsultants@gmail.com

Dear Mr. Daley:

Thank you for your email addressed to the Honourable Norm Letnick, Minister of Agriculture regarding the BC Liquor Distribution Branch's (LDB) Land-Based Winery classification system (LBW). I am responding on his behalf.

The Government of British Columbia has adopted a comprehensive, multi-faceted approach to supporting the BC economy. The LBW classification represents an example of the support provided to the agriculture, small business and tourism business sectors.

First introduced in the 1970s, this classification system was intended to provide support for a fledgling BC wine industry. At that time, wineries growing a minimum 20 acres of agricultural product on-site and using 50 per cent of their product to produce 100 per cent BC wine would receive mark-up benefits. While the LBW classification system has evolved, the current model continues to uphold the original intent of this program.

In order for the LDB to continue providing for the people of British Columbia, the LBW criteria cannot be removed or significantly changed. This allows the LBW designation to continue providing support to small businesses and BC agriculture while attracting tourists to winery locations where they can view the orchards and vineyards that form the basis of the product they purchase; while also ensuring that the people of British Columbia continue to be able to access the vital public services that they currently do from the province.

I recognize that this is a delicate balancing act, but I am pleased to note the LBW designation system has achieved success beyond what any of my predecessors could have contemplated with 249 designated LBW to date. The government of BC continues to support this industry sector and has no plans to remove or significantly change the LBW classification criteria.

Yours very truly,

Suzanne Anton QC
Attorney General
Minister of Justice

pc: Parliamentary Secretary John Yap
The Honourable Norm Letnick
The Honourable Naomi Yamamoto
The Honourable Shirley Bond
Ms. Linda Larson, MLA
Mr. Dan Ashton, MLA
Premier Christy Clark

503585

Appendix B



LIQUOR DISTRIBUTION BRANCH

July 17, 2014

Via Email

Mr. Alan Tyabji
Chief Executive Officer.
BC Tree Fruits Cooperative
1473 Water Street
Kelowna, BC V1Y 1J6

Dear Mr. Tyabji,

Re: BC Tree Fruits Cooperative - Application to enter into a Land Based Winery Sales Agreement

Thank you for your application to enter into a Land Based Winery Sales Agreement with the BC Liquor Distribution Branch (the "BCLDB"). We have reviewed your request and have determined that you do not meet the criteria to enter into a Land Based Winery Sales Agreement at this time.

Based on a preliminary review, your application does not meet the following criteria:

- At your Licensed Winery Site you have two acres of grapevines if you produce grape wine; and/or two acres of fruit orchards if you produce fruit wine. You farm and use this acreage for the manufacture of your Product.

A licensed winery must meet all necessary criteria before being eligible to enter into a Land Based Winery Sales Agreement. The BCLDB is neither considering amending these requirements nor granting exceptions at this time. However, your licensed winery can still be considered for a Commercial Winery Sales Agreement.

If you have further information demonstrating that your licensed winery meets all necessary criteria or if you have any further questions, please contact me via email richard.lc.lee@bcldb.com or by phone (604) 252-3226.

Regards,

A handwritten signature in black ink, appearing to read "R Lee".

Richard Lee
Director, Finance Regulatory

Appendix C



Province of
British Columbia

Liquor Distribution
Branch

2625 Rupert Street
Vancouver, British Columbia
V5M 3T5
Telephone: 604 252-3000
Fax: 604 252-3464
website: www.bcliquorstores.com

February 20, 2007

Mr. Alan Tyabji
General Manager
Okanagan Similkameen Cooperative Growers Association
Box 99 Oliver BC V0H 1T0

Dear Mr. Tyabji:

I am writing with regard to your letter of February 15, 2007 and our subsequent telephone conversation regarding your Association's interest in establishing a cooperative winery to make cider/wine from your members' crops. I would suggest that you consult with the Liquor Control and Licensing Branch with regard to the legal/shareholder structure of your proposed winery.

As we discussed on the telephone, in order for your proposed winery to be defined as a "land-based" winery for Liquor Distribution Branch (LDB) mark-up and reporting purposes, it would have to comply with all of the requirements for a land-based winery, including the requirement that a minimum of two acres of fruit used in the winery's production be located at the winery site. I have attached the LDB's land-based winery requirements for your reference.

Yours sincerely,

Gordon Hall
Director, Corporate Policy

Attachment

Appendix D

Cliff: 503680
Date Prepared: August 8, 2014

**MINISTRY OF JUSTICE
LIQUOR DISTRIBUTION BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Honourable Suzanne, Minister.

ISSUE: Information on the current mark-up schedule for wineries.

SUMMARY:

- The LDB grants wineries that meet specific criteria a Land-Based Winery (LBW) designation (Appendix A). This designation allows wineries to be mark-up exempt on their direct sales regardless of whether they are VQA or Non-VQA.
- To be a LBW there are six criteria- one of which requires the product to be 100 per cent BC.
- Wineries not meeting the LBW criteria fall into the Commercial Winery (CW) category.
- Although CWs do not receive mark-up benefits they receive rebates or commissions on the products they direct sell.
- CWs direct sell to customers as agents for the LDB. When CWs direct sell a VQA product, the mark-up is charged by the LDB but a subsequent LDB 100 per cent mark-up rebate provided to CWs are equivalent to the product being mark-up exempt. When CWs direct sell a non-VQA product, the mark-up is charged by the LDB but a subsequent commission of 30 per cent on counter sales or 7 per cent commission on sales to licensees is provided.
- To be VQA a product must be 100 per cent BC product while Non-VQA products are not subject to this requirement. However, even if both products are 100 per cent BC product, VQA product remains distinguishable as they have met a recognized quality standard.
- A CW producing a 100 per cent BC product does not meet the criteria to be classified as a LBW product and must meet an additional recognized quality standard before being classified as a VQA product. Allowing a CW 100 per cent BC product that is not recognized as meeting the VQA quality standard to receive rebate or mark-up benefits equivalent to LBWs or VQA products could undermine the integrity of the BC wine industry.

BACKGROUND:

- On July 30, 2014, Ms. Josie Tyabji provided documentation to the Minister's Office which she claimed demonstrated that all 100 per cent BC wine was identical and should receive the same mark-up benefits from Government. She claimed that non-VQA wines from CW that are 100 per cent BC should be treated the same as wines produced by LBW.

- CW can act as agents of the LDB to direct sell their wines. CW Non-VQA products can be sold to retail/counter customers and licensees (pubs/restaurants) but cannot wholesale their product (LRS/RAS/WIN). In these instances, the products have full mark-up but CW receive a 30 per cent commission on retail/counter sales and 7 per cent commission on licensee sales. CW VQA products can be sold to all categories of customer (retail/counter, licensees, and wholesale) and the LDB rebate provided to CW on these sales essentially renders the products mark-up exempt.
- LBW can direct sell their product without an agency designation. Their product can be sold to all categories of customer and are mark-up exempt, which is equivalent to the rebate received by CW VQA products.
- Both LBW and VQA benefits require more than an end product merely being 100 per cent BC product.
- In addition to the 100 per cent BC grown/produced requirement, LBW must also meet five additional criteria, including having acreage on site and not sharing common ownership with a CW (Appendix A).
- There are currently 249 LBW designated wineries.
- The purpose of the LBW designation is not only to promote BC agricultural but also to support and grow small businesses and increase tourism- through the allure of visiting LBWs where winery sites are physically situated on vineyards that grow the product. Thus, the LBW designation goes beyond a 100 per cent BC requirement. Conversely, CWs do not have to meet any of these requirements.
- The LBW designation does not serve to explicitly promote a particular quality of product that is produced and instead focusses on the process requirements. If the winery does not meet the LBW criteria it is classified as a CW. LBWs and CWs are not the same and do not have the same processes, components or end product.
- CWs do not receive mark-up benefits on their product, however, some CWs produce wines that meet the VQA standard.
- In order to be a VQA wine product must be 100 per cent grown and produced in BC, and pass the VQA quality test. CWs that direct sell their VQA product as agents of the LDB receive a 100 per cent rebate on the LDB mark-up. This is a benefit offered to CW VQA product that is unrelated to the LBW designation.
- Currently, non-VQA wine can be produced using imported raw product and are not subject to quality standards. There are occasions where CW Non-VQA product is 100 per cent BC grown and produced but this is still product that has not passed VQA quality testing.
- Ms. Tyabji has voiced concern about how CW Non-VQA 100 per cent BC wine receives mark-up.

ANALYSIS

- The LBW designation is given to wineries that adhere to a particular process while the VQA designation is given to product that meets a quality standard.

- Any winery or product that meets the LBW or VQA standard and receiving 100 per cent benefits will by default have already met the 100 per cent BC product requirement.
- CWs are those that do not meet the LBW criteria. Non-VQA 100 per cent BC products are those that have not met or are not part of the VQA quality program.
- If Ms. Tyabji's proposal is accepted, the 249 LBW manufacturers who meet all six LBW criteria and over 125 wineries who meet VQA standards will now find themselves receiving no discernible benefit over wineries that only meet one out of six LBW criteria or do not have the VQA quality assurance since being 100 per cent BC product by itself would be sufficient to qualify for 100 per cent benefit.
- This policy shift would result in revenue loss to the Province and could undermine the integrity of the BC wine industry.

OTHER MINISTRIES IMPACTED/CONSULTED:

- N/A

Prepared by:

Audrey Wong
A/ Director, Corporate Policy and
Communications
Liquor Distribution Branch
604 252-3035

Approved by:

Blain Lawson
General Manager and CEO
Liquor Distribution Branch
604-252-3021

Attachment(s)

Appendix A – LBW Criteria [not included]

**MINISTRY OF JUSTICE
CORRECTIONS BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION Suzanne Anton, QC, Attorney General
and Minister of Justice

ISSUE: Electronic Monitoring

SUMMARY:

- After a high-risk offender under Community Corrections supervision was charged with the death of a teenager in Surrey, media criticized the province's use of electronic monitoring.
- In particular, questions were asked about the number of high-risk offenders being monitored electronically, the current technology used, and the declining number of offenders who have electronic monitoring as a condition.
- Currently, BC Corrections applies electronic supervision to offenders when it is a court-ordered condition.
- The court imposes conditions based on the risks associated with the individual.
- Generally, electronic supervision is used to monitor an individual's compliance with curfew or house arrest conditions.
- There are limitations to electronic supervision, as it cannot stop an individual who is intent on committing a crime. Additionally, the current technology used in British Columbia is passive and is limited to monitoring an offender's compliance with location and time restrictions imposed by the court.
- The Corrections Branch is reviewing the use of electronic monitoring and the resulting report, due by the end of December 2014, will examine BC Corrections' current electronic supervision model,

s.13

BACKGROUND:

- s.22 have raised questions about the use of electronic supervision for high-risk offenders.
- s.22 and media have raised concerns about the use of Radio Frequency Identification technology (RFID) versus GPS technology which has the ability to track the location of offenders, the use of electronic monitoring as a tool to manage high-risk offenders, and the decline in the number of offenders placed under electronic monitoring. (See Page 3 for a breakdown by year.)

- In response, Minister Anton asked for ministry staff to review BC's electronic monitoring program.
- The Corrections Branch has engaged Chris Litton, Managing Director, Management Consulting at Sierra Systems to conduct a worldwide review of electronic supervision programs and technologies employed by modern correctional programs.
- The review will detail how electronic tools such as GPS, RFID and biometrics are being used effectively to manage and monitor offenders in North American, European and Commonwealth communities. Details will include cost and delivery models, client suitability, tracking and response methodologies, the latest technologies and published evaluations.

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Current use of BC's Electronic Monitoring Program

- The BC Corrections branch has used radio frequency electronic monitoring (EM) since 1987. The estimated annual cost of the electronic supervision program is approximately \$1 million per year.
- BC Corrections makes electronic monitoring available to the court for the purpose of monitoring compliance. It is primarily used for conditional sentence orders that have house arrest and/or curfew terms. It has occasionally been used for Bail and Section 810 Recognizance supervision.
- The electronic monitoring system is passive and is limited to monitoring an offender's compliance with location and time restrictions imposed by the court.
- Electronic monitoring increases the possibility of early detection of a curfew violation, but cannot ensure that police agencies have the means to locate and arrest the subject with any certainty of timeliness.
- Electronic supervision does not track individuals and does not impede the capacity of an individual to engage in criminal activities from within the confines of the radio frequency radius, or when the accused is authorized under the terms of an order to be outside of their residence.
- In order to determine suitability for electronic supervision, or as a part of a pre-sentence report, a probation officer will conduct a home visit as part of a technical suitability report for the use of electronic monitoring. These reports ensure the client has a land line telephone for the monitoring unit and confirms the residence is suitable. In cases where a client does not have a landline, electronic supervision units with cellular technology are available.
- BC Corrections staff monitor alarm notifications at the Operational Support Unit (OSU), 24 hours a day, seven days a week. The alarms may relate to a violation of curfew compliance or equipment tampering.

- For issues that arise during regular business hours, OSU staff contact the supervising probation officer and conduct an investigation. After hours, an on-call manager provides oversight. If necessary, a home visit may be conducted during the investigation to determine cause of the alarm. Outside of business hours, the police are contacted.
- During the last decade there has been an increasing focus on GPS supervision technology. This is something BC Corrections may consider adopting.
- Ontario also uses electronic supervision, based on radio frequency technology. New Brunswick, Manitoba, Nova Scotia and Prince Edward Island (for young offenders and prolific offenders) use electronic supervision with GPS technology.

Electronically monitored clients:

- The table below provides the average daily number of clients in BC under electronic supervision over the past five fiscal years.

Fiscal Year	Clients Daily Average
2009/2010	172
2010/2011	146
2011/2012	119
2012/2013	82
2013/2014	75

- The number of electronic supervision cases has declined, though no studies have been conducted to determine why. This may be due to a variety of reasons such as changes to the Criminal Code relating to conditional sentence orders, judicial sentencing practices and the decline in the number of people who have been sentenced to a period of community supervision. There have been no changes to the program's availability over this time period.

Prepared by:
Cindy Rose
Director
Programs & Strategic Services
Corrections Branch

s.17

Approved by:
Brent Merchant
Assistant Deputy Minister
Corrections Branch

s.17

**MINISTRY OF JUSTICE
COURT SERVICES BRANCH (CSB)
BRIEFING NOTE**

PURPOSE: For INFORMATION of the Attorney General

ISSUE: Report on calendar year 2013 judicial stay of proceedings due to systemic delay ("Askov" cases) and update on 2014 cases to date.

SUMMARY:

- A fundamental principle of the Canadian Charter of Rights and Freedoms provides that any person charged with an offence has the right to be tried within a reasonable time.
- Although reasonableness depends on a number of factors, one of the key reasons often cited by judges in BC is a lack of local court resources. As such, applications for a judicial stay of proceedings are brought before the court citing the 1990 Askov ruling, [1990] 2 S.C.R. 1199.
- Delays of cases are seen as a general indicator of how well the criminal justice system is functioning overall and is a measure that CSB has been closely monitoring for a number of years.
- After three straight years (2009 – 2011) where the courts saw an increase in the number of cases judicially stayed due to a successful Askov argument by defence, the two most recent years (2012 and 2013) have seen a precipitous decline in numbers from a high of 120 in 2011 to 26 in 2013.
- In percentage terms, Askov cases have gone from a five year high of 0.11% of concluded cases during calendar year 2011, to a five year low of 0.03% of concluded cases during calendar year 2013.

BACKGROUND:

- In provincial adult criminal and youth court the proportion of cases concluded by an Askov related judicial stay over the past five calendar years (2009 to 2013) has generally been less than 1/10th of one percent. On average over this five year period Askov stay cases made up 0.06% of total provincial criminal caseload proportionally
- The highest volume of Askov cases was calendar year 2011 when 109 provincial adult criminal and youth cases were judicially stayed, representing 0.11% of total concluded cases.
- In the two years following 2011 the volume of cases judicially stayed has decreased. During calendar year 2012, 0.07% of concluded cases were judicially stayed due to an Askov ruling and in 2013 (as at September 2013) the volume decreased again to 0.03%, the lowest proportional volume over the past five years.

- In the first four months of 2014 there have been 11 Askov related JSPs in all courts.
- Askov rulings in Supreme Court are largely driven by delays at the Provincial Court level. Over the five year period, the average number of Supreme Court Askov cases was four, the high point again being in 2011 with 11 cases and the low point being one in 2010. In 2013 there were three cases resulting in an Askov related stay.

OTHER MINISTRIES IMPACTED/CONSULTED: None.



DATE: May 2, 2014

Richard J. M. Fyfe, QC
Deputy Attorney General

Prepared by:
Kevin Jardine, ADM
Court Services Branch
(250) 356-1526

Attachment:
Volume of Provincial Adult and Youth Concluded Cases Resulting in an Askov Judicial Stay of Proceedings During Calendar Years 2009-2013 (YTD) & Example Narratives Related to Askov JSPs - January to March 2013.

Volume of Provincial Adult and Youth Concluded Cases Resulting in an Askov Judicial Stay of Proceeding During Calendar Years 2009 - 2013 (YTD)

Concluded Year	Askovs (Supreme Court)	Askovs (Provincial Adult Crim. And Youth)	Provincial Adult and Youth Concluded Cases	Askov Proportion
2009	3	44	105,757	0.04%
2010	1	56	105,250	0.05%
2011	11	109	99,527	0.11%
2012	2	66	94,421	0.07%
2013 YTD (at Sept. 2013) ¹	3	20	67,276	0.03%
2013 Askov Total ²	3	23	Not yet available (NYA)	NYA

Source: JUSTIN tables

Notes

1. At the time of this report, the most current Provincial total concluded case numbers was current up to the end of September 2013. The number of Askov cases reported in this row represents the number of Askovs cases between January 2013 to September 2013.

2. Although the total number of concluded cases for 2013 was not available at the time of the report, the total number of Askov cases for 2013 was available. The 23 Askovs reported in this row represents the number of Askov cases for the entire year of 2013.

3. Data are preliminary and subject to adjustment.

Pages 4 through 6 redacted for the following reasons:

s.3

**MINISTRY OF JUSTICE
COURT SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: for INFORMATION of the Honourable Suzanne Anton, QC, Attorney General and Minister of Justice

ISSUE: Status report on the methods by which staff of BC Sheriff Services facilitates the transportation of in-custody juvenile female offenders and in-custody juvenile male offenders from remand centres to and from court on Vancouver Island.

SUMMARY:

- The Ministry of Justice (Court Services Branch) and the Ministry of Children and Family Development have entered into a Memorandum of Understanding (MOU) for the safe and effective transport of in-custody (remanded or sentenced) female youth by BC Sheriff Services.

BACKGROUND:

- In December 2012, the Ministry of Justice (MOJ) entered into an MOU with the Ministry of Children and Family Development (MCFD) to transport in-custody juvenile female offenders from remand centres to court and back.
- It is recognized that female youth typically come from traumatic backgrounds, and have a number of unique needs that require consideration during their transportation. At a minimum, one female deputy sheriff will escort the youth female.
- In order to protect the privacy and dignity of the youth female, the deputy sheriff is in plain clothes, particularly in cases where the youth is required to spend any significant amount of time in the public eye.
- For juvenile females who are required to appear in court on Vancouver Island, the following protocols are in place:
 - The sheriff coordinator for youth female/air transport is notified and after a risk assessment is completed, arranges transportation by air,
 - s.15
 - With the recent closure of the Victoria Youth Custody Centre, juvenile females are no longer housed in Victoria,

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- s.15
- At no time is a youth female transported with in-custody adults or juvenile males.
- For juvenile males who are required to appear in court on Vancouver Island, the following protocols are in place:

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- s.15
- Previously, juvenile males were then transported from the Victoria airport to the Victoria Youth Custody Centre. However, with the recent closure of the Victoria Youth Custody Centre, MCFD is currently working with Police Services on Vancouver Island to determine custodial arrangements for juvenile males,

-
- s.15
- On May 5, 2014, members from Court Services Branch, Corrections Branch and MCFD met to discuss the closure of the Victoria Youth Custody Centre as it relates to the transportation of in-custody juvenile offenders. Logistics around the safe and secure transportation of juvenile male offenders is an ongoing discussion between Court Services Branch, Corrections Branch and MCFD.

Prepared by:
Inspector Mark Beaulieu
BC Sheriff Services
Court Services Branch
604-927-4475

Approved by:



Kevin Jardine
Assistant Deputy Minister
Court Services Branch
250-356-1526

Approved by:



Date:

May 21, 2014

Richard J. M. Fyfe, Q.C.

Deputy Attorney General

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for Suzanne Anton, QC, Attorney General and Minister of Justice.

ISSUE: Overview of the proposals made in Kimberly's Law.

SUMMARY:

- Kimberly Proctor was an 18 year old girl who was sexually assaulted and brutally murdered on March 18, 2010. Her family is proposing seven reforms to the justice system and to BC schools, entitled "Kimberly's Law."
- The proposals seek to establish threat assessment protocols in schools to address threatening behaviours and strengthen laws to hold young offenders charged or convicted of first or second-degree murder fully accountable for their actions. These proposals fall under both provincial and federal jurisdiction.

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s.14, s.16

BACKGROUND:

- Kimberly Proctor was sexually assaulted and brutally murdered in March 2010. Her body was mutilated, carried in a duffel bag on public transit, and lit on fire.
- Kruse Wellwood and Cameron Moffatt, who were 16 and 17 at the time of Kimberly's murder, were convicted and sentenced as adults to life in prison with no chance of parole for 10 years.
- On January 10, 2013, Kimberly Proctor's family held a press conference proposing seven reforms to the justice system and to BC schools, entitled "Kimberly's Law."
- The Proctor family is calling on the public to sign their petition to have "Kimberly's Law" put before the legislature; the family has asked MLA Scott Hamilton to present the petition to the House.
- These proposals fall under both provincial and federal jurisdiction. They propose to "establish threat assessment protocols in schools to address threatening behaviours of teenagers" and "seek to strengthen laws to hold young offenders charged or convicted of first or second-degree murder fully accountable for their actions."
- The justice related changes proposed are changes to the *Youth Criminal Justice Act* (YCJA), which is a federal piece of legislation. Any changes to the YCJA fall within the jurisdiction of the federal government.

Pages 11 through 12 redacted for the following reasons:

s.13, s.14

s.13, s.14

OTHER MINISTRIES IMPACTED/CONSULTED:

- The Ministry of Children and Family Development was consulted in the preparation of this material.

Prepared by:

Wendy Jackson
Legal Counsel / Acting Executive Director
Justice Services Branch
250-356-2735

Approved by: Jay Chalke, QC
Assistant Deputy Minister

Date: May 8, 2014



Approved by: Richard J. M. Fyfe, Q.C.
Deputy Attorney General

Date: May 8, 2014

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for Richard J. M. Fyfe, QC, Deputy Attorney General

ISSUE: The attached letter invites Alan Andison to join the Governance Board of the Civil Resolution Tribunal – Tribunal Transformation initiative.

SUMMARY:

The Governance Board for the CRT-TT initiative has agreed that the Chair of the Circle of Chairs of Administrative Tribunals, Alan Andison, would be invited to join the Board. The attached letter is an invitation letter.

BACKGROUND:

- At the last Circle of Chairs meeting, Alan Andison indicated to Richard Fyfe that Mr. Andison had not yet received an invitation to join the Governance Board. This letter is the formal invitation letter.

OTHER MINISTRIES IMPACTED/CONSULTED:

N/A

Prepared by:

David Merner
Executive Director
Justice Services Branch
250-387-6888

Approved:

Jay Chalke, QC
Assistant Deputy Minister

Date: May 7, 2014

Attachment:

Letter to Mr. Alan Andison



Mr. Alan Andison
Chair
Environmental Appeal Board
4th Floor – 747 Fort Street
Victoria, British Columbia
V8W 9V1

Attention: Mr. Andison

Tribunal Transformation Initiative Governance Board

I am writing to invite you to join the Governance Board for the Tribunal Transformation Initiative.

The Governance Board is responsible for monitoring project progress, timelines, deliverables, IM/IT systems procurement, capital budget utilization, project scope, and risk management related to Tribunal Transformation. The Governance Board also provides general guidance and oversight to enable the Tribunal Transformation Initiative to succeed. It will also oversee consultations with key stakeholders and support effective communications with ministries and tribunals.

All members of the Governance Board are members by virtue of the offices they hold. The following members will be responsible for the decision-making functions of the Board:

- Assistant Deputy Minister, Justice Services Branch, Chair of the Governance Board
- Deputy Attorney General
- Deputy Minister of Justice
- Government Chief Information Officer

The following members will be responsible for providing guidance and advice:

- Chair, Civil Resolution Tribunal
- Chair of the Circle of Chairs of Administrative Tribunals

With your experience as a tribunal chair, as Chair of the Circle of Chairs, and as the lead of an existing cluster of tribunals, you would be a very valuable addition to the Governance Board. In particular, a key issue for the Governance Board that will be addressed over the coming year is the clustering of tribunals, and your expertise on that topic will be very helpful.

.../2

Mr. Alan Andison
Page 2

In sum, I hope you will agree to join the Governance Board. Please let me know whether or not you will be able to accept this invitation. If you do, I also hope that you will be able to join us at our next meeting. It will be held on May 13, 2014, from 3:30 to 4:30 pm in the third floor boardroom at 703 Broughton Street. Could you please let Helene Campbell know whether you are able to attend? She can be reached at helene.campbell@gov.bc.ca.

Sincerely,

Richard J. M. Fyfe, Q.C.
Deputy Attorney General

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For DECISION by Suzanne Anton, QC, Attorney General and Minister of Justice.

ISSUE: Provincial Specialized Courts Strategy – a White Paper commitment due March 31, 2015.

DECISION REQUIRED/ RECOMMENDATION:

- Proceed with the development of the Specialized Courts Strategy.

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s.3

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SUMMARY:

- A provincial strategy for specialized courts is intended to establish a structured approach for specialized courts that is rooted in validated research, is fiscally responsible and engages justice stakeholders, the judiciary and, as appropriate, others beyond the justice system.

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- A consultative approach through a working group will be taken to review current research on specialized courts, to develop principles, best practices and, if appropriate, a plan for existing and new specialized courts. Ultimately, the plan will aim to set out the process for decisions about both managing existing and approving new specialized court initiatives.
- Concurrent with this work, the ministry is exploring a governance structure for specialized courts to define the respective roles and responsibilities for the judiciary and the ministry; next steps on the domestic violence courts framework – another White Paper commitment; and, engaging with the City of Surrey in assessing the community needs and exploring possible solutions including opportunities for a specialized court in Surrey.

BACKGROUND:

- Consistent with trends in other jurisdictions, specialized courts are becoming more frequent in British Columbia and throughout Canada. There is no province-wide approach to specialized courts, as they tend to be established through local championship, expertise and resources. This presents a challenge for a planned and coordinated allocation of finite resources to advance effective justice strategies.
- In the White Paper on Justice Reform, Part Two, government committed to develop, in consultation with the judiciary and other justice partners, an evidence-based, integrated and strategic approach for specialized court initiatives in the province by March 31, 2015. The White Paper states that the strategic approach would be informed by lessons learned from, and the results of, the final evaluation of the Downtown Community Court in Vancouver and from other specialized court models.

Role of the Judiciary

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Research on Specialized Courts

- As part of the strategy, a review of current research and lessons learned will be completed. Although there is much information available on specialized courts and most jurisdictions have specialized courts, there is a lack of consistency and academic rigour in how impacts of these initiatives are measured. In fact, methodologically sound evaluation studies of specialized courts are rare across jurisdictions.

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Scope of the Strategy

- Most specialized criminal courts expand the traditional role of the court from adjudication and sanctions into areas of offender management and health and social services. As part of the strategy, existing research on the effectiveness of court and community-based approaches to the provision of these services will be explored.
- The key challenges the justice system must currently deal with are costs and delay. In addition to better offender outcomes, these may also be legitimate areas of focus for the strategy.

Overlap with Domestic Violence Courts Framework Project

- The specialized courts strategy links with the domestic violence courts framework project – another White Paper commitment – which was led by Community Safety and Crime Prevention Branch, and completed on March 31, 2014. The framework focuses on high-level principles for domestic violence courts. Additional work would be required beyond the framework to guide the implementation and evaluation of domestic violence courts.
- Although narrower in scope, this work concerns similar issues and draws on similar resources and expertise within the ministry as the specialized courts strategy.

Justice Services Branch staff have been participating in the domestic violence courts working group. This work will also inform the strategy for specialized courts, including the methodology and stakeholder engagement.

Exploring a specialized court in Surrey

- The Surrey Specialized Court Taskforce was established in March 2014 and has meeting regularly. Members include Associate Chief Judge Gurmail Gill and ministry and municipal Executives and staff. The first task is to determine the needs of the community and assess opportunities for addressing them.

- This work should proceed consistent with the specialized court strategy to ensure that it is informed by lessons learned from existing specialized courts and research on integrated justice initiatives.

OTHER MINISTRIES IMPACTED/CONSULTED:

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DECISION APPROVED/NOT APPROVED



The Honourable Suzanne Anton QC
Attorney General and
Minister of Justice

DATE:

22 July 2014.

Prepared by:
Anita Nadziejko
Senior Policy Advisor
250-387-5357

Approved by:
James Deitch
Executive Director
250-387-2109

Approved by:

Jay Chalke, QC
Assistant Deputy Minister

Date: 22 May 2014

Approved by:



Richard J. M. Fyfe, Q.C.
Deputy Attorney General

Dated: June 12, 2014

Attachment

Draft Concept Paper on the Provincial Specialized Courts Strategy, December 5, 2013

Pages 21 through 25 redacted for the following reasons:

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APPENDIX 1

- The **domestic violence courts in Nanaimo, Duncan, Kelowna, Kamloops and Penticton** hear domestic violence cases on specified days each month. The courts have a committed courtroom for those days, but are used for other matters at other times. The Nanaimo and Duncan courts have a therapeutic component, while the Interior Region docket courts are focused on trial backlog by addressing trial certainty for domestic violence cases.
- The **Drug Treatment Court in Vancouver** deals only with offenders who commit crime because of an addiction and choose to opt into the drug court's treatment program and plead guilty. Deferred sentencing to allow for program/treatment completion is a key component of the model. The court was researched extensively and the evaluation results point to a reduction in recidivism. Cost efficiency or cost benefits were not fully addressed.
- The **Downtown Community Court in Vancouver** is located in a purpose-designed facility that allows for co-location of justice, health and social services. The court strives to manage its caseload more efficiently and produce better offender outcomes. The court engages with community organizations, area residents and others in the delivery of services to offenders. The final evaluation of the court's impacts determined that the court is not more efficient but it shows promising offender management results, i.e. reduced recidivism for frequent offenders with high health and social services needs.
- The **Victoria Integrated Court** sits one morning per week and works with a group of chronic offenders supported by Assertive Community Treatment (ACT) teams. The ministry committed to working with University of Victoria and the Provincial Court to assess the impacts of the court, including how well the court supports the work of ACT teams.
- The **First Nations courts in New Westminster and Kamloops, Duncan and North Vancouver** serve aboriginal people, involving bail hearings, sentencing hearings. To be eligible to have a case heard at the court, a person must identify as aboriginal and either plead guilty to a criminal offense or have been found guilty of a criminal offense in another court.
- A **community court project in Kelowna** was piloted by the judiciary, but was subsequently cancelled by the Office of the Chief Judge due to performance and resourcing issues.

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For DECISION of Suzanne Anton, QC, Attorney General and Minister of Justice

ISSUE: 2013/14 Annual Report for the Independent Investigations Office (IIO)

DECISION REQUIRED/ RECOMMENDATION:

- The IIO must receive approval from the Attorney General prior to making the report public.
- **It is recommended that the IIO's 2013/14 report be approved.**

SUMMARY:

- The IIO is an independent body that investigates incidents of death or serious harm involving police officers in BC.
- The IIO is statutorily required to submit an annual report to the Attorney General by May 31 of each year. The Attorney General approves the Annual Report prior to its public release.
- This is the IIO's second annual report. It includes information respecting the number, frequency, types, and outcomes of investigations as well as performance measure indicators and basic budget information.
- The IIO's operation and administration and progress towards becoming civilian are being reviewed by a Special Committee of the Legislative Assembly. The annual report will further inform the Committee.

BACKGROUND:

- The IIO was established in response to recommendations made by two public inquiries (the 2007 inquiry into the death of Frank Paul and the 2008 inquiry into the death of Robert Dziekanski) to address public concerns about the police investigating themselves.
- The IIO is an independent civilian-led body established under the *Police Act* to investigate incidents of death or serious harm involving police officers in British Columbia, including RCMP and municipal police officers both on and off-duty. It has been operational since September 2012.
- The IIO is headed by the Chief Civilian Director (CCD), who by statute is not permitted to have ever served as a police officer. The current CCD is Richard Rosenthal, who was appointed in January 2012.

- The office employs a blend of civilian investigators and former police officers. IIO investigators must not have served as police officers in BC within the past five years. The legislation sets a goal for the IIO to eventually become entirely civilian. The current complement of investigators reflects a combination of 46% civilian investigators and 54% former police officers.
- The CCD is ultimately accountable to the Attorney General and functionally accountable to the Deputy Attorney General through a Letter of Expectations in order to maintain independence from other policing matters that fall within the responsibility of the Deputy Solicitor General.
- The Letter of Expectations signed by the CCD and the Deputy Attorney General sets out additional content requirements for the IIO Annual Report, including performance measure indicators and basic budget information.

IIO Annual Report 2012/13

- The 2013/14 IIO Annual Report covers the IIO's second full fiscal year of operation.
- The report contains information about the establishment of the office, the IIO's mandate, operations, and organizational structure, basic budget information, and statistical information with respect to notifications, investigations, classification of incidents, affected persons, timeliness, and outcomes of investigations.
- The report notes that in the 2013/14 fiscal year, the IIO received 223 notifications from BC agencies. Out of the 223 notifications received, 118 warranted a response, including 58 in the form of an investigation. In total, 13 cases were concluded by a report to Crown counsel and 27 cases were concluded by public report.
- Since it became operational the CCD has referred 19 cases to Crown counsel. Charges have been approved in three cases, one of which was resolved by way of guilty plea in February 2014.
- This Annual Report is the product of negotiations between the IIO and ministry staff. The CCD will make the report publically available on the IIO website once he receives approval from the Attorney General.

The Special Committee to Review the IIO

- The *Police Act* provides that before January 1, 2015, a Special Committee of the Legislative Assembly must conduct a review of:
 - the CCD's progress towards becoming a completely civilian body; and
 - the administration and general operations of the IIO.
- On February 25, 2014, the Legislative Assembly approved the appointment of a Special Committee to review the IIO. The Committee includes eight MLAs and is chaired by

Mike Morris, MLA for Prince George-Mackenzie, and co-chaired by Spencer Chandra Herbert, MLA for Vancouver-West End.

- On May 26, 2014, the Assistant Deputy Minister and Executive Director of the Justice Services Branch made a presentation to the Special Committee. The presentation provided a brief overview of the IIO, including its origin, mandate, operations and administration.
- The IIO presented to the Committee on June 10, 2014. It is anticipated that public submissions will be made throughout the summer. The Committee also plans to conduct further hearings in September and October 2014. The ministry and the IIO will have further opportunity to present.
- The Committee will present the results of the review to the Legislative Assembly by February 25, 2015.

OTHER MINISTRIES IMPACTED/CONSULTED:

- The IIO consulted its stakeholders on the content of the report, including police agencies.

DECISION APPROVED / NOT APPROVED

DATE:



26 June 2014

Suzanne Anton QC
Attorney General
Minister of Justice

Prepared by:

Sarah Mason
Research Officer
Justice Services Branch
250-387-5004

Anita Nadziejko
Senior Policy Advisory
Justice Services Branch
250-387-5357

Approved by:


James Deitch
Executive Director
Justice Services Branch
250-387-2109

Attachment - IIO Annual Report 2013/14

Approved by: Jay Chalke, QC
Assistant Deputy Minister

Date: 20 June 2014

Approved by:



Richard J. M. Fyfe, Q.C.
Deputy Attorney General

Date: June 26, 2014

2013/14

Annual Report

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Part I

Message from the Chief Civilian Director



I am pleased to present the second annual report of the Independent Investigations Office (IIO) to the government and people of British Columbia.

During our second fiscal year of operation, the IIO has recognized significant achievement in our original goals to:

1. conduct fair, unbiased and thorough investigations of police-related critical incidents involving death and serious harm;
2. ensure timeliness in investigations; and
3. ensure transparency through public reporting.

With each new investigation, I see our organization moving forward and using lessons learned over the last 19 months of operation to consistently improve our work with the intent of establishing the IIO as an organization that can be trusted by the public, the government and the police.

Over the course of the last year, we spent significant time and effort to develop the IIO's Mission, Vision and Values and are working on a two-year Strategic Plan to ensure the future long-term success of our organization. We are committed to ensuring that the IIO will grow into a mature organization where we ensure transparency, fairness and accountability; we achieve alignment from top to bottom in terms of guiding values and measurable results; and we are committed to promoting a positive organizational culture that fosters good morale and job satisfaction amongst our staff.

The upcoming year will involve the IIO working with a Special Committee of the Legislative Assembly of British Columbia to review the Independent Investigations Office. Pursuant to Section 38.13 of the *Police Act*, the Committee will conduct "a review of the administration and general operations of the IIO" and "the Chief Civilian Director's progress towards a goal of having an Independent Investigations Office that is staffed entirely with employees and IIO investigators who have never served as officers or members of a police or law enforcement agency." We look forward to this process and a discussion of the current and future mandate of the IIO.

Message from the Chief Civilian Director



Mission

Building
Confidence
in Police
Accountability

As a part of the IIO's commitment to work closely with our stakeholders and partners, an External Advisory Working Group has been established. It includes a diverse representation from civil liberties groups, multicultural agencies, police agencies and families of affected persons. The main purpose of the working group is to engage in discussions related to the operation of the IIO, solicit feedback, and provide a forum for information sharing.

Vision

To Investigate
Fairly, without
Bias, and to Ensure
Accountability
through Public
Reporting

The IIO is strongly committed to working with partner agencies to provide independent oversight of police in the province. As a member of the Canadian Association for Civilian Oversight of Law Enforcement (CACOLE), I particularly thank and recognize the Police Complaint Commissioner of British Columbia, the Commission for Public Complaints Against the RCMP (CPC), and the Directors of the Alberta Serious Incident Team (ASIRT), the Manitoba Independent Investigation Unit (IIU), the Ontario Special Investigation Unit (SIU) and the Nova Scotia Serious Incident Response Team (SIRT) for their advice and consult over the last year. In addition, the police community in British Columbia, including the BC Association of Chiefs of Police and the BC Association of Municipal Chiefs of Police continue to work collaboratively and cooperatively with the IIO on issues of mutual concern. Finally, special appreciation has to be given to the numerous civil liberties organizations, including the BC Civil Liberties Association, the Pivot Legal Society and Justice for Girls who have all provided advice and consult and have both supported and challenged the IIO over the last year.

Values

Integrity
Respect
Impartiality
Teamwork
Professionalism

I thank Attorney General and Minister of Justice Suzanne Anton and Deputy Attorney General Richard Fyfe for their support and the continued support of the various branches of the Ministry of Justice, to include Justice Services, Legal Services and the Corporate Management Services. Last, but not least, my thanks to IIO staff who have dedicated themselves to the long term success of the IIO program.

Executive Summary



The Independent Investigations Office began its operation in September 2012 to conduct investigations into officer-involved incidents that result in death or serious harm. Its mission is to increase public confidence in police accountability by conducting fair, unbiased and timely investigations. Over the last 19 months of operation, the IIO opened 74 investigations and has concluded 56 of them.

As a part of its commitment to transparency and accountability, the IIO 2013–2014 Annual Report provides an overview of the organization and a summary of the IIO activities between April 1, 2013 and March 31, 2014.

Part I of the report provides a historical and legislative overview of the IIO, and highlights initiatives of the 2013–2014 fiscal year.

Part II describes the organizational structure of the IIO by identifying key program areas and their main responsibilities. Part II also provides information on outreach and community engagement activities, training and professional development of the IIO staff, the IIO budget, and other projects.

Part III provides a summary of the operational performance of the IIO over the last fiscal year. It outlines the number and types of IIO investigations, the outcome of concluded cases and information regarding the affected persons. It also highlights trends through comparative analysis of investigations for the 2013–2014 fiscal year.

The final section provides a brief overview of the goals identified by the IIO for the next reporting year.

About the Independent Investigations Office



Creation of the Independent Investigations Office

The Independent Investigations Office (IIO) became operational in September 2012 as a civilian-led, independent agency conducting investigations into officer-involved incidents resulting in death or serious harm. Creation of the IIO advanced the establishment of accountable, transparent and independent oversight of police in Canada. At the time of the IIO creation similar agencies already existed in Ontario (Special Investigations Unit), Nova Scotia (Serious Incident Response Team) and Alberta (Alberta Serious Incident Response Team). Manitoba is currently in the process of forming its police oversight agency, the Independent Investigations Unit.

The creation of the IIO was driven by the recommendations from the public inquiries into the 2007 death of Robert Dziekanski, led by Justice Thomas R. Braidwood and the 1998 death of Frank Joseph Paul, led by Justice William H. Davies. Following on the recommendations from the Braidwood Commission, the Minister of Public Safety and Solicitor General introduced legislation to amend the *Police Act*, establishing the IIO. The Chief Civilian Director was hired effective January 8, 2012 and the IIO began operations on September 10, 2012.

Mandate

The IIO investigates officer-involved incidents that result in death or serious harm. The IIO has jurisdiction over the RCMP in British Columbia, 11 municipal police agencies, the South Coast BC Transportation Authority, and the Stl'at'imx Tribal Police, as well as officers appointed as Special Provincial Constables when they are exercising their authority as Special Constables. The jurisdiction over the other police services extends to on and off duty incidents.

Legislative Framework

Part 7.1 of the *Police Act* provides a legislative framework for the IIO. It outlines key considerations regarding staffing, operations and reporting requirements. Sections 38.09 and 38.10 require police agencies to immediately report to the IIO any officer-involved incident that results in death or serious harm.

In July 2012, a *Memorandum of Understanding* was signed between the IIO and the RCMP, the municipal police agencies, the South Coast BC Transportation Authority, and the Stl'at'imx Tribal Police. The *MOU* was amended in February 2013 to include jurisdiction over the Organized Crime Agency (CFSEU-BC) and to clarify specific sections. The *MOU* outlines roles and responsibilities between the IIO and the police agencies, providing a framework for a cooperative and effective working relationship.

One of the key considerations in the establishment of the IIO was to create a civilian-based organization. Section 38.06(3) of the *Police Act*, prevents the IIO from appointing investigators who have served as a member of a police force in BC for a period of five years preceding their appointment. The Chief Civilian Director cannot have ever served as a police officer. The long term vision is to staff the IIO entirely with employees and IIO investigators who have never served as officers or members of a police or law enforcement agency.

About the Independent Investigations Office



Main Initiatives of 2013–2014

At the time of the creation of the IIO, the Chief Civilian Director outlined three primary goals:

- To conduct fair, unbiased and thorough investigations of police related critical incidents;
- To improve timeliness in the investigation of police related critical incidents; and,
- To ensure transparency through public reporting on the results of IIO investigations.

By the end of the 2013–2014 fiscal year, the IIO had completed 40 investigations of incidents falling within its mandate. The time it took to complete these investigations ranged from 51 days to nine months.

Twenty-six investigations resulted in public reports in cases where the Chief Civilian Director concluded that no officer may have committed an offence.

Thirteen investigations resulted in Reports to Crown Counsel for consideration of criminal charges. Five Clear Statements were issued by the Criminal Justice Branch after charges were not approved. In two cases, charges were approved. As of March 31, 2014, 18 cases remained open and under investigation.

An External Advisory Working Group was created in the past year. The group includes representatives from First Nations leadership, BC Civil Liberties, community service groups, affected people and the policing community. Its intent is to assist the IIO in working collaboratively with those whose interests are affected by its mandate and operation.

Over the past year, the IIO has initiated a comprehensive process intended to develop the Mission, Vision and Values of the organization. This work has laid the foundation for a two-year Strategic Plan for the IIO, which will be posted on the IIO website (www.iiobc.ca) once completed.

Lessons Learned

As a learning organization, the IIO is committed to continuous quality improvement and to using lessons learned to improve our work. In 2013–2014, the IIO worked to further develop and align processes and procedures, define Mission, Vision, and Values and improve timeliness of the investigations.

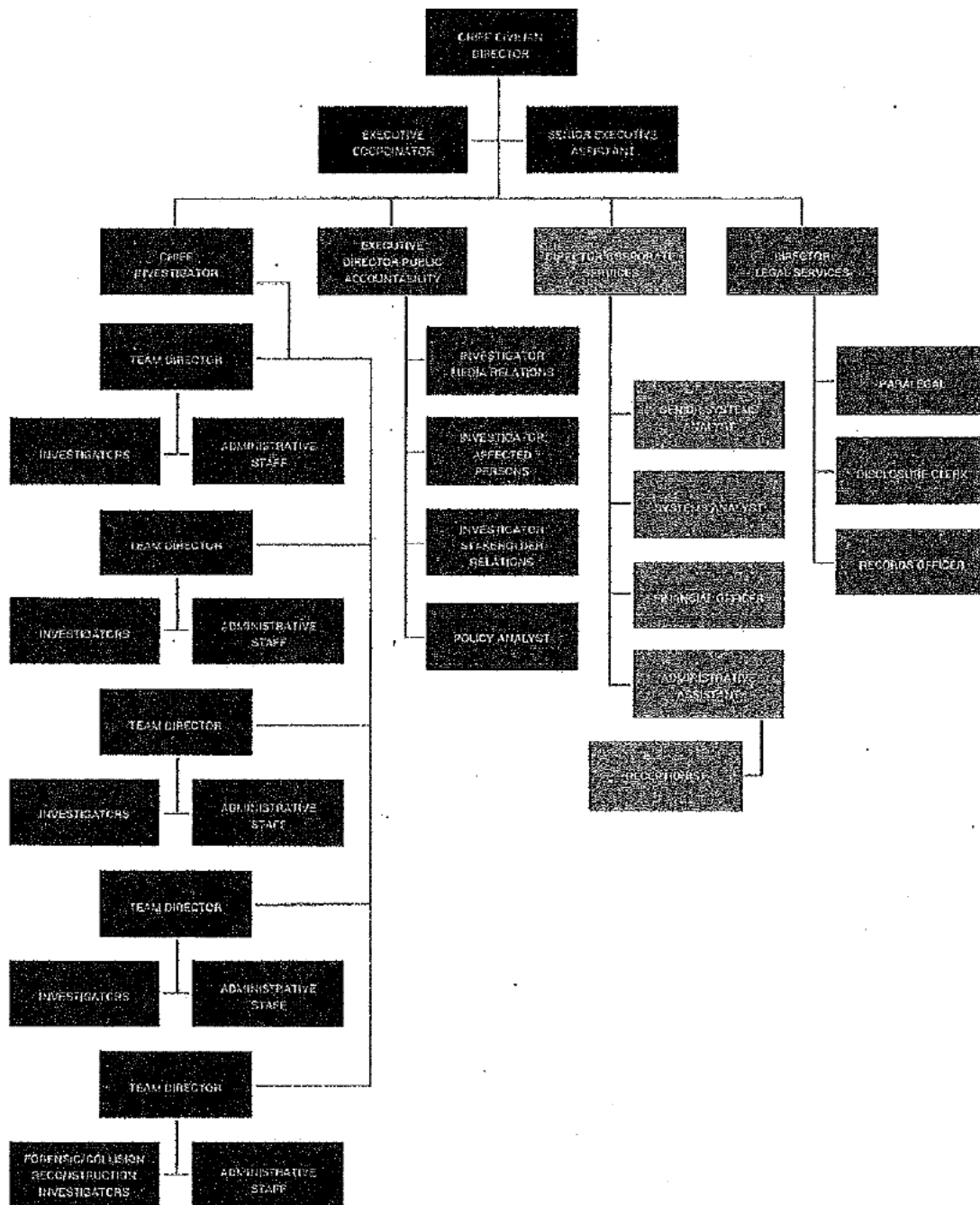
Highlights

- Staff became more proficient at developing investigation, deployment and communication plans that were specific to each incident.
- Business rules have been developed to ensure consistent documentation relating to investigations.
- The process used to complete public reports has now become well established.
- The experiences of the past year have highlighted the need to create one IIO culture where the organization is aligned from top to bottom in terms of guiding values and measurable results, one which promotes a positive organizational culture that fosters good morale and job satisfaction amongst our staff. This recognition will be used as part of the IIO's upcoming two-year Strategic Plan to help ensure that the IIO is successful in the long term.

About the Independent Investigations Office



Figure 1.
Organizational Chart



Part II

Program Areas



Investigations

Under the direction of the Chief Investigator, the Investigations section consists of five investigative teams, one of which specializes in forensic analysis and collision reconstruction. This specialized team provides support to the other four investigative teams in relation to scene examination and exhibit management. Each investigative team is led by a Team Director.

The investigative teams provide a 24/7 response to reported incidents across the province. An on-call Team Director is responsible for receiving notifications from a police agency. Following a notification, the Team Director assesses the information, develops the initial investigative response, and makes a recommendation to the Chief Civilian Director regarding jurisdiction.

The IIO office is located in Surrey. However, the investigative teams are organized and prepared to deploy to every part of the province to ensure as timely a response as possible. The number of deployed investigators will depend on the complexity and unique circumstances of each investigation. Investigators are trained to conduct standard investigative activities consistent with the recognized principles of Major Case Management.

The Investigations team consists of 24 appointed investigators, including the Chief Investigator, the Team Directors and 19 investigative staff.

Public Accountability

Under the direction of the Executive Director, Public Accountability, this team provides the interface between the IIO and affected persons, families, police services, media, stakeholders and government. Policy analysis and research also fall under this program area.

A strategic communications position is responsible for media relations as well as for implementing the IIO Communications Plan. The role of the Investigator, Strategic Communications is also to provide advice to the CCD and to manage projects of a sensitive nature.

The Public Accountability team also has an Investigator dedicated to providing emotional, practical and educational support to affected persons. The role of the Investigator, Affected Persons may include providing immediate critical incident debriefing, referral to community support programs and resources, serving as a point of contact for the IIO, assistance in navigation of the investigative process, and communicating with families at all stages of an investigation.

The Stakeholder Relations and Community Engagement position is filled by an Investigator who is responsible for developing and implementing a three- year Community Engagement Strategy, intended to reach every corner of the province and to provide an the CCD with an opportunity to hear concerns directly from the public. In addition, the Investigator, Stakeholder Relations is the liaison with external partners and advisors. The position manages the IIO Information Line and responds to inquiries from the public.

Finally, under Section 38.12 of the *Police Act* the IIO is required to compile statistical information and trends regarding investigations. The IIO Policy Analyst is responsible for meeting those statutory expectations, establishing performance measures, and reporting out through the Annual Report. Policy development, research and evaluation are also responsibilities within this area. The Analyst works to ensure consistent data collection, timely analysis of trends and the identification of gaps.

Legal Services

The Legal Services team manages records and privacy, and provides legal advice to the IIO on investigations and other legal issues as needed. Many outside agencies request IIO records, such as the BC Coroners Service, police disciplinary agencies, involved police agencies, individuals making FOI requests and parties to civil litigation. Legal Services collects the records, determines what should be disclosed and how, and delivers them.

Program Areas



Legal Services assisted with negotiations on several *Memoranda of Understanding* with other justice system agencies, and continues to monitor and revise them. This year the IIO focused particularly on the relationship between the IIO and the many provincial agencies which employ Special Provincial Constables.

The Director of Legal Services represents the IIO's interests in legal proceedings. In particular, in April 2013, the IIO made submissions to the Supreme Court of Canada in the case of *Wood v. Schaeffer, 2013 SCC 71*. In September 2013, counsel also attended the inquest into the case the IIO investigated relating to an officer-involved shooting in Prince George that resulted in a death.

Corporate Services

Corporate Services provides a full continuum of services including finance, human resources, technology, contract management, and administrative support. This team has the overall responsibility for managing the IIO budget.

Training and Professional Development

The IIO is committed to providing opportunities for professional development to its investigative and administrative staff. In 2013–2014, the IIO staff attended 19 training sessions. Some of the training attended by investigative staff included GPS Mapping Orientation, Major Case Management Investigators course, MCM Team Commanders course, Major Crime Investigative Techniques, Conducted Energy Weapon Orientation training, and Search Warrant Drafting courses. In addition, three new Investigators began their training at the Justice Institute of BC.

Stakeholder Relations and Outreach Activities



During 2013–2014, the IIO has been working proactively to reach out, educate and engage with a variety of interest groups, organizations and communities. As a part of its Stakeholder Relations and Community Engagement strategic plan, IIO staff delivered 143 presentations to over 2,700 participants in 32 communities across the province, including more than 1,600 RCMP and 270 municipal police officers. The main goal of these activities was to provide information about the IIO and its functions to the public, the police forces, First Nations communities and other organizations with an interest in the IIO program. These events also provided an opportunity for the public to raise their questions, provide feedback and share concerns.

Highlights

- 20 presentations to RCMP Detachments
- 14 presentations to municipal police agencies (including Transit police)
- 7 presentations to First Nations groups
- 8 presentations to Town Councils
- 76 presentation sessions at Operational Skills Training at PRTC (RCMP) delivered to over 1,600 RCMP officers

External Advisory Working Group

The IIO created an External Advisory Working Group (EAWG) in 2014 and invited participation from a broad group of partners and stakeholders. The EAWG held its first meeting in January 2014. The EAWG consists of a diverse group of individuals and organizations, including the BC Civil Liberties Association, the BC Association of Police Boards, the Pivot Legal Society, representatives from the RCMP and the municipal police agencies, family members of affected people, and representatives from the First Nations organizations.

The overarching goals of the EAWG are to engage key stakeholders in meaningful discussion of the issues relating to the activities of the IIO, to solicit feedback and to respond to questions arising from the IIO operation. Membership in the EAWG is consultative in nature and participation does not constitute an endorsement of IIO policies and practices.

Mission, Vision, Values and IIO Strategic Plan



In April 2013, the IIO's Strategic Planning process began with a meeting of IIO staff and a subsequent meeting with external stakeholders (including First Nations, civil liberties organizations, representatives of the policing community, municipalities, police boards and affected people). The objective of this consultative process was to engage these groups in collaboratively defining the Mission, Vision and Values for the IIO.

In July 2013, the IIO obtained the assistance of the Organizational Development Group of the Ministry of Justice to assist in further strategic planning by conducting a "PESTEL" analysis which included identification of the Political, Economic, Social, Technological, Environmental and Legal factors impacting the IIO. In November 2013, an internal working group was created to define and identify the Goals, Roles, Processes and People (a GRPP Analysis) needed to make the organization successful in the long term.

The Mission, Vision, Values workgroup completed its work in March 2014. A Strategic Planning Subcommittee was created to build on the earlier work and to develop a two-year Strategic Plan for the IIO.

Budget



In the 2013–2014 fiscal year, the IIO had a budget of \$10,100,000. The expenditures for this fiscal year were \$7,145,619².

Table 1. Budget

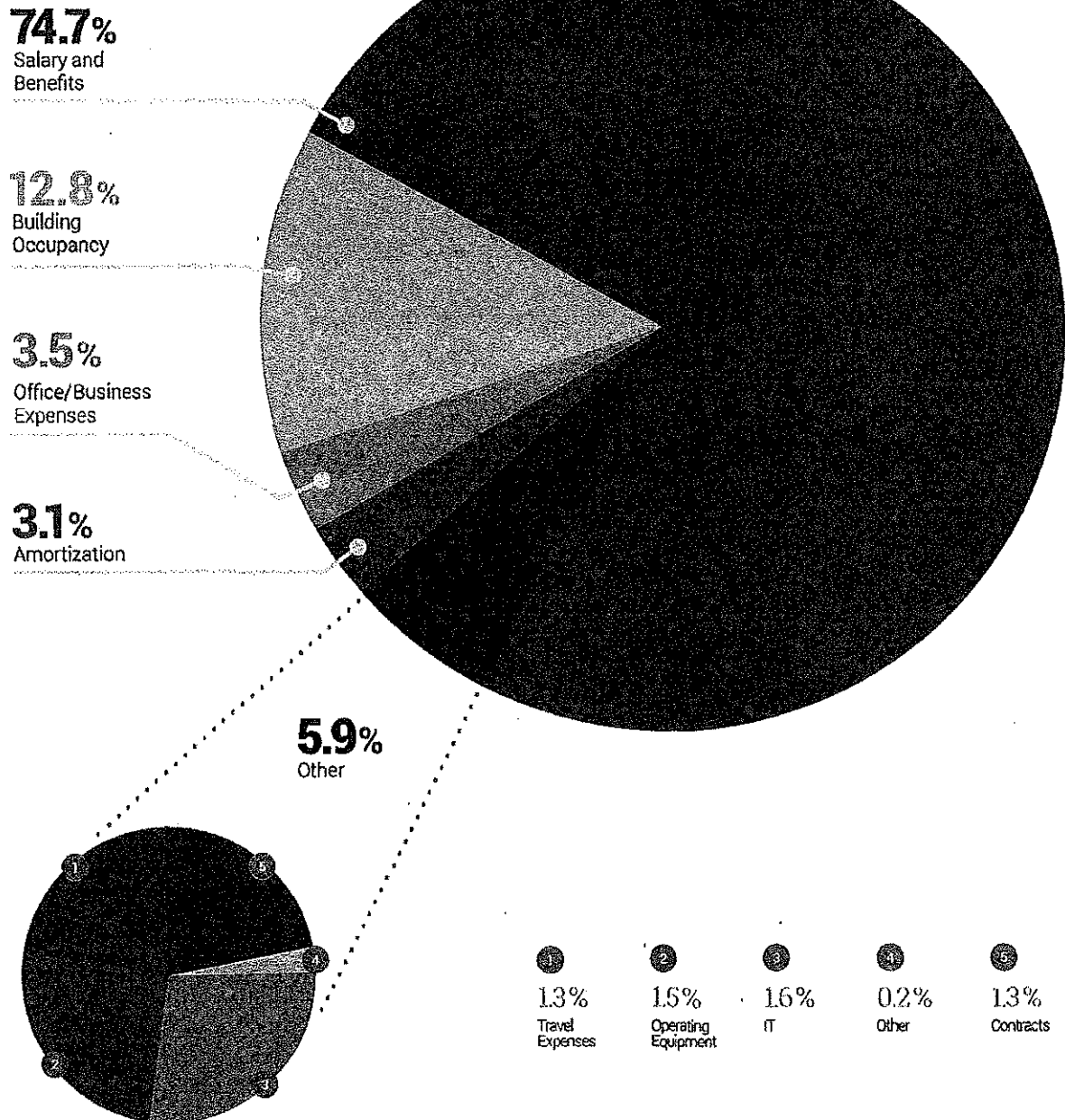
Expenditure Type	2012–2013		2013–2014	
	Budget	Actuals	Budget	Actuals
Salary and Benefits	6,184,000	4,422,790	6,397,000	5,334,536
Travel Expenses	720,000	103,483	1,380,000	89,802
Contracts	600,000	596,021	245,000	94,177
IT	273,000	106,329	281,000	112,717
Office/Business Expenses	138,000	217,861	78,000	251,852
Operating Equipment	240,000	121,965	270,000	107,126
Amortization	567,000	114,083	613,000	222,796
Building Occupancy	335,000	885,807	567,000	916,773
Other	243,000	41,356	269,000	15,840
Total	9,300,000	6,609,695	10,100,000	7,145,619

² The expenditures are accurate as of April 15, 2014.

Budget

10

Figure 2.
Expenditures by Type



Special Committee



In accordance with Section 38.13 of the *Police Act*, a Special Committee to Review the Independent Investigations Office was established by the Legislative Assembly of British Columbia on February 25, 2014.

As stated in the legislation, the Committee is to review the administration and general operations of the IIO, and to assess the Chief Civilian Director's progress towards civilianization of IIO investigative staff. The Committee includes eight MLA's. It is Co-chaired by Mike Morris (Liberal, Prince George – Mackenzie) and Mr. Spencer Chandra Herbert (NDP, Vancouver – West Side). The review must be completed before January 1, 2015. The Special Committee will present the results of the review to the Legislative Assembly by February 25, 2015 and may include recommendations the Committee considers necessary or appropriate.

Special Projects

As a part of the organizational growth and development, the IIO Executive team prioritized several special projects that the IIO staff will be working on over the next fiscal year. These projects focus on optimization and standardization of processes and procedures and improving the existing systems (such as the Case Management System). They also include outreach to vulnerable populations, establishing timeliness goals and developing the policies needed to increase efficiency and ensure consistency across all areas of the IIO.

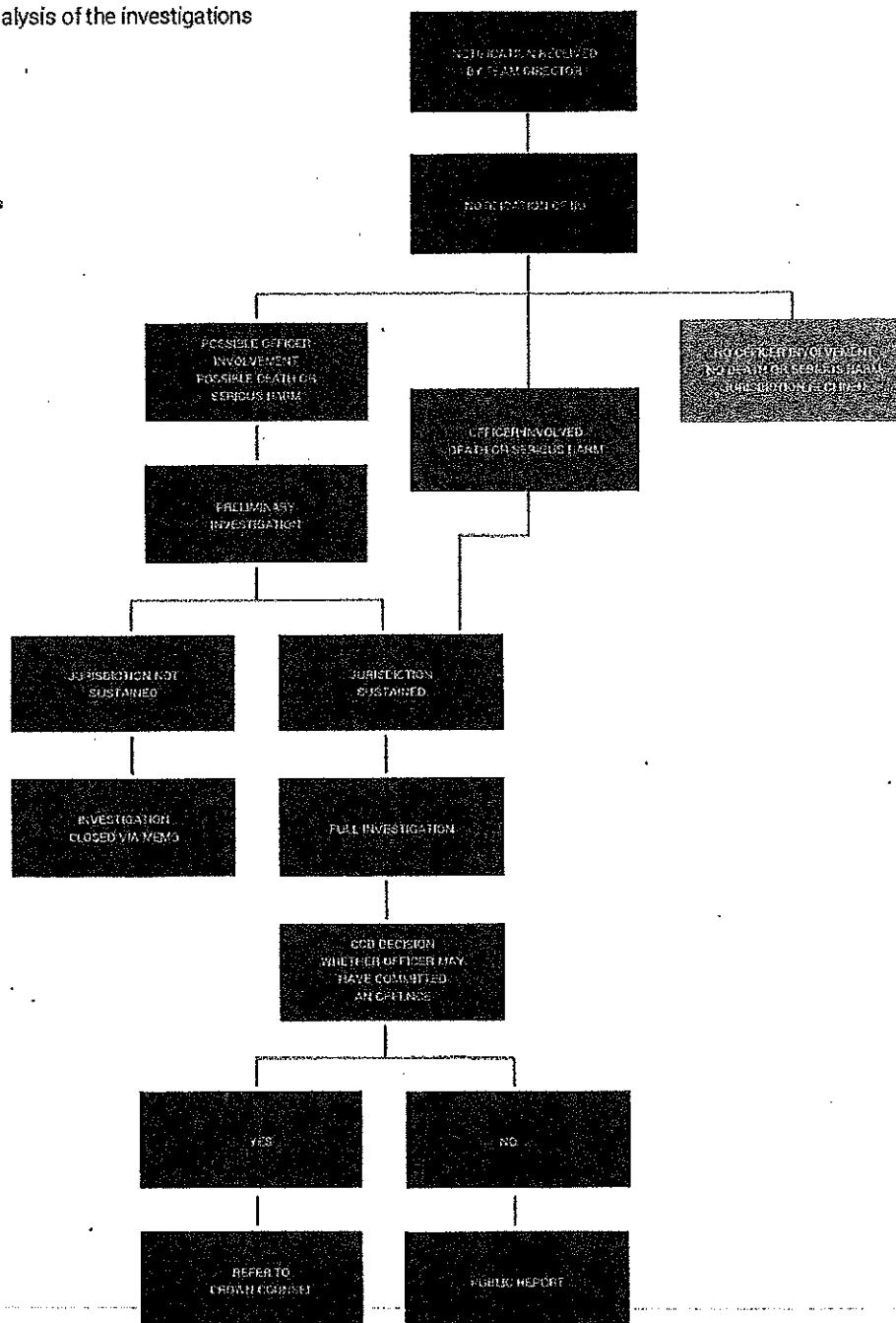
Part III

Operational Performance



Under Section 38.12 of the *Police Act*, the IIO is required to collect and report on statistical information pertaining to the frequency and types of investigations. This section provides aggregate data analysis of the investigations opened during 2013–2014.

Figure 3. IIO Investigative Process



Operational Performance



Notifications

All BC police agencies are required to immediately report all officer-involved incidents involving death or serious harm to the IIO (pursuant to Section 38.09, the *Police Act*). In the 2013–2014 fiscal year, the IIO received 223 notifications.

In cases where jurisdiction has been asserted and a preliminary investigation establishes that either the incident was not the result of the action of a police officer or did not result in a death or serious harm, the Team Director may recommend the CCD not sustain jurisdiction. The Chief Civilian Director may also request additional information be obtained for consideration prior to making his final decision.

Out of the 223 notifications received:

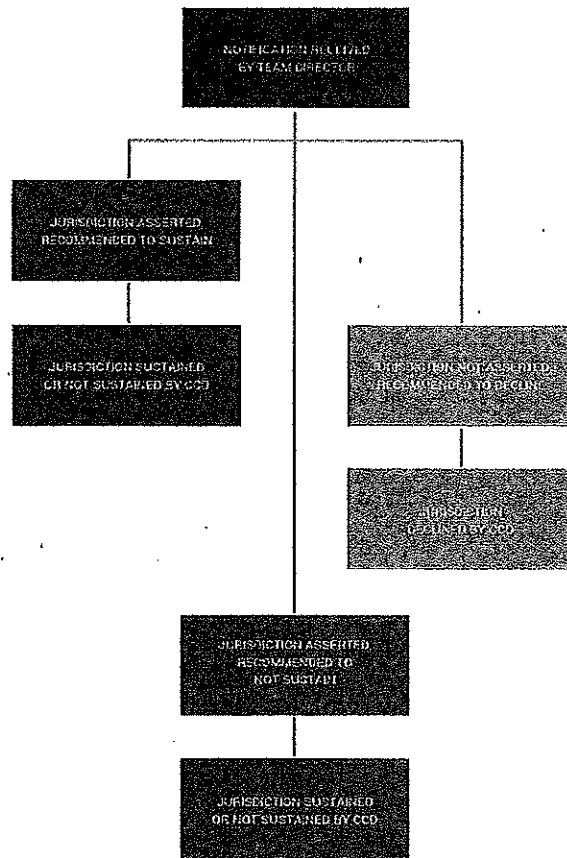
- 105 were declined;
- 60 were asserted and not sustained after a preliminary investigation;
- 58 were asserted and sustained resulting in full investigations to be concluded by a public report or a report to Crown Counsel for consideration of criminal charges.

The average time of notification is determined by comparing the time the incident occurred to the time the IIO was notified. In 2013–2014, the average notification time was four hours 51 minutes³ and varied significantly depending on the type of incident.

For firearm-related incidents, the average notification time was nine minutes. This is a significant improvement from the previous year, when the average notification time for firearm-related incidents was 31 minutes.

For all other incidents the time of notification was longer, often due to the difficulty in accurately assessing the extent of an injury. In particular, in order to establish whether an injury meets the threshold of “serious harm”, it is often necessary to receive medical information.

Figure 4.
Jurisdiction Decision-Making Process



³ Notification time was calculated based on 48 cases opened during 2013–2014 year. 10 cases with significant delay in notification time were excluded as exceptions.

Operational Performance



In some cases, an affected person's medical condition might deteriorate over a period of time (for example, what first appears to be a minor injury is later determined to be more serious or results in complications due to an affected person's age or physical vulnerability).

In 2012–2013 (from September 10, 2012 to March 31, 2013) the total number of notifications received by the IIO was 233. Out of those, in 35 cases jurisdiction was asserted and further in 17 cases jurisdiction was sustained.

The high volume of notifications during 2012–2013 fiscal year was a result of over-reporting during the first six weeks of operation. The standard for notification was subsequently amended through the *MOU* reflecting a new definition from "reportable injury" to one of "serious injury".

Over the last year, the number of notifications slightly declined but the number of investigations initiated from those notification increased significantly. This indicates a more consistent understanding and application of the legislative requirements for reporting by both the police services and the IIO.



Delayed Notifications

In 10 out of 58 open investigations, there was a significant delay in notification ranging between 15 and 164 days. In most cases, delayed notifications were the result of the incidents being reported by the Office of the Police Complaint Commissioner rather than the involved police service. In those cases, the extent of the affected person's injury was either unknown at the time the incident occurred or the police service did not believe the injuries to be serious enough to fall within the IIO's mandate.

Delays were seen in cases where the relationship between the affected person's injuries and the actions of the officer were unclear leading to confusion around the requirement to report. A small number of notifications were delayed due to errors or misunderstandings on the part of officers or supervisors.

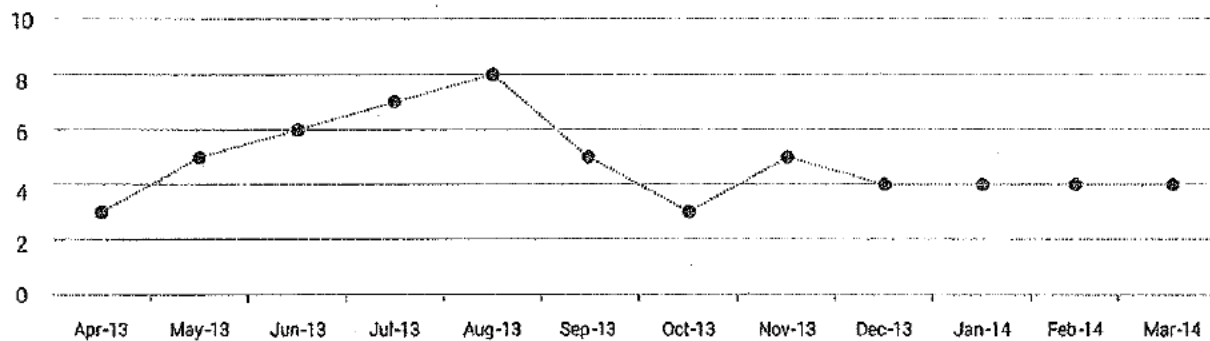
Operational Performance



Caseload

In 2013–2014, the IO opened 58 investigations. Even taking into account the previous operational fiscal year was seven months rather than 12, 58 cases represents a significant increase from the 16 that were opened in 2012–2013.⁴

Figure 5.
Investigations Opened by Month



The average number of cases opened each month was 4.8, which is also an increase compared to the previous fiscal year. The number of cases opened each month varied throughout the year, ranging from three to eight.

Table 2.
Investigations by Injury Type

	2013–2014	2012–2013 ¹
Type of Injury	# of Cases	
Fatal	9 (16%)	9 (56%)
Serious Harm	49 (84%)	7 (44%)
Total	58	16

¹ # of cases between September 10, 2012 and March 31, 2013

¹For 2012–2013 year, the date is based on 7 months of operational cycle (September 10, 2012 to March 31, 2013). One case was transferred from 2012–2013 to 2013–2014 caseload as the IO was notified and opened an investigation in the 2013–2014 fiscal year.

Operational Performance



The majority of opened investigations included cases of serious harm, with fatal incidents accounting for 16% of the total caseload. Compared to the previous year, the number of serious harm cases significantly increased, while the number of fatal cases remained the same (see Table 3).

Out of the 58 investigations opened this year, 33 (57%) cases involved the RCMP, 24 (41%) involved the municipal police departments and one involved the Combined Forces Special Enforcement Unit (CFSEU-BC). Out of 11 municipal departments in the province, investigations involved four municipal police departments (Vancouver Police Department, West Vancouver Police Department, Victoria Police Department and New Westminster Police Department).

The majority of cases (66%) occurred in the Lower Mainland. 17 of the 58 cases occurred in Vancouver, followed by Surrey (eight cases), Maple Ridge, Victoria and Prince George (three cases each). Overall, incidents occurred in 26 municipalities across the province.

Table 3.
Investigations by Police Agency

Agency	# of Cases
Municipal	24
Other	1
RCMP	33
Total	58

Table 4.
Investigations by Police Agency (Location)

Cases Involving RCMP	
Lower Mainland District	17
North District	6
South East District	5
Vancouver Island District	5
Total	33
Cases Involving Municipal Police	
New Westminster PD	2
Victoria PD	4
VPD	17
West Vancouver PD	1
Total	24
CFSEU-BC	1

Operational Performance



Case Classification

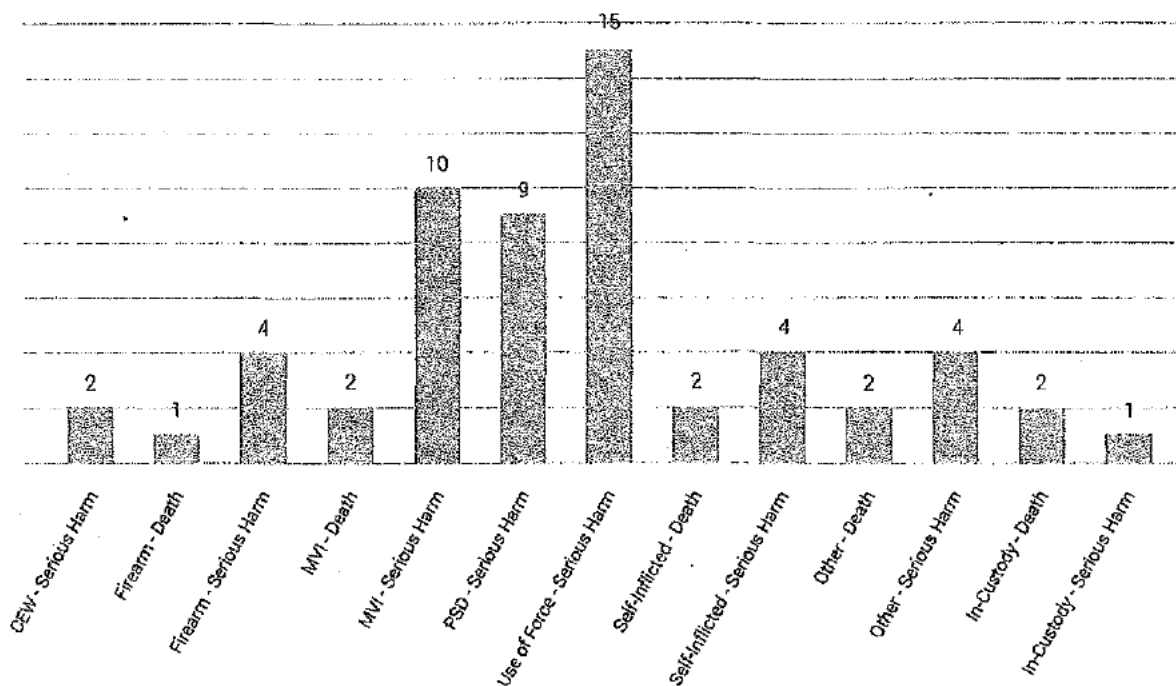
IIO cases are classified into seven major categories and two sub-categories:

- In-Custody (Death/Serious Harm)
- Conducted Energy Weapon (Death/Serious Harm)
- Motor Vehicle Incident (Death/Serious Harm)
- Use of Force (Death/Serious Harm)
- Firearm (Death/Serious Harm)
- Self-Inflicted (Death/Serious Harm)
- Other (Death/Serious Harm)
- Police Service Dog (Death/Serious Harm)

In the 2012–2013 fiscal year, the cases were classified in six categories. Expanding the number of categories in the case classification system allows for more accurate detail in reporting. In 2013–2014, the Use of Force cases represented the largest category with 15 investigations. Motor vehicle incidents were the second largest with 12 (2 fatal and 10 involving serious harm).

Compared to the 2012–2013 fiscal year, the Use of Force category continues to represent approximately a quarter of all investigations (24% in 2012–2013 and 26% in 2013–2014). A similar trend is evident for the Motor Vehicle Incidents (18% in 2012–2013 and 21% in 2013–2014). There was an increase in cases involving a police service dog and a decrease in firearm cases from 29% to 6% of the total caseload.

Figure 6.
IIO Caseload by Incident Classification



Operational Performance



Firearm Cases

In 2013–2014, the IIO investigated five officer-involved discharge of firearm cases. Four resulted in serious harm and one resulted in death. Of the five investigations, three were concluded and public reports were issued. Two cases were still open at the end of the fiscal year. On average, these investigations were open for 139 days.

Over the last year, a significant improvement was made in timeliness of notification for officer-involved firearm incidents. In 2012–2013, the average notification time was 31 minutes and in 2013–2014 the time of notification was reduced to nine minutes.

The IIO was able to ensure a timely response in the firearm incidents as all of them occurred in the Lower Mainland. In 2013–2014, the average time between notification and the arrival of the IIO investigators on scene was just over one hour.⁵

Table 5.
Firearm Cases

Municipality	IIO Notified	Incident Time	Notification Time (Min)	Arrival on Scene	Response Time ⁵
Vancouver	25/04/2013 10:36	25/04/2013 10:30	6	12:00	01:24
Surrey	11/05/2013 19:40	11/05/2013 19:30	10	21:10	01:30
Surrey	18/07/2013 22:45	18/07/2013 22:35	10	23:15	00:30
Surrey	7/11/2013 17:29	07/11/2013 17:21	8	18:25	00:56
Surrey	17/01/2014 22:08	17/01/2014 21:55	13	23:05	00:57
Average			9		01:03

⁵In this report the response time is defined as the time between notification and the time the IIO investigators arrive on scene. In the 2012–2013 Annual Report, the response time was calculated from the time the incident occurred to the time the IIO staff reached the scene.

Operational Performance



Fatal Cases

In 2013–2014, the IIO opened nine investigations into incidents that resulted in death of an affected person. As of March 31, 2014, seven cases were closed and two were open investigations. For the closed cases, five were concluded by public report and two were referred to Crown Counsel.

Table 6 provides a breakdown of cases that resulted in death by incident type. Compared to the seven months of operation in 2012–2013, the number of Firearm cases declined from four to two in 2013–2014. The number of investigations into Motor Vehicle Incidents resulting in death and self-inflicted injuries resulting in death remained the same (two investigations in each category).

Table 6.
Fatal Cases

Firearm - Death	1
In-Custody - Death	2
MVI - Death	2
Other - Death	2
Self-Inflicted - Death	2

Operational Performance



Concluding Investigations

Pursuant to s. 38.11 of the *Police Act*, once an investigation is completed and a decision is made by the Chief Civilian Director whether an officer may have committed an offence, there are two possible outcomes:

- Where the CCD considers an officer may have committed an offence, the investigative file is forwarded to the Crown Counsel for determining whether criminal charges will be approved; OR
- Where the CCD considers an officer did not commit an offence, the case is concluded by issuing a public report.

Out of 58 opened investigations in 2013–2014, 40 were closed by March 31, 2014. In total, 26 cases were concluded by public report and 13 files were reported to Crown Counsel. One case involving a youth was closed by an Information Bulletin due to privacy considerations.

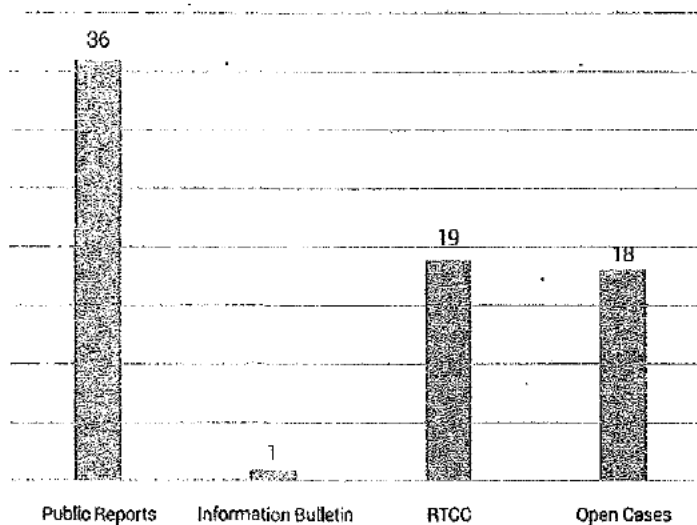
As of March 31, 2013, 10 investigations were open and they were concluded by public report in the 2013–2014 fiscal year.

On average, investigations were open for 123 days, ranging from 51 to 286 days. The cases where a report was made to Crown Counsel for charge assessment were open for an average of 139 days compared to 116 days for cases concluded by public report. Also, investigations into fatal incidents took longer than investigations into incidents resulting in serious harm (138 days vs. 120 days, respectively).

Out of the 13 cases forwarded to Crown Counsel, two resulted in criminal charges being approved; in five cases charges were not approved and Clear Statements were issued, and in six cases the decision was pending. Both cases where charges were approved were motor vehicle incidents, one resulting in death and another resulting in serious harm. One case from 2012 related to an officer-involved shooting remains before the court.

In total, since its first day of operation, the IIO has opened 74 investigations. Out of those, 19 investigative files have been forwarded to Crown Counsel; in three, criminal charges have been approved. As of March 31, 2014, the IIO has concluded 56 investigations.

Figure 7.
IIO Caseload (Cumulative)



For more information on the status of investigations and a full list of public reports, please visit <http://iiohc.ca>

* Investigation time is calculated from the date of notification to either a) the date of public report release, or b) the date of report to Crown Counsel.

Operational Performance

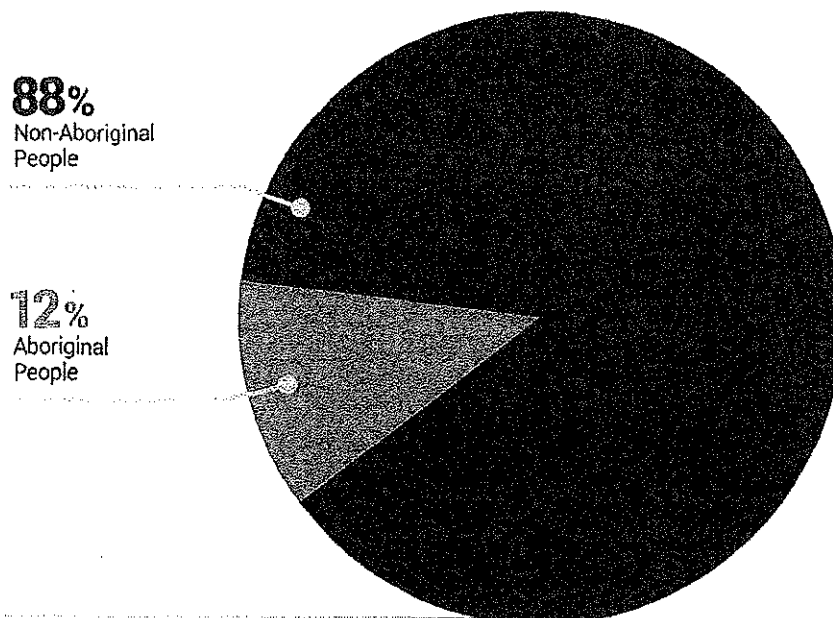


Affected Persons

An "affected person" is an individual(s) who, as a result of interaction with police, dies or sustains serious injuries. In each incident there may be more than one affected person and the extent of their injuries may vary. As it is the mandate of the IIO to investigate officer-involved incidents resulting in death or serious harm, the data below represents only those individuals whose injuries met the threshold of "serious harm" and does not include other potential affected persons who may have sustained minor injuries.

- The majority of the affected persons were male (79%);
- The average age was 37.5 years old, with the range between 14 and 70 years old;
- 54% of affected persons were between the ages 20 and 39, with 81% of them being male;
- Males represented 78% of all fatalities in 2013–2014;
- Seven of the 58 affected persons were Aboriginal;
- Out of the total number of affected persons who were Aboriginal, one was female.

Figure 8.
Affected Persons by Aboriginal Status



Operational Performance



Affected Persons continued

Figure 9.
Aboriginal Affected Persons by Case Classification

Self-Inflicted - Serious Harm				2
PSD - Serious Harm		1		
Other - Serious Harm		1		
Other - Death		1		
Use of Force - Serious Harm				2

Table 7.
Affected Persons by Age Group

Age Range	# of Affected Persons	
	Female	Male
0-19		3
20-29	3	16
30-39	3	10
40-49	1	10
50-59	1	3
60-70	4	4
Total	12	46

Subject Officers

At the beginning of any investigation, an officer is designated as either a Subject Officer (directly involved in an incident) or a Witness Officer. In 2013–2014, there were 95 Subject Officers involved in 58 investigations. It is important to emphasize that during the course of an investigation, officer designations may change as additional information is obtained, changing the status from Subject to Witness officer.

Goals for 2014/2015



In 2013–2014, the IIO continued to work on ensuring independent and timely investigations into officer-involved incidents resulting in death or serious harm.

To continue its work in increasing public confidence in police accountability and further facilitate its organizational development, the IIO identified several key goals for the next fiscal year:

- To complete a two-year Strategic Plan which will ensure shared mission, vision, values and goals for all IIO staff;
- To accomplish and publish specific goals for the timely handling of investigations;
- To develop long-term recruitment strategies;
- To ensure that the Special Committee reviewing the operation of the IIO has the information it needs to fulfil its mandate;
- To ensure that organizational needs are met in the long term for reporting (including information security, record retention, and data storage) and business continuity planning;
- To evaluate and ensure consistency with respect to the IIO's assertion of jurisdiction practices;
- To work with police agencies to ensure appropriate and timely notifications relating to incidents falling within the mandate of the IIO;
- To ensure information sharing and learning amongst IIO staff in support of long-term civilianization of the IIO;
- To continue the ongoing orientation of police services throughout the province about the role and mandate of the IIO.

Independent Investigations Office

12th Floor

13450-102nd Avenue

Surrey, BC V3T 5X3

Toll-free 1.855.552.4622

Local 604.586.5668

Email info@iiobc.ca

Twitter @iiobc

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For DECISION by Minister of Justice and Attorney General.

ISSUE: 2013/14 Legal Services Society (LSS) Annual Service Plan Report (ASPR).

DECISION REQUIRED/ RECOMMENDATION:

Under the *Budget Transparency and Accountability Act* and Crown Agencies Resource Office (CARO) Guidelines, the LSS ASPR must be approved by the Attorney General.

In order to meet the CARO and LSS publication deadlines, it is requested that the Attorney General either approve the attached LSS ASPR or direct changes before Wednesday, June 25, 2014. The ASPR will be publicly released on the same date as Government's Public Accounts, targeting June 26-30.

It is recommended that the attached Board-approved LSS ASPR for 2013/14 be approved.

SUMMARY:

- The attached LSS ASPR has been reviewed by ministry staff, CARO and Treasury Board staff (TBS).
- The ASPR includes all necessary elements set out in the relevant guidelines and meets all *pro forma* requirements.
- The ASPR has been approved by the LSS Board of Directors. Some wording in the ASPR reflects ongoing concern about funding levels.

BACKGROUND:

- The *Budget Transparency and Accountability Act* requires that ministry and Crown Agency ASPRs be released with Public Accounts. In order to meet publishing deadlines, the ASPR must be approved by the Attorney General no later than June 25, 2014.
- Some standard sections in the ASPR, such as 'governance' and descriptions of services, are identical or similar to that used in the LSS Service Plan released for 2014/15-2016/17, so has already been approved and released in that context and format.
- LSS's audited financial statements are included in the ASPR. Unlike the annual Service Plan, there is no requirement that TBS approve them, as there is no forward-looking budget component to them.

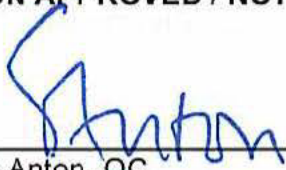
- The 'Message from the Board Chair' contains some editorial content that reflects the difficult financial circumstances that LSS has been facing. The language presented in this section is stronger than it has been in previous years, as it addresses the anomalous budget pressure of 2013/14. However, this is balanced by a description of the resolution of that situation, and the 'Looking Forward' section discussion of justice system innovations.
- CARO and TBS have not expressed particular concern about the content.

OTHER MINISTRIES IMPACTED/CONSULTED:

- CARO and TBS reviewed and provided comments on drafts of the ASPR.

DECISION APPROVED / NOT APPROVED

DATE:


Suzanne Anton, QC
Attorney General and Minister of Justice

June 23, 2014

Prepared by:
Kathleen Rawlinson
Senior Business & Policy Advisor
Justice Services Branch
250-356-8083

Approved by:
James Deitch
Executive Director
Justice Services Branch
250-387-2109

ATTACHMENT: Board-approved LSS ASPR 2013/14

Approved by: Jay Chalke QC
Assistant Deputy Minister

Date: 19 June 2014

Approved by: 
Richard J. M. Fyfe, Q.C.
Deputy Attorney General

Dated: June 20, 2014

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**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION of Minister of Justice and Attorney General.

ISSUE: Legal Services Society (LSS) plan to address the withdrawal of criminal legal aid services by the Trial Lawyers Association of British Columbia (TLABC).

SUMMARY:

- On February 20, 2014, the TLABC announced that in an effort to send a message to the government about the lack of funding for legal aid, it is planning to have escalating 'blackout' periods where criminal defence counsel will not accept any legal aid referrals or work funded by LSS, including duty counsel (see Appendix A for the TLABC's announcement).
- The planned withdrawal periods are:
 - July 5 to August 8, 2014;
 - if needed, September 29 to November 29, 2014; and
 - if still needed, March 1 to May 30, 2015.
- If the TLABC is successful in rallying the private bar for a sustained period of time, it will be difficult to manage the service withdrawal without significant impacts to legal aid clients and to the justice system.
- However, LSS is developing plans to address the withdrawal that should mitigate its impact. They anticipate the withdrawal will only have any substantial impact in two courthouse locations: Vancouver and Kamloops.

LSS PLANS TO MANAGE DURING WITHDRAWAL PERIODS:

- LSS is developing a Q&A document to address the main issues anticipated to arise during the withdrawal periods. It is expected to provide guidance on:
 - LSS policies, including choice of counsel and appointment of referrals;
 - information specific to the two courthouse locations expected to be affected: Vancouver and Kamloops, such as number of clients served last year by out-of-custody duty counsel; and
 - LSS approach to serving the clients impacted.

- In-custody services:

- Vancouver: LSS has identified lawyers in Vancouver who are willing to provide in-custody duty counsel services. In addition, LSS is planning to bring in out-of-town counsel for some dates in July.
- Kamloops: LSS will be relying more heavily on out-of-town counsel than in Vancouver to provide in-custody services in July.
- Rest of the province: no change anticipated

Out-of-custody services: LSS will not be providing out-of-custody duty counsel services in Vancouver and Kamloops in July. Rest of the province will have out-of-custody duty counsel as usual. In smaller locations per diem arrangements are made in the event someone in custody requires duty counsel.

- Fiscal impacts:

- LSS considers the savings generated by the elimination of out-of-custody services will offset the travel costs for in-custody services; and
- There are no other substantive savings expected to be realized from the withdrawal, due to the plans to provide some coverage, and the fact that most, if not all, affected cases will be deferred to later this fiscal year.

BACKGROUND:

TLABC and its Legal Aid Action Committee

- The TLABC is an organization that provides services to and represents the interests of trial lawyers in the province. It has a membership of approximately 1,400 legal professionals. Membership is voluntary.
- The TLABC has, for a number of years, been dissatisfied with the level of government funding for LSS – both for the level of coverage for clients as well as the rate of compensation for lawyers.
- As such, LSS has had increasing difficulty attracting lawyers willing to take legal aid cases at the current tariff rates. LSS has increased tariff rates only once in the past 20 years.
- The TLABC's Legal Aid Action Committee was formed with the goal of restoring legal aid funding to pre-2003 levels.

TLABC Newsletter

- On February 20, 2014, the TLABC's Legal Aid Action Committee issued a newsletter indicating its intent to coordinate a withdrawal of legal aid services across the province.
- The newsletter states that the TLABC has attempted several strategies to prompt government to "properly" fund LSS, but has been unsuccessful. It claims that:
 - no money has been added to the LSS budget;
 - the LSS budget is 60% less than it was 23 years ago; and
 - this has resulted in 40% of accused persons being unrepresented.
- The newsletter notes that since the LSS fiscal pressure in 2013/14, the majority of lawyers have lost patience with the chronic lack of funding for legal aid.
- The TLABC plan is to have escalating 'blackout' periods of time where no referrals of any kind will be accepted, and no LSS-funded work, including in- and out-of-custody duty counsel, trials, guilty pleas, interim appearances, pretrial conferences or bail hearings will be conducted.
- The time periods for the withdrawal will be:
 - July 5 to August 8, 2014;
 - if needed, September 29 to November 29, 2014;
 - and if still needed, March 1 to May 30, 2015.

In the meantime, the TLABC has asked counsel not to schedule any court matters during the blackout periods.

- The letter indicates that there is a high level of support from the criminal defence bar in Vancouver. However, the TLABC will be attempting to expand this action to as many jurisdictions as possible and will be asking the family, civil, and Supreme Court bars to join the action.

Past TLABC Service Withdrawals:

- The TLABC has coordinated service withdrawals in the past:

Duty Counsel Withdrawal in 2012

- From January to April 2012, the TLABC coordinated a withdrawal of criminal duty counsel services across the province. The withdrawal began with a

one-week withdrawal of service in January and escalated by one week each month to a full four weeks in April.

- LSS, working closely with ministry staff, was able to successfully manage the withdrawal of criminal duty counsel services without significant impact to clients or the justice system. Some services were provided by local lawyers not participating in the withdrawal or through pre-existing contracts. When there was no in-person duty counsel available, LSS contracted with a single legal firm to provide in-custody duty counsel services by telephone.
- The duty counsel withdrawal in 2012 would have been increasingly difficult for LSS to manage had it continued beyond four months.

Service Withdrawal for Criminal Harassment and Sexual Assault Cases

- In November 2012 the TLABC asked its members to stop accepting legal aid referrals for out-of-custody criminal harassment cases and, in January 2013, to stop accepting out-of-custody sexual assault cases.
- LSS has not seen an impact from this service withdrawal and has not had difficulty finding lawyers willing to accept referrals for these types of cases. This is likely because there has not been widespread participation by members of the bar.

DISCUSSION:

- The impact of a service withdrawal of all criminal legal aid services, and potentially other legal aid services as well, depends on TLABC's ability to coordinate participation from the private bar.
- The TLABC advises that it held two well-attended meetings of the bar at 222 Main Street courthouse, and there was nearly unanimous support for the service withdrawal among members of the defence bar who attended.
- It's not known what the level of support for such a withdrawal of services is among the defence bar outside of Vancouver or among the non-criminal bar.
- If the TLABC is able to successfully rally the defence bar to implement a full 'blackout' of criminal services as it suggests, it will be difficult, if not impossible, for LSS to manage the withdrawal without significant impacts to clients and the justice system.

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Justice Transformation Initiatives

- The ministry has provided LSS with an additional \$2 million annually, beginning this fiscal year, to fund justice transformation initiatives. The funding will be used to:
 - test an expanded criminal duty counsel model; and
 - enhance family and child protection services that support early resolution.
- However, the justice transformation funding is anticipated to have little impact in easing the concerns of the TLABC because:
 - there is likely to be significant opposition to the expanded criminal duty counsel project from some members of the criminal bar who will see this as a threat to their practices;
 - the funding will not allow LSS to increase tariff rates; and
 - the amount of funding is significantly lower than funding increase requests from many groups in the legal community.

OTHER MINISTRIES IMPACTED/CONSULTED:

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s.13

Prepared by:
Kathleen Rawlinson
Senior Business & Policy Advisor
Justice Services Branch
250-356-8083

Approved by:
James Deitch
Executive Director
Justice Services Branch
250-387-2109

ATTACHMENTS: Appendix A: TLABC's Announcement
Appendix B: LSS FAQs

Approved:

Date: 12 June 2014

Jay Chalke QC
Assistant Deputy Minister

Approved:



Richard J. M. Fyfe, QC
Deputy Attorney General

Appendix A

Trial Lawyers' Legal Aid Action Committee NEWSLETTER

February 20th, 2014

The Legal Aid Action Committee of the Trial Lawyers Association of B.C. has been busy for some time now attempting to devise different strategies which will cause the government to properly fund the Legal Services Society. Several actions have already taken place. This has included seeking significant and broad consultation with the bar through different means. There has been considerable media attention, and some discussion with government, but no money has been added to the L.S.S. budget. In fact, the budget is now effectively 60% less than it was 23 years ago. This has resulted in 40% of accused persons being unrepresented. This has caused significant inefficiencies in courts operations, and real road blocks to the proper access to justice by B.C. citizens.

Last summer, the L.A.A.C. took a survey of the criminal bar. It was widely advertised, and about 260 lawyers took part. The purpose of the survey was to determine whether there were any collective actions in which lawyers would widely participate. Amongst the various options, the most popular was to refuse to accept out of custody referrals from L.S.S. Your L.A.A.C. then formulated this into a plan, which was distributed to the criminal bar. Following up on this proposal, there were meetings of the Bar in various jurisdictions to determine the level of support and further consult our members.

It was soon discovered that the plan didn't have a high level of support. It appears that since the survey was taken, and subsequent to the L.S.S. budget crisis last fall, the vast majority of lawyers have lost patience with the chronic lack of funding and have determined that more drastic action is necessary. This sentiment is no doubt

aided by the continuing cuts to services and case funding coming from the cash strapped L.S.S.

As a result, in 2 well-attended meetings of the Bar at 222 Main St. a new plan was formulated and adopted, virtually unanimously. The plan is to have escalating "blackout" periods of time where no referrals of any kind will be accepted, and no L.S.S. funded work, including in and out of custody Duty Counsel, trials, guilty pleas, interim appearances, pretrial conferences or bail hearings will be conducted. Of course trials already scheduled cannot be adjourned due to this action unless there is a legitimate reason. The time periods in question are:

- **July 5th to August 8th**, then, if needed
- **September 29th to November 29th**, and similarly if needed, an additional and further escalated period of time from
- **March 1 to May 30th, 2015.**

We are currently in the process of presenting and expanding this action to as many jurisdictions as possible, and also will be asking the Family, Civil Supreme Court bars to join in.

In the meantime, please do not schedule any court matters of any kind during these blackout periods.

Your LAAC Co-Chairs,

Birgit Eder	birgit.eder@gmail.com
Chris Johnson	chris@jddlaw.ca
Phil Rankin	s.22

Appendix B



**Legal
Services
Society**

Communications

Providing legal aid
in British Columbia
since 1979

Suite 400
510 Burrard Street
Vancouver, BC V6C 3A8

Tel: (604) 601-6000
Fax: (604) 682-0914
www.lss.bc.ca

This FAQ provides information about the Trial Lawyers Association's proposed legal aid service withdrawal

What is the proposed service withdrawal?

- The Trial Lawyers Association of BC (TLABC) has not made an official announcement about their proposed legal aid service withdrawal. Consequently, LSS has very limited information at this time.
- Based on anecdotal information, LSS understands that TLABC's Legal Aid Action Committee (LAAC) is urging criminal defence counsel to refuse legal aid referrals and duty counsel assignments during July and for the first week of each month beginning in October.
- In a May 27 article in the Surrey Leader newspaper, a spokesperson for TLABC is reported as saying that 50 to 75 lawyers in Vancouver plus a group in Kamloops are participating in the service withdrawal.

What impact will the proposed service withdrawal have in July?

Duty counsel assignments

- In-custody duty counsel have been booked for all locations throughout the province in July.
- In Vancouver and Kamloops, LSS has not been able to fill all in-custody duty counsel assignments with local lawyers (defined as a lawyer within 80 kilometres of the court location). Where local lawyers are not available, LSS has followed its standard procedures and has arranged for out-of-town counsel to provide in-custody duty counsel services in Kamloops and Vancouver. Pursuant to LSS's tariffs, out-of-town counsel are entitled to travel fees.
- Out-of-custody duty counsel have been booked for all locations throughout the province with the exception of Kamloops and Vancouver (222 Main St.). Due to the increased travel costs for out-of-town lawyers providing in-custody duty counsel in these locations (approximately \$15,000), LSS does not have the funds to provide out-of-custody duty counsel in these two locations in July.
- Duty counsel services are scheduled to match the court's schedule at each courthouse around the province:
 - in Vancouver, in-custody duty counsel are typically available seven days a week; out-of-custody duty counsel are typically available five days a week;
 - in Kamloops, in-custody duty counsel are typically available five days a week; out-of-custody duty counsel are typically available three days a week.

Referrals

- LSS does not have any information regarding which, if any, lawyers will refuse referrals in July.
- In July, LSS will continue to follow its standard procedures for making referrals:
 - referrals are first offered to local counsel (defined as a lawyer within 80 kilometres of the court location);
 - if no local counsel are available, LSS will offer the referral to lawyers outside the community. Due to funding limitations, LSS will not be able to offer out-of-town counsel travel fees;
 - if LSS is unable to place the referrals, the client will be asked to have the matter put over to August.
- Exceptions will be made to accommodate urgent matters.

What are the cost implications of the proposed service withdrawal?

- Savings generated by the cancellation of out-of-custody duty counsel in Kamloops and Vancouver (approximately \$16,000) will offset the increased costs for out-of-town lawyers providing in-custody duty counsel in those locations (approximately \$15,000).
- The proposed service withdrawal will have no impact on the cost of referrals as any cases not referred in July will be referred in August.

What is TLABC and the LAAC?

- According to the TLABC website, the organization's mission is "To support and promote diligence and excellence in advocacy and jurisprudence on behalf of consumers in British Columbia." The website says TLABC has 1,400 members (out of 10,700 practising lawyers in BC).
- According to the TLABC website, the LAAC "was formed to press forward for an increase in funding to the legal aid system in BC."

What is LSS's position on the withdrawal?

- LSS has stated repeatedly that more funding is required to meet the legal aid needs of low-income people in BC:

"...it has become increasingly apparent that the society will, over the next three years, be facing very serious challenges in its ability to deliver services and fulfill its statutory mandate." [2014/15 Service Plan]

"Demand and cost projections indicate that in the absence of increased revenue, lower demand, or lower costs, LSS may have to make reductions to its already limited services to meet its obligation to balance our budget in future years." [2014 Service Plan]

June 11, 2014

Page 2 of 3

"...significantly more funding is required if LSS is to continue providing even the current range of limited services to the same number of people in future years." [2012/13 Annual Report]

- LSS has also highlighted the need for funding to support adequate tariffs:

"To deliver our representation and advice services, we continue to rely on the goodwill and commitment of a small number of lawyers across British Columbia who remain willing to accept referrals from LSS, in spite of the fact that we have made only one modest increase in the past 22 years to the tariffs we pay them." [2014/15 Service Plan]

Quick facts

Typical number of criminal duty counsel client visits in a year in BC	69,000
Typical number of criminal law referrals in a year in BC	19,500
Typical number of new adult criminal cases in BC Provincial Court in a year	85,000
Typical number of out-of-custody duty counsel client visits in Kamloops in July	85
Typical number of in-custody duty counsel client visits in Kamloops in July	150
Typical number of out-of-custody duty counsel client visits in Vancouver in July	205
Typical number of in-custody duty counsel client visits in Vancouver in July	785
Typical number of adult criminal law referrals in Kamloops in July	60
Typical number of adult criminal law referrals in Vancouver in July	320
Criminal duty counsel annual budget	\$5.375 million
Approximate number of lawyers who provide legal aid services in BC	900

More information

Legal Services Society: <http://www.lss.bc.ca/assets/media/factSheets/mandate.pdf>.

Legal Services Society annual reports and service plans (financial and statistical information):
<http://www.lss.bc.ca/about/annualReports.php>.

Criminal law services (referrals and duty counsel):
http://www.lss.bc.ca/assets/media/factSheets/Criminal_law_services.pdf.

Financial eligibility: http://www.lss.bc.ca/assets/media/factSheets/Financial_eligibility.pdf.

Tariffs paid to lawyers: <http://www.lss.bc.ca/assets/media/factSheets/tariffRates.pdf>.

**MINISTRY OF JUSTICE
COURT SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION of the Honourable Suzanne Anton, Attorney General & Minister of Justice.

ISSUE: Order to stop construction next to Nanaimo Courthouse issued by Supreme Court Justice.

SUMMARY:

- On July 3, 2014 BC Supreme Court Justice Baird issued a Stop Work Order to a developer/contractor working on a building adjacent to the Nanaimo Courthouse as a result of noise interfering with court proceedings.

To the owners and occupiers of the real property ("the Property") within the City of Nanaimo with the civic address of 10 Chapel Street and legally described as:

PID 028-862-252

Lot A, Section 1, Nanaimo District, Plan EPP21974

1. All drilling, rock splitting, rock crushing, excavation and building works are to cease immediately and shall under no circumstances resume at any time between the hours of 9:00 a.m. and 4:30 p.m. Monday to Friday inclusive.
 2. Any person affected by this Order may apply on 24 hours' notice in writing to the Registrar of the court at Nanaimo, for an Order setting aside or varying this Order.
- The Contractor/Developer was served with the Order and work has stopped, but not exactly in accordance with the terms of the Order.
 - The Contractor/Developer has indicated that he will adhere to stopping for the hours that Court is actually in session (10-12 and 2 - 4). Mr. Justice Baird's Chambers are on the side of the building closest to the construction site, and are most impacted by this work.
 - This is an unusual situation; however, it is well within the purview of the Judiciary, in exercising their obligations as the judicial branch of government, to ensure that the functioning of the court proper is not interfered with.
 - Court Services Branch is responsible for ensuring the court has the facilities, resources and systems to enable the effective administration of the court, and so Orders such as this are not without precedence. As such, the Ministry's statutory obligations require that the Order is administered appropriately.

- The issue of excessive noise was being handled on site by the Court House Manager, but not to the satisfaction of the Justice and the Chief Court Administrator was advised by the Office of the Chief Judge that an Order was forthcoming just prior to the issuance of the injunction.
- Court Services Branch will continually monitor the situation, given the potential for enforcement action against the Contractor to occur if the Order is deemed to be breached. This could have significant financial consequences for the Contractor as well. Both of these factors may attract negative media attention. In the meantime, it appears that the Contractor's efforts to comply with the Order are satisfactory to the Judiciary.

OTHER MINISTRIES IMPACTED/CONSULTED:

Not applicable

Prepared by:

Robert Richardson
Senior Policy Analyst
Court Services Branch
250 387-9566

Approved by:



Richard J. M. Fyfe, QC
Deputy Attorney General

Approved By:



Joanne Hanson
A/Assistant Deputy Minister
Court Services Branch
(250) 614-2690

Date:

July 4, 2014

**MINISTRY OF JUSTICE
COURT SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For DECISION by Suzanne Anton, QC, Attorney General and Minister of Justice

ISSUE: The next phase of the long-term plan to address the court needs of the Lower Fraser Valley (LFV) is the replacement of the Abbotsford courthouse. To initiate this next phase, the City of Abbotsford should be invited to engage in the development of a concept plan in partnership with the province.

DECISION REQUIRED/ RECOMMENDATION:

1. The Minister is being requested to send the attached letter to the Mayor of Abbotsford, inviting the city to engage in the development of a concept plan to replace the Abbotsford Courthouse. This next step supports the Minister in fulfilling item 6 of her Ministerial Mandate Letter.

SUMMARY:

- The 2014/15 Mandate Letter provides direction to begin the implementation of the long-term plan to improve courtroom capacity and access to justice for the residents in the LFV.
- Approval was granted by Treasury Board to proceed with the expansion of the Surrey Courthouse, which is the first phase of the long-term plan. The Ministry is preparing to issue a Request for Proposal (RFP) this summer for a lead consultant for the detailed planning and design work for this Capital project.
- The next phase of the long-term plan is the replacement of the Abbotsford Courthouse.

s.12, s.17

The attached draft letter, once sent from the Attorney General to the Mayor of Abbotsford, would invite this engagement.

BACKGROUND:

- The Lower Fraser Valley Courts Regional Plan (LFVCRP) was completed in February, 2014. The top priority identified in the plan was the expansion of the Surrey Courthouse, with the second priority being the replacement of Abbotsford.


- This LFVCRP was the product of a planning consortium, with representation from the cities of Surrey, Abbotsford, Chilliwack, Langley, the Township of Langley, and the province (including the Ministry of Justice and Ministry of Technology, Innovation and Citizen's Services). This planning model, enabled an outcome that was publicly endorsed by all participating cities. It is anticipated that the proposed Abbotsford Courthouse Replacement project will form part of a broader Justice Precinct complex and possibly involve public-partnership financing. Given the complexity of the project, with likely three levels of government involved, the City of Abbotsford's active involvement in concept planning will be crucial to its success.
- Funding for this concept planning work is available from the LFVCRP grant that was issued in 2013. This grant funding is being administered by the City of Abbotsford, and there is approximately s.16, s.17 remaining for this next phase.

OTHER MINISTRIES IMPACTED/CONSULTED:

- Ministry of Technology, Innovation and Citizen Services (MTIC), Shared Services BC.

DECISION APPROVED / NOT APPROVED

DATE:



Suzanne Anton, QC
Attorney General
Minister of Justice

Prepared by:
Brenda Miller
Executive Director, Corporate Support
Court Services Branch
250-356-1216

Approved by:
Kevin Jardine
Assistant Deputy Minister
Ministry of Justice
250-356-1526

Approved by:



July 25, 2014

Richard J. M. Fyfe, QC
Deputy Attorney General

Attachment: Draft letter to Mayor Bruce Banman, City of Abbotsford



BRITISH
COLUMBIA

AUG 14 2014

His Worship Bruce Banman
Mayor of the City of Abbotsford
32315 South Fraser Way
Abbotsford BC V2T 1W7

Dear Mayor Banman:

Thank you once again for your participation in the Lower Fraser Valley Courts Regional Plan (LFVCRP), which we released publicly in February 2014. The LFVCRP will prove to be the cornerstone for long-term courthouse planning for the Lower Fraser Valley, and could not have been possible without the engagement of partner municipalities, notably representation from the cities of Surrey, Abbotsford, Chilliwack, Langley, and the Township of Langley. As you will recall, the top priority identified in the plan was the expansion of the Surrey Courthouse. The second priority, however, is the replacement of the Abbotsford courthouse.

I am pleased to confirm that I have received direction in my 2014/15 Mandate Letter to begin the implementation of the long-term plan to improve courtroom capacity and access to justice for the residents in the Lower Fraser Valley.

Our next phase of planning work for the Abbotsford replacement project is to develop a concept plan that will integrate the justice needs of your community with the Ministry of Justice's courthouse replacement and expansion plans. Towards that end, I am once again inviting participation from your city and would suggest that George Murray, City Manager, continue to work with Kevin Jardine, Assistant Deputy Minister, Court Services Branch, and Mike Blaschuk, Assistant Deputy Minister, Shared Services BC, on the development of a concept plan. Ideally, this work will be completed for our consideration late this calendar year or early next. While any decision by the Province will be subject to the constraints of the fiscal plan and the need for a business case with demonstrable cost savings to the Province, I am pleased to be able to move to this next stage of the project in order to obtain the information needed to inform further consideration of this project.

.../2

His Worship Bruce Banman
Page 2

Once again, I wish to thank you for your support of the planning process to date, and look forward to continuing our successful partnership in securing the future justice needs of your community and region.

Yours very truly,

Original Signed By

Suzanne Anton QC
Attorney General
Minister of Justice

pc: Mr. Mike Blaschuk
✓ Mr. Kevin Jardine

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Honourable Suzanne Anton, QC, Attorney General and Minister of Justice

ISSUE: Meeting with Bernd Walter, Chair, BC Human Rights Tribunal on July 8, 2014.

SUMMARY:

The meeting is for the purposes of a general discussion on the Human Rights Tribunal, providing an opportunity for the Chair to provide an update and discuss any issues.

BACKGROUND:

Organization Overview:

The BC Human Rights Tribunal (Tribunal) established under the *Human Rights Code* (Code) resolves and adjudicates human rights complaints consistent with the purposes to:

- Foster a society in BC in which there are no impediments to full and free participation in the economic, social, political and cultural life in BC;
- Promote a climate of understanding and mutual respect where all are equal in dignity and rights;
- Prevent discrimination prohibited by the Code;
- Identify and eliminate persistent patterns of inequality associated with discrimination prohibited by the Code; and
- Provide a means of redress for those persons who are discriminated against contrary to the Code.

Mr. Walter was appointed Chair of the BC Human Rights Tribunal (Tribunal) on August 1, 2011 for a five-year term. He also chairs the British Columbia Review Board.

Over the past two years, the Tribunal has engaged in a significant reform initiative, following a directive from the ministry in August 2011 to undertake a review of its operations, policies, and procedures with a view to improving its services to the public and realizing operational efficiencies. Steps taken in 2012/13 included: a redesign and revision of the Tribunal's complaint and response forms to improve clarity, ease of use and consistency, and the addition of contracted mediators to ameliorate the mediation workload of Tribunal members. These changes resulted in 76% (479) of accepted complaints being successfully settled after mediation, compared to a settlement rate of 54% (408 cases) in 2011/12. As well, the number of outstanding decisions dropped to 40 from 130 in the previous year. The Tribunal also began to schedule full evidentiary hearings later in the process, after preliminary applications and settlement conferences were completed avoiding costly no shows and late adjournments.

There were 1,028 new complaints filed at the Tribunal in 2012/13 (slightly fewer than the 1,092 filed in 2011/12 and the 1,163 complaints filed in 2010/11). Of these, 409 (or 40%) were rejected during screening. Employment continues to be the most frequently cited area of discrimination (58%), followed by services (19%), discriminatory publication (8%), tenancy (5%),

and retaliation (5%). The most common ground of discrimination cited was physical disability (21%), followed by mental disability (15), sex (13%), and race (10%). (Each of the other grounds of discrimination prohibited by the Code was cited in 9% or less of complaints.)

Funding:

Funding for the Tribunal was reduced this fiscal year by \$0.150M as part of the \$0.450M Human Rights sector funding reduction.

2013/14 the Tribunal was \$0.150M below budget; in 2012/13 they were \$0.047M below budget.

	2013/14	2014/15	Proposed 2015/16
Estimates Budget	3,028,000	3,028,000	s.13, s.17
Working Budget	3,028,000	2,878,000	

Human Rights Service Review

In June 2014 the ministry commenced a Human Rights Service Review. The review will focus on the transformation of services; identifying tools that will enable human rights service providers to demonstrate measureable outcomes; and identifying organizational and other structures that support service delivery can be transformed to achieve cost savings, including an assessment of how duplication can be eliminated and resources can be focussed or re-allocated to achieve that end.

The consultant Peter Adams, is currently working with Community Legal Assistance Society (CLAS); BC Human Rights Coalition (Coalition); and the BC Human Rights Tribunal. To date meetings have gone well, all participants are engaged, collaborative and cooperative. The first stage of the review is to gather information and understand organizational mandates. The second stage, not yet started, will focus on efficiencies. The report is expected September 30, 2014.

ISSUES LIKELY TO EMERGE AND SUGGESTED RESPONSES:

s.13

s.13, s.14

s.13

s.13

Suggested Response:

s.13

Attachment(s)

Appendix 1 – Human Rights Review Terms of Reference

Prepared by:

Kathryn Platt
Senior Policy Analyst
Justice Services Branch
604 488-9353

Approved by:

Julie Williams
A/Executive Director
Justice Services Branch
250 356-6180

Approved by: Jay Chalke, QC
Assistant Deputy Minister

Date: July 7, 2014

HUMAN RIGHTS SERVICE REVIEW

BACKGROUND

Overview: The priorities set out in the Ministry of Justice's 2013 White Paper (Part Two) include service transformation projects relating to administrative justice and civil justice.¹ This service transformation work includes two types of reviews aimed at increasing access to justice and reducing cost, delay and complexity.

(1) The services provided to justice system users are reviewed to identify whether more user-focussed and online services, including self-help and early resolution-oriented services, might replace slow, in-person, lawyer-intensive and hearing-oriented services. This kind of service shift may not work for all types of users and cases, but this work is being conducted in the context of dozens of reports that demonstrate how traditional justice services are not meeting the access to justice needs of most British Columbians.

(2) The way current services are structured is also reviewed, with a particular focus on eliminating unproductive organizational structures, particularly unnecessary "silos". This work includes such matters as the integration of duplicated staff functions, the optimization of space utilization (including the elimination of facilities overhead where possible), the provision of common technology supports, and the development of a continuous improvement culture supported by common business intelligence functions.

Based on this review, resources are re-allocated to those services that most increase access to justice and most effectively cut cost, complexity and delay.

Human Rights Services: The Ministry of Justice (JAG) funds three service providers to deliver public education, information, early resolution and advocacy services relating to human rights: the BC Human Rights Coalition (Coalition), the Community Legal Assistance Society (CLAS) and the University of Victoria Law Centre (Law Centre). JAG also funds the Human Rights Tribunal to provide dispute resolution services. All four organizations support the protection of human rights in BC.

¹ White Paper on Justice Reform Part Two: A Timely, Balanced Justice System (February 2013), p. 11
<http://www.ag.gov.bc.ca/public/WhitePaperTwo.pdf>

PURPOSE OF THE HUMAN RIGHTS SERVICE REVIEW

The Justice Services Branch, in collaboration with BC's human rights sector, is undertaking a service review with a view to achieving objectives set out below, including very significant savings. The service review includes three aspects: (1) service transformation, (2) data collection and reporting, and (3) lease agreements and space utilization.

Consistent with administrative justice principles and modern service delivery principles, the purpose of the service review is to identify how Justice Services Branch, the Human Rights Tribunal, Coalition, CLAS, and the University of Victoria Law Centre can:

- transform the delivery of services, including the identification of:
 - efficiencies through the sharing of staff, office space, and technology supports;
 - opportunities to enhance user access through technology, and to shift service models away from in-person services based in Vancouver and Victoria toward online, telephone and other service channels available across British Columbia;
 - opportunities to provide more proportionate and efficient early prevention and resolution services at all stages in the human rights dispute prevention and resolution process;
 - opportunities to adopt Government of BC Leading Workplace Strategies², including an integrated approach to supporting and promoting mobile and flexible work through technology and facilities management best practices; and
 - cost-effective ways to improve operations, and allocate resources based on user needs and value-for-money.
- identify tools that will enable human rights service providers to demonstrate to the Minister of Justice that their services result in measurable outcomes, such as a reduction in discrimination in BC and continuous improvement in key indicators such as time from complaint filing to resolution, cost per complaint resolved, and user satisfaction.
- identify how the organizational and other structures that support service delivery can be transformed to achieve cost savings, including an assessment of how duplication can be eliminated and resources can be focused or re-allocated to achieve that end. The service transformation will be based on the model outlined in Appendix A – to the

² Exploring Leading Workplace Strategies
<https://www.gov.bc.ca/sites/default/files/workpoint/ExploringLeadingWorkplaceStrategies.pdf>

extent that model is appropriate – as well as on the expertise of the persons and organizations delivering human rights services.

METHODOLOGY

The service review will be undertaken in collaboration with the Justice Services Branch, the Human Rights Tribunal, Coalition, CLAS and the Law Centre. The Justices Service Branch will be responsible for the data collection and reporting, and lease and space utilization components of the service review. The consultant will be responsible for the service transformation component of the service review. The consultant will work with these five organizations, facilitating the open sharing of information, creative problem solving, opportunities for active participation, as well as the development of options.

The consultant will also review current operations and service levels with a view to:

- achieving efficiencies,
- improving online access,
- increasing early resolutions,
- reducing costs, and
- improving user experience.

The service transformation will take into consideration the current roles and characteristics of each service provider, as well as future roles. The consultant will also assess the options for implementing service delivery changes and that assessment will include the impacts of the prospective changes on service levels and service quality. Opportunities for input on those changes would be provided to the key stakeholders prior to the report to Justice Services Branch being finalized.

TIMELINES

June 2014	<i>Service Transformation</i> <ul style="list-style-type: none">• Establish a common understanding of the services currently provided by human rights service providers• Facilitate the development of a common understanding on service transformation goals, approaches, and scope• Document current services and processes including intake, assessment, screening and early resolution services• Identify areas and processes that could benefit from change (such as through "onlining" information and intake services, online
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	<p>dispute resolution, asynchronous interactions, and new mix of service channels).</p> <p><i>Data Collection and Reporting</i></p> <ul style="list-style-type: none"> • Collect and examine current reports and any background documents and/or supporting materials • Determine purpose and audience for whom current data is collected • Examine current reporting format including frequency • Define the key indicators and outcomes needed to meet the needs of the public, service providers, and JAG <p><i>Lease and Space Utilization</i></p> <ul style="list-style-type: none"> • Examination of current lease documents and supporting material including but not limited to: lease agreements, budget documents, and any other relevant material detailing lease and space issues
July-August 2014	<p><i>Service Transformation</i></p> <ul style="list-style-type: none"> • prepare and submit an analysis of current services • identify service delivery changes that might provide efficiencies, assessing both the impact of those changes on users and on budgets • recommend next steps that could include a service transformation plan. <p><i>Data Collection and Reporting</i></p> <ul style="list-style-type: none"> • determine and document gaps including what insights any new data might provide and how it will help improve reporting • determine and document any current data integrity issues • pending severity of data integrity issues develop a strategy plan to mitigate issues • identify future information/report needs including outcomes • identify data collection methods • determine system requirements for the collecting and reporting of new measures • identify constraints (i.e. operational, budget, time etc) • document future data collection and reporting plan • where feasible and at no cost make changes to systems and processes <p><i>Lease and Space Utilization</i></p> <ul style="list-style-type: none"> • explore lower cost options including co-location and alternative locations • consult with JAG Facilitates Services, central government Client Services, Shared Services BC (SSBC), and Ministry of Technology, Innovation and Citizens' Services on potential opportunities and

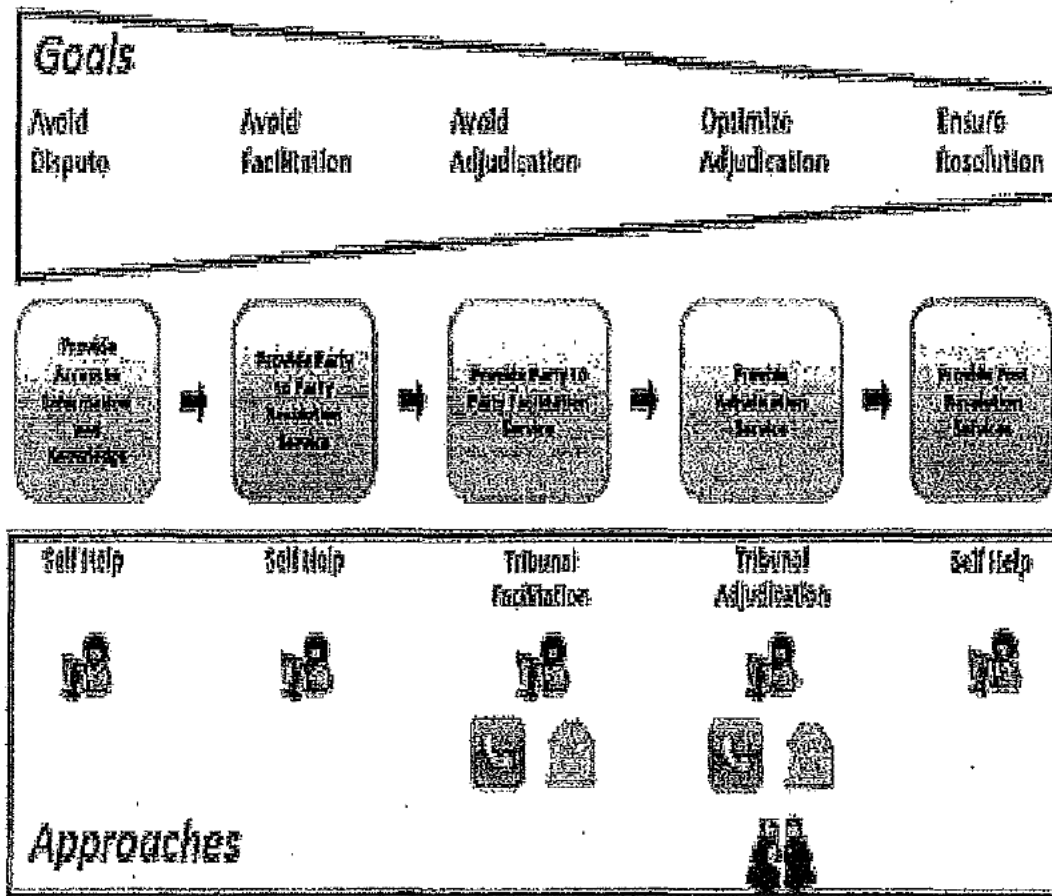
	<p>options</p> <ul style="list-style-type: none"> • consult with Sean Grills, Director Finance and Administration, Justice Services Branch, and Shariyar Tabrizi, Corporate Management Services • In addition the review will adopt the Government of BC Leading Workplace Strategies, a coordinated corporate approach to support and promote mobile and flexible work by integrating technology, culture and space.
September 30, 2014	<ul style="list-style-type: none"> • Consultant's report to the Ministry on findings including what form the service transformation should take, the objectives of the change and a high level implementation plan including constraints (pending decision of the initial assessment) • Detail in the report to the Ministry the present structure, how space is utilized, space needs, budgets and current allocation for lease, options and recommendations • Where feasible implement collection and reporting of new requirements.

DELIVERABLES

The contractor will:

- through a zero-based budgeting approach, provide an initial analysis of current services and service transformation options, including an impact assessment in relation to service levels and cost reductions; and
- identify next steps, including a work plan for the implementation of a human rights services transformation strategy.

Early Resolution Philosophy of Tribunal Services



Tribunal Transformation Initiative – Service Transformation

FROM	TO
Managing case to a hearing	Managing cases to resolution
Formal adversarial dispute resolution	Informal collaborative dispute resolution
Bricks and mortar	Virtual service delivery
Costly downstream crisis intervention	Upstream dispute resolution and mitigation
Programming based on anecdotal understanding	Information-based decision-making and evidence-based service delivery
Service delivery, planning and IT in silos	Integrated services, coordinated planning and IT
Discrete and disconnected business intelligence systems	A single business intelligence environment

- Shift to user-focused dispute resolution models
- Multi-channel service delivery, with online focus
- Focus on participant satisfaction
- Integrated approach to tribunal technology - supporting technology platforms which are shared across traditional silos
- Tools to help users resolve disputes on their own
- Expert facilitation, to support resolution where parties cannot do it themselves
- Concentrating operational support for 20 or more tribunals into four or five clusters

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION the Honourable Suzanne Anton QC, Attorney General and Minister of Justice

ISSUE: Civil Resolution Tribunal implementation briefing July 14, 2014.

SUMMARY:

The Civil Resolution Tribunal is currently scheduled for implementation in spring 2015. A briefing on the current status and implementation plan for the tribunal has been scheduled and will include an introduction to the CRT implementation team, an overview of team responsibilities, an update on the project status, and the oversight arrangements.

NEXT STEPS:

On July 14, ministry staff will brief Minister Anton on the Civil Resolution Tribunal. Materials for the meeting are attached.

Prepared and Approved by:

Julie Williams
A/Executive Director
Dispute Resolution Office
250-356-6180

Approved by: Jay Chalke, QC
Assistant Deputy Minister

Date: 10 July 2014

Approved by:



Richard J. M. Fyfe, QC
Deputy Attorney General

Date: July 11, 2014

Attachment(s):

PowerPoint presentation: Civil Resolution Tribunal implementation

Civil Resolution Tribunal Implementation

Presentation to the Attorney General and
Minister of Justice

by

the CRT implementation team

July 14, 2014

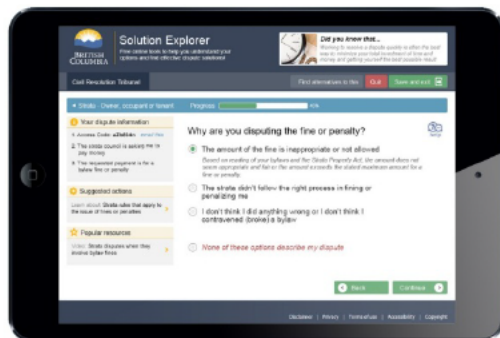
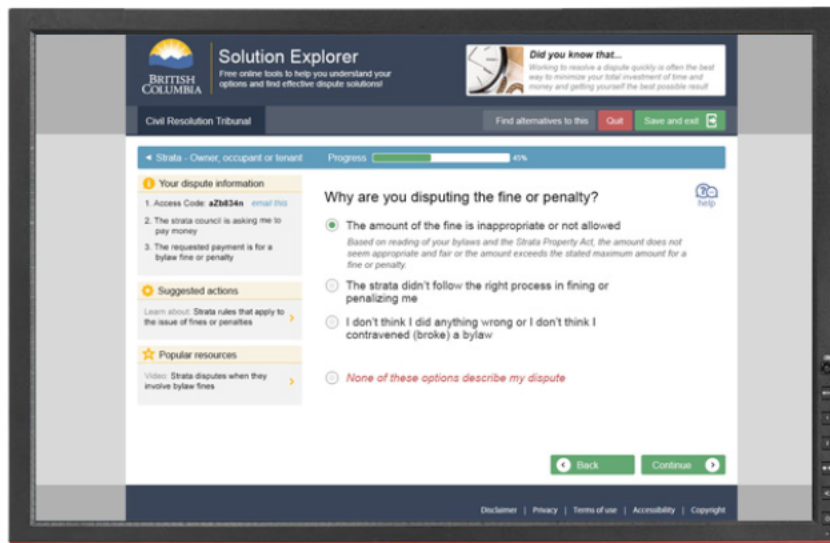
CRT Implementation Overview: Jay Chalke

- Overview of team responsibilities
 - Mac Campbell: Information Services Branch
 - Darin Thompson: Legal Counsel
 - Richard Rogers: Implementation Lead
 - Bob Goldschmid: Legal Counsel
 - Lisa Nakamura: Change Management and PLEI
 - David Merner: Executive Director
- Overview of project status
- Oversight

Page 160 redacted for the following reason:

s.12

Expert System & Dispute Resolution Suite Overview – Mac Campbell



Civil Resolution Tribunal

Welcome: Party A - Jane Miller

Support

User Guide

Logout

Dispute Resolution Suite

Strata: #1232123

01Mar-2014, Jane Miller

Phase: Negotiation

Details

Messages 1

Drafts 1

Files

People

Calendar

Discuss Claim 02 Here

Public

Open

Creator: System

To: A-miller, B-smith, C-smatthews

Due: Jun 12 2014, 12AM

B-smith: Jun 2 2014, 2:29PM

I agree that the joins need to be fixed, but I did a bunch of unpaid work on the trim and this was worth more than \$150. I am willing to find a fair offer to fix this, considering the extra work.

System: Jun 2 2014, 1:45PM

Below is the claim information that was provided by the initiator. Reply to this message with your own descriptions, impacts, evidence and what you feel is a fair remedy. If you feel like you are close to resolution, press the propose agreement button to offer a solution that others can respond to.

A-miller: May 11 2014, 10:01AM

Claim 02: Unacceptable quality of hardwood/carpet floor work

Description/Issues:

After the new hardwood was installed, three areas where the carpet meets the hardwood are pulling up or not aligned with the hardwood. The work does not meet standard quality for similar work I've seen.

Importance/Impacts:

My house is used for a home business and clients are onsite quite often. The appearance of my home reflects on my professionalism.

Supporting Evidence:

FlooringImage01.jpg (1.2MB) - Picture of standard quality flooring join

FlooringImage02.jpg (0.4MB) - Picture of standard quality flooring join

Remedy Requested:

To have the three joins fixed or for my final bill to be reduced by \$150.

Next steps if you decide you need formal CRT assistance

Private Closed

Creator: System

To: A-miller

Discuss Claim 01 Here

Public Open

Disclaimer

Privacy

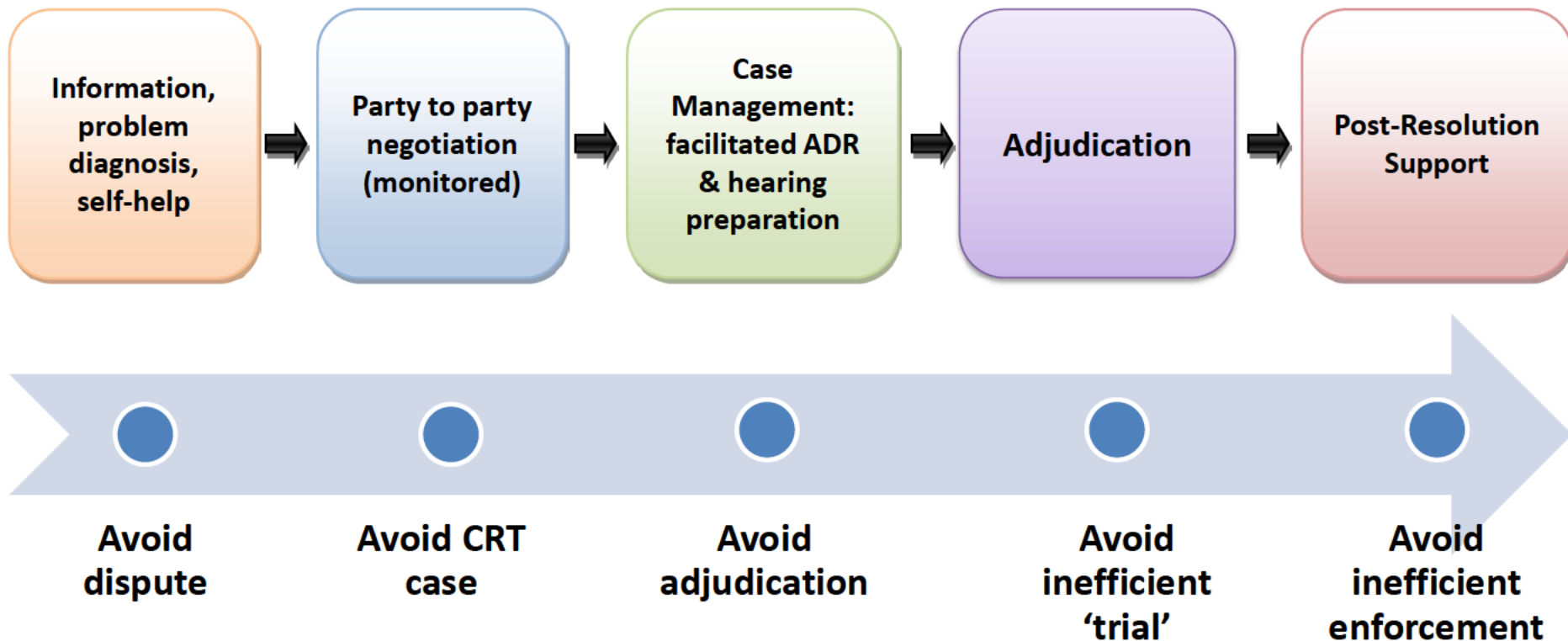
Terms of use

Accessibility

Copyright

CRT system design: Darin Thompson

‘Case’ volumes



Knowledge Engineering:

Darin Thompson

- What would you ask someone who walks into your law office with a dispute?
- Knowledge engineering steps:
 - Acquire / model expert knowledge
 - Record the knowledge in “mind maps”
 - Identify helpful information and supports for users
 - Culture shift for onlining: “plain language plus”

Q. What kind of problem are you having?

A. I want to collect a loan or debt from someone

A. Someone is trying to collect a loan or debt from me

Q. What can you tell us about the debt?

A. It's

A. It's

A. It is

A. I do

A. I'm just looking for information on managing a debt

A. My problem isn't listed here

CRT Near Term Issues:

Bob Goldschmid

- Ministerial Order on CRT Chair remuneration
 - target: ASAP

-

s.12

Pages 166 through 167 redacted for the following reasons:

s.12, s.13, s.17

Change Leadership, Culture Change and PLEI: Lisa Nakamura

- **Users:**
 - “support the supporters”, advocacy community
 - user / citizen focus
- **PLEI system: shift the focus**
 - from courts and lawyers
 - to users accessing services
- **CRT must not become “another silo” – link to**
 - Legal Services Society (eg. MyLawBC)
 - Public Legal Education community, including Law Foundation

Key Challenges

1. Cutting edge innovation
2. Implementation in a tight fiscal environment
3. Justice system stakeholders
 - a. judiciary – delay
 - b. the bar – designing the CRT for self-represented litigants
 - c. Mediate BC – shut down
4. Knowledge management, guided pathways
5. Avoiding “Obamacare” implementation problems
6. Change management / failure to capitalize on change

Bottom line:

- systems in place to distinguish twists in the road from landslides

Communications

- **Products**
 - Communications Plan
 - Qs and As (both for public and for Minister)
 - List of interested media
- **Opportunities for announcements**
 - BC Arbitrators and Mediators Institute
 - BC Council of Administrative Tribunals
- **Media Issues**
 - Implementation time lines
 - Operational issues (launch, user satisfaction, security)

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION of the Honourable Suzanne Anton, Attorney General and Minister of Justice.

ISSUE: *Lobbyist Registration Act* (LRA) - timing of amendments.

s.12, s.13, s.14

OTHER MINISTRIES IMPACTED/CONSULTED:

N/A

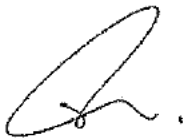
Prepared by:
Jodi Roach
Senior Policy Analyst
Justice Services Branch
Phone: 250 356-8870

Approved by:
Nancy Carter
Executive Director
Justice Services Branch
250 356-6182

Approved by:
Jay Chalke, QC
Assistant Deputy Minister



Date: July 24/14



Richard J.M. Fyfe, Q.C.
Deputy Attorney General

Date: July 28, 2014

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Attorney General and Minister of Justice

ISSUE: Follow-up on approval of the Public Guardian and Trustee's 2014-17 Service Delivery Plan.

BACKGROUND / DISCUSSION:

- The *Public Guardian and Trustee Act* requires the Public Guardian and Trustee (PGT) to deliver to the Attorney General a service delivery plan not later than three months before the beginning of each fiscal year. The Act provides that the PGT may modify the plan with the approval of the Attorney General and Treasury Board.
- The PGT originally delivered the PGT's 2014-17 Service Delivery Plan (SDP) to the Attorney General on December 23, 2013, and on August 13, 2014, delivered a modified version of the SDP.
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s.12

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s.12

o

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s.12

Prepared by:

Andrea Buzbuzian
Legal Counsel
Justice Services Branch
250 356-5410

Approved by:

Jay Chalke, Q.C.
Assistant Deputy Minister

Date: 18 September 2014



Richard J. M. Fyfe, Q.C.
Deputy Attorney General

Date: September 23, 2014

**MINISTRY OF JUSTICE
CRIMINAL JUSTICE BRANCH
BRIEFING NOTE**

PURPOSE: For the INFORMATION of the Deputy Attorney General.

ISSUE: Various BC post-secondary institutions may seek a meeting with the Attorney General and/or the Minister of Advanced Education to discuss a decision by the Criminal Justice Branch to no longer accept unpaid practicum or co-op students.

SUMMARY:

- In August 2014, the Criminal Justice Branch (CJB) sent a letter to various post-secondary institutions in British Columbia, advising that the Branch will no longer accept unpaid practicum or co-op students.
- The rationale for the decision included resource limitations (insufficient capacity to provide appropriate student-supervision); privacy concerns in light of the confidential nature of the information housed by the Prosecution Service; liability and indemnity concerns; and restrictions imposed through government and Ministry policy.
- Since the letter was distributed, the Branch has been informed that several post-secondary institutions *may* seek to meet with the Attorney General and/or the Minister of Advanced Education to discuss the situation.
- The head of the Criminology Department at University of the Fraser Valley has contacted a CJB Regional Crown Counsel and indicated that the Prefect for her University, as well as Kwantlen College and Simon Fraser University, are attempting to organize a meeting with Minister Virk.
- Ms. Kim Williams also suggested that Parliamentary Secretary Daryl Plecas may be asked to involve himself, with a view to supporting legislative or policy changes that would ameliorate CJB's concerns.
- No such meeting has been confirmed with CJB. The purpose of this Information Note is simply to provide a heads-up that a request for a meeting may be forthcoming.

BACKGROUND:

- A copy of the letter that was distributed by CJB is attached. The Deputy Attorney General was informed in advance of the Branch's intention to send out the letter.
- GCPE was also made aware of the letter in advance and prepared an Issues Note for the Attorney General in the event of media enquiries/coverage.

OTHER MINISTRIES IMPACTED/CONSULTED:

- If a meeting is requested, the Ministry of Advanced Education may be involved.

Prepared by:

M. Joyce DeWitt-Van Oosten QC
Assistant Deputy Attorney General
Criminal Justice Branch
(250) 387-5174

Attachment(s)

Letter sent to post-secondary institutions.
List of institutions.



August 13, 2014

University of Victoria
Human Resources
Sedgewick Building
Vandekerkhove Wing
P.O. Box 1799 Stn CSC
Victoria, BC V8W 2Y2

Dear Sir/Madam:

Re: Practicum or Co-op Students at the Criminal Justice Branch, Ministry of Justice

I write to let you know that effective immediately, the Criminal Justice Branch (otherwise known as B.C.'s Prosecution Service) will no longer be accepting post-secondary placements for unpaid practicum or co-op students who are studying in the area of criminology, legal assistant programs, or otherwise. Please pass this information on to any persons, within your organization, for whom it may be relevant from a program planning perspective.

There are a number of reasons for this development, including (but not limited to):

- the resources required to accommodate supervision of the students;
- potential liability issues;
- privacy concerns given the highly confidential nature of the information that is processed by the Branch; and
- restrictions imposed through Ministry of Justice and government policy.

The Branch's management committee recently had occasion to review these issues and, on balance, decided that it is no longer appropriate to have unpaid practicum or co-op students situated in the Prosecution Service.

I appreciate that this decision may impact your program planning as an educational institution for the Fall 2014. Thus the reason for this letter. I thought it only fair that I communicate the decision to you now, rather than after expectations of possible availability may have been raised.

Ministry of Justice

M. Joyce DeWitt-Van Oosten, QC
Assistant Deputy Attorney General
Criminal Justice Branch

PO Box 9276
Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250-387-5174
Facsimile: 250-356-9336

Please know that over the years the Criminal Justice Branch has greatly appreciated its working relationship with your organization, as well as the opportunity to have your students gain experience through direct interaction with Crown Counsel and the Branch's administrative staff.

The decision to no longer accept unpaid practicum or co-op students is in no way a reflection of the quality of your programming, or the students that you may have sent to us in the past. Rather, it is simply the product of a corporate re-assessment, in light of organizational risks and resource limitations.

Thank you for your time. If you have any questions, please do not hesitate to contact my office.

Yours truly,

M. Joyce DeWitt-Van Oosten, QC
Assistant Deputy Attorney General
Criminal Justice Branch

Pracitcum Students at CJB

Region 1

- University of Victoria
- Simon Fraser University
- Camosun College
- Vancouver Island University (formally Malaspina)
- University of British Columbia
- Royal Roads University

Region 2

- Simon Fraser University (criminology students)
- BCIT (criminology students)
- Capilano University (legal assistant students)
- Vancouver Community College (legal assistant students)

Region 3

- UCFS (criminology Students)
- Douglas College
- University of the Fraser Valley
- Simon Fraser University
- Kwantlan College

Region 4

- University of British Columbia – Okanagan
- University of the Fraser Valley
- Okanagan College (legal admin program)
- Sprott Shaw College

Region 5

- University of Victoria
- Leghbridge College (Alberta)
- Western University
- Thompson Rivers University

CLD

- Capilano University

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Attorney General and Minister of Justice

ISSUE: Public Guardian and Trustee's 2013-2014 Annual Report

SUMMARY:

- Section 25 of the *Public Guardian and Trustee Act* (PGT Act) requires the Public Guardian and Trustee (PGT) to report in each fiscal year to the Attorney General on the operations of the office for the preceding fiscal year.
- The report must be made by September 30 following the preceding fiscal year end. The PGT's 2013-2014 Annual Report (2013-14 Annual Report) was received on September 25, 2014.
- The Attorney General must promptly lay a copy of the annual report before the Legislative Assembly if it is in session and, if it is not then in session, within 30 days after the beginning of the next session. Therefore, the 2013-14 Annual Report must be tabled by November 5, 2014.
- With respect to performance results, the PGT met or exceeded its targets for all 20 (100%) of the performance measures on which it is reporting¹. The PGT notes this was achieved in a difficult environment of government fiscal restraint and hiring controls, and demonstrates the dedication of PGT staff.
- The 2013-14 Annual Report notes some of the most significant specific risks facing the PGT (with associated mitigation strategies), which include an obsolete trust accounting system and the need for a records management system.
- One performance measure of note is that the PGT make a submission to the Attorney General outlining recommendations to replace the common law rule which provides that an owner of a dog, who had no way of knowing that the dog had a tendency to bite, would not be liable the first time the dog bit someone. The PGT submitted a report on this matter to the Attorney General on March 27, 2014.
- The PGT has offered a briefing on the contents of the 2013-14 Annual Report.

¹ A new performance measure regarding more effectively measuring reviews of private committee accounts was omitted as it will not take effect until 2014-15.

BACKGROUND:

- The PGT is a corporation sole, established under the PGT Act.
- The PGT has a role and responsibilities under approximately 20 provincial statutes.
- The PGT's mandate generally relates to the following three areas:
 - protecting the legal and financial interest of children under the age of 19 years,
 - protecting the legal, financial and in some cases personal and health care interests of adults who require assistance in decision making, and
 - administering estates of missing persons and deceased persons (where there is no one else willing or able).
- The PGT Act requires the annual report to include:
 - audited financial statements on the stewardship of trusts and estates under administration,
 - audited financial statements on the operations of the office of the PGT,
 - a statement of the extent to which the PGT has met the performance targets and other objectives established in the PGT's service delivery plan, and
 - the report of an auditor on the PGT's statement regarding performance targets and other objectives.

PGT's 2013-2014 Annual Report

- The 2013-14 Annual Report reports on PGT performance in year one of the 2013-2016 Service Delivery Plan (SDP), which was approved by the Attorney General and Minister of Justice. While the 2013-2016 SDP was not formally approved by Treasury Board, the 2013-2014 budget was funded as set out in the plan.
- During 2013-14, the PGT provided services through 250 employee positions to approximately 28,700 clients and administered approximately \$887 million of trust assets.
- In 2013-14, the PGT was 67% self-funded through fees and commissions.
- Some of the matters for 2013-14 noted by the PGT in her message are:
 - A major focus was implementing new laws impacting the PGT (i.e., *Wills, Estates and Succession Act*/Probate Rules; adult guardianship legislation).
 - A focus on building organizational capacity.
 - A comprehensive review of fees and commissions was carried out, and the PGT made recommendations to government.
 - The PGT completed a privacy assessment of PGT operations and started to create an overarching information management framework.

- The PGT made submissions to the federal government on proposed changes to taxation rates of trusts and certain estates, and participated in consultations concerning improvements to Canada's consumer protection scheme to protect vulnerable citizens.
 - The PGT was involved with the creation of the provincial disability action plan and strategy to respond to elder abuse, and participates as a member of the Council to Reduce Elder Abuse.
 - The PGT facilitated a broad range of financial literacy workshops for youth clients about to assume independent management of their affairs.
 - A strategic roadmap was developed to guide transformation following an examination of how best to align the PGTs service delivery model with changing client and public needs and expectations.
- The 2013-14 Annual Report notes a number of social trends, risk factors and internal issues affecting the work of the PGT:
 - An evolving legislative framework.
 - Changing service expectations.
 - The PGT produced a strategic roadmap that identified gaps between client needs and expectations and existing business systems. The process confirmed the PGT's legacy systems, paper based environment, and associated heavy administrative burden made meeting client's expectations challenging.
 - Enhancing services to child and youth clients.
 - Transition in PGT roles.
 - The PGT has moved from acting primarily as a fiduciary providing direct financial and legal management services to a role that also includes significant investigative and regulatory responsibilities, which do not attract revenue from fees and commissions.
 - The PGT is seeking to maintain and improve service with constant or decreasing resources, and has an ongoing continuous improvement program.
 - Increasing awareness of abuse of vulnerable adults.
- The PGT regularly reviews and updates risks, potential impacts and mitigation strategies. The PGT Executive Committee reviewed and updated the PGT risk management framework in December 2013. The risk profile has reduced slightly over the past year, reflecting the continued PGT ability to meet its mandate despite its inability to secure funding for critical projects.
- The 2013-14 Annual Report summarizes the most significant specific risks facing the PGT (and also outlines some of the major mitigation strategies). The risks relate to:
 - the trust accounting system,
 - funding sufficiency,
 - government/political legislative and policy change,
 - sufficiency of human resources,
 - priority setting and capacity planning,

- records management, and
- training.

Prepared by:
Andrea Buzbuzian
Legal Counsel
Justice Services Branch
250 356-5410

Approved by:
Nancy Carter
Executive Director
Justice Services Branch
250 356-6182

Approved by:

Jay Chalke, QC
Assistant Deputy Minister

Date: October 11, 2014



Richard J. M. Fyfe, Q.C.
Deputy Attorney General

Date: October 16, 2014

Attachment: Copy of the Public Guardian and Trustee's 2013-2014 Annual Report

Public Guardian and Trustee



2013–2014 Annual Report

Rights, choices and security
for all British Columbians



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LETTER OF TRANSMITTAL

September 19, 2014

The Honourable Attorney General and Minister of Justice
Parliament Buildings
Victoria, British Columbia
V8V 1X4

Dear Attorney General and Minister of Justice:

I have the honour of delivering to you the Annual Report of the Public Guardian and Trustee in accordance with the provisions of section 25 of the *Public Guardian and Trustee Act*.

This report covers the period April 1, 2013 to March 31, 2014.

Yours truly,

Catherine M. Romanko
Public Guardian and Trustee

MESSAGE FROM THE PUBLIC GUARDIAN AND TRUSTEE



I am pleased to present the annual report of the Public Guardian and Trustee (PGT) for the period April 1, 2013 to March 31, 2014.

Striving to meet the PGT's publicly reported performance targets is a challenge PGT staff take very seriously and act on with pride. Our annual statement of performance reflects our commitment to our clients, their families, and the public to be transparent and accountable in the work we do to protect some of British Columbia's most vulnerable individuals.

Our performance report is independently audited to provide the public with assurance that its contents are reliable.

This year, the PGT again met or exceeded all 20 of its reported performance targets and did so in a difficult environment of government fiscal restraint and hiring controls. This positive performance result demonstrates the continuing dedication of PGT staff to deliver their best in client service.

A major focus this year was implementing new laws which impacted the role of the PGT and the interests of our clients.

The *Wills, Estates and Succession Act* and new *Probate Rules* came into effect on March 31, 2014 modernizing the law of succession and the manner in which estates of deceased persons are administered

in British Columbia. Many roles of the PGT, including those of estate administrator, trustee and monitor of the interests of minors and vulnerable adults in estates, were adjusted to reflect the new law. Our office participated in government consultations to develop supporting legislation and new rules of estate practice and made extensive changes to our business processes, information technology systems, policies and procedures.

The PGT also prepared to implement the new adult guardianship law, which will change the process by which the PGT becomes committee of estate for adults. Once in force, this law will add new legal requirements to services provided by the PGT including additional procedures to determine whether an adult requires a guardian, enhanced notification and consultation duties and new processes concerning requests for reassessments and appeals of capacity assessments. While most of this law will not come into force until December 1, 2014, new provisions concerning protective measures which the PGT can take while investigating allegations of financial abuse, came into force in March 2013 and are now incorporated into PGT practice.

Building our organizational capacity was another focus of activity during the past year.

With the objective of supporting enhanced client service, we carried out a comprehensive and principle based review of fees and commissions established by

regulation and made recommendations to government for change to increase fairness and transparency of the fees which clients pay for fiduciary services. We also completed a privacy assessment of our operations and started to create an overarching information management framework to help ensure that client information remains secure and appropriately protected, and that our processes are fully compliant with privacy law.

Over the course of the year, PGT staff worked with our service partners and stakeholders to further the interests of PGT clients. We made submissions to the government of Canada concerning proposed changes to taxation rates of trusts and certain estates and participated in federally led consultations concerning improvements to Canada's consumer protection scheme to protect vulnerable citizens.

We worked with our provincial interministry partners to develop a provincial strategy to respond to elder abuse and currently participate as a member of the Council to Reduce Elder Abuse. We also contributed to the creation of the provincial action plan *Accessibility 2024*, designed to reduce barriers and increase accessibility for people living with disabilities.

To benefit our child and youth clients, we enhanced our transition services by facilitating a broad range of financial literacy workshops for youth who are about to assume responsibility for independent management of their affairs.

The PGT currently operates in a traditional paper based environment supported by legacy information systems with limited options for client and stakeholder communications. As we look forward and plan for the future, we examined how best to align our service delivery model with changing client and public needs and expectations. During the year we developed a strategic roadmap which will help guide our way through a transformation of our systems, technology and service delivery models to meet client needs.

Rising to the continuing challenges of our rapidly evolving service environment demands the best from our staff. I would like to thank our employees across the province for their dedication and hard work, as well as recognize the ongoing support from our many service partners and stakeholders who are also committed to our clients.

I appreciate the contributions of all and am confident that our shared efforts will continue to provide the best support and service possible for PGT clients.

Catherine M. Romanko
Public Guardian and Trustee



PERFORMANCE REPORT



ACCOUNTABILITY STATEMENT



The 2013–2014 Performance Report was prepared under my direction. I am accountable for the results achieved, the selection of performance measures, and how actual performance has been reported. The information presented reflects the actual performance of the Public Guardian and Trustee for the 12 months ended March 31, 2014. The report addresses all significant events that occurred, and decisions made, up to September 17, 2014.

The information presented represents a comprehensive picture of our actual performance in relation to our service delivery plan. The report contains estimates and significant interpretive information that represents the best judgment of management.

The measures presented are consistent with the organization's mandate, goals and objectives, and focus on aspects critical to understanding our performance. I am responsible for the design and operation of internal controls to ensure performance information is measured accurately and in a timely manner. Any significant limitations in the reliability of specific data are identified in the report.

The report is intended for a general audience. Specific users may require more detailed

information than is contained in this report. The report has been prepared in accordance with the *Public Guardian and Trustee Act* and Performance Reporting Principles for the British Columbia Public Sector.

Catherine M. Romanko
Public Guardian and Trustee

September 17, 2014

Auditors' Report on the 2013–2014 Performance Report of the Public Guardian and Trustee of British Columbia



KPMG LLP
Chartered Accountants
PO Box 10426 777 Dunsmuir Street
Vancouver BC V7Y 1K3
Canada

Telephone (604) 691-3000
Fax (604) 691-3031
Internet www.kpmg.ca

To:

**The Public Guardian and Trustee of British Columbia,
The Attorney General and Minister of Justice, Province of British Columbia, and
The Members of the Legislative Assembly of British Columbia**

We have audited the accompanying 2013–2014 Performance Report (Performance Report) of the Public Guardian and Trustee of British Columbia (PGT) for the year ended March 31, 2014 based on the requirements of subsections 25 (1), 25 (2), 25 (3) (c), 25 (3) (d) and 26 (1) (b) of the *Public Guardian and Trustee Act (PGT Act)* and on the Performance Reporting Principles for the British Columbia Public Sector (BC Performance Reporting Principles) (collectively referred to herein as the Criteria). The Performance Report and its fair presentation in conformance with the Criteria are the responsibility of the PGT. Our responsibility is to express an opinion, based on our audit, on the fair presentation of the Performance Report in conformance with the Criteria.

We conducted our audit in accordance with the standards for assurance engagements established by CPA Canada. Those standards require that we plan and perform an audit to obtain reasonable assurance about whether the Performance Report is fairly presented in conformance, in all material respects, with the Criteria. Our audit included examining, on a test basis, evidence supporting the amounts and disclosures in the Performance Report, evaluating the fair presentation of the Performance Report in conformance with the Criteria, and performing such other procedures as we considered necessary in the circumstances.

Auditors' Report on the 2013–2014 Performance Report of the Public Guardian and Trustee of British Columbia

The Performance Report necessarily contains a number of representations by the PGT concerning the appropriateness of the PGT's goals, objectives, targets, explanations of the adequacy of planned and actual performance, and expectations for the future. These are provided to provide context to assist the reader in evaluating the plans and performance of the PGT. Such representations are the opinions of the PGT and, given their necessarily subjective nature and also the future orientation of some of the representations, such representations inherently cannot be subject to independent audit verification. Further, as described in the Performance Report section entitled Linking Resources to Performance (pages 62 to 71), the tables and related information on pages 62 to 71 of the Performance Report are derived using an allocation model developed to reflect approximate usage of key services and other segmentation methodologies that are beyond the scope of this audit; accordingly, with respect to the tables and related information on pages 62 to 71 of the Performance Report, our audit was limited to providing reasonable assurance that the Performance Report is consistent with the audited financial statements contained in the PGT's 2013–2014 Annual Report.

In our opinion, except for the effect of adjustments, if any, which we may have determined to be necessary had we been able to independently verify the representations described in the paragraph above and had we performed a more extensive examination of the tables and related information on pages 62 to 71 of the Performance Report as referred to in the paragraph above, the PGT's Performance Report for the year ended March 31, 2014 is fairly stated in conformance, in all material respects, with the Criteria.

The attached Appendix to this report provides further explanation regarding the fair presentation of the Performance Report in conformance with the Criteria.

A handwritten signature in black ink that reads "KPMG LLP". The signature is stylized, with the letters "K", "P", "M", and "G" being larger and more prominent than the "L" and "P" at the end. A horizontal line is drawn underneath the signature.

Chartered Accountants
Vancouver, Canada
September 17, 2014

Appendix to the Auditors' Report on the 2013–2014 Performance Report of the Public Guardian and Trustee of British Columbia

This Appendix summarizes and explains selected key aspects of how the Performance Report is fairly presented in conformance, in all material respects, with the requirements of subsections 25 (1), 25 (2), 25 (3) (c), 25 (3) (d) and 26 (1) (b) of the *PGT Act* and with the BC Performance Reporting Principles (collectively referred to herein as the Criteria).

BC Performance Reporting Principle 1 – Explain the Public Purpose Served

The Performance Report identifies and explains the PGT's mandate, enabling legislation, vision, and organizational structure. Core program areas, services, clients, and stakeholders are described, as is the role of service partners. The PGT's role and relation to the courts and the Crown are explained. The Performance Report describes the PGT's seven major values and how they guide and are embedded in the PGT's operations.

BC Performance Reporting Principle 2 – Link Goals and Results

The Performance Report identifies and explains the PGT's mandate and vision, its service delivery plan including the goals it has identified in support of its mandate and vision, the related more detailed objectives and performance measures, and its actual results, providing linkages and a logical flow between them. The relevance and relation to long-term outcomes are identified and explained for key performance measures and results. Variances between planned and actual results are identified and explained. The impact of results on the PGT's future direction is also identified and explained where relevant.

BC Performance Reporting Principle 3 – Focus on the Few Critical Aspects of Performance

The PGT's April 1, 2013 – March 31, 2016 Service Delivery Plan identifies the PGT's five goals related to the three aspects of its mandate, one to five specific objectives related to each goal, and related specific performance measures. Except for one performance measure that was planned but not implemented (as explained in the Performance Report), the Performance Report repeats this information from the Service Delivery Plan, and provides in a clear, concise format the PGT's actual results for each performance measure, and the meaning and importance of each performance measure and result. The Performance Report also provides related contextual information regarding factors influencing the selection of goals, objectives, and performance measures, and factors influencing the actual results.



Appendix to the Auditors' Report on the 2013–2014 Performance Report of the Public Guardian and Trustee of British Columbia



BC Performance Reporting Principle 4 – Relate Results to Risk and Capacity

The Performance Report summarizes management's approach to risk, including risk identification and assessment, consideration of potential impacts of risks on achievement of PGT goals, and consideration of risk tolerance, resource constraints, and mitigation strategies. It summarizes management's view of the significant risks faced by the PGT, related potential causes including capacity issues, and current and possible risk mitigation strategies for dealing with the risks. Current capacity is described in relation to current results and to the PGT's ability to deliver on its organizational goals and objectives.

BC Performance Reporting Principle 5 – Link Resources, Strategies and Results

The Performance Report identifies the major sources, nature, and amounts of the PGT's funding, provides budgeted and actual revenues and expenses by program area and for the PGT as a whole, and explains key variances between budgeted and actual revenues and expenses for the PGT as a whole. Year over year comparative financial information is provided in the audited financial statements included in the PGT's Annual Report. The Performance Report identifies, for each program area and for the PGT as a whole, the total staff, number of clients, and financial indicators including revenue, expenses, and assets under administration. The Performance Report identifies trends and issues impacting results, revenues, and expenses, and also describes how resources, strategies, and results are linked, including linking areas of expenditure with its goals that are most directly affected by the expenditures. The Performance Report links financial and performance information in a way that should help readers understand the efficiency and economy of the PGT's operations.

BC Performance Reporting Principle 6 – Provide Comparative Information

For each identified specific performance measure linked to the PGT's goals, when applicable the Performance Report provides clear comparisons between planned results, actual results, and previous years' results, as well as targeted results for the following year. When relevant and material, explanations are provided of changes in the nature, source data, and/or calculation of the performance measures. Year over year comparative financial information is provided in the audited financial statements included in the PGT's Annual Report. The Performance Report identifies trends and issues impacting results, revenues, and expenses. The Performance Report also explains the reasons for the lack of provision in the Performance Report of comparative information to similar organizations.

Appendix to the Auditors' Report on the 2013–2014 Performance Report of the Public Guardian and Trustee of British Columbia

The *PGT Act*, and BC Performance Reporting Principle 7 – Present Credible Information, Fairly Interpreted

The Performance Report has been made by the PGT to the Attorney General and Minister of Justice, Province of British Columbia, by September 30, 2014 as required by the statutory reporting requirements and deadline specified in subsections 25 (1), 25 (2), 25 (3) (c), and 25 (3) (d) of the *PGT Act*. Our related auditors' report is provided as required by section 26 (1) (b) of the *PGT Act*. Subject to the limitations described in our auditors' report, our opinion relates to the credibility of the information in the Performance Report, including its fair presentation in conformance, in all material respects, with the Criteria based on the best judgement of the PGT.

BC Performance Reporting Principle 8 – Disclose the Basis for Key Reporting Judgements

The Performance Report explains the basis for selecting the aspects of performance on which it focuses and the rationale for the performance measures reported upon. The Performance Report also provides concise explanations of how most performance measures are derived including, where relevant, data sources and the period covered. The process for selecting goals, objectives, and targeted results for performance measures, and how it is evolving, is described. Any significant changes in the way performance is measured or presented are described. The PGT provides an accountability statement describing their accountability for the Performance Report, and representing (among other things) that: the Performance Report has been prepared in accordance with the *PGT Act* and the BC Performance Reporting Principles; that it contains estimates and significant interpretive information that represents the best judgement of management; that the measures presented are consistent with the organization's mandate, goals and objectives, and focus on aspects critical to understanding the organization's performance; and that it reflects the actual performance of the PGT for the twelve months ended March 31, 2014.

MANDATE AND VISION



Mandate

The mandate of the Public Guardian and Trustee is to:

- **Protect the legal and financial interests of children under the age of 19 years;**
- **Protect the legal, financial and in some cases personal and health care interests of adults who require assistance in decision making; and**
- **Administer estates of deceased and missing persons.**

During 2013–2014, the PGT provided services through 250 employee positions to approximately 28,700 clients and administered approximately \$887 million of trust assets. When managing the financial interests of an individual, estate or trust, the PGT observes prudent business practices and is bound by both common law and statutory fiduciary principles associated with a trustee or an agent.

Vision

The PGT vision is: **Rights, choices and security for all British Columbians.**

The PGT exercises quasi judicial authority in specific situations as a result of obligations created by statutory law. In addition, the PGT provides the court with reliable independent submissions when the property or financial interests of minors, vulnerable adults or estates are at risk.

The PGT self funds a large percentage (67% in 2013–2014) of its actual expenditures through fees and commissions charged on client income and assets.

The PGT has a fiduciary duty to advance the private interests of its clients even if they are contrary to the interests of government. The PGT is independent of government in its case related decision making responsibilities.

CHILD AND YOUTH SERVICES



17,939
clients*

46
staff

173
million
assets**

Protect the legal and financial interests of children and youth under the age of 19.

SERVICES TO ADULTS



515
million
assets**

97
staff

8,812
clients*

Protect adults who require assistance in decision making through protection of their legal rights, financial interests and personal care interests.

ESTATE AND PERSONAL TRUST SERVICES



198
million
assets**

28
staff

2,268
clients*

Administer estates of deceased persons, estates of missing persons, and trusts.

* Clients: the number of individual clients served by both the division and by major business lines throughout the year. Because of this, the divisional total is typically less than the sum of the business lines as clients may require service in more than one business line.

** Total value of assets under that administration (at March 31, 2014)

VALUES



We challenge ourselves to seek new and improved ways to deliver service and assist clients.

INNOVATION

We acknowledge staff as our greatest resource and recognize and appreciate their expertise, professionalism and commitment.

STAFF SUPPORT

We work with one another and with service partners in striving for seamless service delivery.

TEAMWORK

We treat clients, their family and friends in a courteous, respectful manner.

RESPECT

OPENNESS

We demonstrate responsibility and transparency to clients, government and the public through annual statutory public reporting on all aspects of our performance.

CLIENT CENTRED SERVICE

We constantly strive to provide quality customer service to our clients who are the focus of our services.

INTEGRITY

We act in accordance with the highest ethical, legal and personal standards.

STATUTES

Numerous acts set out the powers and duties of the PGT.

Key provincial statutes include:

- *Adult Guardianship Act*
- *Child, Family and Community Service Act*
- *Community Care and Assisted Living Act*
- *Cremation, Interment and Funeral Services Act*
- *Employment Standards Act*
- *Estate Administration Act**
- *Estates of Missing Persons Act*
- *Family Law Act*
- *Health Care (Consent) and Care Facility (Admission) Act*
- *Infants Act*
- *Insurance Act*
- *Insurance (Vehicle) Act*
- *Patients Property Act*
- *Power of Attorney Act*
- *Public Guardian and Trustee Act*
- *Representation Agreement Act*
- *Trust and Settlement Variation Act*
- *Trustee Act*
- *Wills Act**
- *Wills, Estates and Succession Act*
- *Wills Variation Act**

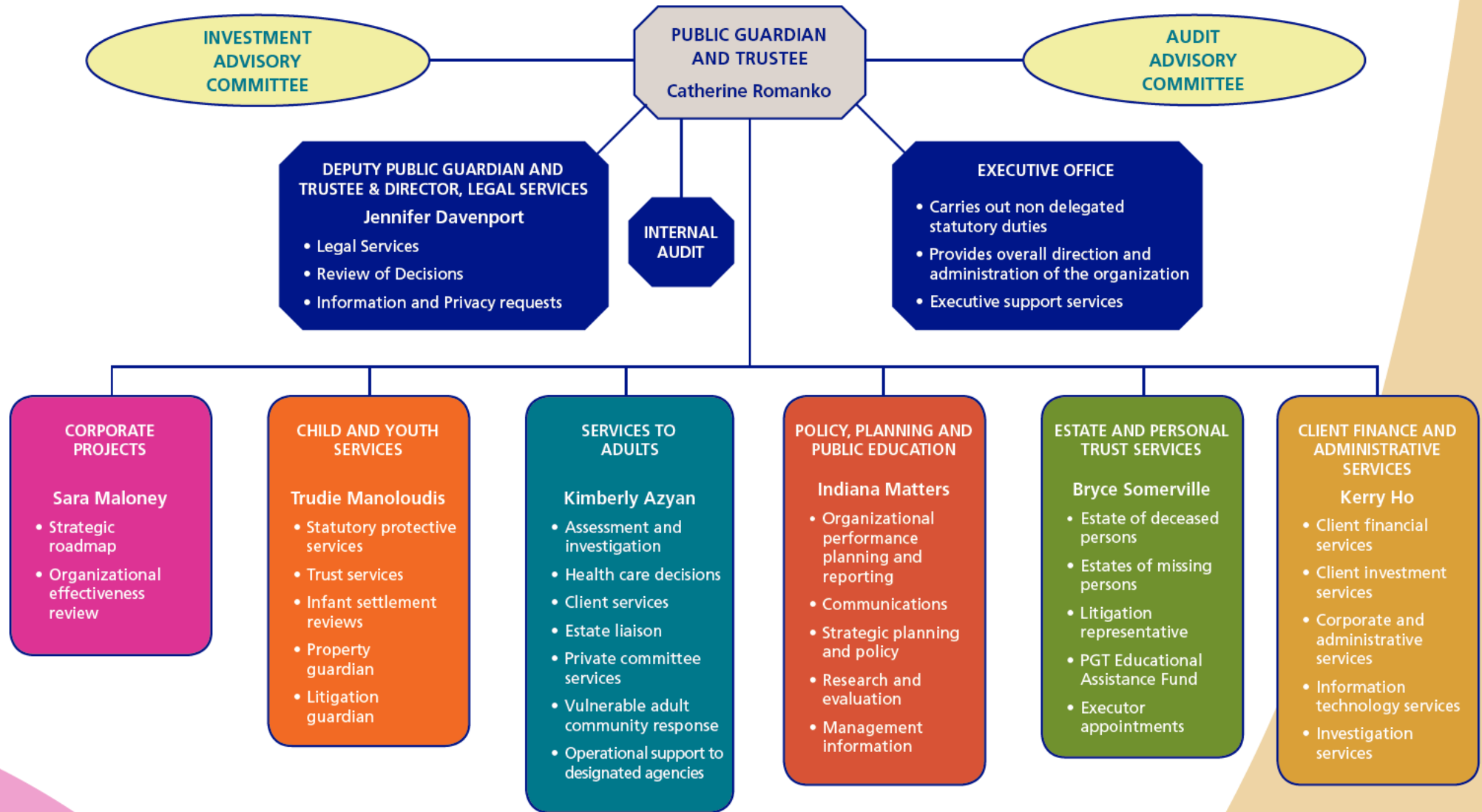
*The *Wills, Estates and Succession Act* (WESA) came into force on March 31, 2014. The *Estate Administration Act*, *Wills Act* and *Wills Variation Act* have been repealed by WESA, however, portions of those acts continue to apply if a deceased person died before March 31, 2014.





ORGANIZATION CHART

Public Guardian and Trustee Organizational Structure (as of March 31, 2014)



ACCOUNTABILITY FRAMEWORK

The PGT is a corporation sole established under the *Public Guardian and Trustee Act*.

Catherine M. Romanko was appointed as the Public Guardian and Trustee for a six year term effective October 10, 2011. The PGT can serve a maximum of two terms.

The PGT is accountable to the provincial government, the legislature, the public and directly to PGT clients. Overall accountability is exercised through the government's review and approval of the PGT service delivery plan, public reporting on performance and through annual independent performance and financial audits.

Accountability to PGT clients is exercised through internal review processes, the Ombudsperson and judicial oversight of PGT statutory and fiduciary obligations. Many PGT functions are fiduciary in nature and judicial oversight mechanisms are highly developed.

Two advisory committees assist the PGT. The **Investment Advisory Committee** is a statutory committee established under the *Public Guardian and Trustee Act* to advise on strategic investment policy. The **Audit Advisory Committee** is established by the PGT to advise on key aspects of internal and external audit, accountability and internal controls.

Performance Planning and Reporting

Part 3 of the *Public Guardian and Trustee Act* establishes an accountability framework that provides for performance planning and reporting.

Section 22 requires the PGT to prepare an annual three year service delivery plan (SDP) and deliver it to the Attorney General and Minister of Justice not later than December 31 for the upcoming three fiscal years. If approved by the Attorney General and Minister of Justice, the PGT must submit the plan to the provincial Treasury Board for approval. The *Act* specifies content of the SDP.

Section 25 requires the PGT to report to the Attorney General and Minister of Justice in each fiscal year on operations of the office for the preceding fiscal year. This annual report must be submitted to the Attorney General and Minister of Justice by September 30 and thereafter tabled in the Legislative Assembly.

The *Act* stipulates that the annual report must include an audited performance report relating to the performance targets and other objectives established in the SDP, together with audited financial statements for both PGT operations and its stewardship of client estates and trusts under administration.

Corporation Sole

The PGT is a corporation sole. This is a corporate legal structure in which all authority and responsibility is vested in a single office holder who may delegate authority and who operates without a board of directors. This structure is used primarily in situations requiring clear accountability and is a common model for public guardians and trustees in Canada.

CLIENTS, STAKEHOLDERS AND SERVICE PARTNERS

PGT clients, stakeholders and service partners are categorized by the nature of the value they derive from PGT roles.

CLIENTS

Children and adults on whose behalf the PGT makes decisions concerning their legal and financial, and in some cases, their personal or health care interests; and estates and the intestate successors and beneficiaries of estates managed by the PGT.

STAFF

Staff working in all PGT departments and locations.

RELATIVES AND FRIENDS OF CLIENTS

Individuals and friends who are concerned for the well being of PGT clients.

GENERAL PUBLIC

A diverse group including all citizens, community groups, concerned individuals, or current and future British Columbians.

GOVERNMENT

All of the federal, provincial, municipal and First Nations governments with whom the PGT interacts for and on behalf of clients, including provincial ministries, health authorities and other public service partners.

PROFESSIONALS

A diverse group of professionals who interact with the PGT and its clients. Examples include financial institutions such as banking and investment professionals, medical and social services professionals, lawyers and private service providers such as care facilities.

PROGRAM AREAS

The PGT serves clients primarily through three broad program areas: Child and Youth Services, Services to Adults and Estate and Personal Trust Services. These are supported by Client Finance and Administrative Services, Internal Audit, Legal Services and Policy, Planning and Public Education. The Executive Office provides overall direction, coordination and consultation with public guardians and trustees in other jurisdictions.

CHILD AND YOUTH SERVICES

The PGT protects the legal and financial interests of minors under the authority of a range of provincial statutes. The PGT Child and Youth Services division (CYS) works on behalf of and directly with minor children and youth as well as with their parents or guardians, with primary emphasis on its roles as property guardian, trustee and reviewer of proposed settlements and legal notices.

Property Guardian

As property guardian (formerly guardian of estate), the PGT is coguardian with the Ministry of Children and Family Development (MCFD) and Delegated Aboriginal Child and Family Service Agencies (DAAs) for children in continuing care of the province. The PGT is also property guardian for children who have no legal guardian or are undergoing adoption.

As property guardian, the PGT advances legal claims for damages arising from injuries suffered by children in care.

The PGT also pursues financial benefits to which PGT property guardian clients may be entitled such as Canada Pension Plan Children's Benefits and Registered Disability Savings Plans.

Trustee

The PGT receives trust funds on behalf of children, including personal injury settlement proceeds, life insurance proceeds where a minor is beneficiary and no trustee is named to administer the funds, shares of estates where no trustee is named and a portion of wages earned by child entertainers. Funds are typically held in trust until the child turns 19 (the age of majority in BC) unless disbursed earlier for the benefit of the child.

The PGT is required to act as trustee for certain types of funds payable to minors while the *Family Law Act* provides that other funds may be paid directly to parents or guardians.

Protective Legal Reviews

The PGT protects the legal interests of minors by reviewing proposed settlements of claims for unliquidated damages brought on their behalf. The settlements relate to a variety of claims such as the wrongful death of a parent or guardian and those arising from medical malpractice or motor vehicle accidents. These reviews help ensure that the settlements are reasonable and in the best interests of the children.

PROGRAM AREAS

To protect the property interests of minors in trusts and estates, the PGT also reviews notices of applications to administer an estate of a deceased person or to vary a trust or a will when a minor or vulnerable adult is beneficiary or may be entitled to a share in the estate or trust. Where the PGT has reason to believe that a minor's interest in a trust is at risk, the PGT may investigate on behalf of the minor.

Child and Youth Services	
Total staff	46 positions
Total clients*	17,939
Property Guardian**	5,652
Trustee	10,033
Protective Legal Reviews	3,224
Litigation Guardian (non Property Guardian)	81
Total value of assets under administration (at March 31, 2014)	\$173 million
Investments and securities	\$169 million
Real property	\$4 million
Other	\$0.3 million

* Client counts reflect the number of individual clients served both by the division and by major business lines throughout the year. Because of this, the divisional total is typically less than the sum of the business lines as clients may require service in more than one business line.

** Formerly Guardian of Estate, name changed by *Family Law Act*.

SERVICES TO ADULTS

The PGT protects the legal rights and personal and financial interests of adults who are unable to manage their affairs independently and who require substitute decision making. The majority of adult clients rely on PGT financial and legal management or review of decisions made by others. The PGT also makes or provides for substitute health care decisions to be made on behalf of some adults and exercises health and personal care decision making for a small number of other adults.

The PGT Services to Adults division (STA) acts for adult clients when other appropriate substitute decision makers are not available. Most adult clients have diseases of aging which have impaired their mental capability, while others have mental illnesses, developmental disabilities or brain injuries. In serving its adult clients, the PGT strives to balance client independence and the right to self determination with the need for protection.

Assessment and Investigation

The first contact the PGT has with most adult clients arises when staff respond to reports from concerned friends, relatives or professionals and they have to assess whether PGT services are required. This includes investigating reports of financial abuse of adults who may be mentally incapable and consulting with community and family members on possible abuse, neglect and self neglect issues. As a last resort, the PGT might seek authority to be

PROGRAM AREAS

the decision maker where other options for assistance for the adult are not available.

Health Care Decisions

Under the *Health Care (Consent) and Care Facility (Admission) Act*, health care professionals must obtain informed consent before treating a patient. A substitute decision maker is generally needed if patients are mentally incapable of making their own treatment decisions. In the absence of an existing substitute decision maker such as a committee of person or a representative under a representation agreement, the *Act* allows the closest qualified relative or close friend to make decisions. When these qualified individuals are not available or where there is dispute regarding who to select among equally ranked individuals, the PGT is called upon to appoint another substitute decision maker or to make substitute treatment decisions itself.

Client Services

The PGT provides a wide range of direct financial management and personal decision making services for adults in vulnerable situations. It acts under a number of different roles including committee of estate, committee of person, power of attorney, representative, litigation guardian and pension trustee. In most cases, the PGT acts as committee of estate or committee of person for its adult clients.

When the PGT is appointed as committee of estate, staff work with the adult to establish an effective plan that includes securing assets and pursuing income, benefits and compensation, paying bills, administering investments and managing property. When appointed as committee of person, the PGT makes health and personal care decisions on behalf of the adult.

Estate Liaison

Estate Liaison coordinates completion of STA direct involvement in a client's affairs and releases property under PGT administration when services from STA are no longer required. Client affairs are transferred to Estate Liaison when the PGT no longer has authority, or is transferring authority for an adult client because the individual has become capable of managing his or her own affairs, someone else has been appointed as committee or because the client has died.

Private Committee Services

Committees are appointed by the court to manage the legal and financial and/or personal interests of an incapable adult. These committees may be the PGT or may be private committees who are often family or friends of the adult. When a private committee has been appointed, the PGT reviews their financial accounts and investigates concerns that they may not be complying with their duties.

PROGRAM AREAS

Vulnerable Adult Community Response

The *Adult Guardianship Act* provides authority for the PGT to designate by regulation external agencies that then have a duty to receive and respond to allegations of abuse, neglect and self neglect of vulnerable adults. The current Designated Agencies are the Health Authorities, Community Living BC (CLBC) and Providence Health Care Society.

The *Act* further provides authority for the PGT to organize community networks to provide support and assistance to abused and/or neglected adults. The PGT accomplishes this through coordinating a range of province wide standing committees and special events involving service partners and other stakeholders.

Services to Adults	
Total staff	97 positions
Total clients*	8,812
Assessment and Investigation	1,908
Client Services	4,261
Health Care Decisions	516
Estate Liaison	1,228
Private Committee Services	2,270
Adult Legal Monitoring	903
Total value of assets under administration (at March 31, 2014)	\$515 million
Investments and securities	\$377 million
Real property	\$125 million
Other	\$14 million
*Client counts reflect the number of individual clients served both by the division and by major business lines throughout the year. Because of this, the divisional total is typically less than the sum of the business lines as clients may require service in more than one business line.	

PROGRAM AREAS

ESTATE AND PERSONAL TRUST SERVICES

The PGT provides estate administration and personal trust services through the Estate and Personal Trust Services division (EPTS).

Administration of Estates of Deceased Persons

The PGT administers estates when the executor, heir, beneficiary or other eligible person is not able or willing to do so. When the *Wills, Estates and Succession Act* came into force on March 31, 2014, the Official Administrator entity was abolished and the PGT directly assumed the Official Administrator role in administering estates of deceased persons. The PGT also administers estates of deceased persons when the intestate successor or beneficiary is a client under authority in another PGT division such as Services to Adults or Child and Youth Services. In addition, the PGT may agree to be appointed as the executor under a will. The PGT filed 370 probate applications with the Supreme Court of BC in 2013–2014.

If the estate is of minimal value and no next of kin can be found who are willing and able to make funeral arrangements, EPTS ensures that a referral is made to the Ministry of Social Development and Social Innovation to provide for a respectful funeral at public expense.

Trusts

The PGT acts as trustee for trusts created by will, court order, or inter vivos settlement. If options to appoint a

family member or trust company are not appropriate, the PGT may agree to act as trustee. These trusts may be created to ensure that the benefits going to a child or adult are protected or alternatively, may be created to provide benefits going forward in perpetuity for a charitable organization. Most of the trusts are discretionary as to payment of both income and capital, so the funds are distributed at PGT discretion as trustee in accordance with terms of the trust agreement.

Executor Appointments

The PGT may agree to be appointed executor of a will in appropriate circumstances. Once appointed executor, the PGT follows up with each will maker periodically to help ensure that the will is current and their estate plans are appropriate.

Litigation Representative

The PGT may agree to act as litigation representative for purposes of a specific legal action brought against an estate if there is no executor, administrator or other person to act. The PGT role is generally limited to accepting service of legal documents on behalf of estates without assets. If the estate has assets, the PGT will apply for letters of administration and will deal with the litigation under that authority.

PROGRAM AREAS

PGT Educational Assistance Fund

As trustee of this trust established by the province of BC in 1989, the PGT distributes bursaries from the trust to qualifying adults who were formerly under the continuing care of the province.

Under the terms of the trust, applicants are assessed on their grades, financial needs, career goals, personal commitment and other sources of funding. Funds available are dependent on rates of investment return. The trust had a capital value of \$856,982 at December 31, 2013. In 2013–2014, there were 23 applicants and bursaries totaling \$16,600 were awarded to 13 individuals.

Estates of Missing Persons

The PGT acts as curator for persons who are missing as defined in the *Estates of Missing Persons Act*. The curator manages the adult's property until the person is located or until the funds are paid into court for safekeeping. These cases are rare.

Estate and Personal Trust Services	
Total staff	28 positions
Total clients*	2,268
Deceased Estates	1,776
Trusts	251
Litigation Representative	25
PGT Educational Assistance Fund	23 applicants
Estates of Missing Persons	1
Executor Appointments	239
Total value of assets under administration (at March 31, 2014)	\$198 million
Investments and securities	\$158 million
Real property	\$34 million
Other	\$6 million
*Client counts reflect the number of individual clients served both by the division and by major business lines throughout the year. Because of this, the divisional total is typically less than the sum of the business lines as clients may require service in more than one business line.	

PROGRAM AREAS

CLIENT FINANCE AND ADMINISTRATIVE SERVICES

The PGT Client Finance and Administrative Services division (CFAS) provides a wide range of both corporate and direct client services.

As an independent agency, the PGT requires a broad spectrum of its own corporate services which include budget planning, corporate accounting, information technology, human resources coordination and facilities and administrative services.

Client services include collecting client income, making client disbursements, providing investment expertise and investigating, securing and administering physical assets on behalf of clients.

Client Financial Services

Client Financial Services (CFS) has ongoing responsibility for managing client income, disbursements, assets and liabilities.

Investment Services

Investing client assets is a major PGT responsibility and by statute, the PGT is required to act as a prudent investor. The PGT applies diligent processes in reviewing and assessing client needs to determine their investment goals and objectives and develops personalized investment plans for clients with more than \$50,000 in net financial assets. For more information on investments, see page 36.

Field Services

Field Services investigates and secures client physical assets and maintains a warehouse.

Information Technology Services (ITS)

The PGT maintains information technology services independently from the provincial government to help ensure that client information is kept confidential.

Corporate Financial Services

Corporate Financial Services provides budget planning, development and monitoring as well as corporate payment processing for the PGT. This includes preparing and supporting Treasury Board submissions, assisting with proposals for new legislation and leading the organization in implementing corporate wide financial initiatives.

Facilities and Administrative Services

Facilities and Administrative Services (FAS) provides corporate facilities, mail, records and administrative services required by the PGT as an independent agency. In 2013–2014, the mailroom logged over 38,000 incoming cheques.

LEGAL SERVICES

PGT Legal Services are delivered by a complement of 13.5 staff lawyer positions distributed among program and corporate services and supplemented by outside counsel as required. The Deputy Public Guardian and Trustee is the Director of Legal Services.

PROGRAM AREAS

Within their assigned areas of practice, the staff lawyers provide advice to the PGT when acting on behalf of clients in a representative capacity. In this role, they may appear at mediations or in civil proceedings on behalf of PGT clients or may instruct outside counsel acting on behalf of clients in a variety of civil matters.

Staff lawyers also carry out certain statutory obligations of the PGT, such as reviewing applications for appointment of private committees, settlements of claims for unliquidated damages on behalf of minors, proposed transactions affecting the property interests of minors and legal notices where the interests of minors or incapable adults may be affected. In some circumstances, staff lawyers provide written comments to the court regarding issues concerning the interests of minors or incapable adults in civil proceedings.

At March 31, 2014, PGT staff lawyers were providing legal advice and services to clients that involved acting on approximately 3,300 different legal issues. This does not include information regarding class actions which is reported separately.

Other in house counsel carry out a variety of duties to support PGT statutory obligations, including providing legal oversight of PGT involvement in advancing client interests in class proceedings; managing the overall provision of legal services to PGT clients by outside counsel; and coordinating compliance with access to information and privacy legislation. In 2013–2014, the

PGT responded to 26 requests for information and 4 court orders for production of records.

In 2013–2014, the PGT investigated clients' eligibility for settlement payments in 19 class actions and filed claims, where appropriate. It continues to monitor 10 separate class actions and/or potential class actions on behalf of clients.

The Deputy Public Guardian and Trustee and staff lawyers contribute regularly as speakers and writers for Continuing Legal Education activities with respect to the law that impacted PGT clients. They also participate in government law reform initiatives relevant to the PGT mandate. During 2013–2014, these included consultation respecting the new *Wills, Estates and Succession Act* and related court rules; the *Adult Guardianship Act*; and the *Public Guardian and Trustee Act*.

POLICY, PLANNING AND PUBLIC EDUCATION

The Policy, Planning and Public Education division provides a range of organization wide services in support of PGT operations. These include statutory organizational performance planning and reporting, internal and external communications, strategic and business planning, policy development, management information, research and evaluation.

PROGRAM AREAS

PARTNERSHIPS AND OUTREACH

The PGT recognizes the importance of providing public information and education about the PGT and related services to facilitate cooperation with service partners and stakeholders, to inform the public about related issues and to mitigate the growth in demand for PGT services by providing information so individuals can make informed choices.

To this end, the PGT mandate includes providing public education and applying PGT special expertise to advocate for PGT clients at a systemic level as well as that of individual clients. The PGT Service Delivery Plan has a specific performance goal related to this work – The PGT will contribute to public awareness, policy development and law reform initiatives to promote the interests of PGT clients.

In 2013–2014, the PGT contributed its expertise through extensive partnership and outreach activities, many of which are described below.

Formal committees:

- Chair, BC Adult Abuse/Neglect Prevention Collaborative, a province wide community/ government group working towards continuous improvement in the BC response to adult abuse/ neglect and self neglect;
- Co chair, provincial Collaborative with membership from Ministry of Social Development and Social Innovation, Planned Lifetime Advocacy Network, Vancouver Foundation, CLBC, and MCFD, designed to increase usage of Registered Disability Savings Plans (RDSPs) for eligible British Columbians;
- Co chair, Indigenous Financial Literacy Committee (formerly the First Nations Financial Literacy Committee), a partnership including First Nations, the federal government, Aboriginal and private sector organizations focused on developing and delivering educational materials;
- Partner, BC Child and Youth in Care Week;
- Coordinator, Certificate of Incapability Process Review Committee involving Health Authorities, Ministry of Health and the Ministry of Justice, to develop new procedural guidelines regarding conducting incapability assessments for adults;
- Facilitator, Adult Guardianship Provincial Advisory Committee, including representatives of Health Authorities and Community Living BC (CLBC), to coordinate adult protection efforts on a provincial level;

PROGRAM AREAS

- Member, Disability Strategy Reference Group, Assistant Deputy Minister cross ministry group responsible for Accessibility 2024, Making BC the most progressive province in Canada for people with disabilities by 2024;
- Member, Council to Reduce Elder Abuse, established to facilitate implementing the provincial government plan – “Together to Reduce Elder Abuse – BC’s Strategy”;
- Member, Steering Committee for the provincial Services to Adults with Developmental Disabilities initiative (STADD);
- Member, Children’s Forum, an information sharing forum for BC senior officials with an interest in child protection and related services;
- Member, Partnership Alliance in Support of CLeAR, an initiative chaired through the BC Patient Safety and Quality Council aimed at reducing the use of antipsychotics in residential care;
- Member, Advisory Committee for the Canadian Network for the Prevention of Elder Abuse “Knowledge Sharing Project” to create a national, interactive, best practices hub for addressing abuse of older adults;

- Member, Partnership meetings with Aboriginal Affairs and Northern Development Canada, Ministry of Children and Family Development (MCFD) and Delegated Aboriginal Child and Family Service Agencies (DAAs) regarding services to Aboriginal children in care;
- Member, Representative for Children and Youth External Advisory Committee, planning implementation of its expanded mandate to provide advocacy services to youth aged 19–24; and
- Member, Advisory Committee for the BC Campus Project, Elder Abuse Reduction Education Project, a project designed to develop an online education resource for post secondary students.

Major consultations

Participated in provincial law reform initiatives including:

- Consultation with respect to the development of the *Wills, Estates and Succession Act* and *Probate Rules*;
- Consultation on proposed amendments to *Patients Property Act* and the *Adult Guardianship Act* and associated regulations;
- Made a submission to the Federal Department of Finance regarding potential impact to Canada’s Financial Consumer Protection Framework to protect interests of vulnerable citizens;

PROGRAM AREAS

- Participated in a consultation conducted by the Federal Department of Finance regarding changes to taxation rates of trusts and certain estates to protect PGT client interests;
- Continued discussions with representatives of national and provincial financial institutions on addressing issues related to financial abuse of vulnerable persons;
- Consulted directly with Bank of Montreal and Service Canada at the national level to lessen barriers causing rejected RDSP applications;
- Participated in the Building Support Networks Project initiated to work with a small set of youth in care and adults formerly in care for whom the PGT holds an RDSP;
- Engaged with MCFD and CLBC in early transition planning to develop supports for children in care with special needs nearing adulthood so their RDSPs can be continued without needing the PGT to act as committee; and
- Liaised with CLBC on a variety of projects including information sharing and related data matching.
- Regularly attended and participated in youth engagement activities at the Broadway Youth Resources Centre (BYRC);
- Provided quarterly training on the role of the PGT to new social workers through the Indigenous Perspective Society (formerly Caring for First Nations Children Society);
- PGT lawyers spoke at Canadian Bar Association subsection meetings and contributed to the Continuing Legal Education Society (CLE) by speaking at CLE courses;
- Facilitated a broad range of financial literacy workshops for youth including those served by the Vancouver Aboriginal Child and Family Services Society, participating in the MCFD/YWCA Strive Program, or involved in the BYRC “Phones for Change” program and teaching youth using First Nations Financial Fitness training materials;
- Made quarterly submissions to the Power Pages Magazine issued by the Federation of BC Child and Youth in Care Networks; and
- Participated in Gathering Our Voices Youth Conference.

Educational outreach

- At the request of the Ministry of Aboriginal Relations and Reconciliation made a presentation to the Northern Shuswap Treaty Meeting regarding the PGT mandate and roles;

PROGRAM AREAS

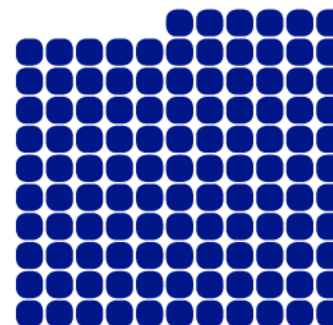
PGT Summary Indicators

Total staff	250 positions
Total clients*	28,700
Total value of assets under administration (at March 31, 2014)	\$887 million
Investments and securities	\$704 million
Real property	\$163 million
Other	\$20 million
Business Indicators	
Client funds invested	\$704 million
Client bills paid	\$166 million
Client receipts processed	\$163 million
Other Indicators	
Clients with trust accounts	14,199
Real properties sold	139
Income tax filings	5,641

*Client counts reflect the number of individual clients served both by individual divisions and by major business lines throughout the year. Because of this, the PGT total is typically less than the sum of the divisional totals as clients may require service in more than one division.

250

Total staff positions



28,700

Total clients*

\$887 million **

**Total value of assets under administration (at March 31, 2014)



INVESTMENTS



The PGT has three pooled investment funds for clients – the Premium Money Market Fund, the Balanced Income Fund and the Balanced Growth Fund.

The **Premium Money Market Fund** is intended to preserve capital for risk averse clients and provide liquidity and an improved rate of return for short term investments. (Fund size \$466 million at March 31, 2014).

The **Balanced Income Fund** is aimed at generating current income with some growth. It is used most frequently by adult clients with medium term investment time horizons. (Fund size \$31 million at March 31, 2014).

The **Balanced Growth Fund** is aimed at long term capital growth. It is used most frequently by clients with longer

investment time horizons such as young children. (Fund size \$91 million at March 31, 2014).

The PGT professionally invests client funds in the pooled funds and other investment alternatives and relies on the services of brokerages. Although the PGT generally invests client funds in its three pooled funds, the choice of alternatives is determined by client goals and objectives set out in investment plans which are monitored on a regular basis according to portfolio risk.

The following table provides comparisons of rates of return for PGT pooled funds and standard alternatives as at March 31, 2014.

PGT Pooled Funds	Comparisons*
Premium Money Market Fund	
1.61% (1 year)	91 day Government of Canada Treasury Bill: 1.00%
	3 year Guaranteed Investment Certificate: 2.20%
	Chequing account interest: 0.05%
Balanced Income Fund	
9.18% (5 years annualized)	Standard industry portfolio benchmark: 8.53% (5 years annualized)
Balanced Growth Fund	
11.18% (5 years annualized)	Standard industry portfolio benchmark: 10.73% (5 years annualized)

*Sources: Premium Money Market Fund – BC Investment Management Corporation; GOC Treasury Bill – RBC Investor Services; GIC – CIBC Wood Gundy; Chequing account – CIBC Wood Gundy; Balanced Income Fund and Balanced Growth Fund – RBC Investor Services.

SOCIETAL TRENDS AND OTHER FACTORS

A number of social trends, risk factors and internal issues affect the work of the PGT. These include the following:

A. Evolving Legislative Framework

A major PGT focus continues to be implementing new legislation which affects the role of the PGT in providing service to all of its major client groups.

Implementing new law affecting PGT operations requires developing and implementing corresponding changes to business practices, information technology systems, policies and procedures, manuals and public education materials, as well as training staff for new duties. It requires the PGT to develop information materials to assist clients, service partners and stakeholders in understanding new PGT services and may also require extensive consultation with external service partners.

During 2013–2014, the PGT implemented the *Wills, Estates and Succession Act* (WESA), and related new *Probate Rules* which came into force on March 31, 2014. This new law changed the fundamental rules of succession and the manner in which estates of deceased persons are administered in British Columbia. It also impacted both the entitlement of PGT clients to share in or administer estates and the role of the PGT as estate executor or administrator.

In this period, the PGT also prepared to bring selected provisions of the *Adult Guardianship and Planning Statutes Amendment Act, 2007* relating to statutory property guardianship into force on December 1, 2014. The legal process for appointing a statutory property guardian had been strongly criticized for lack of administrative fairness by the BC Ombudsperson in her February 2013 report – *No Longer Your Decision: British Columbia's Process for Appointing the Public Guardian and Trustee to Manage the Financial Affairs of Incapable Adults*.

Once in force, these adult guardianship provisions will add new legal requirements to services delivered by the PGT including additional procedural steps and duties in the determination of whether an adult requires a guardian, enhanced notification and consultation requirements and new procedures for responding to requests for reassessment and appeals of capacity assessments.

The PGT also participated in consultations carried out by the Government of Canada concerning matters impacting the interests of PGT clients. This included participating in consultations conducted by the federal Department of Finance regarding changes to taxation rates of trusts and certain estates and regarding the potential impact of consumer protection laws on vulnerable citizens.

SOCIETAL TRENDS AND OTHER FACTORS

B. Changing Service Expectations

During 2013–2014, the PGT undertook extensive planning to identify how best to align its service delivery strategies with changing public expectations. It produced a strategic roadmap, “Evolving Services for Changing Needs” that identified gaps that currently exist between client needs and legitimate expectations and existing business systems and proposed solutions to respond to the gaps. Through this process, the PGT confirmed that its legacy systems, paper based environment, and associated heavy administrative burden made meeting client’s service expectations challenging.

While many of the proposed solutions to current challenges are technological in nature and focused on the need for an integrated and modern client financial, case and document management system, the roadmap also considered developing the most appropriate solutions to identified client needs.

Accordingly, other proposed solutions included business process redesign, enhanced skills and knowledge training for staff, improved business controls, and changes to the organizational structure and funding model.

The strategic roadmap will chart the way forward for the PGT to a new operating model founded on effective, efficient and accessible client service. During the coming year, the PGT will continue to build the strategic plan by holding client and stakeholder focus groups to validate service expectations.

C. Enhancing Services to Child and Youth Clients

The PGT serves children and youth in a number of ways and has identified areas in which these clients have unmet needs.

As property guardian for children and youth in continuing care with responsibility for their legal and financial needs, the PGT is coguardian with the MCFD and DAAs, which are the personal guardians.

PGT statutory authority as property guardian currently ends when a child turns 19 years of age. However, the termination of services to these vulnerable youth at age 19 is inconsistent with evolving policy and practice in other areas of provincial services to provide more transitional support to these youth. Public awareness is growing that the lack of support for youth leaving care at a critical period of development places these young people, who have already been significantly disadvantaged, at an even greater disadvantage compared to other youth who continue to be supported by their families and social networks.

Young people for whom the PGT acts as property guardian and as trustee would benefit from financial literacy training prior to the age of majority. As part of mitigating the impact on youth of the move to independent living, the PGT has developed financial literacy materials and partnered with other agencies to produce key resources and deliver related training.

SOCIETAL TRENDS AND OTHER FACTORS

One major initiative has been that of developing components for a First Nations Financial Fitness program, in particular a *First Nations Financial Fitness Handbook* and accompanying *Facilitators Guide*. These tools are already being widely used in community and individual financial literacy training workshops. In this work, the PGT partnered with First Nations, the federal government and Aboriginal and private sector organizations.

Property guardian clients who hold RDSPs could benefit from assistance in maintaining such plans as they transition to adulthood. The PGT has made extensive efforts to open RDSPs for its property guardian clients, resulting in 589 plans with \$3.6 million in assets open at March 31, 2014. The PGT is also considering options to offer transitional support services to these young people, potentially in the area of post majority financial management.

D. Transition in PGT Roles

The PGT role has been changing as part of a long term transition that has both service delivery and financial implications. The PGT was originally established and for many years acted primarily as a fiduciary providing direct financial and legal management services to clients, including a large number who lived in institutions. This focus has been undergoing a long term transition to a role that now also includes significant investigative and regulatory responsibilities.

In addition to broader service implications, this transition has significant financial implications in that these new public services do not attract revenue from fees and commissions. As with other public bodies, the PGT is seeking to maintain and improve service with constant or decreasing resources. It has an ongoing continuous improvement program that focuses on ensuring existing processes are effective and optimized and has incorporated Lean methodology and other process improvement techniques for this purpose.

The PGT is also increasingly looking for technological solutions to respond to increased service and accountability demands and the PGT strategic roadmap has identified options for aligning these changes in roles and public demand to help ensure that client and stakeholder needs are met in the most efficient manner. Technological solutions can assist in mitigating risks associated with trust management, heavy workloads and manual business processes while also responding to increased demand for electronic service and digital access.

E. Increasing Awareness of Abuse of Vulnerable Adults

PGT adult clients include a very significant proportion of seniors who require assistance in decision making due to cognitive diseases of aging. Apart from its direct service, the PGT continues to play a significant role in facilitating community response to preventing and responding to



SOCIETAL TRENDS AND OTHER FACTORS



reports of abuse and neglect of vulnerable adults. PGT activities include working with public bodies and non profit and private sector organizations to address a broad range of concerns.

The PGT participates in numerous related provincial government initiatives. It is also working with CLBC on a number of initiatives to enhance protection for vulnerable adults with developmental disabilities.

The PGT is continuing to work provincially and nationally with financial institutions to streamline processes for reporting and investigating concerns of financial abuse of vulnerable adults.



CONTEXT FOR 2013–2014 PERFORMANCE RESULTS

This document reports on PGT performance in year one of the 2013–2016 Service Delivery Plan (SDP) which was approved by the Attorney General and Minister of Justice. While the 2013–2016 SDP was not formally approved by Treasury Board, the 2013–2014 budget was funded as set out in the plan. Goals, objectives and performance measures were implemented during 2013–2014 as presented in the SDP and are reported upon in this report.

Development of PGT Goals, Objectives and Performance Measures

The PGT is a client centred organization that seeks to improve the lives of its clients by providing protective and fiduciary services to them. Clients experience rights, choices and security through protection of their legal, financial, personal and health care interests. PGT goals reflect specific areas in which the PGT can act to improve the quality of clients' lives.

Goals

The 2013–2016 SDP sets out the following five goals:

- 1** Property and financial interests of PGT clients will be well managed.
- 2** Personal interests of PGT clients will be protected.
- 3** Statutory protective and monitoring services will be delivered in an appropriate, timely and fair manner.
- 4** The PGT will contribute to public awareness, policy development and law reform initiatives to promote the interests of PGT clients.
- 5** The PGT will deliver high quality client centred services.

The PGT approach to developing its goals focuses on outcomes required to fulfill its mandate. These are the well being of PGT clients, prudent management of client affairs, operational efficiency and staff effectiveness. Each of the five goals is related to one or more of these outcomes.

Goals 1, 2 and 3 deal directly with work the PGT undertakes on behalf of clients. Goals 4 and 5 concern both clients and organizational effectiveness.

As a fiduciary, a significant proportion of PGT activity involves property and financial management. The 2013–2014 PGT Performance Measurement Framework linking the goals, objectives and measures (pp. 48-50) demonstrates that Goal 1 has the greatest number of associated objectives and touches almost every area of the organization and its activities.

Objectives

Objectives identified in the SDP serve several functions. They interpret and make visible the meanings of the goals as they relate to specific aspects of PGT work, identify key areas of performance and point to certain desired results in achieving the goals.

The performance measures reflect PGT best efforts to identify aspects of its performance that are most directly related to achieving stated goals and are capable of being measured and validated to an audit standard.

CONTEXT FOR 2013–2014 PERFORMANCE RESULTS

Selecting objectives and performance measures is particularly challenging because in most instances the PGT contribution to client outcomes is contributory rather than causative.

Performance Measures

The PGT selects goals, objectives, performance measures and targets in accordance with underlying assumptions from its corporate values. PGT clients are often particularly vulnerable and the PGT contributes to their wellbeing through activities that are significant to clients, their family, friends, caregivers or intestate successors. Factors such as accessibility, timeliness, accuracy and empowerment are important to client wellbeing. Other factors include the need for client, service partner, stakeholder and public confidence in PGT expertise.

Many targets are driven by external considerations such as meeting legal requirements (fiduciary obligations), benchmarking against private sector standards (investment returns), responding to safety issues (investigations of high risk situations) or may reflect a balance between determining the acceptable level of performance in a specific period with consideration for resources and constraints. In addition, the PGT must be able to substantiate its reported performance results to an audit standard.

Due to the planning and reporting cycle, targets for the first year of the plan reflect the PGT assessment of

appropriate and attainable service levels based on its best judgment at the time the targets were established. Results are continually assessed to determine if measures should be continued, targets should be adjusted or if resources could be reassigned to other service areas.

The PGT is mindful of its statutory obligation to report on all program areas. This 2013–2014 performance report includes 20 performance measures, one less than the previous year. A new performance measure related to more effectively measuring reviews of accounts for private committees has been omitted as it will not take effect until 2014–2015.

In 2013–2014, the target was increased for two measures and the particulars of the changes are described in the following narrative for the specific measures.

The PGT makes it a priority to meet its performance targets and monitors performance during the year. When targets are at risk, available resources are allocated in year to the program area.

The performance measures are set out in the 2013–2016 PGT Performance Measurement Framework (pp. 48-50).

ROLE OF THE PGT MANDATE, VISION AND VALUES

The PGT mandate, vision and values are reflected in all aspects of its service delivery. They are expressed in the philosophy that PGT staff apply to their work such as helping ensure that adult clients participate in decision making about their lives to the greatest extent possible and are supported in formal policies and structure.

Much of the PGT mandate is to serve clients who do not have family or friends able to assist them. The PGT also has a statutory role to fulfill with respect to other clients. In other instances, PGT clients have chosen to seek service from the PGT.

PGT activities have a cumulative and contributory impact on improving the quality of life for clients, according to the specific client group and nature of the activity. Children and youth benefit when the PGT acts to maximize their funds held in trust while still allowing appropriate disbursements. Child and youth guardianship clients benefit when the PGT initiates legal actions on their behalf when they have suffered harm or injury. Intestate successors and beneficiaries of estates of deceased persons that are administered by the PGT benefit when they receive their share of the estate upon distribution.

Adult clients benefit when the PGT makes substitute decisions for clients who cannot manage their affairs independently and encourages client participation in decisions to the extent possible. Adult clients benefit from

substitute health care decisions when the PGT arranges for legal consent to treatment on behalf of a client.

In addition to its direct impact on clients, the PGT contributes to the ability of the social services, health, legal and court systems to meet their objectives by providing timely substitute decision making, facilitating care, providing experienced objective legal reviews and taking protective measures on behalf of clients.

RISK MANAGEMENT

The PGT acts in a broad range of fiduciary, statutory and court ordered roles and maintains an extensive internal control environment to respond to the legal, financial and other associated risks. Under its Enterprise Risk Management Framework (ERM), the PGT regularly reviews and updates risks, potential impacts and mitigation strategies to help ensure they remain current and appropriate.

Strategies are implemented to manage and mitigate the potential for risks to impact the organization. These include planning and implementing internal controls and other risk management activities determined to be appropriate based on the assessed level of risk, due consideration to resource constraints and risk tolerance levels commensurate with the PGT duty as a fiduciary.

The PGT Executive Committee reviewed and updated the PGT risk management framework in December 2013.

ROLE OF THE PGT MANDATE, VISION AND VALUES

The risk profile has reduced slightly over the past year, reflecting the continued PGT ability to meet its mandate despite its inability to secure funding for critical projects.

PGT risk factors fall into the following three broad categories:

- Legislative framework reflecting the impact of changes in government policy, legislation and regulation which will significantly impact service delivery requirements, availability of resources and the PGT revenue and cost model.
- Demand side factors reflecting the impact of increasing demands and complexity without additional funding such as legislative reform and changes in client expectations, awareness and demographics that will significantly impact the demand for services from the PGT.
- Supply side factors reflecting the impact of significant resource limitations to meet current strategic and operational objectives such as the impacts of legislative reform and increasing demand for services from the PGT.

The following summarizes the most significant specific risks facing the PGT as identified and assessed through the ERM process and outlines some of the major mitigation strategies. This is a summary of specific key risks and does not describe all potential risks facing the PGT nor all of the related controls and mitigation strategies.

Trust Accounting System

An adequate, reliable information technology infrastructure and systems are essential to meet PGT business needs. This is currently at significant risk due to an obsolete financial system that does not meet modern standards and for which qualified technical staff is no longer routinely available.

The PGT strives to mitigate this risk by continuing to implement and test the ongoing effectiveness of information technology general controls and to actively pursue funding for a modern trust accounting system.

Funding Sufficiency

Adequate funding is required to perform PGT legislated duties. As a largely self funded organization, the PGT may be at risk if new duties are imposed without corresponding funding or if market fluctuations negatively impact commission based revenue.

The PGT strives to mitigate this risk by continuing with existing mitigation activities, including commenting on proposed legislation and policy matters.

Government/Political Legislative and Policy Change

Legislated and externally imposed policy changes that impact PGT workload or demand for PGT services may significantly impact the PGT. This includes changes impacting other organizations that secondarily impact the PGT.

ROLE OF THE PGT MANDATE, VISION AND VALUES

The PGT strives to mitigate this risk by planning in advance for implementation of new legislation.

Sufficiency of Human Resources

The PGT requires specialized skills to perform its duties and would be at risk without adequate numbers of staff and/or staff with appropriate skills and experience. This could occur due to recruitment limitations and/or the departure of experienced staff.

The PGT strives to mitigate this risk by implementing an operational effectiveness review, an ongoing commitment to improve employee engagement and a wide range of other human resources initiatives.

Priority Setting and Capacity Planning

The PGT has extensive duties in several program areas and has limited organizational capacity to plan and/or implement new or changing priorities. This may include the need to implement new legislation and other externally determined initiatives and timelines. The PGT would be at risk if it were unable to respond appropriately.

The PGT strives to mitigate this risk by continuing to improve business planning processes that prioritize and track current and new initiatives.

Records Management

Reliable access to current and past client information is necessary to carry out PGT fiduciary duties and this could be at risk due to data being stored in different formats. Confidential client information could also be at risk of a privacy breach if records are not properly maintained.

The PGT strives to mitigate this risk through coordinating information management and privacy initiatives and continued planning to secure a document management system in future as part of continued development of its information technology infrastructure.

Training

The PGT would be at risk if its employees were not sufficiently trained to adequately perform their duties. This could occur because of the need to implement new legislation or because of inconsistent core training programs.

The PGT strives to mitigate this risk by sharing training materials with members of the National Association of Public Trustees and Guardians and by planning to develop a comprehensive training program that identifies core training requirements.

2013–2014 PERFORMANCE RESULTS

In 2013–2014, the PGT met or exceeded its targets for all 20 (100%) of the performance measures on which it is reporting. Specific performance details related to each measure are provided in the following performance details section. The Performance Measurement Framework appears on pages 48-50.

Source Data

Data for this performance report has been drawn primarily from internal information management systems. The primary systems are COMET (financial), CASE (case management) and FSS (field services). Financial data is derived largely from the audited financial statements and is rounded.

The PGT maintains clear documentation of the process for collecting and reporting on data supporting its performance results to help ensure consistency and reliability in reported results. Unless otherwise stated, results for specific performance measures are comparable with previous years. The PGT applies a broad range of quality assurance processes and reviews its performance on a quarterly basis. In reporting on performance results, the PGT usually rounds to the nearest whole number.

Unless otherwise specified, client counts reflect varying program workloads as measured by the number of individual clients served throughout the fiscal year. In some instances, the counts will reflect the number of individual clients served and in others, the counts will

reflect the number of specific legal authorities under which clients were served with consideration for the fact that one client may be served under multiple authorities.

For the past several years, the PGT has been enhancing its capacity to draw performance reporting results from its information technology systems. Almost all reports on individual performance measures are now drawn from PGT systems and work continues to make this comprehensive.

In accordance with the *Public Guardian and Trustee Act*, this PGT annual performance report is subject to an independent audit to provide third party assurance on the reported results. Financial statements for the PGT Operating Account and Estates and Trusts Administered are also subject to an annual independent audit to provide third party assurance.

Comparative Information

The PGT is a unique organization largely without private sector comparators and with limited comparability to public bodies in BC and other jurisdictions. Because of its responsibilities, mix of services and unique legal status, PGT access to generally accepted service standards is limited. Public guardian and public trustee agencies in other provinces and territories each have some responsibilities and services or elements of them in common with the PGT but none have the same authorities.

2013–2014 PGT PERFORMANCE MEASUREMENT FRAMEWORK

For 2013–2014, the PGT is able to make comparisons from its own performance using information reported in its previous annual reports. While some measures have been changed, eliminated or newly introduced over time, the available comparative data has become more substantial each year and has been used in several instances for changing measures and/or modifying performance targets.

GOAL #1 Property and financial interests of PGT clients will be well managed			
Objectives		Performance Measures	
1.1	Disbursements from children's trusts will be made in a timely manner	1.1.1	Percentage of disbursements from children's trusts that are completed within 15 calendar days of request by the guardian or client
1.2	Legal, financial and property interests and assets of clients will be identified, secured and managed in a timely and prudent manner	1.2.1	Percentage of critical incident reports in respect of children in continuing care that are reviewed and have action initiated by the PGT within 60 calendar days of receipt
		1.2.2	Percentage of personalized case plans (covering property, effects, legal issues and living arrangements) that are developed and implemented for new adult clients within six months of PGT appointment as committee of estate
		1.2.3	Percentage of adult client trust receipts that are processed within five business days
		1.2.4	Percentage of adult client disbursements processed within 15 business days
1.3	Assets of client estates will be identified, secured and administered in a timely manner	1.3.1	Physical assets of new deceased estates secured within 15 calendar days of notification of death
		1.3.2	Assets listed on the Client Inventory Report will be entered into the trust accounting system within five business days of receipt of the work order
1.4	Estate distributions will be made to heirs and beneficiaries	1.4.1	Percentage of deceased estate funds that are distributed to heirs and beneficiaries rather than transferred to the BC Unclaimed Property Society
1.5	Client investments will be handled prudently	1.5.1	Investment returns for all three pooled funds match or exceed established benchmarks
		1.5.2	Percentage of investment plans subject to review that are completed within the year

2013–2014 PGT PERFORMANCE MEASUREMENT FRAMEWORK

GOAL #2 Personal interests of PGT clients will be protected

Objectives	Performance Measures
2.1 The personal needs of child and youth clients will be protected	2.1.1 For children and youth where ongoing assistance with day to day maintenance has been approved, personalized expenditure plans will be developed and implemented within 20 calendar days of receiving all decision making information and then annually reviewed
2.2 The personal interests and health care needs of adult clients will be addressed	2.2.1 Percentage of committee of person adult clients who are annually visited by PGT staff 2.2.2 Percentage of major health care substitute decisions for adults made within three business days of all relevant information being received

GOAL #3 Statutory protective and monitoring services will be delivered in an appropriate, timely and fair manner

Objectives	Performance Measures
3.1 Settlement reviews of legal claims of children and youth will be carried out in a timely manner	3.1.1 Percentage of proposed minors' settlements \$5,000 and over that are reviewed and the parties advised of the PGT position within 60 calendar days once all relevant information has been received 3.1.2 For minors' settlements under \$5,000, the average number of calendar days to review and advise of the PGT position regarding proposed settlements once all relevant information has been received
3.2 The PGT will act to protect the assets of adults at risk for abuse, neglect and self neglect	3.2.1 Percentage of cases where, on confirming that the assets of an apparently abused or neglected adult unable to seek support and assistance are at significant risk and in need of immediate protection, protective steps are taken within one business day under section 19 of the <i>Public Guardian and Trustee Act</i>

2013–2014 PGT PERFORMANCE MEASUREMENT FRAMEWORK

GOAL #4 The PGT will contribute to public awareness, policy development and law reform initiatives to promote the interests of PGT clients

Objectives	Performance Measures
4.1 The PGT will make relevant, useful and affordable recommendations to government for law reform affecting clients	4.1.1 Make a submission to the Attorney General and Minister of Justice outlining recommendations regarding replacing the common law rule which provides that an owner of a dog who had no way of knowing that the dog had a tendency to bite would not be liable the first time the dog bit someone
4.2 The PGT will promote an understanding of its role among clients, service partners, stakeholders and the public	4.2.1 PGT role explained by PGT representatives at stakeholder and service partner conferences, events and other public education forums

GOAL #5 The PGT will deliver high quality client centred services

Objectives	Performance Measures
5.1 The PGT will meet client expectations for quality, equitable and accessible services	5.1.1 Percentage of heirs and beneficiaries responding to survey who rated administration services for deceased estates as good or very good 5.1.2 Percentage of stakeholders reporting satisfaction with PGT legal services (stakeholder group varies annually)

REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

GOAL 1

Property and financial interests of PGT clients will be well managed.

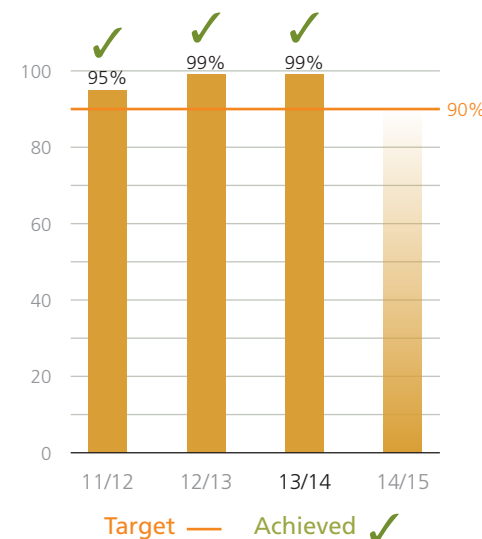
Administering trusts for which a child or youth is the beneficiary is a major responsibility of PGT Child and Youth Services. Unlike a bank account, funds held in trust are subject to a number of restrictions designed to protect the child. Guardianship and trust officers consider client requests to spend from the individual's trust fund and must determine whether the request falls within or outside of the trust restrictions while still providing a timely response. This activity benefits children and youth by allowing appropriate disbursements in a timely manner while applying necessary constraints to satisfy fiduciary duties to be prudent and to maximize funds for their future.

It is reasonable in most cases to expect a request to be decided within 15 calendar days. In 2013–2014, out of 3,058 decisions to issue funds, 3,036 (99%) were completed and a cheque was issued within 15 calendar days of request by the guardian or client.

The PGT is coguardian with the Ministry of Children and Family Development (MCFD) and Delegated Aboriginal Child and Family Service Agencies (DAAs) for children in continuing care of the province. Designated officials of MCFD and the DAAs are personal guardians for children in continuing care and the PGT is property guardian. As property guardian, the PGT identifies financial entitlements or legal claims and brings forward appropriate legal action on behalf of the children and youth. This includes legal claims for damages such as personal injury arising from abuse, assault or motor vehicle accidents as well as for statutory benefits such as from the death of a parent.

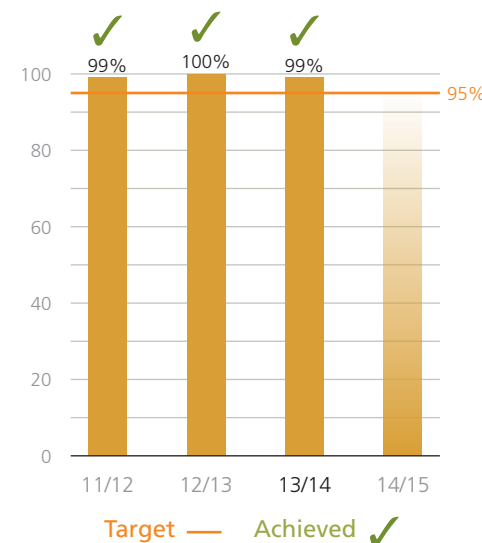
The PGT receives automated reporting from MCFD and the DAAs of incidents involving children in continuing care and must review these reports to determine whether to commence civil legal proceedings on behalf of the child. This activity satisfies PGT legal obligations as fiduciary and improves the wellbeing of children and youth in continuing care of the province by protecting their legal rights and financial interests.

In 2013–2014, of 523 critical incident reports received directly from MCFD and DAAs, 516 (99%) were reviewed and action was initiated by the PGT within 60 calendar days of receipt of the report.



Objective 1.1 Disbursements from children's trusts will be made in a timely manner

1.1.1 Percentage of disbursements from children's trusts that are completed within 15 calendar days of request by the guardian or client



Objective 1.2 Legal, financial and property interests and assets of clients will be identified, secured and managed in a timely and prudent manner

1.2.1 Percentage of critical incident reports in respect of children in continuing care that are reviewed and have action initiated by the PGT within 60 calendar days of receipt

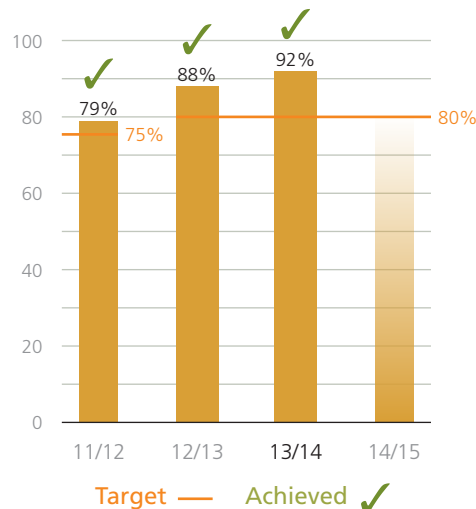
GOAL 1

REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

Property and financial interests of PGT clients will be well managed.

Objective 1.2
Legal, financial and property interests and assets of clients will be identified, secured and managed in a timely and prudent manner

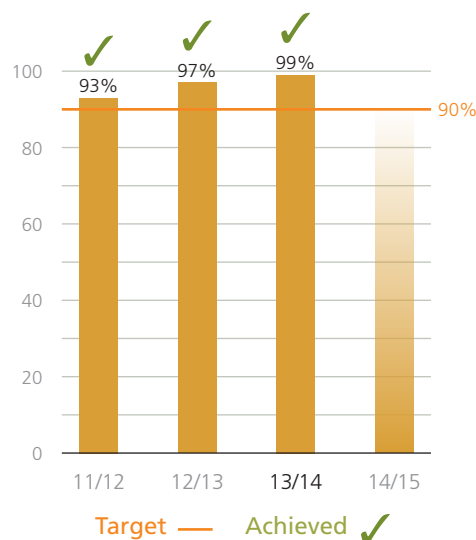
1.2.2 Percentage of personalized case plans (covering property, effects, legal issues and living arrangements) that are developed and implemented for new adult clients within six months of PGT appointment as committee of estate



The PGT may become committee of estate (COE) under the *Patients Property Act* for adults who are unable to manage their financial and legal affairs. Completion of a personalized case plan for a new COE client demonstrates that the PGT has taken the steps necessary to identify and secure the client's property and financial interests and provides for their ongoing protection. Time taken to develop and implement the plan will vary according to complexity of the client's property and financial interests.

This activity improves quality of life for incapable adults by making arrangements that respect client wishes to the extent possible and by developing plans to maximize resources available for their care. For most new COE clients, six months is a reasonable expectation in which to complete the plan as normally several months are required to collect all relevant information about the client.

During 2013–2014, 275 new clients required these plans and the PGT developed personalized case plans for 254 (92%) of them within the six month time frame.



The efficient management of client financial affairs is of paramount importance to the PGT. This includes the timely processing of income and receipts. By promptly depositing income and other funds into an adult client's trust fund, flexibility in managing a client's affairs increases as does the client's potential to earn investment income. This activity improves quality of life for incapable adults by maximizing resources available for their use.

This performance measure tracks trust receipts received by PGT adult clients. In 2013–2014, of the 26,472 receipts of income or capital, 26,091 (99%) were processed within the five day timeline.

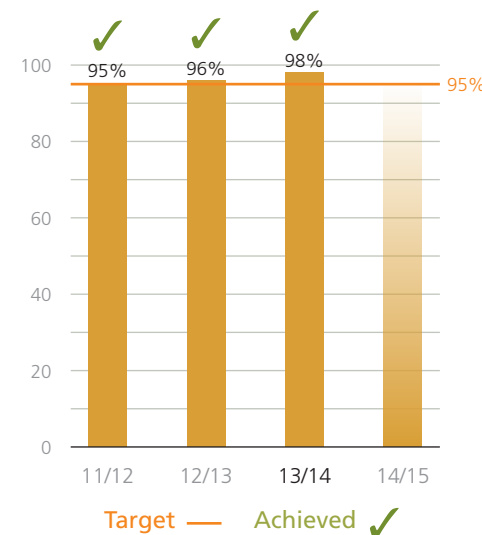
REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

GOAL 1

Property and financial interests of PGT clients will be well managed.

Ensuring that amounts owed by PGT clients are paid in a timely manner is an important aspect of managing the affairs of adult clients. This activity improves quality of life for incapable adults by ensuring timely bill payments on their behalf.

In 2013–2014, of 161,743 adult client disbursements, 157,799 (98%) were processed within 15 business days.

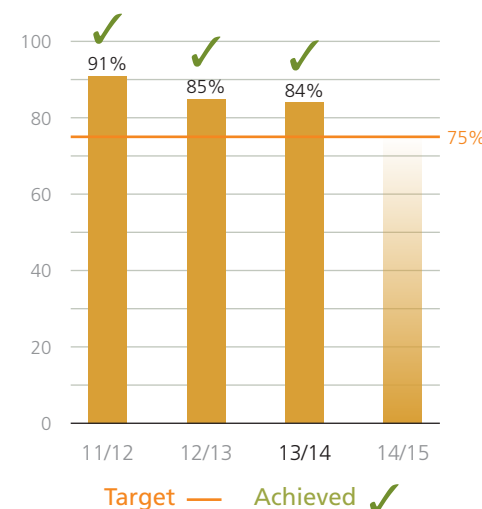


Objective 1.2
Legal, financial and property interests and assets of clients will be identified, secured and managed in a timely and prudent manner

1.2.4 Percentage of adult client disbursements processed within 15 business days

Securing the physical assets of a deceased person's estate is a critical step in reducing risk of damage and preventing loss to the value of estate. The result for creditors and beneficiaries of the estate improves according to the speed with which physical assets are secured. This activity secures assets and maximizes funds available to estates of deceased persons.

In 2013–2014, the PGT was notified of 96 new deceased estates that required this service. Of these, the physical assets for 81 (84%) were secured within 15 calendar days.



Objective 1.3
Assets of client estates will be identified, secured and administered in a timely manner

1.3.1 Physical assets of new deceased estates secured within 15 calendar days of notification of death

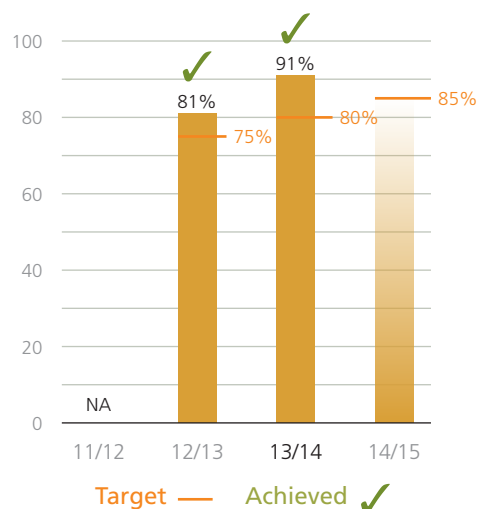
GOAL 1

REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

Property and financial interests of PGT clients will be well managed.

Objective 1.3
Assets of client estates will be identified, secured and administered in a timely manner

1.3.2 Assets listed on the Client Inventory Report will be input into the trust accounting system within five business days of receipt of the work order

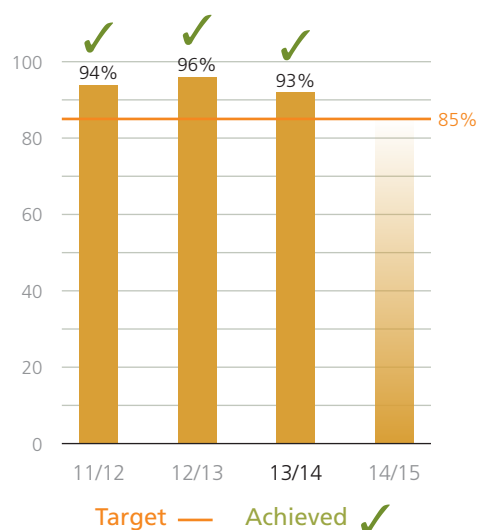


PGT Field Services secures client physical assets, taking custody of them and providing for their security. Timely recording of the assets in the PGT field services system is a key element in securing them.

In 2013–2014, of 749 client inventory reports, 678 (91%) were recorded within five business days. The 80% target is an increase from 75% in the previous year.

Objective 1.4
Estate distributions will be made to heirs and beneficiaries

1.4.1 Percentage of deceased estate funds that are distributed to heirs and beneficiaries rather than transferred to the BC Unclaimed Property Society



The PGT administers estates for which the executor, heir, beneficiary or other eligible person is not able or willing to do so. Prior to March 31, 2014 with implementation of the new *Wills, Estates and Succession Act*, which abolished the position, this activity was performed as Official Administrator of British Columbia. If the PGT is unable to determine the lawful intestate successors of an estate after conducting a search, the balance of the estate after payment to creditors, administrator fees and expenses, is transferred to the BC Unclaimed Property Society.

This activity helps ensure that succession laws and wishes of persons making wills are respected and that efforts are made to locate and distribute their entitlements to intestate successors and beneficiaries.

In 2013–2014, PGT Estate and Personal Trust Services distributed \$31,823,682.83 of which \$29,486,715.31 (93%) was transferred to the heirs and beneficiaries.

REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

GOAL 1

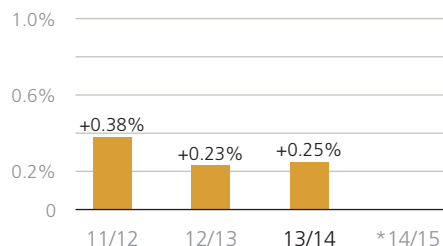
Property and financial interests of PGT clients will be well managed.

Objective 1.5 Client investments will be handled prudently

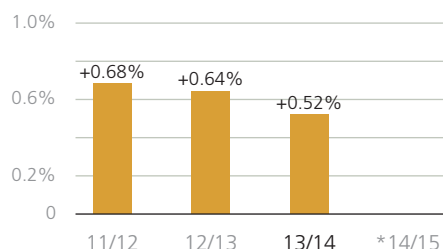
1.5.1 Investment returns for all three pooled funds match or exceed established benchmarks

1.5.2 Percentage of investment plans subject to review that are completed within the year

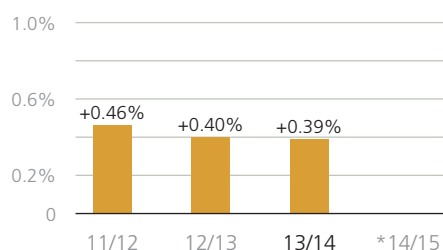
Premium Money Market Fund



Balanced Income Fund



Balanced Growth Fund



*14/15 Target: Match or exceed established benchmarks

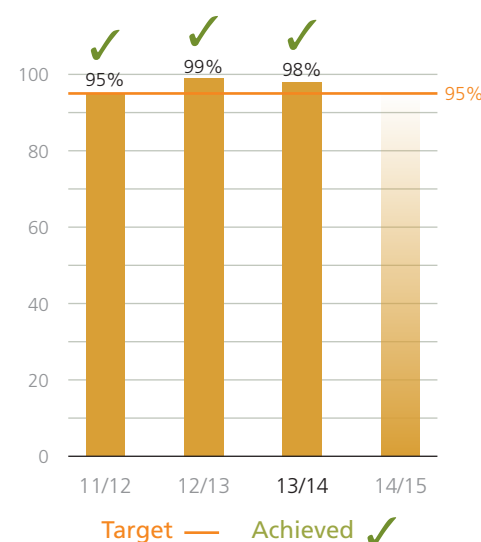
PGT client funds are invested to maximize returns in a manner appropriate to individual client circumstances. This measure is a means of comparing performance by investment managers retained by the PGT against established industry benchmarks. The PGT has three pooled common funds: the Premium Money Market Fund, the Balanced Income Fund, and the Balanced Growth Fund. The majority of client funds are held in the Premium Money Market Fund.

Investment returns are calculated using the investment industry standard of four year rolling averages with information on returns provided by third party professional measurement services. RBC Investor Services measures the Balanced Income Fund and the Balanced Growth Fund and the BC Investment Management Corporation measures the Premium Money Market Fund.

This improves quality of life for clients by prudently managing their financial resources with professional investment management to ensure their resources are maximized to meet their needs. In 2013–2014, investment returns for all three pooled funds exceeded the established benchmarks. Details are recorded in the accompanying table.

Individual client circumstances, such as increased or decreased needs for cash funds, are considered when developing and reviewing investment plans. Reviewing existing client investment plans is important because client needs and risk tolerance changes over time. Frequency of reviews is also related to the asset mix in the client investment plan. The PGT reviews client investment plans on a rotating basis according to the assessed level of risk associated with the client investment portfolio.

This activity improves quality of life for clients by helping ensure that financial planning remains current to maximize resources available for their needs. At March 31, 2013, 1,073 client investment plans were scheduled for review during 2013–2014 and 166 clients left PGT authority during the year. Of the remaining 907 clients, 890 (98%) of the scheduled account reviews were completed.



GOAL 2

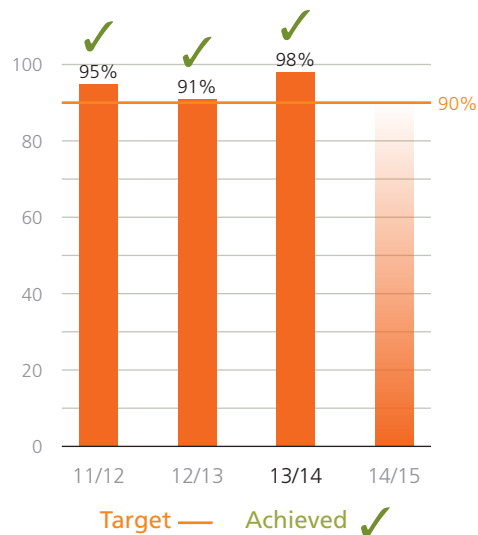
REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

Personal interests of PGT clients will be protected.

Objective 2.1

The personal needs of child and youth clients will be protected

2.1.1 For children and youth where ongoing assistance with day to day maintenance has been approved, personalized expenditure plans will be developed and implemented within 20 calendar days of receiving all decision making information and then annually reviewed



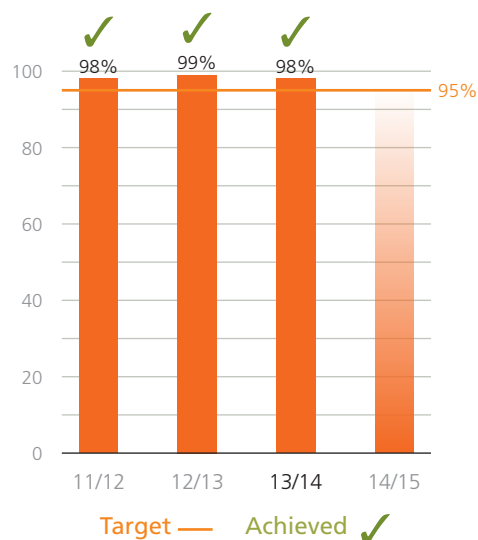
The PGT implements and maintains personalized case plans on behalf of child and youth clients where ongoing assistance with day to day maintenance has been approved. Maintenance includes a broad range of payments to the caregiver for day to day costs of the child's needs. This activity improves the quality of life for minors by providing timely decisions regarding sustainable management of their resources to meet current and financial needs.

In 2013–2014, personalized case plans were developed and implemented or reviewed within the target timelines for 123 of 125 (98%) minor clients for whom ongoing maintenance has been approved. Prior to 2011–2012 when it was broadened to include all clients at all asset value levels, this measure was limited to clients with assets in excess of \$50,000.

Objective 2.2

The personal interests and health care needs of adult clients will be addressed

2.2.1 Percentage of committee of person adult clients who are annually visited by PGT staff



There are a small number of adult clients for whom the PGT acts as a court appointed committee of person and is responsible for their personal care interests. The PGT attempts to visit these clients at least once every year. For the PGT, the visit is an opportunity to review the client's personal situation and assess whether changes are required to help ensure protection of their ongoing personal and health care interests. For the adult, the visit is an opportunity to convey information directly to the PGT without an intermediary such as a caregiver or care facility administrator.

This performance measure focuses on clients for whom the PGT has the greatest responsibility. Client visits improve quality of life for clients through direct contact with PGT staff and provide for their maximum empowerment. In 2013–2014, visits were made to 111 of 113 (98%) adult clients for whom the PGT acts as committee of person.

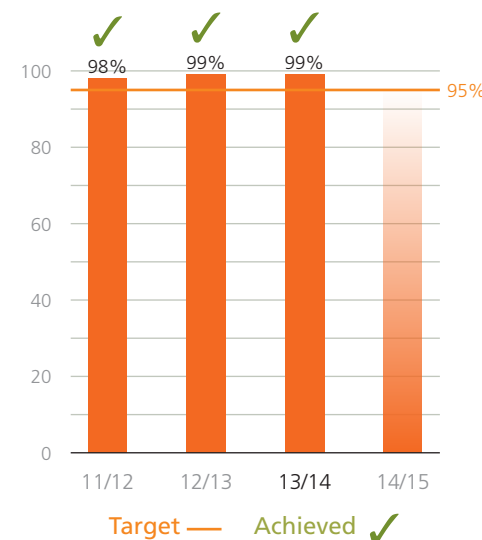
REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

Personal interests of PGT clients will be protected.

GOAL 2

The PGT protects the personal interests of adults incapable of giving health care consent by making these decisions on their behalf as temporary substitute decision maker (TSDM) under the *Health Care (Consent) and Care Facility (Admission) Act*. The timeliness of PGT substitute health care decisions as TSDM is important to the wellbeing and rights protection of the individual for whom treatment has been proposed by a health care provider.

This performance measure focuses on the most serious decisions which are classified as “major” under the *Act*. Timeliness of decision making is important because it facilitates clients receiving health care in a timely manner if that treatment is consented to by the TSDM. In 2013–2014, of 107 major health care decisions, 106 (99%) were made within the three day time frame.



Objective 2.2

The personal interests and health care needs of adult clients will be addressed

2.2.2 Percentage of major health care substitute decisions for adults made within three business days of all relevant information being received

GOAL 3

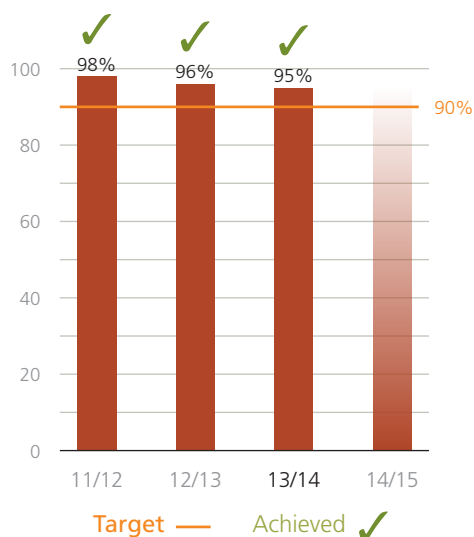
REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

Statutory protective and monitoring services will be delivered in an appropriate, timely and fair manner.

Objective 3.1
Settlement reviews of legal claims of children and youth will be carried out in a timely manner

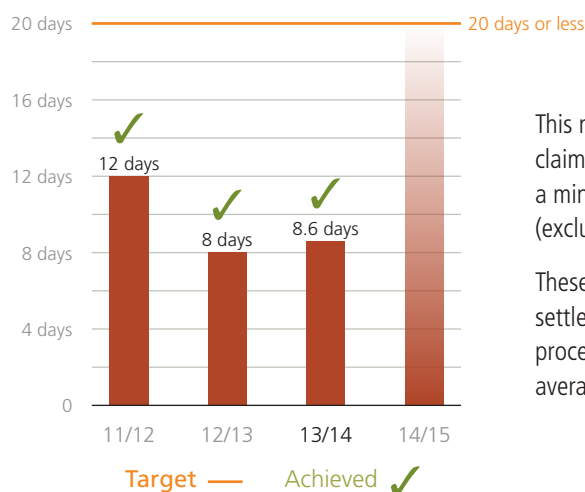
3.1.1 Percentage of proposed minors' settlements \$5,000 and over that are reviewed and the parties advised of the PGT position within 60 calendar days once all relevant information has been received.

3.1.2 For minors' settlements under \$5,000, the average number of calendar days to review and advise of the PGT position regarding proposed settlements once all relevant information has been received



Under the *Infants Act* the PGT must review all proposals to settle a variety of claims on behalf of a minor for unliquidated damages such as personal injury arising from motor vehicle accidents, medical malpractice, wrongful death of a parent and other claims. The PGT has jurisdiction to approve infant settlements of \$50,000 or less (exclusive of interest and costs) outside the court process and provides written comments to the court for amounts greater than \$50,000 or when the PGT has refused to approve a settlement for less than \$50,000 and the parties have chosen to proceed to court to seek approval.

This statutory service protects the property rights of minors in obtaining fair and reasonable compensation from negligent parties or their insurers. It also contributes to increasing the efficiency of the court system by providing experienced, objective reviews in a timely manner. Within this time frame, the PGT works as quickly as possible as PGT review is usually the final step in what may already have been a very long process for the child and parent or guardian. In 2013–2014, in 366 of 384 cases (95%), the PGT reviewed the proposed settlements and advised the parties of the PGT position within 60 calendar days of all relevant information being received.



This measure is related to the previous measure (3.1.1) and focuses on proposed settlements of minors' claims for unliquidated damages under \$5,000. The PGT must review all proposals to settle a claim by a minor for unliquidated damages and has jurisdiction to approve infant settlements of \$50,000 or less (exclusive of interest and costs) outside the court process.

These smaller settlements are reported separately because they are usually less complex than larger settlements and it is possible for them to be reviewed more quickly. This increases efficiency of the review process. In 2013–2014, the PGT reviewed and concluded 125 proposed settlements under \$5,000 in an average of 8.6 elapsed days per settlement.

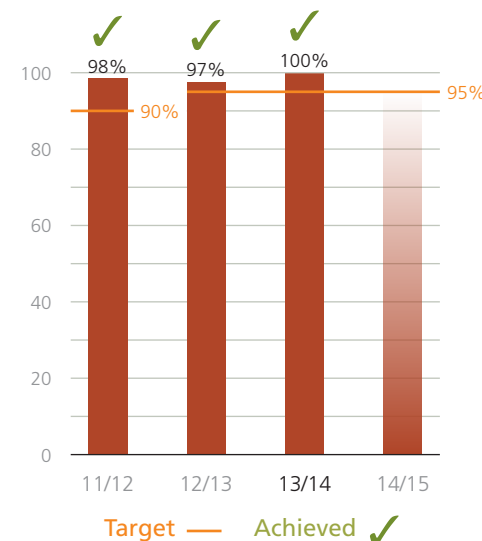
REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

GOAL 3

Statutory protective and monitoring services will be delivered in an appropriate, timely and fair manner.

The PGT is mandated under the *Public Guardian and Trustee Act* to protect incapable adults at risk for abuse, neglect and self neglect. One way it does this is to safeguard their assets so that persons seeking to take financial advantage of them will be unable to do so. Under section 19, the PGT orders financial institutions and others to restrict access to the assets of an individual while the PGT investigates the situation.

The speed of PGT action can be a major determinant of whether client assets are protected. Taking protective measures in a timely manner increases safety for abused, neglected and self neglecting incapable adults. Over the past two years, the maximum time allotted for these measures to remain in effect has been reduced twice by statute. In 2013–2014, the PGT took protective measures in 106 cases. In 106 (100%) of these, protective measures were taken within one working day. The target for this measure was increased for 2012–2013 to meet the timeline in 95% of cases, up from the previous target of 90%.



Objective 3.2

PGT will act to protect the assets of adults at risk for abuse, neglect and self neglect

3.2.1 Percentage of cases where, on confirming that the assets of an apparently abused or neglected adult unable to seek support and assistance are at significant risk and in need of immediate protection, protective steps are taken within one business day under section 19 of the *Public Guardian and Trustee Act*

GOAL 4

REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

The PGT will contribute to public awareness, policy development and law reform initiatives to promote the interests of PGT clients.

Objective 4.1 The PGT will make relevant, useful and affordable recommendations to government for law reform affecting clients

4.1.1 Make a submission to the Attorney General and Minister of Justice outlining recommendations regarding replacing the common law rule which provides that an owner of a dog who had no way of knowing that the dog had a tendency to bite would not be liable the first time the dog bit someone

✓
TARGET:
 Submission made to the Attorney General and Minister of Justice by March 31, 2014.
ACHIEVED:
 report submitted March 27, 2014.

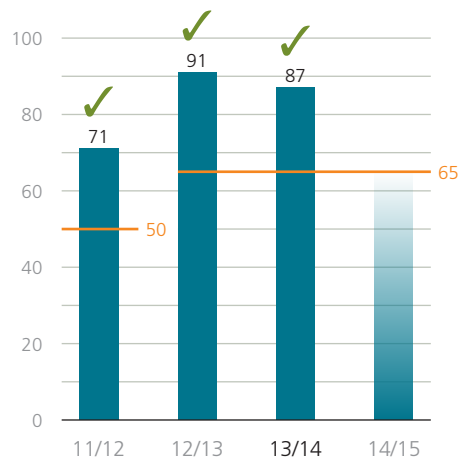


The PGT comments on issues affecting the statutory mandate of the PGT and the interests of PGT clients. In 2013–2014, the PGT made a submission to the Attorney General and Minister of Justice with recommendations regarding replacing the common law rule which provides that an owner of a dog who had no way of knowing that the dog had a tendency to bite would not be liable the first time the dog bit someone.

Submission made to the Attorney General and Minister of Justice by March 31, 2014

Objective 4.2
 The PGT will promote an understanding of its role among clients, service partners, stakeholders and the public

4.2.1 PGT role explained by representatives at stakeholder and service partner conferences, events and other public education forums



Target Presentations — Achieved ✓

There is continuing high demand from the public, service partners and stakeholders for the PGT to make presentations about the PGT and its areas of responsibility. Service partners also request presentations that will assist them to understand related roles and responsibilities. The PGT is continuing to be involved in implementing new legislation and the related requirement for public education activities is great. The PGT strives to meet the demand for public education activities which must be balanced against other service requirements.

Better understanding of the PGT role promotes appropriate uptake of PGT services and is an important element in a PGT demand management strategy. Public reports have highlighted the importance of public education activities. In 2013–2014, the PGT made 87 public presentations.

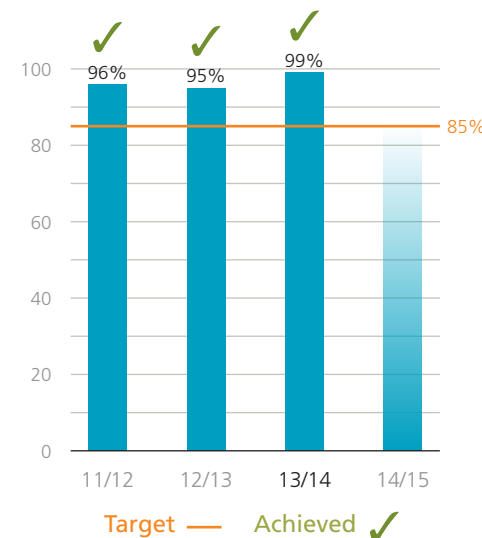
REPORTS ON INDIVIDUAL PERFORMANCE MEASURES

The PGT will deliver high quality client centred services.

GOAL 5

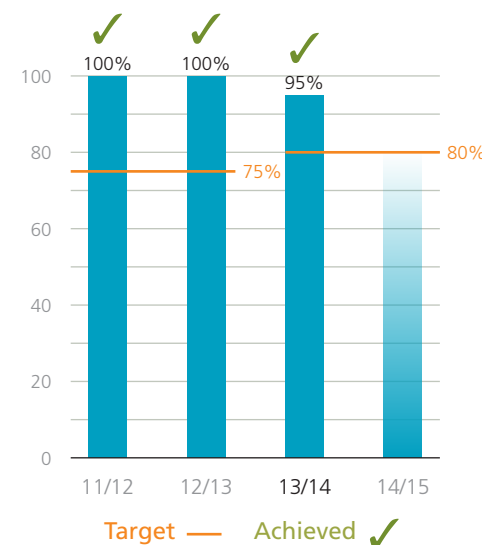
The PGT administers estates of deceased persons. The Estate and Personal Trust Services division conducts a client satisfaction survey with intestate successors and beneficiaries who receive funds when administration of an estate is completed. This activity measures client satisfaction and gives intestate successors and beneficiaries the opportunity to comment on what is important to them regarding services. This activity also improves service delivery by highlighting areas needing improvement.

In 2013–2014, there were 363 completed surveys. Of these, 342 of the 345 (99%) beneficiaries who responded to the survey question rating estate administration services rated them as good or very good.



Legal services are a major component of PGT services as the obligation of acting as fiduciary requires acting to protect the legal and financial interests of clients. Under the *Infants Act*, proposals for settlements are presented to the PGT on behalf of minors arising personal injury claims and family compensation act claims.

In 2013–2014, the PGT surveyed all ICBC adjusters who submitted one or more of these settlements of \$50,000 or less. In 2013–2014, 22 adjusters responded to the survey and 21 (95%) rated PGT legal services as satisfactory or very satisfactory. The 80% target is an increase from 75% in the previous year.



Objective 5.1

The PGT will meet client expectations for quality, equitable and accessible services

5.1.1 Percentage of heirs and beneficiaries responding to survey who rated administration services for deceased estates as good or very good

5.1.2 Percentage of stakeholders reporting satisfaction with PGT legal services (stakeholder group varies annually)

LINKING RESOURCES TO PERFORMANCE

LINKING RESOURCES, STRATEGIES AND RESULTS

Background

The PGT is responsible by law for delivering a broad range of services to clients and is self funded for a large proportion of its expenditure budget. In developing its annual budget, the PGT provides for meeting its statutory and fiduciary obligations to its clients. The PGT establishes strategic goals and determines performance measures and targets within the budgeted resources and constraints of a given year in the context of its three year plan.

The PGT delivers client services through a combination of activities that are specific to an operational division, integrated, cross divisional or are delivered in conjunction with service partners:

- *Operational divisions* focus on broad client groups such as children and youth, adults and estates of deceased persons. Costs are assigned directly to the divisions.
- Activities of operational divisions are supported by *integrated services* such as legal, investments, information systems, securing of client assets, warehousing, budgeting, facilities and executive support services. Costs for these integrated services are assigned across the organization using an allocation model developed to reflect approximate usage.

- Some services, such as quality assurance and risk management, are delivered in a *cross divisional* manner. Costs of cross divisional services are assigned directly through operational division budgets and indirectly through costs assigned through an allocation model.
- Services such as maintaining client real property are *delivered in conjunction with service partners* and are charged directly to clients.

See pages 70-71 for the Allocation of Revenue and Expenses by Program – Budget and Actual (unaudited) for the year ended March 31, 2014.

Delivery of services and allocation of costs are reflected in Table 1: Areas of Expenditures and PGT Strategic Goals (unaudited) on pages 64-65, describing which PGT goals apply to which area of expenditure. The table provides a context to put PGT areas of expenditure into perspective. The distribution also reflects the integrated and cross divisional nature of PGT operations.

Linkages

Client services fall into one of two categories of expenditures:

- *Estate and trust services* are of a fiduciary nature with the greatest impact from the service on the management of individual client assets and is reflected in the total or high level of cost recovery.

LINKING RESOURCES TO PERFORMANCE

- *Public services* are regulatory in nature with the greatest impact from the service on monitoring or oversight and the limited or nil cost recovery reflects the public nature of these services.

Table 1 (unaudited) demonstrates that most PGT goals apply broadly to most areas of expenditure and may involve both a number of programs and expenditures and a number of divisions.

Challenges

The challenge of segmenting expenditures is greatest at the broad goal level. It is a lesser challenge in the case of specific performance measures within each goal as these are more likely to apply to a single area of expenditure. However, the PGT considers that elaboration of budget particulars at the individual measure level is not possible as the work is too interrelated and spread throughout PGT activities.

For example, integrating a new adult client requires more than preparation of a new case plan. Assets must be secured, legal interests must be considered, real property may have to be sold, an investment plan may have to be developed and overdue taxes may have to be made current.

These complex linkages mean that although the areas of expenditure are linked with groups of strategic goals, the relationship between performance and outcomes and changes in costs may not be direct or immediate.

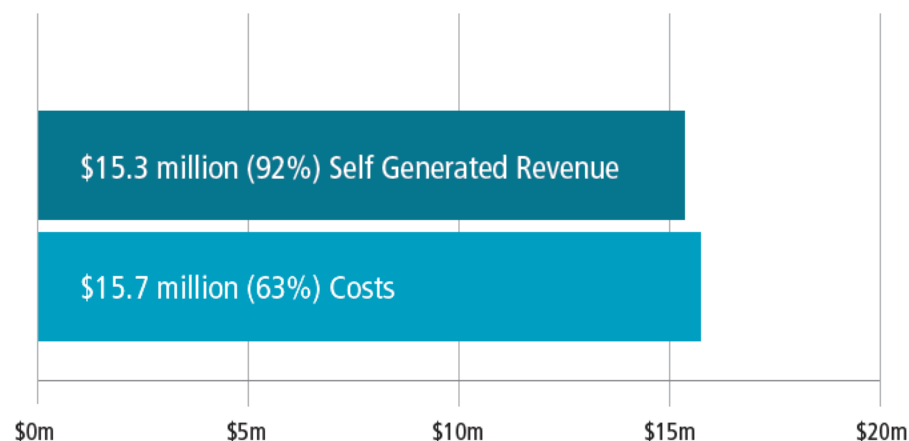
TABLE 1

AREAS OF EXPENDITURE AND PGT STRATEGIC GOALS (UNAUDITED)*

Estate and Trust Services

Goals 1, 2, 4 and 5 most directly affected

*All PGT expenditures are allocated into one of two categories according to the nature of the work, i.e., estate and trust services or public services. Goals may apply in both categories. Individual performance measures within a goal may relate more specifically to one area of expenditure than another.



ESTATE AND TRUST SERVICES

Estate and trust services are the primary PGT responsibility and 2013–2014 accounted for \$15.7 million or 63% of total costs and produced \$15.3 million or 92% of total self generated revenue.

Estate and trust services include the following:

- Child trust services
- Adult trust services
- Estate and Personal Trust Services

Context

- PGT Estate and Personal Trust Services division largely achieved cost recovery. The rate of recovery was 98% in 2013–2014 (119% in 2012–2013).
- The PGT acts as a prudent investor in managing all client invested funds. These investment activities support Goal 1 by managing client property and financial interests. At March 31, 2014, the average cost per client for salaries and benefits within the PGT investment services section was \$26.27 (\$27.67 at March 31, 2013).

AREAS OF EXPENDITURE AND PGT STRATEGIC GOALS (UNAUDITED)*

PUBLIC SERVICES

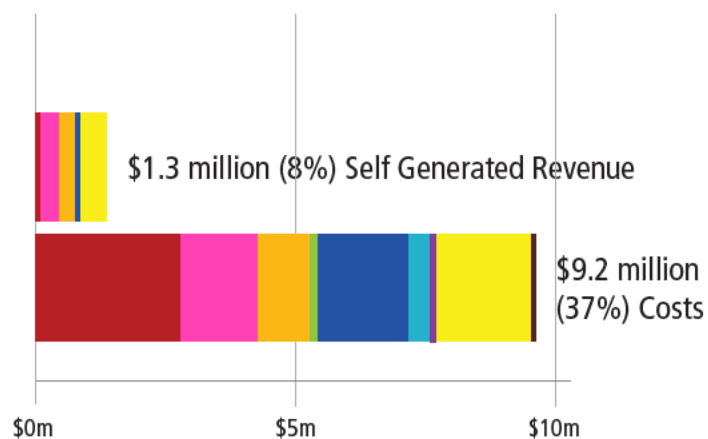
Public services accounted for \$9.2 million or 37% of total costs in 2013–2014 and produced \$1.3 million or 8% of total self generated revenue.

Public services include the following:

Program Areas	Costs	Self Generated Revenue
Child and Youth Services		
Property guardian	\$2.76 million	\$0.10 million
Infant settlement reviews	\$1.50 million	\$0.36 million
Grant application and other statutory reviews	\$0.75 million	\$0.31 million
Litigation guardian	\$0.14 million	\$0.00 million
Services to Adults		
Assessment and investigation	\$1.77 million	\$0.07 million
Temporary substitute decision making	\$0.40 million	\$0.00 million
Committee of person	\$0.03 million	\$0.00 million
Private committee services	\$1.85 million	\$0.50 million
Litigation guardian	\$0.02 million	\$0.00 million
TOTAL	\$9.22 million	\$1.34 million

Context

Under the *Health Care (Consent) and Care Facility (Admission) Act*, PGT staff make substitute health care treatment decisions or appoint other suitable decision makers. This health care decision making activity supports Goal 2 by protecting personal interests of PGT clients. In 2013–2014, average unit cost was \$974 (\$1,337 in 2012–2013).



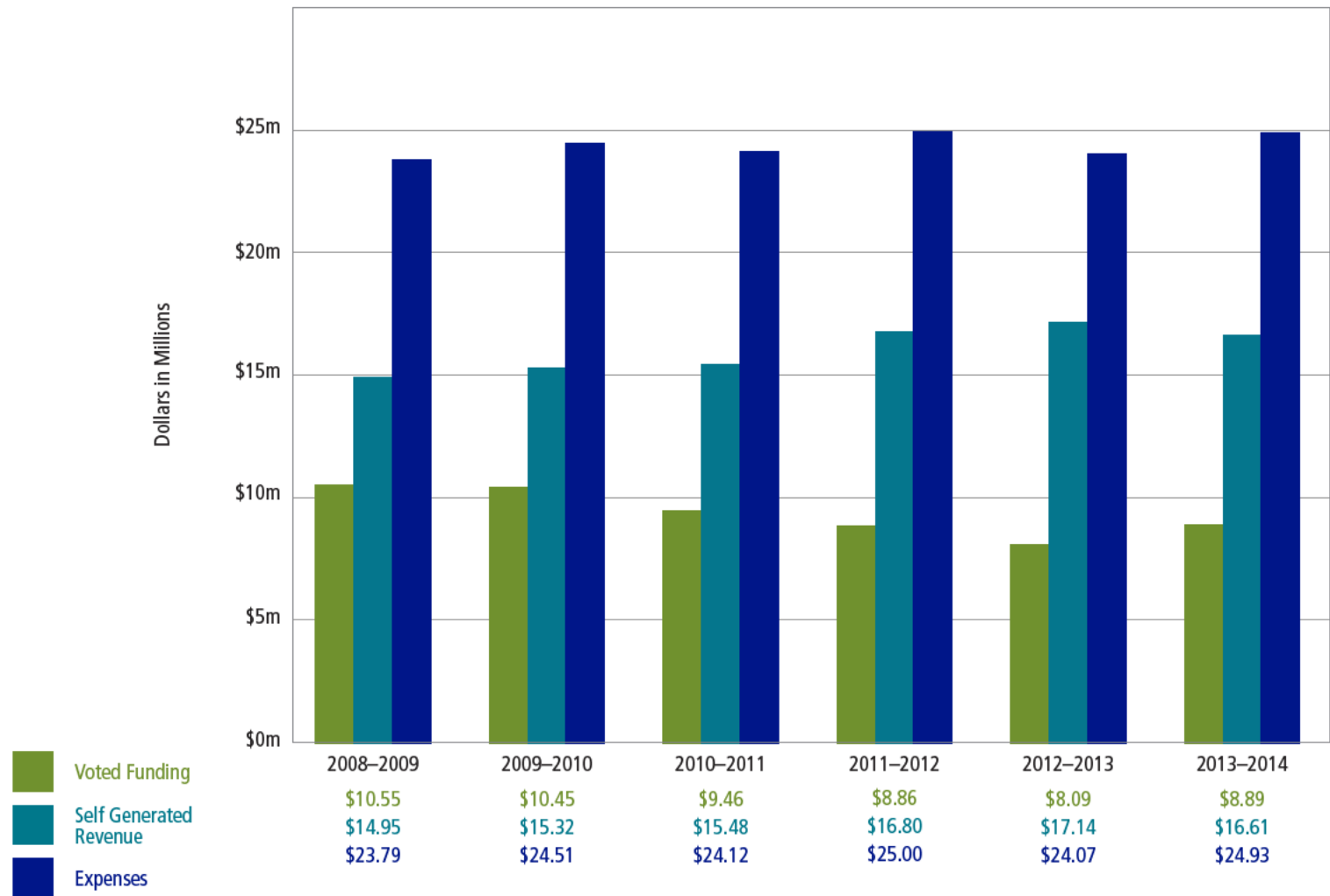
The *Estate Administration Act* (section 112) requires that the PGT be notified before a court application for a grant involving interests of a child or incapable adult. These grant application reviews support Goal 3 by delivering statutory protective services in a timely manner. In 2013–2014, cost per review was \$979 (\$968 in 2012–2013) and the *Public Guardian and Trustee Fees Regulation* allows a fee of \$300 per notice for this review. The *Wills, Estates and Succession Act*, which took effect on March 31, 2014, replaced the *Estate Administration Act* and changes to reporting on this activity will be described next year.

Public Services

Goals 1, 2, 3, 4
and 5 most
directly affected

TABLE 2

PGT VOTED FUNDING, REVENUE AND EXPENSES 2008–2009 TO 2013–2014



REVENUE AND PROGRAM COSTS 2013–2014

Introduction

The PGT cost allocation model was developed to show revenue and costs in a meaningful way by linking resources to the costs of providing service.

The model continues to evolve in response to the changing environment in which the PGT operates and as technological improvements allow more refinement in aligning resources and costs. For the year ended March 31, 2014, expenses and cost recoveries were reclassified to conform to the presentation used in the audited financial statements, certain program areas were redefined to better represent the duties and responsibilities of the program areas, and more refined cost allocation methods were utilized to better allocate costs.

Budgeted figures have been provided from the estimates approved by the Legislative Assembly of British Columbia on July 24, 2013.

Actual results are provided from the audited financial statements of the Public Guardian and Trustee Operating Account. The amounts may differ from the Public Accounts due to timing differences resulting from accruals and adjustments below the materiality threshold of the Province of British Columbia.

Revenue Sources and Variances

Revenue is comprised of fees charged in accordance with the *Public Guardian and Trustee Fees Regulation* and funding received from the Province of British Columbia.

REVENUE AND VARIANCES (UNAUDITED)

Revenue Variances (Unaudited) for the Year Ended March 31, 2014 (Expressed in thousands of dollars)					
	Budget	Actual	\$ Variance*	% Variance*	Note
Self generated funding					
Commissions	\$ 10,066	\$ 10,988	\$ 922	9%	1
Asset management fees	3,245	3,409	164	5%	2
Estate liaison administration fees	522	558	36	7%	
Heir tracing fees	114	137	23	20%	
Fees for investigations, monitoring and legal services	1,153	1,194	41	4%	
Other	-	324	324	100%	3
Total self generated revenue	15,100	16,610	1,510	10%	
Voted funding from the Province of British Columbia	8,893	8,893	-	0%	
Total revenue	\$ 23,993	\$ 25,503	\$ 1,510	6%	

**Brackets in variance column indicate budget revenue in excess of actual*

Explanatory Notes on Revenue Variances

1. Higher investment returns and real property sales were realized.
2. Higher investment values under administration were realized.
3. Represents deferred revenue of \$110k to recover costs pursuant to the claims protocol agreement related to a class action settlement, and \$214k recoveries of prior year expenses.

EXPENSES AND VARIANCES (UNAUDITED)

Expense Variances (Unaudited) for the Year Ended March 31, 2014 (Expressed in thousands of dollars)					
	Budget	Actual	\$ Variance*	% Variance*	Note
Expenses					
Salaries and benefits	\$ 19,275	\$ 19,502	\$ 227	1%	
Computer systems and support	1,268	1,611	343	27%	1
Other operating and administrative costs	926	1,180	254	27%	2
Professional services	357	934	577	162%	3
Client expenditures	587	662	75	13%	
Building occupancy	308	589	281	91%	4
Amortization	633	380	(253)	(40%)	4
Legal services	639	68	(571)	(89%)	5
Total expenses	\$ 23,993	\$ 24,926	\$ 933		

*Brackets in variance column indicate budget expenses in excess of actual

Explanatory Notes on Expense Variances

1. Contracted systems support on special projects was needed to prepare for legislative changes and to undertake Lean methodology initiatives.
2. Allowance for doubtful accounts was increased on capital commissions receivable as a result of recent experience in collectability of the fees.
3. Contracted professional support on special projects was needed to prepare for legislative changes and to undertake Lean methodology initiatives.
4. Tenant improvements at the Vancouver and Kelowna offices were completed during the year. The budget for this cost was allocated to amortization expense; however, the actual cost is being paid by the PGT over time by way of increased lease payments reflected in building occupancy expenses as it was not a capital expenditure of the PGT. The variances in building occupancy and amortization expense approximately offset each other.
5. Lower legal costs were incurred for clients, and a greater degree of recovery from clients was realized.

Public Guardian and Trustee of British Columbia
Allocation of Revenue and Expenses by Program Area – Budget (unaudited)
Fiscal year ended March 31, 2014
(Expressed in thousands of dollars)

	ESTATE AND TRUST SERVICES				PUBLIC SERVICES			
	Adult Trust Services	Estate and Personal Trust Services	Child Trust Services	Subtotal	Adult Services	Child Services	Subtotal	Totals
Self generated revenue								
Commissions	6,082	3,100	807	9,989	-	77	77	10,066
Asset management fees	1,944	678	598	3,220	-	25	25	3,245
Estate liaison administration fees	522	-	-	522	-	-	-	522
Heir tracing fees	-	114	-	114	-	-	-	114
Other	-	-	-	-	497	656	1,153	1,153
Total self generated revenue	8,548	3,892	1,405	13,845	497	758	1,255	15,100
Expenses								
Salaries and benefits	8,347	3,268	908	12,523	2,768	3,984	6,752	19,275
Computer systems and support	321	144	250	715	229	324	553	1,268
Other operating and administrative costs	449	127	58	634	129	163	292	926
Professional services	137	67	37	241	67	49	116	357
Client expenditures	394	87	7	488	71	28	99	587
Building occupancy	85	38	54	177	55	76	131	308
Amortization	174	77	111	362	113	158	271	633
Legal services	205	(4)	4	205	80	354	434	639
Total expenses	10,112	3,804	1,429	15,345	3,512	5,136	8,648	23,993
Excess (deficiency) of self generated revenue over expenses	(1,564)	88	(24)	(1,500)	(3,015)	(4,378)	(7,393)	(8,893)
Other revenue								
Voted funding from the Province of British Columbia								8,893
Balance								-
Cost recovery from self generated revenue	84.5%	102.3%	98.3%	90.2%	14.2%	14.8%	14.5%	62.9%

Public Guardian and Trustee of British Columbia
Allocation of Revenue and Expenditures by Program Area – Actual (unaudited)
Fiscal year ended March 31, 2014
(Expressed in thousands of dollars)

	ESTATE AND TRUST SERVICES				PUBLIC SERVICES			
	Adult Trust Services	Estate and Personal Trust Services	Child Trust Services	Subtotal	Adult Services	Child Services	Subtotal	Totals
Self generated revenue								
Commissions	6,675	3,253	984	10,912	-	76	76	10,988
Asset management fees	2,002	745	637	3,384	-	25	25	3,409
Estate liaison administration fees	558	-	-	558	-	-	-	558
Heir tracing fees	-	137	-	137	-	-	-	137
Other	271	5	-	276	572	670	1,242	1,518
Total self generated revenue	9,506	4,140	1,621	15,267	572	771	1,343	16,610
Expenses								
Salaries and benefits	8,297	3,409	864	12,570	3,054	3,878	6,932	19,502
Computer systems and support	398	181	324	903	293	415	708	1,611
Other operating and administrative costs	548	145	187	880	125	175	300	1,180
Professional services	158	223	36	417	346	171	517	934
Client expenditures	455	149	7	611	22	29	51	662
Building occupancy	162	72	104	338	105	146	251	589
Amortization	104	46	67	217	68	95	163	380
Legal services	(220)	(9)	3	(226)	52	242	294	68
Total expenses	9,902	4,216	1,592	15,710	4,065	5,151	9,216	24,926
Excess (deficiency) of self generated revenue over expenses	(396)	(76)	29	(443)	(3,493)	(4,380)	(7,873)	(8,316)
Other revenue								
Voted funding from the Province of British Columbia								8,893
Excess of total revenue over expenses								577
Cost recovery from self generated revenue	96.0%	98.2%	101.8%	97.2%	14.1%	15.0%	14.6%	66.6%

AUDITED FINANCIAL STATEMENTS 2012–2013



OPERATING ACCOUNT

Financial Statements of

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Year ended March 31, 2014



700 – 808 West Hastings Street, Vancouver, BC V6C 3L3 • Phone: (604) 660-4444 • Fax: (604) 660-0374
www.trustee.bc.ca

MANAGEMENT'S STATEMENT OF RESPONSIBILITIES FOR THE OPERATING ACCOUNT FINANCIAL STATEMENTS OF THE PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Management is responsible for preparing the accompanying financial statements and is responsible for their integrity and objectivity. The financial statements are prepared in conformity with Canadian public sector accounting standards and include amounts based on informed judgments and estimates of the expected effects of current events and transactions.

Management is also responsible for maintaining systems of internal control that provide reasonable assurance that financial information is reliable, that all financial transactions are properly authorized, that assets are safeguarded, and that the Public Guardian and Trustee of British Columbia adheres to legislation and regulatory requirements. These systems include the communication of policies and the Public Guardian and Trustee of British Columbia's code of ethics and business conduct throughout the organization. Management continually monitors the systems of internal controls for compliance.

KPMG LLP has been appointed by the Public Guardian and Trustee of British Columbia as independent auditors to examine and report on the financial statements and their report follows.

Catherine M. Romanko
Public Guardian and Trustee

June 27, 2014

**KPMG LLP**

PO Box 10426 777 Dunsmuir Street
Vancouver BC V7Y 1K3
Canada

Telephone (604) 691-3000
Fax (604) 691-3031
Internet www.kpmg.ca

INDEPENDENT AUDITORS' REPORT

To the Public Guardian and Trustee of British Columbia

We have audited the accompanying financial statements of the Operating Account of the Public Guardian and Trustee of British Columbia, which comprise the statement of financial position as at March 31, 2014, the statements of operations and accumulated surplus, changes in net financial assets, and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform an audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of an entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

KPMG LLP is a Canadian limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. KPMG Canada provides services to KPMG LLP.



Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Public Guardian and Trustee of British Columbia as at March 31, 2014, and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, stylized font. Below the signature is a horizontal line that starts under the 'K' and ends under the 'P'.

Chartered Accountants

June 27, 2014
Vancouver, Canada

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Statement of Financial Position
(Expressed in thousands of dollars)

March 31, 2014, with comparative information for 2013

	Note	2014	2013
Financial assets			
Due from the Province of British Columbia	3(a)	\$ 26,543	\$ 25,848
Accounts receivable		1,121	768
		27,664	26,616
Liabilities			
Accounts payable and accrued liabilities		1,655	1,080
Deferred revenue		362	473
		2,017	1,553
Net financial assets		25,647	25,063
Non-financial assets			
Tangible capital assets	4	1,155	1,162
Accumulated surplus		\$ 26,802	\$ 26,225
Contingent liabilities	5		

The accompanying notes are an integral part of these financial statements.

Catherine M. Romanko, Public Guardian and Trustee

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Statement of Operations and Accumulated Surplus (Expressed in thousands of dollars)

Year ended March 31, 2014, with comparative information for 2013

	Note	2014 Budget (note 6)	2014	2013
Revenue:				
Operating revenue		\$ 15,100	\$ 16,610	\$ 17,138
Funding from the Province of British Columbia	3(b)	8,893	8,893	8,089
		23,993	25,503	25,227
Expenses:	3(c)			
Salaries and benefits	7	19,275	19,502	18,839
Computer systems and support		1,268	1,611	1,685
Other operating and administrative costs		926	1,180	1,006
Professional services		357	934	803
Client expenditures		587	662	773
Building occupancy	3(d)	308	589	129
Amortization		633	380	391
Legal services		639	68	440
		23,993	24,926	24,066
Annual surplus		-	577	1,161
Accumulated surplus, beginning of year		26,225	26,225	25,064
Accumulated surplus, end of year		\$ 26,225	\$ 26,802	\$ 26,225

The accompanying notes are an integral part of these financial statements.

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Statement of Changes in Net Financial Assets
(Expressed in thousands of dollars)

Year ended March 31, 2014, with comparative information for 2013

	2014 Budget (note 6)	2014	2013
Annual surplus	\$ -	\$ 577	\$ 1,161
Acquisition of tangible capital assets	(382)	(373)	(502)
Amortization of tangible capital assets	633	380	391
Increase in net financial assets	251	584	1,050
Net financial assets, beginning of the year	25,063	25,063	24,013
Net financial assets, end of the year	\$ 25,314	\$ 25,647	\$ 25,063

The accompanying notes are an integral part of these financial statements.

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Statement of Cash Flows (note 3(a))
(Expressed in thousands of dollars)

Year ended March 31, 2014, with comparative information for 2013

	2014	2013
Due from the Province of British Columbia increased by:		
Operating activities:		
Annual surplus	\$ 577	\$ 1,161
Items not affecting cash:		
Amortization	380	391
Change in accounts receivable	(353)	6
Change in accounts payable and accrued liabilities	575	(9)
Change in deferred revenue	(111)	(91)
	1,068	1,458
Capital activities:		
Acquisition of tangible capital assets	(373)	(502)
Increase in due from the Province of British Columbia	695	956
Due from the Province of British Columbia, beginning of year	25,848	24,892
Due from the Province of British Columbia, end of year	\$ 26,543	\$ 25,848

The accompanying notes are an integral part of these financial statements.

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Notes to Financial Statements
(Expressed in thousands of dollars)

Year ended March 31, 2014

1. Reporting entity:

The Public Guardian and Trustee of British Columbia (the “PGT”) Operating Account (“Operating Account”) operates under the authority of the Public Guardian and Trustee Act (the “Act”). The Operating Account is not liable for taxation, except insofar as the government is liable. The Operating Account was established as a Special Account in the general fund of the consolidated revenue fund of the Province of British Columbia.

Spending from revenue in excess of the budget approved by the Province of British Columbia or from the Operating Account Balance requires Treasury Board approval.

The Operating Account reports the revenues earned from the services provided to clients of the PGT and the operating and capital expenditures relating to the provision of these services. Clients are adults who are not capable of managing their own affairs, deceased persons’ estates which have no other person willing and able to act for them, estates of missing persons, and children in receipt of settlement funds, insurance policy proceeds or money from estates.

Separate financial information has been prepared as of March 31, 2014 for client trust accounts, which include \$851 million (2013 - \$859 million) of net assets held in trust.

2. Significant accounting policies:

(a) Basis of accounting:

Management has prepared these financial statements in accordance with Canadian public sector accounting standards as recommended by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

(b) Tangible capital assets:

Tangible capital assets are recorded at cost and are amortized on a straight-line basis over their estimated useful lives. Computer hardware and software purchases less than ten thousand dollars are amortized over three years. All remaining assets are amortized over five years.

(c) Revenue recognition:

Operating revenue consists of fees paid by clients in accordance with the *Public Guardian and Trustee Fees Regulation* as provided for under the Act. Fees are recognized in the period in which the service is provided or at the point in time directed by regulation, court order, co-trustees or beneficiaries. Funding from the Province of British Columbia is recognized as revenue when authorized and eligibility criteria, if any, have been met, unless the funding contains stipulations on how it is to be expended by the PGT, in which case the funding is recorded as deferred revenue. Once the stipulations have been met, the funding is subsequently recognized as revenue.

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Notes to Financial Statements
(Expressed in thousands of dollars)

Year ended March 31, 2014

2. Significant accounting policies (continued):

(d) Employee benefit plans:

All eligible employees participate in a multi-employer defined benefit pension plan. All contributions to this plan are expensed as incurred.

(e) Client expenditures:

Client expenditures represent amounts paid for clients' property management, advances to clients and other miscellaneous expenditures made on behalf of clients. Legal expenditures paid on behalf of clients are reported under legal services.

(f) Use of estimates:

The preparation of financial statements requires management to make estimates and assumptions in determining reported amounts. The only significant area requiring the use of management estimates is the estimation of the collectability of accounts receivable. Actual results could differ from these estimates.

(g) Segmented information:

A segment is defined as a distinguishable activity or group of activities of a government for which it is appropriate to separately report financial information. As the Operating Account's sole activity is the managing of services provided to clients of the PGT, additional disclosure is not required.

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Notes to Financial Statements
(Expressed in thousands of dollars)

Year ended March 31, 2014

3. Related party transactions:

The PGT is a corporation sole. All transactions with related parties, including the Province of British Columbia ministries, agencies and Crown corporations occurred in the normal course of operations and are valued at the exchange amount, which reflects fair value unless otherwise disclosed in these notes.

- (a) The PGT uses the Province of British Columbia's financial and banking systems to process and record its transactions. The amount due from the Province of British Columbia represents the net financial transactions of the Operating Account.
- (b) A transfer of \$8,893 (2013 - \$8,089) from a sub-vote of the Ministry of Justice and Attorney General has been provided for services to incapable adults, children and youth and for other expenditures of the PGT.
- (c) Certain financial and administrative services, post-employment benefits, and office and warehouse facilities are provided centrally by various ministries and agencies of the government of the Province of British Columbia. The costs of these services are not charged to the Operating Account and are, therefore, not included in these financial statements.
- (d) Additional office and warehouse facilities are provided by various ministries and agencies of the government of the Province of British Columbia. Total lease payments charged to the Operating Account were \$543 (2013 - \$129).

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Notes to Financial Statements
(Expressed in thousands of dollars)

Year ended March 31, 2014

4. Tangible capital assets:

	2014									
	Cost beginning of year	Additions for the year	Disposals for the year	Cost end of year	Accumulated amortization beginning of year	Disposals	Amortization expense	Accumulated amortization end of year	Net book value beginning of year	Net book value end of year
Operating equipment	\$ 74	\$ 2	\$ (57)	\$ 19	\$ (67)	\$ 57	\$ (3)	\$ (13)	\$ 7	\$ 6
Furniture and equipment	380	80	(8)	452	(229)	8	(64)	(285)	151	167
Personal computer software	154	2	(56)	100	(103)	56	(22)	(69)	51	31
Computer hardware - less than \$10,000	683	3	(267)	419	(573)	267	(51)	(357)	110	62
Server computer software	2,496	286	-	2,782	(1,706)	-	(201)	(1,907)	790	875
Computer hardware - greater than \$10,000	137	-	(75)	62	(113)	75	(10)	(48)	24	14
Tenant improvement	704	-	-	704	(675)	-	(29)	(704)	29	-
Total	\$ 4,628	\$ 373	\$ (463)	\$ 4,538	\$ (3,466)	\$ 463	\$ (380)	\$ (3,383)	\$ 1,162	\$ 1,155

	2013									
	Cost beginning of year	Additions for the year	Disposals for the year	Cost end of year	Accumulated amortization beginning of year	Disposals	Amortization expense	Accumulated amortization end of year	Net book value beginning of year	Net book value end of year
Operating equipment	\$ 74	\$ -	\$ -	\$ 74	\$ (53)	-	(14)	\$ (67)	\$ 21	\$ 7
Furniture and equipment	376	17	(13)	380	(181)	13	(61)	(229)	195	151
Personal computer software	131	51	(28)	154	(100)	28	(31)	(103)	31	51
Computer hardware - less than \$10,000	604	85	(6)	683	(528)	6	(51)	(573)	76	110
Server computer software	2,740	349	(593)	2,496	(2,105)	593	(194)	(1,706)	635	790
Computer hardware - greater than \$10,000	152	-	(15)	137	(118)	15	(10)	(113)	34	24
Tenant improvement	704	-	-	704	(645)	-	(30)	(675)	59	29
Total	\$ 4,781	\$ 502	\$ (655)	\$ 4,628	\$ (3,730)	\$ 655	\$ (391)	\$ (3,466)	\$ 1,051	\$ 1,162

Cost includes fully amortized assets that are still in use of \$2,520 (2013 - \$2,398).

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Operating Account

Notes to Financial Statements
(Expressed in thousands of dollars)

Year ended March 31, 2014

5. Contingent liabilities:

From time to time, the Public Guardian and Trustee is a defendant in legal actions in carrying out its duties. Under Section 21 of the Act, monies required to discharge any liability or claim against the PGT must be paid out of the consolidated revenue fund of the Province of British Columbia.

6. Budgeted figures:

Budgeted figures have been provided for comparative purposes from the estimates approved by the Legislative Assembly of British Columbia on July 24, 2013.

7. Employee benefit plans:

The PGT and all eligible employees contribute to the Public Service Pension Plan in accordance with the *Public Sector Pension Plans Act*. The British Columbia Pension Corporation administers the plan, including payments of pension benefits to eligible employees. A board of trustees, representing plan members and employers, is responsible for overseeing the management of the Plan, including investment of assets and administration of benefits.

The Public Service Pension Plan is a multi-employer, defined benefit plan. Under joint trusteeship, the risks and rewards associated with the Plan's unfunded liability or surplus are shared between the employers and the plan members and will be reflected in their future contributions. Every three years an actuarial valuation is performed to assess the financial position of the plan and the adequacy of the funding. The last actuarial valuation was as at March 31, 2011, and showed that the plan was at 98% funded. The next valuation date is scheduled for March 31, 2015.

During the year ended March 31, 2014, the PGT contributed \$1,402 (2013 - \$1,369) to the plan. These contributions are included in salaries and benefits expense. No pension liability for this plan is included in the financial statements.

8. Fair value:

The fair value of the Operating Account's financial instruments, which include due from the Province of British Columbia, accounts receivable, and accounts payable and accrued liabilities are not materially different from their carrying value due to their short-term nature.

ESTATES AND TRUSTS ADMINISTERED



Financial Information of

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Estates and Trusts Administered

Year ended March 31, 2014



700 – 808 West Hastings Street, Vancouver, BC V6C 3L3 • Phone: (604) 660-4444 • Fax: (604) 660-0374
www.trustee.bc.ca

MANAGEMENT'S STATEMENT OF RESPONSIBILITIES FOR THE FINANCIAL INFORMATION OF ESTATES AND TRUSTS ADMINISTERED BY THE PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Management is responsible for preparing the accompanying financial information and is responsible for its integrity and objectivity. The financial information is prepared in conformity with International Financial Reporting Standards and includes amounts based on informed judgments and estimates of the expected effects of current events and transactions.

Management is also responsible for maintaining systems of internal control that provide reasonable assurance that financial information is reliable, that all financial transactions are properly authorized, that assets are safeguarded, and that the Public Guardian and Trustee of British Columbia adheres to legislation and regulatory requirements. These systems include the communication of policies and the Public Guardian and Trustee of British Columbia's code of ethics and business conduct throughout the organization. Management continually monitors the systems of internal controls for compliance.

KPMG LLP has been appointed by the Public Guardian and Trustee of British Columbia as independent auditors to examine and report on the financial information and their report follows.

Catherine M. Romanko
Public Guardian and Trustee

June 27, 2014



KPMG LLP
PO Box 10426 777 Dunsmuir Street
Vancouver BC V7Y 1K3
Canada

Telephone (604) 691-3000
Fax (604) 691-3031
Internet www.kpmg.ca

INDEPENDENT AUDITORS' REPORT

To the Public Guardian and Trustee of British Columbia

We have audited the accompanying financial information of the Estates and Trusts Administered by the Public Guardian and Trustee of British Columbia, which comprise the statement of net assets as at March 31, 2014 and the statements of income and expenses, changes in net assets and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Information

Management is responsible for the preparation and fair presentation of this financial information in accordance with International Financial Reporting Standards, and for such internal control as management determines is necessary to enable the preparation of financial information that is free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on this financial information based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial information is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial information. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to an entity's preparation and fair presentation of the financial information in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of an entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial information.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

KPMG LLP is a Canadian limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. KPMG Canada provides services to KPMG LLP.



Opinion

In our opinion, the financial information presents fairly, in all material respects, the net assets of the Estates and Trusts Administered by the Public Guardian and Trustee of British Columbia as at March 31, 2014 and their income and expenses, changes in net assets and cash flows for the year then ended in accordance with International Financial Reporting Standards.

KPMG LLP

Chartered Accountants

June 27, 2014
Vancouver, Canada

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Statement of Net Assets of Estates and Trusts Administered
(Expressed in thousands of dollars)

March 31, 2014, with comparative information for 2013

	Note	2014	2013
Assets			
Premium Money Market Fund	5	\$ 465,585	\$ 486,450
Balanced Income Fund	6	31,145	28,014
Balanced Growth Fund	7	90,528	76,546
Other investments and securities	8	116,820	109,636
Other financial assets	9	12,441	10,861
Real property	10	162,942	173,533
Other assets		7,660	7,597
		887,121	892,637
Liabilities			
Accounts payable		6,533	6,230
Mortgages and loans payable		28,975	27,109
Payable to the Public Guardian and Trustee Operating Account	11(b)	937	634
		36,445	33,973
Net Assets of Estates and Trusts Administered		\$ 850,676	\$ 858,664

The accompanying notes are an integral part of this financial information.

Catherine M. Romanko, Public Guardian and Trustee

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Statement of Income and Expenses of Estates and Trusts Administered
(Expressed in thousands of dollars)

Year ended March 31, 2014, with comparative information for 2013

	Note	Premium Money Market Fund	Balanced Income Fund	Balanced Growth Fund	Other investments and securities	Real property	2014 Total	2013 Total
Income:								
Pensions, benefits and settlements		\$ 75,369	\$ -	\$ -	\$ -	\$ -	\$ 75,369	\$ 82,310
Interest and dividends		7,808	909	2,498	2,191	-	13,406	14,422
		<u>83,177</u>	<u>909</u>	<u>2,498</u>	<u>2,191</u>	<u>-</u>	<u>88,775</u>	<u>96,732</u>
Expenses:								
Client care and maintenance	11(a)	60,251	-	-	-	-	60,251	61,220
Commissions and fees paid to the Public Guardian and Trustee Operating Account	11(b)	14,916	290	943	-	-	16,149	17,744
Professional services	11(c)	7,461	56	147	254	-	7,918	8,027
Income taxes paid from Estates and Trusts Administered		2,852	-	-	18	-	2,870	3,603
		<u>85,480</u>	<u>346</u>	<u>1,090</u>	<u>272</u>	<u>-</u>	<u>87,188</u>	<u>90,594</u>
Net income (loss) before realized and unrealized gains/losses		(2,303)	563	1,408	1,919	-	1,587	6,138
Realized and unrealized gains/losses:								
Net realized gains on assets sold or released		-	742	2,311	4,901	2,688	10,642	(788)
Change in unrealized gains/losses		(600)	1,483	7,463	3,413	(9,997)	1,762	3,278
		<u>(600)</u>	<u>2,225</u>	<u>9,774</u>	<u>8,314</u>	<u>(7,309)</u>	<u>12,404</u>	<u>2,490</u>
Net income (loss), representing total comprehensive income		\$ (2,903)	\$ 2,788	\$ 11,182	\$ 10,233	\$ (7,309)	\$ 13,991	\$ 8,628

The accompanying notes are an integral part of this financial information.

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Statement of Changes in Net Assets of Estates and Trusts Administered
(Expressed in thousands of dollars)

	Note	Premium Money Market Fund	Balanced Income Fund	Balanced Growth Fund	Other investments and securities	Other financial assets	Real property	Other assets less liabilities	Total
Balance at March 31, 2012		\$ 493,689	\$ 28,638	\$ 72,124	\$ 115,012	\$ 10,945	\$ 185,792	\$ (27,919)	\$ 878,281
Net income, representing comprehensive income for the year		700	1,602	5,479	1,918	-	(1,071)	-	8,628
Other changes in net assets of Estates and Trusts Administered:									
Assets acquired		-	-	-	32,700	40,327	49,639	-	122,666
Assets purchased from Estates and Trusts Administered		(844)	-	-	-	-	403	-	(441)
Assets sold or collected		-	-	-	(22,792)	(38,928)	(37,644)	-	(99,364)
Net proceeds from sale or collection of assets		97,116	-	-	-	-	-	-	97,116
Transfers between assets		9,706	(2,226)	(1,057)	(6,423)	-	-	-	-
Assets released to clients, beneficiaries and heirs		-	-	-	(10,779)	(1,483)	(23,586)	-	(35,848)
Cash distributions to clients, beneficiaries and heirs		(112,120)	-	-	-	-	-	-	(112,120)
Unclaimed assets transferred to the British Columbia Unclaimed Property Society	12	(1,797)	-	-	-	-	-	-	(1,797)
Movement in other assets less liabilities		-	-	-	-	-	-	1,543	1,543
Total changes in net assets of Estates and Trusts Administered		(7,239)	(624)	4,422	(5,376)	(84)	(12,259)	1,543	(19,617)
Balance at March 31, 2013		\$ 486,450	\$ 28,014	\$ 76,546	\$ 109,636	\$ 10,861	\$ 173,533	\$ (26,376)	\$ 858,664
Net income (loss), representing comprehensive income for the year		(2,903)	2,788	11,182	10,233	-	(7,309)	-	13,991
Other changes in net assets of Estates and Trusts Administered:									
Assets acquired		-	-	-	28,519	37,795	52,652	-	118,966
Assets purchased from Estates and Trusts Administered		(746)	-	-	-	-	10	-	(736)
Assets sold or collected		-	-	-	(17,743)	(32,680)	(34,065)	-	(84,488)
Net proceeds from sale or collection of assets		80,154	-	-	-	-	-	-	80,154
Transfers between assets		206	343	2,800	(3,349)	-	-	-	-
Assets released to clients, beneficiaries and heirs		-	-	-	(10,476)	(3,535)	(21,879)	-	(35,890)
Cash distributions to clients, beneficiaries and heirs		(94,872)	-	-	-	-	-	-	(94,872)
Unclaimed assets transferred to the British Columbia Unclaimed Property Society	12	(2,704)	-	-	-	-	-	-	(2,704)
Movement in other assets less liabilities		-	-	-	-	-	-	(2,409)	(2,409)
Total changes in net assets of Estates and Trusts Administered		(20,865)	3,131	13,982	7,183	1,580	(10,591)	(2,409)	(7,988)
Balance at March 31, 2014		\$ 465,585	\$ 31,145	\$ 90,528	\$ 116,820	\$ 12,441	\$ 162,942	\$ (28,785)	\$ 850,676

The accompanying notes are an integral part of this financial information.

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Statement of Cash Flows of Estates and Trusts Administered
(Expressed in thousands of dollars)

Year ended March 31, 2014, with comparative information for 2013

	2014	2013
Cash provided by (used in):		
Operating activities:		
Income:		
Pensions, benefits and settlements	\$ 75,369	\$ 82,310
Interest and dividends	8,208	9,565
Expenses:		
Client care and maintenance	(60,251)	(61,220)
Commissions and fees paid to the Public Guardian and Trustee Operating Account	(14,916)	(16,879)
Professional services	(7,461)	(7,541)
Income taxes paid from Estates and Trusts Administered	(2,852)	(3,599)
	(1,903)	2,636
Investing activities:		
Contributions to Balanced Income Fund	(5,127)	(2,845)
Withdrawals from Balanced Income Fund	4,784	5,071
Contributions to Balanced Growth Fund	(10,480)	(9,962)
Withdrawals from Balanced Growth Fund	7,678	11,019
Contributions to other investments and securities	(5,195)	(1,586)
Withdrawals from other investments and securities	8,145	6,983
Purchases of real property	(10)	(403)
Purchases of other assets	(735)	(441)
Net proceeds from sale of assets	47,474	58,188
	46,534	66,024
Financing activities:		
Proceeds from collection of assets	32,680	38,928
Distributions to clients, beneficiaries and heirs	(94,872)	(112,119)
Transfers of unclaimed assets	(2,704)	(1,797)
	(64,896)	(74,988)
Increase (decrease) in cash and cash equivalents	(20,265)	(6,328)
Increase (decrease) in unrealized gain on Premium Money Market Fund	(600)	(911)
Premium Money Market Fund, representing cash and cash equivalents, beginning of year	486,450	493,689
Premium Money Market Fund, representing cash and cash equivalents, end of year	\$ 465,585	\$ 486,450

The accompanying notes are an integral part of these financial statements.

PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Notes to Financial Information of Estates and Trusts Administered
(Tabular amounts, except percentages, expressed in thousands of dollars)

Year ended March 31, 2014

1. Reporting entity:

The Public Guardian and Trustee of British Columbia (the “PGT”) operates under the *Public Guardian and Trustee Act* (the “Act”) and other provincial statutes to uphold the legal rights and safeguard the financial interests of adults who are not capable of managing their own affairs, deceased persons’ estates which have no other person willing and able to act for them, estates of missing persons and children in receipt of settlement funds, insurance policy proceeds or money from estates.

This set of financial information reflects the net assets held in trust and activity for the estates and trusts administered by the PGT. Separate financial statements have been prepared for the PGT Operating Account, which report the revenues, expenses and capital expenditures of the PGT.

2. Basis of preparation:

(a) Statement of compliance:

This financial information has been prepared in accordance with the principles of International Financial Reporting Standards (“IFRS”).

This financial information meets the requirements of Section 25 of the Act.

(b) Basis of measurement:

The financial information has been prepared on the historical cost basis except for the Premium Money Market Fund, Balanced Income Fund, Balanced Growth Fund, other investments and securities and real property, which are carried at fair value.

(c) Functional and presentational currency:

The financial information is presented in Canadian dollars, which is the functional currency for the PGT.

(d) Use of estimates and judgments:

The preparation of this financial information in conformity with IFRS requires management to make judgments, estimates and assumptions that affect the application of accounting policies and the reporting amounts of assets, liabilities, income and expenses. Significant areas of estimation include the valuation of investments and real property. Actual values ultimately realized may differ from these estimates and are recognized in the period in which the estimates are revised and in any future periods affected.

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3. Summary of significant accounting policies:

The accounting policies set out below have been applied consistently to all periods presented in this financial information.

(a) Recognition and valuation of assets and liabilities:

On initial recognition, assets and liabilities are recorded at fair value on the effective date the PGT commences administration of the asset or liability, which is the date of death for estate administration, the date of PGT appointment for trust administration or the date that the estate or trust assumed beneficial ownership for assets and liabilities acquired after PGT appointment.

The Premium Money Market Fund ("PMMF"), Balanced Income Fund ("BIF"), Balanced Growth Fund ("BGF") and other investments and securities are carried at fair value as determined from valuation data provided by investment service providers.

IFRS 13 '*Fair Value Measurement*' was adopted by the PGT effective April 1, 2013. IFRS 13 replaces the guidance on fair value measurement in existing IFRS accounting literature with a single standard. The standard establishes a framework for measuring fair value including a revised definition of fair value (further details can be found in note 13 "Fair values") and sets out disclosure requirements for fair value measurements. PGT concluded that there were no significant changes in fair value measurement of financial instruments required upon adoption of this new standard.

Amounts receivable included in other financial assets are carried at amortized cost.

Other assets include jewellery, collectibles, intangibles, vehicles and effects and are carried at cost, which represents the estimated fair value of the asset on the effective date that the PGT commenced administration of the asset.

All financial liabilities are carried at amortized cost.

(b) Valuation of real property:

IFRS requires that, in the absence of an IFRS that can be specifically applied to a situation, management should use judgment in developing and applying an accounting policy to provide relevant, reliable and prudent information. In these instances, it is suggested that IFRS requirements in dealing with similar issues are applied, as well as measurement concepts included within the IFRS Framework.

Real property included within the statement of net assets primarily represents the value of residential properties, currently occupied by the clients of the PGT. This property does not meet the definition of property, plant and equipment, nor investment property, although the acceptable measurement bases for such assets include both cost and fair value.

Accordingly, real property is carried at fair value in the statement of net assets as determined by professional appraisals or, where an appraisal is not available or is not current, as determined from the most recent British Columbia Assessment Authority property assessment or other relevant valuation data.

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3. Summary of significant accounting policies (continued):

(c) Revenue recognition:

Income from pensions, benefits and settlements, as well as interest and dividends is recognized on an accrual basis.

Gains and losses on assets represent the appreciation or depreciation in the value of assets administered by the PGT from the value assigned on the date of appointment of the client (if acquired on appointment) or date of purchase (if purchased for clients after appointment). Such gains and losses become realized on the date the assets are sold or released to clients, beneficiaries and heirs. Both realized gains/losses and changes in unrealized gains/losses are reported in the statement of income and expenses.

(d) Cash and cash equivalents:

The PMMF is used for day-to-day receipts and disbursements for all clients. Investments held by the PMMF are highly liquid and may be easily drawn upon by the PGT in administering the estates and trusts. Cash held in individual external client bank accounts, included in other financial assets (note 9), is not classified as cash and cash equivalents.

4. Financial risk management:

As a fiduciary, the PGT is responsible for managing the assets owned by each estate and trust under its authority. The PGT must exercise the care, skill, diligence and judgment of a prudent investor for its clients.

Under Section 12 of the Act, the PGT is permitted to create common funds within the trust fund account. The PGT has established three common funds called the PMMF, the BIF and the BGF. The PMMF holds short and medium term fixed income investments and is used for day to day receipts and disbursements of all clients. The BIF and the BGF hold investments which are appropriate for clients with longer term investment horizons.

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4. Financial risk management (continued):

Under Section 13(1) of the Act, the PGT is permitted to make separate investments for clients if the money is subject to an express trust or direction for investment or it is, for any other reason, in the best interests of the client to do so. Other investments and securities include separate investment portfolios and registered plans which are established or maintained for clients according to their investment profile.

The three common funds are managed by British Columbia Investment Management Corporation ("bcIMC"). Other investments are managed by private investment management firms.

The PGT maintains a risk management practice that includes quarterly monitoring of the returns and investment strategy of the three common funds and annual monitoring for other client investment portfolios. PGT corporate investment policies assign the investment asset mix strategies for client trusts based on the PGT's assessment of appropriate investment strategy for the client. Four investment portfolio asset mix models are used and client investment portfolios are allocated amongst the three common funds as follows:

Asset Mix	Fixed Income	Equity	Investment portfolio allocation
Model A	40%	60%	Balanced Growth Fund
Model B	60%	40%	Balanced Income Fund
Model C	80%	20%	Blend of Balanced Income Fund and Premium Money Market Fund
Model D	100%	0%	Premium Money Market Fund

Assets in "other investments and securities" represent individual client accounts and each is managed in accordance with the above target asset mix policies.

PGT client investments are exposed to a variety of financial risks: credit risk, liquidity risk, and market risk (comprised of interest rate risk, currency risk and other price risk). The fair value of investments can fluctuate on a daily basis as a result of these risk exposures.

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4. Financial risk management (continued):

Credit risk:

Credit risk is the risk that a counterparty to a financial instrument will fail to discharge an obligation or commitment it has entered into, resulting in a financial loss. The investment policy established by the PGT limits credit risk by limiting the maximum exposure to one single issuer and by investing only in debt securities from governments and corporations with a minimum rating of at least “BBB” or “R-1” as defined by Moody’s, Standard & Poor’s or Dominion Bond Rating Service. The funds’ compliance with policy asset mix and investment guidelines is reviewed quarterly by management and the PGT Investment Advisory Committee.

Liquidity risk:

Liquidity risk is the risk that a client account is unable to meet its financial obligations as they come due. PGT minimizes this risk by ensuring that client accounts hold sufficient cash funds to meet current liabilities and expenses and considers liquidity risk at March 31, 2014 and March 31, 2013 to be insignificant.

Interest rate risk:

Interest rate risk is the risk that the fair value or cash flows of interest bearing investments will fluctuate due to changes in market interest rates. Interest rate risk is managed by PGT through established asset mix policies.

Currency risk:

Currency risk is the risk that the fair value of investments will change due to changes in foreign exchange rates. Currency risk is managed by PGT through established asset mix policies.

Other price risk:

Other price risk is the risk that the fair value of a financial instrument will fluctuate because of changes in market prices (other than those arising from interest rate risk or currency risk), whether those changes are caused by factors specific to the individual financial instrument or its issuer, or factors affecting all similar financial instruments traded in the market. Other price risk is managed by PGT through established asset mix policies.

5. Premium Money Market Fund:

The strategic investment policy for the PMMF requires that the bond securities held must be “A low” rated or better and all short term money market instruments held must be “R-1” rated or better. The target asset mix for the PMMF is 35% Canadian government guaranteed bonds with a maximum term to maturity of 5 years and 65% government and corporate money market securities with a maximum term of 15 months.

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5. Premium Money Market Fund (continued):

Credit risk:

The amount recorded for the PMMF on the statement of net assets held in trust represents the maximum credit risk associated with the PMMF. The PMMF is comprised of cash and debt instruments with credit ratings as follows:

	2014		2013	
	Amount	%	Amount	%
Segregated bonds:				
AAA	\$ 32,726	7%	\$ 45,490	9%
AA	82,925	17	84,253	17
A	44,791	10	41,270	9
	160,442	34	171,013	35
Money market:				
R-1 or better	307,797	66	315,704	65
Cash (overdraft)	(2,654)	-	(267)	-
	\$ 465,585	100%	\$ 486,450	100%

Interest rate risk:

Debt instruments held within the PMMF mature on the following basis:

	2014	2013
Cash (overdraft)	\$ (2,654)	\$ (267)
Debt instruments:		
Less than one year	362,676	339,751
One to three years	54,284	101,249
Three years to five years	51,279	45,717
	\$ 465,585	\$ 486,450

As at March 31, 2014, if interest rates were to increase or decrease by 1%, with other variables held constant, the fair value of the PMMF, and accordingly, net assets, would have increased or decreased, respectively, by approximately \$5.0 million (2013 - \$6.3 million).

Currency risk:

As at March 31, 2014, the PMMF is not exposed to currency risk as all PMMF securities are denominated in Canadian dollars (2013 - nil).

Other price risk:

As at March 31, 2014, the PMMF is not exposed to other price risk as all PMMF securities are fixed income instruments (2013 - nil).

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6. Balanced Income Fund:

The BIF is a unitized fund of funds pool of investments. The investment objective is to enhance returns for investors with a low to moderate level of risk by investing in a well-diversified portfolio. The investment policy target asset mix is 60% fixed income securities, rated “BBB” or better for bonds or “R-1” or better for money market securities, and 40% domestic and international equities, invested through indexed pooled funds.

Credit risk and interest rate risk:

The BIF’s maximum exposure to credit risk as at March 31, 2014 is \$18.7 million (2013 - \$17.0 million), representing the amount of debt instruments within the BIF at March 31, 2014. The BIF’s investment policy guidelines require that debt instruments are rated BBB or R-1 or better and have a duration that is within 20% of the DEX Universe Bond Index.

The BIF is exposed to interest rate risk on that portion of its portfolio invested in fixed income securities. As at March 31, 2014 if interest rates were to increase or decrease by 1%, with all other variables held constant, the fair value of the BIF, and accordingly net assets, would have increased or decreased, respectively, by approximately \$0.1 million (2013 - \$1.0 million).

Currency risk:

The BIF’s maximum exposure to currency risk at March 31, 2014 is \$9.1 million (2013 - \$7.9 million), representing the amount of international equity investments within the BIF at March 31, 2014, of which \$5.2 million (2013 - \$4.5 million), is exposed to US dollars and \$3.9 million (2013 - \$3.4 million) is exposed to other international currencies.

As at March 31, 2014, if the Canadian dollar had strengthened or weakened by 2% in relation to all currencies, with all other variables held constant, the fair value of the BIF, and accordingly net assets held in trust, would have decreased or increased, respectively, by approximately \$0.2 million (2013 - \$0.2 million).

Other price risk:

The BIF’s maximum exposure to other price risk as at March 31, 2014 is \$13.1 million (2013 - \$11.3 million), representing the amount of equity instruments within the BIF at March 31, 2014. As the BIF uses an indexed pooled and portfolio strategy, the BIF’s net asset values will vary based on changes in the related market index benchmarks. The impact on the BIF due to a 10% change in benchmark, using historical correlation between the return of the BIF units as compared to the BIF’s benchmark, as at March 31, 2014, with all other variables held constant, would be an increase or decrease to the fair value of the BIF, and accordingly net assets, of \$1.3 million (2013 - \$1.1 million).

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7. Balanced Growth Fund:

The BGF is a unitized fund of funds pool of investments. The investment objective is to enhance long-term returns for investors with a moderate to high level of risk by investing in a well-diversified portfolio. The investment policy target asset mix is 40% fixed income securities, rated “BBB” or better for bonds or “R-1” or better for money market securities and 60% domestic and international equities, invested through indexed pooled funds.

Credit risk and interest rate risk:

The BGF's maximum exposure to credit risk as at March 31, 2014 is \$34.5 million (2013 - \$30.7 million), representing the amount of debt instruments within the BGF at March 31, 2014. The BGF's investment policy guidelines require that debt instruments are rated BBB or R-1 or better and have a duration that is within 20% of the DEX Universe Bond Index.

The BGF is exposed to interest rate risk on that portion of its portfolio invested in fixed income securities. As at March 31, 2014, if the interest rates were to increase or decrease by 1%, with all other variables held constant, the fair value of the BGF, and accordingly net assets, would have increased or decreased by approximately \$2.1 million (2013 - \$1.9 million).

Currency risk:

The BGF's maximum exposure to currency risk at March 31, 2014 is \$37.8 million, (2013 - \$30.8 million), representing the amount of international equity investments within the BGF at March 31, 2014, of which \$21.6 million (2013 - \$17.4 million) is exposed to US dollars and \$16.3 million (2013 - \$13.4 million) is exposed to other international currencies.

As at March 31, 2014, if the Canadian dollar had strengthened or weakened by 2% in relation to all currencies, with all other variables held constant, the fair value of the BGF, and accordingly net assets, would have decreased or increased, respectively, by approximately \$0.8 million (2013 - \$0.6 million).

Other price risk:

The BGF's maximum exposure to other price risk as at March 31, 2014 is \$56.9 million (2013 - \$46.3 million), representing the amount of equity instruments within the BGF at March 31, 2014. As the BGF uses an indexed pooled fund portfolio strategy, the BGF's net asset values will vary based on changes in the related market index benchmarks. The impact on the BGF due to a 10% change in benchmark, using historical correlation between the return of the BGF units as compared to the BGF's benchmark, as at March 31, 2014, with all other variables held constant, would be an increase or decrease to the fair value of the BGF, and accordingly net assets, of \$5.7 million (2013 - \$4.6 million).

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8. Other investments and securities:

Other investments and securities are comprised of the following:

	2014	2013
Investment portfolios	\$ 68,566	\$ 61,417
Registered plans	29,289	26,931
Other	18,965	21,288
	\$ 116,820	\$ 109,636

The balance of other investments and securities is comprised of numerous individual client accounts, each managed in accordance with specific target asset mix policies. Each individual client account is exposed to credit, interest rate, currency and other price risks based on individual asset mix and holdings. In management's opinion, aggregation and presentation of these individual risk exposures and fair value hierarchy measurements (note 13) would not provide additional meaningful information.

9. Other financial assets:

Other financial assets are comprised of the following:

	2014	2013
Cash in external client bank accounts	\$ 6,053	\$ 3,896
Amounts receivable	6,388	6,965
	\$ 12,441	\$ 10,861

External client bank accounts are bank accounts in the name of individual clients that were held at the time that the PGT commenced administration of the assets and that remain open as at the financial reporting date. The collection of cash from these external client bank accounts to the PMMF is classified as proceeds from collection of assets on the statement of cash flows.

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10. Real property:

Real property includes land, buildings and manufactured homes. As at March 31, 2014, approximately 97% (2013 - 97%) of the fair value of real properties represents properties located in British Columbia.

11. Expenses:

(a) Client care and maintenance:

Client care and maintenance represents goods and services purchased for clients and for personal living expenses, including payments to care facilities.

(b) Commissions and fees paid to the Public Guardian Trustee Operating Account:

Commissions and fees are paid on behalf of clients, for services provided by the PGT in accordance with the Public Guardian and Trustee Fees Regulation as provided for under the Act. When the PGT manages client funds, most of the applicable commissions and fees are calculated and taken or reserved automatically by the trust accounting system.

Amounts payable to the PGT Operating Account is comprised of the following:

	2014	2013
Total amounts payable to PGT Operating Account	\$ 1,002	\$ 709
Less: payables reflected in fair value of funds:		
Balanced Income Fund	(21)	(21)
Balanced Growth Fund	(44)	(54)
	\$ 937	\$ 634

Amounts payable to the PGT Operating Account also include the recovery of various expenses that were advanced by the PGT and later charged back to client trust accounts. Normally on the second business day each month, the prior period's total commissions, fees and recovered expenses are remitted to the PGT Operating Account by means of disbursement transactions from PGT corporate clearing accounts.

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11. Expenses (continued):

(c) Professional fees:

Professional fees are payments on behalf of clients for services such as accounting, legal, investment management, custodial, funeral and property management.

12. Unclaimed assets transferred to the British Columbia Unclaimed Property Society:

Unclaimed assets are transferred quarterly to the British Columbia Unclaimed Property Society when they are deemed inactive by the PGT under Section 27.1 of the Act.

13. Fair values:

The PMMF, BIF, BGF and other investments and securities are reflected in the statement of net assets at fair value. In management's opinion, the fair values of other financial assets and accounts payable, mortgages and loans payable, and amounts payable to the PGT Operating Account are not materially different from the carrying value.

Fair Value Hierarchy:

The three levels of the fair value hierarchy are as follows:

Level 1 - Unadjusted prices in active markets for identical assets or liabilities that the PGT has the ability to accrue at the measurement date.

Level 2 - Observable inputs other than Level 1 prices, such as quoted prices for similar assets or liabilities, quoted prices in markets with insufficient volume or infrequent transactions (less active markets), or model-derived valuations in which all significant inputs are observable or can be derived principally from or corroborated with observable market data for substantially the full term of the assets or liabilities.

Level 3 - Inputs that are unobservable: there is little, if any, market activity. Inputs into the determination of fair value require significant management judgment or estimation.

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13. Fair values (continued):

As at March 31, 2014, and March 31, 2013, the PMMF, BIF and BGF investments were fair valued using Level 2 inputs, based on the respective net asset value of each of the underlying funds. Fair value information has not been provided for other investments and securities as management believes it would not provide additional meaningful information. The fair values of other financial assets and liabilities, which are carried at amortized cost in the financial statements, are also based on Level 2 inputs as while price quotations are available, the instruments are not traded in an active market. For each of the years ended March 31, 2014, and 2013, there were no significant transfers between Level 1 and Level 2.



PUBLIC GUARDIAN
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Public Guardian and Trustee of British Columbia
700 – 808 West Hastings Street
Vancouver BC V6C 3L3

www.trustee.bc.ca

