

Estimates

2021/22



Ministry of Attorney General and
Minister Responsible for Housing

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Ministry of Attorney General and Minister Responsible for Housing

2021/22 Estimates Debates Note

Last updated Date: April 13, 2021

2021/22 – 2023/24 SERVICE PLAN OVERVIEW

KEY MESSAGES:

- The Service Plan for the Ministry of Attorney General and Minister Responsible for Housing (MAG) complies with the government-wide Service Plan guidelines.
- The Service Plan lays out key strategies that the ministry will undertake in the next three years to achieve its goals and objectives, as well as a high-level overview of the ministry's budget.
- The 2021/22 MAG Service Plan profiles the Ministry's new responsibilities and priorities, including Housing, Homelessness, Anti-racism, as well other newly emerging priorities related to access to justice (see Table 1 for an overview).
- The strategies included in the 2021/22 MAG Service Plan are aligned with directions in the Minister's mandate letter and key priorities of the Parliamentary Secretary for Anti-Racism, for example:
 - Development of a homelessness strategy;
 - Continue to deliver our government's 10-year housing plan;
 - Deliver more affordable housing through Housing Hub partnerships and;
 - Introduce legislation that will help reduce systemic discrimination and pave the way for race-based data collection.
- The 2021/22 Service Plan contains five new performance measures:
 - Number of Indigenous clients supported at Indigenous Justice Centres [under development];
 - Reduction in the percentage of people experiencing chronic homelessness [under development];

- Number of affordable and supportive housing units completed by BC Housing including affordable rental and social housing (including HousingHub);
- CleanBC: Number of local governments referencing the Energy Step Code in bylaws and policies; and
- Number of B.C. communities engaged in projects that build intercultural trust and understanding and reduce racism and systemic barriers.

FINANCES:

- N/A

STATISTICS:

- N/A

BACKGROUND:

- Since 2015, MAG and the PSSG have developed a joint Service Plan.
- On November 26, 2020, the Premier announced a new Cabinet to deliver on government's priorities under a new mandate. Given the new responsibilities for MAG, an opportunity arose to highlight key priorities for the ministry by pursuing an independent Service Plan that reflects the priorities of the new housing, homelessness, multiculturalism, and anti-racism portfolios.
- One Goal has carried over from the 2020/21 joint Service Plan (i.e. Goal 1: The Justice Sector in British Columbia is Fair).
 - There are two new Goals in MAG's 2021/22 Service Plan:
 - Goal 2: Safe, Affordable and Functional Housing for all British Columbians; and
 - Goal 3: B.C.'s Communities and Institutions are free from racism.
- There are four new objectives in MAG's 2021/22 Service Plan:

- Objective 2.1: Reduce homelessness through permanent housing and services in partnership with provincial ministries, agencies and local governments;
 - Objective 2.2: Increased security of tenure and supply of affordable market rental, non-profit, co-op, student and supported housing and improved options for middle-income British Columbians to experience homeownership;
 - Objective 2.3: Enhanced safety, occupant health and accessibility, and sustainability of the built environment; and
 - Objective 3.1: Champion anti-racism across government, address systemic discrimination, and support communities to respond to public incidents of racism and hate.
- Additional performance measures that were included in last year's joint Service Plan¹ but are not included in this year's plan include the following:
 - First Nations communities with a letter of intent to create an MOU with B.C. Corrections;
 - Community participation on First Nations Emergency Management Partnership Tables;
 - Timeliness of Victim Financial Assistance claim adjudication;
 - Police-reported crime rates (*Criminal Code* offences per 1,000 persons);
 - User satisfaction results for minor injury accident claims assessed by the Civil Resolution Tribunal; and
 - Public confidence in the justice system, the courts and police.
 - The financial summary includes the operating and capital expenses for 2021/22 and 2022/23 - 2023/24. The three major capital projects (over \$50M) included are affordable rental housing developments in Vancouver (Stanley New Fountain Hotel and Clark & 1st Avenue) and Burnaby (6585 Sussex Avenue).

CROSS REFERENCE:

- **Note A2** – Priorities/Mandate Letter Status Update

¹ Most of these performance measures continue to be reflected in the 2021/22 Service Plan for PSSG.

Table 1: Goals, Objectives and Performance Measures

Goals	Objectives	Performance Measures
1) The justice and public safety sector in British Columbia is fair [Existing Goal]	1.1) Increased access to justice [Existing Objective]	Number of substantive Family Justice Service client service activities provided [Existing Measure]
	1.2) Improved outcomes for Indigenous people through strengthened partnerships with Indigenous leadership and communities [Existing Objective]	Number of Indigenous clients supported at Indigenous Justice Centres [New Measure Under Development]
2) Safe, affordable and functional housing for all British Columbians [New Goal]	2.1) Reduce homelessness through permanent housing and services in partnership with provincial ministries, agencies and local governments [Updated Objective in MAH/SDPR Previous Service Plans]	Reduction in the percentage of people experiencing chronic homelessness [New Measure Under Development]
	2.2) Increased security of tenure and supply of affordable market rental, non-profit, co-op, student and supported housing and improved options for middle-income British Columbians to experience homeownership [Updated Objective in MAH's Previous Service Plan]	Number of affordable and supportive housing units completed by BC Housing including affordable rental and social housing (including HousingHub) [Existing Measure in MAH's Previous Service Plan]
	2.3) Enhanced safety, occupant health and accessibility, and sustainability of the built environment [Updated Objective in MAH's Previous Service Plan]	CleanBC: Number of local governments referencing the Energy Step Code in bylaws and policies [Existing Measure in MAH's Previous Service Plan]
3) B.C.'s communities and institutions are free from racism [New Goal]	3.1) Champion anti-racism across government, address systemic discrimination, and support communities to respond to public incidents of racism and hate [Updated Objective in TAC's Previous Service Plan]	Number of B.C. communities engaged in projects that build intercultural trust and understanding and reduce racism and systemic barriers [Updated Objective in TAC's Previous Service Plan]

Ministry of Attorney General and Minister Responsible for Housing**2021/22 Estimates Debates Note**

Last updated Date: April 14, 2021

MANDATE LETTER STATUS UPDATE**KEY MESSAGES:**

- On November 26, 2020, mandate letters were given to the Attorney General and Minister responsible for Housing and the new Parliamentary Secretary for Anti-racism initiatives.
- The mandate letters identify both government-wide and ministry specific priorities for implementation. Work is currently underway on implementing these priorities and one item (deliver a freeze on rent increases until the end of 2021) has been substantially completed (see Tables 1 and 2).
- The Ministry's key priorities include indigenous justice, addressing money laundering, creating more affordable and supportive housing, reducing homelessness, and combating racism and systemic discrimination.
- The Ministry also has a supporting role in other Ministries' mandate letter items, such as controlling the rising cost of strata insurance (Ministry of Finance) and delivering the action plan required under the *Declaration on the Rights of Indigenous Peoples Act* (Ministry of Indigenous Relations and Reconciliation).

FINANCES:

- N/A

STATISTICS:

- N/A

BACKGROUND:

- As part of its core operations, the Ministry works to keep communities safe and provide certainty, proportionality and, above all, fairness when dealing with criminal, civil and family law matters and to protect people, especially those who are most vulnerable.
- The Ministry is also responsible for providing British Columbians with access to more affordable, safe, and appropriate housing through policy and programs, technical codes and standards, and services for landlords and tenants. It is responsible for promoting multi-culturalism and leading anti-racism initiatives through the Parliamentary Secretary for Anti-Racism Initiatives.

CROSS REFERENCE:

- **A1** - Service Plan Overview

Table 1: Progress Status of Mandate Letter Items (Attorney General and Minister responsible for Housing)

MANDATE LETTER ACCOUNTABILITY	STATUS
<p>Work with the Minister of Public Safety and Solicitor General, Indigenous communities, and the BC First Nations Justice Council to advance the First Nations Justice Strategy and to improve access to culturally appropriate justice, including continuing to establish Indigenous Justice Centres across the province.</p>	<p>In progress - The BC First Nations Justice Council (BCFNJC) and the Province endorsed and signed a new First Nations Justice Strategy in March 2020. Work is currently underway to implement the BC First Nations Justice Strategy.</p> <p>A draft Metis Justice Strategy was developed through seven Community Engagement Sessions with Métis leaders, members from 38 chartered Métis communities, and service providers throughout the summer of 2019.</p>

	<p>Government has begun consultation with Métis Nation of British Columbia (MNBC) on the draft Strategy.</p> <p>A partnership between Government and the BC First Nations Justice Council is creating Indigenous Justice Centres (IJC) throughout B.C., improving access to supports and helping individuals more easily navigate the justice system. Indigenous justice centres have opened in Merritt, Prince George, and Prince Rupert. Future IJC sites will be dependant on evaluation of the three existing centres.</p>
<p>Work with the Minister of Public Safety and Solicitor General (PSSG) and the Minister of Mental Health and Addictions (MHA) to fast track the move toward decriminalization by working with police chiefs to push Ottawa to decriminalize simple possession of small amounts of illicit drugs for personal use. In the absence of prompt federal action, develop a made-in-B.C. solution that will help save lives.</p>	<p>In progress - MHA is the lead on this mandate letter item with MAG and PSSG supporting.</p> <p>Government will officially request a federal exemption from Health Canada to decriminalize personal possession of drugs in the province.</p> <p>The Ministry of Mental Health and Addictions and Health Canada have been working on an agreement that outlines how the Province of B.C. will work with Health Canada to apply for a provincewide exemption to the <i>Controlled Drugs and Substances Act</i>, which governs simple drug possession.</p>

	<p>Consultation with Indigenous partners, peers, law enforcement, municipalities and public health officials is being planned.</p>
<p>Advance recommendations from the findings of the Cullen Commission and the German Report to fight money laundering.</p>	<p>38 recommendations have been addressed from the German Report. The remaining 10 recommendations are anticipated to be addressed through legislation before the end of 2021.</p> <p>The Interim report by the Commission of Inquiry into Money Laundering in British Columbia (Cullen Commission) was released publicly December 10, 2020. Government has extended the final reporting deadline of the Cullen Commission to December 15, 2021.</p> <p>The final Cullen Commission report, expected by December 15, 2021, will also serve to inform the broader strategy and will be carefully reviewed and considered.</p>
<p>To make life more affordable for renters – particularly during the hardship caused by COVID-19 – deliver a freeze on rent increases until the end of 2021, and then make permanent the actions our government took to limit rent increases to the rate of inflation.</p>	<p>Substantially completed - The rent increase freeze has been extended to December 31, 2021 (Bill 7 Royal Assent on March 25, 2021). This provides more security for renters during the pandemic.</p>
<p>Lead work to continue delivering our government's 10-year housing plan, Homes for B.C., and the affordable housing it's bringing to tens of thousands of British Columbians, including working in</p>	<p>In progress - Government is making the largest investment in housing affordability in B.C.'s history - more than \$7 billion over 10 years - and is implementing a 30-point housing plan (Homes for B.C.).</p>

<p>partnership to create 114,000 affordable homes.</p>	<p>Government has completed 17 actions listed in the Homes for B.C. plan focussed on tax policy and legislative measures to moderate market demand pressures e.g. implemented the Speculation and Vacancy Tax, the Beneficial Ownership Registry, stopping tax evasion on pre-sale condo reassignments, increased fines for condo owners who contravene short-term rental restrictions.</p> <p>Government is continuing work <small>Cabinet Confidences; Advice/Recommendations</small></p> <p><small>Cabinet Confidences; Advice/Recommendations</small></p>
<p>Lead government’s efforts to address homelessness by implementing a homelessness strategy.</p>	<p>In progress - Government has committed to implementing a homelessness strategy to address this serious issue that is impacting individuals and communities across the province.</p> <p>Government is actively working with federal and municipal governments and a wide variety of organizations in the non-profit,</p>

	<p>public, and private sectors to reduce homelessness.</p> <p>Government has established the Cabinet Working Group on Mental Health, Addictions and Homelessness, which the AG is the chair. This recognizes the interconnectedness of these issues and the importance of working together.</p>
<p>Deliver more affordable housing through Housing Hub partnerships by providing additional low-interest loans; expanding partnerships with non-profit and co-op housing providers to acquire and preserve existing rental housing; and tasking the Hub with identifying new pathways to home ownership through rent-to-own or other equity-building programs.</p>	<p>In progress - Through HousingHub, Government is working with partners in the community housing and private development industries to create affordable units through lower-cost financing and innovative capital structures.</p> <p>Government will provide \$2 billion in low-interest financing to expand the HousingHub program to facilitate the creation of approximately 9,000 units of affordable rental housing and homeownership options for middle-income British Columbians over the next three years.</p>
<p>Build on our government's work to require new buildings and retrofits to be more energy efficient and cleaner by supporting local governments to set their own carbon</p>	<p>In Progress - CleanBC commits the Government to increasing the energy efficiency of new buildings in the BC Building Code to “net-zero energy-ready” by the year 2032, in stages every five years</p>

<p>pollution performance standards for new buildings.</p>	<p>through the BC Energy Step Code. The first incremental step towards “net-zero energy-ready” will be in 2022 when the BC Building Code will increase energy efficiency by 20 percent.</p> <p>Government has recently committed to supporting local governments to set carbon pollution standards for new buildings with a voluntary opt-in standard similar to the BC Energy Step Code.</p>
<p>Bring in "right-to-charge" legislation that will enable installation of electric vehicle charging infrastructure in more strata and apartment buildings.</p>	<p>In progress - Government will build on the steps already taken in March 2018 when section 6.9 of the Strata Property Regulation was changed to allow strata corporations to recover costs for electric vehicle charging stations through user fees.</p> <p>Ministry staff will be consulting with stakeholders and amending legislation to make this happen in strata and rental housing.</p>
<p>Lead work on the next iteration of the BC Building Code, working with the Parliamentary Secretary for Accessibility to ensure that it includes changes that will make new buildings more accessible for all people.</p>	<p>In progress – The Ministry is working with the National Research Council to finalize the National Building Code 2020 on which the next BC Building Code will be based. The updated BC Building Code will include changes to make new buildings more accessible for all people.</p> <p>Ministry staff are working with national standards development organizations, to further enhance accessibility requirements,</p>

	<p>for early adoption in the updated BC Building Code.</p> <p>Government will conduct coordinated engagements with the Accessibility Secretariat on proposed BC Building Code changes.</p>
<p>Support the work of the Minister of Finance to control the rising cost of strata insurance by building on work already done to close loopholes and enhance regulatory powers and acting on the forthcoming final report of the BC Financial Services Authority. If rates have not corrected by the end of 2021, explore a public strata insurance option.</p>	<p>In progress – This Mandate Item is being led by the Ministry of Finance.</p> <p>The Ministry of Finance directed the B.C. Financial Services Authority (BCFSA) to conduct a review of strata insurance in British Columbia. The final report was released in December 2020 and concluded that the strata insurance market is impacted by a variety of complex factors.</p> <p>BCFSA will collect more data later this year to determine how the market has changed.</p>
<p>Support the Minister of Indigenous Relations and Reconciliation to deliver the action plan required under DRIPA to build strong relationships based on recognition and implementation of the inherent rights of Indigenous peoples protected in Canada’s constitution.</p>	<p>In progress - This is being led by Ministry of Indigenous Relations and Reconciliation (MIRR) with support from all ministries.</p> <p>The introduction of the <i>Declaration on the Rights of Indigenous Peoples Act</i> (Declaration Act) passed unanimously in the B.C. Legislature and became law on November 28, 2019.</p> <p>MAG is currently working with other Ministries, including MIRR, to develop the action plan.</p>

<p>Support the work of the Minister of Mental Health and Addictions to provide an increased level of support – including more access to nurses and psychiatrists – for B.C.’s most vulnerable who need more intensive care than supportive housing provides by developing Complex Care housing.</p>	<p>In Progress - This is led by Ministry of Mental Health and Addictions (MMHA).</p> <p>MAG is currently working with MMHA to provide this support.</p>
<p>Support the work of the Minister of Indigenous Relations and Reconciliation to bring the federal government to the table to match our funding to build much-needed housing for Indigenous peoples both on and off reserve.</p>	<p>In Progress - This is led by Ministry of Indigenous Relations and Reconciliation (MIRR).</p> <p>MAG is currently working with MIRR to prepare for formal discussions with the Federal Government and Indigenous partners.</p>

Table 2: Progress Status of Mandate Letter Items (Parliamentary Secretary)

<p>MANDATE LETTER ACCOUNTABILITY</p>	<p>STATUS</p>
<p>Conduct a full review of anti-racism laws in other jurisdictions and launch a stakeholder consultation to inform the introduction of a new Anti-Racism Act that better serves everyone in B.C.</p>	<p>In progress - The introduction of B.C.’s first anti-racism act will reinforce our goal to combat racism throughout B.C., and ensure that individuals are treated equitably, regardless of their race or skin colour.</p> <p>Government is in the initial stages of planning consultation approaches to inform this new Act and look forward to sharing more plans in the coming year.</p>

<p>Work with B.C.'s new Human Rights Commissioner and other stakeholders to introduce legislation that will help reduce systemic discrimination and pave the way for race-based data collection essential to modernizing sectors like policing, health care and education.</p>	<p>In progress - Introducing race-based data collection is about better identifying where gaps and barriers exist, so we can provide better services for these communities.</p> <p>The Parliamentary Secretary is currently reaching out to Indigenous organizations, community groups and other key stakeholders to get preliminary feedback on the approaches we should take in developing this legislation.</p> <p>In the coming months, the Ministry of Citizen Services and MAG will further engage with community groups to develop a clear framework that guides what we are asking individuals to disclose, how we store the data, and how it will be used.</p>
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<p>Honour the Japanese-Canadian community by providing lasting recognition of the traumatic internment of more than 22,000 Japanese-Canadians during World War II in libraries, communities and at the BC Legislature.</p>	<p>In progress - Since 2019, Government has been working with the National Association of Japanese Canadians on a path forward that honours survivors and acknowledges these injustices.</p> <p>Government supported the National Association of Japanese Canadians with a \$30,000 grant to help the association to hold a series of community consultations that resulted in the development of a report on recommendations for redress.</p> <p>Government is committed to working with the National Association of Japanese Canadians to ensure that our next steps are informed by their recommendations.</p>
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Ministry of Attorney General and Minister Responsible for Housing

2021/22 Estimates Debates Note

Last updated: May 17, 2021

COVID-19 IMPACTS ON OPERATIONS AND PLANS FOR RECOVERY

KEY MESSAGES:

- The COVID-19 pandemic created unique challenges for numerous areas within the Ministry of Attorney General, including the Justice Services Branch.
- At the outset of the COVID-19 pandemic, safety and exposure control plans were developed and continue to be updated, that follow the guidance of the Public Health Officer, WorkSafeBC, and Public Service Agency.
- The pandemic also provided many opportunities for innovation and allowed the Ministry to re-think how justice services are provided both now and in the future (see COVID Recovery and Justice Recovery Initiative, JSB ADM binder).
- Shared leadership of two cross-sector advisory groups—the Justice COVID-19 Response Group and the Cross-Jurisdictional Technical Advisory Group – played a vital part in cross-jurisdictional integration as well as optimization of investments.
- Both Justice Services Branch (Digital Strategy) and Court Services Branch (Court Digital Transformation Strategy) have focused on the continued expansion of technology for virtual proceedings in cases where it is deemed appropriate.
- Adjustment of operations within the Justice Services Branch has focused specifically on four key operational areas:
 - Family Justice Services Division
 - Maintenance Enforcement and Locate Services
 - BC Family Maintenance Agency

- AG Tribunal Sector

FINANCES:

- \$2M in emergency funding was provided for Justice Electronic Delivery Initiative (JEDI) COVID-response projects that were launched in the last year.
- Budget 21 provided \$0.400M operating funding for Family Justice Services and \$2.950M capital funding for courts modernization.

STATISTICS:

- N/A

BACKGROUND:

- **Family Justice Services Division**
 - Trained all division staff to deliver virtual services by June 2020 to maintain access to family justice services across the province.
 - Provide the required initial needs assessment for the Child Support Variation Project initiated in July 2020 as a Covid-19 Recovery Project – a collaboration between the Ministry of AG and the Provincial Court.
 - Implemented new practices for the Family Justice Report Service of FJSD to continue to deliver court ordered reports under s. 211 of the *Family Law Act* including new interview practices.
 - Expanded the division's Virtual Initial Needs Determination (VIND) Service to the Family Justice Centres in Vancouver (Commercial Drive) and Kelowna in the Fall/Winter of 2020.
 - Received approval to enable options for executing documents virtually.
 - Launched and expanded the Early Resolution and Case Management Model in Surrey and the Abbotsford Justice Access Centre, collaborative efforts between the Ministry of AG and the Provincial Court.
 - Developed a division-based Tech Squad of staff to help address various technical issues and demands related to working remotely.

- Computer refresh for a good portion of the division, mass conversion to UC telephones, deployment of cell phones where necessary.
- **BC Family Maintenance Agency**
 - Initiated pauses to certain enforcement mechanisms such as default fees and licence restrictions to ensure clients were not adversely impacted during already difficult situations.
 - Upgraded information technology infrastructure to enable remote work options to ensure the continuation and integrity of our services in support of our clients.
 - Developed and implemented COVID Safety and Exposure Control Plans in accordance with PHO and WorkSafe BC guidelines.
- **Maintenance Enforcement and Locate Services**
 - A new temporary program – **Pre-Court Case Management** – was created to help British Columbians who needed to vary child or spousal support court orders or agreements because their income had been impacted by COVID.
 - The **Locate Services** Search Officers required two computers to access certain data sources while working from home. The early rollout of laptops allowed a new system for accessing key data sources from home to be developed within 9 months.
 - The temporary access restrictions to the courts, resulted in a file backlog for both the **Interjurisdictional Support Services (IJSS)** program and the **Child Support Recalculation Service (CSRS)** program – the IJSS backlog remains and the CSRS backlog has been addressed.
 - Most of the Interjurisdictional Support Order hearings now take place virtually. IJSS staff spend a significant amount of time assisting the courts, clients, and Amicus in facilitating virtual appearances.
 - Programs that were solely paper-based transitioned where possible to communicating and exchanging documents with clients and the court by other means.

- **AG Tribunal Sector**

- Operational adjustments within the sector focused internally on creating the ability and capacity to conduct all aspects of business virtually, both for staff and citizens needing to access dispute resolution services.
- Of the \$2M, in emergency funding, approximately \$200K was spent on family justice mediation and \$100K on MS Teams emergency implementation which supported the boards and tribunals, Cullen Commission, and courts.

CROSS REFERENCE:

- **Note A4.9** - COVID-19 and Court Operations

Ministry of Attorney General and Minister Responsible for Housing

2021/22 Estimates Debates Note

Last updated Date: April 7, 2021

CULLEN COMMISSION: TOP ISSUES

Question: How much will Government spend on the Cullen Commission?

Response:

- The initial estimate provided to Government for completing the work of the Commission was approximately \$15M over two years. Currently, the estimate for total cost of the Commission upon its completion is \$14.8M.

Question: Why is Government spending so much on the Cullen Commission?

Response:

- Money laundering is a blight on our communities, creating many different negative impacts for all British Columbians. It is linked to organized crime, gang activity, and violence. We have been very clear dirty money has no place in B.C. and we are doing everything possible to identify, prevent and relentlessly disrupt this illicit activity.

Question: When will the Cullen Commission Final Report be released?

Response:

- In March, Government agreed to extend the reporting deadline of the Cullen Commission to December 15, 2021, as requested by Commissioner Austin Cullen. This extension will provide Commissioner Cullen with sufficient time to fully hear and consider all of the evidence and to prepare a report with recommendations.

Question: Why weren't there any recommendations in the interim report?**Response:**

- The interim report was never intended to provide recommendations as that would be premature.

Question: What does government intend to do with the recommendations it receives in December?**Response:**

- Any report with recommendations submitted to government is always reviewed with care. Once reviewed and understood, government will be sure to make its next steps known.

Question: How has COVID impacted the operations of the Cullen Commission?**Response:**

- The impact of the COVID-19 pandemic required the Commission to shift to an entirely online environment for its hearings and other work, resulting in some of the hearings set for spring 2020 being moved to the fall.
- There were significant obstacles and delays in the production of documents from participants, in particular from the federal government, as noted in the Commission's Interim Report. This led to a corresponding delay in allowing Commission counsel to review and analyze those documents, pursue investigations, and identify and interview witnesses necessary to properly prepare for the hearings. Each of these challenges resulted in scheduling delays for the hearings.
- On September 25, 2020, Commissioner Cullen made the decision to delay the recommencement of the evidentiary portions of the hearings until after the provincial election had been held. The postponement from October 13 to October 26, 2020 (a delay of two weeks) was undertaken to preserve the independence of the Commission and to protect the integrity of the electoral process.

Question: What conversations are you having with your federal counterparts about money laundering?

Response:

- We have regular ongoing conversations about how to improve and better fund money laundering investigations.

Question: What steps are you taking to address money laundering right now?

Response:

- In Dr. German's 2018 report, he outlined the scope of the money laundering issue, and provided government with 48 recommendations and two interim recommendations.
- Work is underway on all of the recommendations with nearly 80% (38) addressed to date. The remaining 10 recommendations will be addressed through legislation.

Question: What do you have to say about some of the testimony provided, such as what was said by the CEO of BC Lottery Corporation, or that senior staff in government are linked to ignoring the problem?

Response:

- As hearings are still underway, it would be inappropriate for me to comment at this time.

FINANCES:

- N/A

STATISTICS:

- N/A

Ministry of Attorney General and Minister Responsible for Housing

2021/22 Estimates Debates Note

Last updated Date: April 7, 2021

LEGAL AID: TOP ISSUES

Question: What is the government doing to improve access to justice?

Response:

- Government has provided significant funding increases in recent years to Legal Aid BC (LABC) to help restore services cut by the previous government. The 2021/22 Budget provides \$107.503M to LABC, an increase of more than \$32.828M per year over the 2016/17 budget. This funding increase includes \$18.9M per year to support the first legal aid tariff increase since 2005, as well as other service enhancements.
- In addition to the tariff increase, per the terms of the August 2019 Memorandum of Settlement (Agreement) between the Ministry of Attorney General, the Association of Legal Aid Lawyers (ALL) and Legal Aid BC, the Province is currently engaged with ALL in the second year of policy consultations seeking ALL's input on legal aid policy matters.
- LABC has ensured business continuity during the COVID 19 pandemic by switching to and enhancing online and telephone intake, applications, and delivery of legal aid services wherever possible. LABC has also leveraged technology where appropriate to support virtual court processes developed by the provincial courts in response to the pandemic.
- The Province funds seven operational legal clinics – 4 poverty law and 3 other specialized (housing, disability, and immigration and refugee law) legal clinics, that provide free legal information, advice and representation to low-income individuals that otherwise would not have been able to access legal support for their legal matter.

- In addition, the Province is funding Indigenous Justice Centres, which provide wrap around services to Indigenous clients in criminal and family law matters through a holistic approach, with the aim of contributing to the reduction in overrepresentation of Indigenous people in these systems.

Question: How has Covid-19 impacted the services provided by Legal Aid BC (LABC)?

Response:

- LABC's operating environment continues to adapt to ongoing changes. For example, changes to court procedures continue to require responsive adaptation of services.
- Procedural changes, the use of video conference, and social distancing protocols have resulted in some procedures taking longer.

● Advice/Recommendations; Government Financial Information

- Legal Aid intake has returned to or exceeded pre-pandemic demand for February 2021 as a percentage of normal pre-COVID intake:
 - Criminal: 99%
 - Family: 127%
 - CFCSA: 94%
 - Immigration: 41%

Question: What activities have been undertaken by LABC to support the courts during the COVID 19 pandemic?

Response:

- LABC has undertaken the following actions to support the courts:

- Participation in regular monitoring/planning meetings with the Provincial Court regarding communications and streamlining procedures during the pandemic as well as protocols and procedures for resumption of court service.
- Supporting the Court in its plan for additional Pre-Trial Conferences (PTCs) as an assessment and case management tool, by implementing a new tariff item for PTCs.
- Adding one hour to all Criminal Duty Counsel assignments that involve out of custody services and encouraged Duty Counsel to engage with Crown in advance of their assigned dates.
- Supporting the transition of family remand court to MS Teams, with Family Duty Counsel attending family remand remotely to ensure self-represented litigants are supported.
- Supporting the BC Supreme Court's extended jury selection process by compensating counsel to seek extra fees for extra attendance time.

Question: What actions have been undertaken by LABC to ensure the continuity of services during the COVID 19 pandemic?

Response:

- LABC has taken the following additional actions during the pandemic to ensure continuity of services to BC's most vulnerable citizens:
 - Phone-in only applications were implemented to ensure continuing access to legal aid.
 - Parents Legal Centres also moved to a phone-in model, continuing to process child protection matters.
 - Family duty counsel and family advice lawyers previously situated in courthouses and Family Justice Centres moved to a phone-only service model.

- Changed Family Limited Representation Contract coverage to expand financial eligibility and coverable legal issues. Financial eligibility returned to normal levels at the end of the 2020/21 fiscal year.
- Phone-in advice and assistance for criminal law matters.
- Bail hearings for clients in custody have been conducted by telephone and video with duty counsel appearing by video and phone, and LABC has been supporting the rollout of the Northern Virtual Bail pilot project.
- Launched remote child support mediation service to connect parties with free family law mediators who can help to vary an existing child support agreement or order where income has been affected by COVID-19, or make an initial child support agreement.
- Legal aid lawyers continue to support clients and accept legal aid contracts.
- LABC updates its websites to provide British Columbians the latest information on how to access legal aid, including its online services: [Family Law in BC](#) (including LiveHelp, a chat service to help people find information on the site), [MyLawBC](#) (provides free online mediation for preparing a parenting plan), and [Aboriginal Legal Aid BC](#), as well as the [Family LawLINE](#), a free telephone advice service.

Question: What is the status of the transition of Gladue services to the BC First Nation Justice Council's Gladue Service Department?

Response:

- Gladue report writing services transitioned to the BCFNJC's Gladue Services Department as of April 1, 2021 and will no longer be provided by LABC. It is too early to specify impacts for the broader transition of legal aid services for indigenous people to an indigenous-led organization, as much of this work is yet to come. Until then, LABC will continue to deliver Indigenous Justice services through its Indigenous Justice Services Division.

FINANCES:

- N/A

STATISTICS:

- N/A

Ministry of Attorney General and Minister Responsible for Housing

2021/22 Estimates Debates Note

Last updated Date: April 7, 2021

LEGAL CLINICS: TOP ISSUES

Question: What has been the outcome of the Legal Clinics?

Response:

- The seven operational poverty law and other specialized (housing, disability, and immigration and refugee law) legal clinics have increased access to justice by providing free legal information, advice and representation to low-income individuals, that otherwise would not have been able to access legal support for their legal matter.
- In their advocacy role, clinic lawyers have also provided advice to government and non-profit organizations that has had a significant impact on province-wide policy changes. For example, in the first months of the disability clinic's operation, the lawyer met with staff and board members from a provincial non-profit organization, and regional health authority, to advocate for a policy change that resulted in an increase in clients, who need ventilator services in BC, being able to remain living at home or an appropriate staffed home.
- The Law Foundation is also working to develop a robust evaluation framework to evaluate the clinics individually, collectively, and as part of the network of services across the Province that fulfil the legal aid portion of the Foundation's mandate.

Question: What has the impact of Covid-19 been on the legal clinics?

Response:

- Due to COVID-19, all clinics moved to remote work as of March 16, 2020. While this has presented challenges, all clinics have continued to offer a range

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of services remotely and several have carried on their public legal education mandates by webinar.

Question: How do the legal clinics align with Legal Aid BC or other clinic service delivery model services?

Response:

- The legal clinics provide services that are complementary, but do not compete or displace, existing LABC services. The clinics provide services to address poverty law and speciality law legal issues that are not offered by LABC, who discontinued its poverty law work in 2002 as a result of funding cuts. The services offered at the Immigration and Refugee clinic have been developed to avoid overlap with LABC’s I & R services and to provide supplemental services and referrals as appropriate.
- The legal clinics’ focus on poverty law, as well as disability, housing and immigration and refugee law, also distinguishes them from services offered through other clinic service delivery models such as Parent Legal Centres (PLCs) and Indigenous Justice Centres (IJC’s). PLC’s provide services to support parents in resolving issues that led to child protection concerns. IJC’s provide Indigenous clients with legal support and advocacy-based services that focuses on criminal and child welfare law, and social and poverty services focused on mental health and addictions.

Question: What is the status of the poverty law clinic in Prince George?

Response:

• Advice/Recommendations; Intergovernmental Communications

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Advice/Recommendations; Intergovernmental Communications

- The Law Foundation is currently undertaking a selection process to determine the next host for the poverty law clinic in Prince George.

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Ministry of Attorney General and Minister Responsible for Housing

2021/22 Estimates Debates Note

Last updated Date: April 14, 2021

TRIAL LAWYERS ASSOCIATION OF BRITISH COLUMBIA V. BRITISH COLUMBIA (ATTORNEY GENERAL)

KEY MESSAGES:

- On April 8, 2021, the B.C. Court of Appeal granted a partial stay of the B.C. Supreme Court's decision that ruled it was unconstitutional for the Civil Resolution Tribunal (CRT) to make minor injury determinations and decide claims of up to \$50,000 in motor vehicle injury (MVI) disputes.
- The partial stay order is in effect until the Court of Appeal decides on the Attorney General's appeal from the B.C. Supreme Court decision.
- This means that for motor vehicle accidents that happen between April 1, 2019, and April 30, 2021, people have a choice of having their dispute resolved through the CRT or by filing a claim in court if the dispute is about:
 - liability and damages between \$5,000 and \$50,000; and
 - minor injury determinations.
- The CRT retains jurisdiction to resolve accident benefit claims and other vehicle accident claims within its \$5,000 small claims limit.
- The decision didn't appear to raise any new constitutional issues for:
 - Other areas of CRT jurisdiction (small claims, strata, societies, and co-operative associations); or
 - The Provincial Court, which also lacks the inherent jurisdiction of a superior court.

