

# 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 Plan<sup>1</sup> 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 & 1<sup>st</sup> Avenue) and Burnaby (6585 Sussex Avenue).

## CROSS REFERENCE:

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

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

**Table 1: Goals, Objectives and Performance Measures**

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

**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
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><b>In progress</b> - 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><b>In progress</b> - 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>

	Consultation with Indigenous partners, peers, law enforcement, municipalities and public health officials is being planned.
Advance recommendations from the findings of the Cullen Commission and the German Report to fight money laundering.	<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>
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.	<b>Substantially completed</b> - 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.
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	<b>In progress</b> - 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>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><b>In progress</b> - 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><b>In progress</b> - 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><b>In Progress</b> - 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><b>In progress</b> - 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><b>In progress</b> – 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>
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><b>In progress</b> – 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>
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><b>In progress</b> - 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>

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><b>In Progress</b> - This is led by Ministry of Mental Health and Addictions (MMHA).</p> <p>MAG is currently working with MMHA to provide this support.</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><b>In Progress</b> - 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)**

MANDATE LETTER ACCOUNTABILITY	STATUS
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><b>In progress</b> - 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><b>In progress</b> - 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><b>In progress</b> - 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.

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● 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

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



Contact: Wendy Jackson	Tel: 778-974-3680	Mobile: Government Financial Information
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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.

Contact: Wendy Jackson	Tel: 778-974-3680	Mobile: _____
		Government Financial Information

## 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.

- The decision does not affect the CRT's jurisdiction over enhanced care benefits and does not impact the COVID-19 rebates or reductions in rates effective May 1, 2021.
- The CRT is one of many independent administrative tribunals that plays a vital role in BC's broader justice system, along with our courts.
- The CRT was designed to "scale up" or down depending on volume and has some capacity to adjust to changing caseloads.
- Government continues to work with all levels of court to promote efficiency and reduce backlogs. Any new vehicle accident claims coming to courts would naturally be included in this work.

#### **STATISTICS:**

- Since April 1, 2019, the CRT has received 336 motor vehicle injury disputes. 62% (208) have been resolved as of February 28, 2021.

#### **FINANCES:**

- N/A

#### **BACKGROUND:**

- On Mar. 2, 2021, the Supreme Court of BC struck down two of the CRT's three areas of accident claims jurisdiction (minor injury classification, and liability and damages under \$50,000), as well as the provision of the CRT Act that requires the court to stay or dismiss accident claims in those categories in favour of the CRT's jurisdiction. The CRT's jurisdiction in respect of "accident benefits" (under s. 133(1)(a) of the CRT Act) was not challenged by the TLABC and remains intact.
- Chief Justice Hinkson declared that, "sec.133(1) (b) and (c) of the CRTA are unconstitutional and of no force or effect, and that s.16.1 is unconstitutional and should be read down insofar as it applies to accident claims, except for determination of accident benefits under s. 133(1)(a)."

- On April 1, 2019, legislative amendments to the jurisdiction of the Civil Resolution Tribunal (CRT) came into effect, including:
  - A grant of jurisdiction over motor vehicle accident claims of \$50,000 or less to the CRT. The grant includes, pursuant to section 133 of the CRT Act, jurisdiction to make accident benefit determinations, to decide whether an injury is a “minor injury” within the meaning of the Insurance (Vehicle) Act, and to assess liability and damages.
  - A \$5,500 limit on non-pecuniary damages for “minor injuries”.
- The same day, the Trial Lawyers Association of British Columbia (TLABC) filed a notice of civil claim challenging the constitutional validity of the amendments. They alleged:
  - The grant of jurisdiction to the CRT in section 133 of the CRT Act, combined with the operation of section 16.1, is contrary to section 96 of the Constitution Act, 1867, which protects the jurisdiction of superior courts. The claim alleges, inter alia, that sections 16.1 and 133 of the CRT Act impermissibly impede access to superior courts and remove an aspect of the core jurisdiction of those courts.
  - The imposition of a cap for non-pecuniary damages arising out of a “minor injury” infringes section 15 of the Charter.
- In December 2019, four individual plaintiffs (all motor vehicle accident claimants) and the defendants to those motor vehicle accident claims (represented by ICBC) were added as parties to the action.
- On August 10-14, 2020, Chief Justice Hinkson of the BC Supreme Court heard the plaintiffs’ application for summary judgment/summary trial on one aspect of the claim: whether the grant of jurisdiction to the CRT over accident is contrary to section 96 of the Constitution Act, 1867.
- The August 2020 hearing – and the related judgment – did not address whether the cap on non-pecuniary damages for minor injuries infringes section 15 of the Charter. No date has been set for the hearing of that part of the claim and the cap remains in effect for now. The effect of the judgment appears to be that the

lower value claims, rather than being diverted to the CRT, will remain in court, and that the court, rather than the CRT, will adjudicate minor injury classification.

**CROSS REFERENCE:**

- **Note H30** - Trial Lawyers' Association of British Columbia v. British Columbia (Attorney General)

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

Last updated Date: April 30, 2021

**RACE BASED DATA LEGISLATION****KEY MESSAGES:**

- The past 12 months have shown that we need to do more to address systemic discrimination and hatred in this province.
- We've seen a rise in anti-Asian and anti-Indigenous racism during COVID-19, and a world-wide focus on anti-Black racism through the marches for Black Lives Matter.
- We know that systemic racism exists in policies and programs and that this has a negative impact on people and communities, but we need better information.
- Introducing race-based data collection is about better identifying where gaps and barriers exist, so we can provide better services for these communities.
- This data is going to be so important to help us break down systemic barriers, but we want to ensure we set up respectful, safe and collaborative processes to collect, use and store this data.
- Parliamentary Secretary Singh is currently reaching out to Indigenous organizations, community groups and other key stakeholders to request preliminary feedback on the approaches we should take in developing this legislation.
- 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.
- If asked about race-based data collection and COVID-19:

- I defer you to the Ministry of Health on their COVID-19 response.
- However, Dr. Henry and others have been clear that it's not possible to build that system at the same time as we respond to a pandemic.
- But we know that some communities are disproportionately impacted by COVID-19, and government is working to respond to that.

## FINANCES:

- Current costs (primarily staffing and consultation) are accounted for in the ministry's base administrative budget.
- 3 new FTEs are in the process of being hired to support this file: one Director, a legislative analyst and a policy analyst.

## STATISTICS:

- 36% of British Columbians and 51% of Metro Vancouver residents self-identified as a visible minority or Indigenous in 2016 (Census 2016).
- According to Mary Ellen Turpel-Lafond's "In Plain Sight" report, more than two-thirds of Indigenous respondents and a significant number of other people of colour said they had experienced discrimination based on their ancestry while accessing health care. Only 16% reported "never" having been discriminated against.
- The pandemic has had disproportionate socio-economic impacts on people of colour. Statistics Canada 2020 labour market data showed that Indigenous people living off reserve, Black, Filipino, Chinese and South Asian Canadians were more heavily impacted than white Canadians by job losses in 2020.
- Anti-Asian hate crimes increased by over 700% in 2020 compared to 2019 in Vancouver.
- In Vancouver, hate crimes incidents increased by 97% from 142 incidents in 2019 to 280 in 2020.

**BACKGROUND:**

- Parliamentary Secretary Singh's mandate letter includes a commitment to "work with B.C.'s new Human Rights Commissioner and other stakeholders to introduce legislation that will help reduce systemic racism and pave the way for race-based data collection essential to modernizing sectors like policing, health care and education."
- The ministry expects to implement begin consultations on race-based data legislation in the summer of 2021, <sup>Cabinet Confidences</sup>  
Cabinet  
Confide
- On March 24th, 2020, an engagement webpage was launched where citizens can learn about the upcoming engagement plans for the legislation and register for more information. <https://engage.gov.bc.ca/antiracism/>
- The consultations will also be informed by the Office of the Human Rights Commissioner's report titled, "Disaggregated demographic data collection in British Columbia: The grandmother perspective" (September 2020), and Dr. Mary Ellen Turpel-Lafond's report titled, "In Plain Sight: Addressing Indigenous-Specific Racism and Discrimination in B.C. Health Care" (November 2020).

**CROSS REFERENCE:**

- **Note C2** – Anti-Racism Act



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

Last updated Date: May 28, 2021

**HOMELESSNESS AND ENCAMPMENTS****KEY MESSAGES:**

- The impacts of the COVID-19 pandemic and the opioid crises have exacerbated homelessness issues across the Province.
- Communities in every region including urban and rural areas are struggling with increased homelessness and encampments.
- Encampments are not a safe or suitable form of housing or shelter. People deserve real homes and stability.
- Some people will need significant health and wellness supports to become stably housed while others will only require moderate levels of support to live independently.
- We are working across ministries, at all levels of government and with communities to prevent and address homelessness.
- This includes working to reduce poverty, to increase housing options and affordability and to provide the supports people need.
- We've opened more than 2,800 new supportive homes for people experiencing homelessness in nearly 25 different communities, with a further 1,800 currently underway around the province towards a goal of 4,900 new supportive homes over 10 years.
- Since the start of the COVID-19 pandemic, BC Housing has been working with community partners to secure sites where vulnerable people, including those experiencing or at-risk of homelessness, can maintain physical distance. In partnership with local municipalities the Province secured over 3,000 spaces across the province.

**FINANCES:**

- One-time funding of \$156 million for COVID-19 and 2020 decampment response. Government Financial Information

Government Financial Information

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**STATISTICS: (AS OF MAY 28, 2021)**

- The 2018 BC Homeless Count identified a total of 7,655 people experiencing homelessness in the province. The 2020 count was interrupted by COVID-19 but is resuming in 2021 and will be reported in Fall 2021. Counts completed in 2020 include Metro Vancouver (3,634), Greater Victoria (1,523) and Fraser Valley (895).
- From January to May 2021, the Ministry was alerted to more than 1,300 people sheltering in over 30 encampment areas across the Province.

**BACKGROUND:**

- The province is partnering with municipalities and community partners to develop thousands of new supportive homes and urgent shelter spaces for people experiencing homelessness across the province.
- Significant encampment areas in 2021 include:
  - Victoria: 229 people sheltering across 9 city parks moved to indoor spaces by May 18
  - Vancouver: 296 people at Strathcona Park moved to shelter and housing by May 1. There are still unsheltered people, including 50 at Stanley Park, smaller encampments across city parks and people in RVs
  - Abbotsford: 70 to 80 people in an encampment around a highway right of way at Lonzo Road.
  - Nanaimo: Ongoing issues with people sheltering in parks and city spaces after 85 people displaced from large encampment due to fire in late 2020
  - Cowichan: Estimated more than 100 people in small encampments

- Fraser Valley: Encampments on municipal and crown land (forests and highways), fire safety and vehicles a concern
- Kelowna: People from multiple encampments across city parks and spaces have been moved to one large managed encampment area
- Squamish/North Vancouver RD: Vehicular and deep woods encampments
- Prince George: High needs cohort and municipal encampments
- The Homelessness Policy and Partnerships Branch is engaging with Local Governments to develop a Homeless Encampment Response Best Practices Resource.
- The Vulnerable Populations Working Group was established as a COVID-19 response to identify, assess and address key issues for responding to the needs of vulnerable people who are unsheltered, in encampments, shelters, in social and supportive housing and single room occupancy hotels (SROs).
- The Homelessness Community Action Grant program provides funding to municipalities and community organizations for initiatives designed to prevent homelessness and better respond to the needs of people experiencing or at risk of homelessness.

#### CROSS REFERENCE:

- **Note 3.1** –Homelessness Strategy
- **Note 3.2** – Encampments
- **Note 3.3** –Decampments – Victoria and Vancouver

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 28, 2021

## PROGRESS TOWARD IMPLEMENTING THE 30-POINT AFFORDABLE HOUSING PLAN

### KEY MESSAGES:

- Our government moved quickly to complete 17 actions focussed on tax policy and legislative measures to moderate market demand pressures.
- Some of the implemented measures to stabilize the housing market include: the Speculation and Vacancy Tax, the Beneficial Ownership Registry, stopping tax avoidance on pre-sale condo reassignments, increased fines for condo owners who contravene short-term rental restrictions, amendments to the Property Transfer Tax (increasing and expanding the foreign buyer tax, increasing the property transfer tax and school tax rate on homes over \$3 million), and working with the federal government to prevent tax avoidance.
- Eight housing supply initiatives, mainly through BC Housing, have already resulted in 27,234 units of housing either completed or underway.
- Of the three expenditure program actions:
  - Effective September 1, 2018, the Rental Assistance Program (RAP) and Shelter Aid for Elderly Renters (SAFER) programs were enhanced by \$46 million per year to increase the average benefit under both programs. These programs make housing more affordable for low-income seniors and working families who rent their homes in the private market.
  - \$288.71 million of the \$1.1 billion in Capital Renewal Funding for our social housing stock has been committed to both non-profit owned

and provincially owned projects (391 projects - 200 non-profit and 191 provincially-owned).

- We have also made substantial progress on: Strengthening Protections for Renters, Empowering Local Governments, and Expanding Transit and Building Communities.
- We continue our work on the remaining 13 actions to allow for consultation, make necessary legislative changes and for the process of building additional housing supply.

#### **FINANCES:**

- *Budget 2018* announced a \$7 billion investment over 10 years.

#### **STATISTICS:**

- After dipping by 19 per cent in the first half of 2020, housing starts are showing a recovery. January and February 2021 housing starts are above the previous year's benchmark. There were 34,885 housing starts in 2020.
- Price trends for benchmark single detached dwellings and condos stabilized following the implementation of the 30 Point Plan. The onset of the COVID-19 pandemic and subsequent economic policies and low inventories combined to influence an escalation in prices.
- Non-resident involvement in real estate transactions have decreased from 4-5 per cent in 2018 to a rate of 1.3 per cent for B.C., and 1.4 per cent for Metro Vancouver in February 2021.
- The number of condos intended for long-term rental in Metro Vancouver was up 7,137 units (10 per cent from the previous year) in 2020. Rental units now represent nearly 30 per cent of condominium stock in Metro Vancouver.

#### **BACKGROUND:**

- Governments historic \$7 billion investment through BC Housing provides enough funding to set in motion the seven actions under Building the Homes People Need and Actions 24 and 25. All initiatives are underway but will not be considered complete until the unit targets set for 2028 are met.

Strengthening Protections for Renters

- Government extended the freeze on rents during COVID and limited annual allowable rent increases to inflation.
- Landlords must now prove to government evictions are required before they can proceed with renovations and a new process will allow for modest rent increases when capital improvements are being made.
- Other measures include a new compensation to manufactured homeowners when a park is closed.
- Cabinet Confidences; Advice/Recommendations

Empowering Local Governments (Action 26)

- Applications are now being accepted by UBCM for the \$15 million Local Government Development Approvals Program to support local governments in implementing best practices and testing innovative approaches to improving development approvals processes.

Expanding Transit and Building Communities (Action 30)

- Provincial and federal investments in rapid transit infrastructure will introduce new housing development along major transit lines and will contribute to the 114,000 affordable homes delivered by this government.
  - The Province has partnered with the federal government and City of Vancouver on the \$2.83-billion Broadway Subway Project, with construction underway.
  - The Surrey-Langley Skytrain is a priority for our government, and we're working closely with TransLink, the Mayors' Council, and other partners on this important project.

## CROSS REFERENCE:

- **B 1.1** - Progress under BuildingBC Capital Program

- **B 1.3** - Plan to Meet 114,000 Unit Target
- **B 1.3** - HousingHub
- **B 5.1** - Budget 2021 - Housing Initiatives
- **B 5.2** - Progress on Budget 2017, Budget 2018, Budget 2019, Budget 2020

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

Last updated Date: April 12, 2021

**SUPPORTS FOR RENTERS AND LANDLORDS  
DURING COVID****KEY MESSAGES:**

- To support renters and landlords during the COVID-19 pandemic, government introduced temporary measures in March 2020 such as;
  - a moratorium on all non-emergency evictions
  - a freeze on all rent increases, and
  - a number of measures targeted at providing safety and security.
- BC Housing launched the Temporary Rental Supplement program which gave tenants and landlords temporary support towards rent payments from April to August 2020 for low- and moderate-income renters who lost income as a result of COVID-19
- We bought in the eviction ban when thousands of people were losing their jobs and things were much more uncertain than they are now, especially the B.C. COVID-19 Recovery Benefit and with a vaccine being distributed.
- Government lifted the moratorium on evictions in September 2020 and introduced a repayment framework to allow tenants to pay back rent arrears that accumulated from March – August.
- In response to direction and advice from the Provincial Health Officer with respect to quarantine procedures, self-isolation and social distancing practices, the RTB also introduced several temporary measures including:
  - allowing landlords to restrict the use of common areas (in place until July 2021),



- allowing tenants to restrict access to rental units (except in emergency situations) (lifted in September 2020), and
- suspending in person service of documents (lifted in September 2020).
- Additional measures related to dispute resolution services that were also introduced included:
  - adjourning hearings,
  - extending timelines where appropriate, and
  - expanding fee waiver eligibility.
- Bill 7, the *Tenancy Statutes Amendment Act* introduced in March 2021, extended the rent increase freeze until the end of 2021

#### **FINANCES:**

- One-time, total program cost \$130.5 million in 2020/21

#### **STATISTICS:**

- The BC Temporary Rental Supplement Program assisted more than 87,730 households across the province.
- Throughout the course of this five-month Temporary Rent Supplement program, more than 300,000 payments were provided to support low- and moderate-income renters who lost income as a result of COVID-19.
- The Residential Tenancy Branch only collects data related to disputes so cannot identify whether more tenants were evicted in September 2020 when the moratorium was lifted.
- While there was an initial spike in dispute resolution applications after the moratorium was lifted, they have returned to pre-pandemic levels.

#### **BACKGROUND:**

- The rental framework protected renters by ensuring they could not be evicted for a missed or late rent payment from March 18 to August 17, 2020, unless a renter defaulted on their repayment plan.
- The terms of the repayment plan must adhere to specific rules (e.g. equal payments) and the renters have until July 2021 to pay back the arrears unless the landlord and renter agree to a longer period.

**CROSS REFERENCE:**

- **N/A**

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 8, 2021

## COVID-19 AND COURT OPERATIONS

### KEY MESSAGES:

- While COVID-19 has brought unprecedented challenges for all court users and justice sector partners, court hearings never stopped.
- The Court Services Branch will continue to implement health and safety measures inside courthouses in accordance with the directions received from provincial health officials, the BC Public Service Agency, and an external workplace safety consulting firm.
- The Ministry will continue discussions with the Courts to identify opportunities for modernization, innovation, and increased and expanded access to justice.
- The Ministry will continue to position the court system to be able to effectively address the significant court case backlogs by seeking funding for technology upgrades and expansion, additional resources, and infrastructure.
- The Ministry will continue improving court technology infrastructure (bandwidth, WiFi,) that will support the innovations that have been implemented (virtual hearing software and online resolution).
- The Ministry will continue working with the Courts on legislative and policy initiatives that will improve access to justice and support court recovery (Traffic Online, Court of Appeal Act, Small Claims Rules, Supreme Court Rules, etc.).
- The Ministry will continue to collaborate with the Courts to develop processes and guidelines to address potential service disruptions and resource management planning.

- The Ministry will continue working with the BC Public Service Agency, Workplace Health and Safety and the Ministry of Health to develop COVID-19 exposure control policies and procedures for court staff and court users.
- The Courts of BC, the Ministry of Health and Ministry of Attorney General created a protocol to provide clear, consistent communication about health and safety information for courthouses during the COVID-19 pandemic.
- The Ministry will continue refining requirements for selecting and preparing alternate court locations to accommodate court matters (circuit court, traffic court, indigenous court, criminal jury trials) in communities where courthouses cannot safely accommodate these matters.

**FINANCES:**

- N/A

**STATISTICS:**

- N/A

**BACKGROUND:**

- In order to ensure the safety of all court users and staff, the Court Services Branch in collaboration with the three levels of Court, have successfully implemented COVID-19 related health and safety policies in accordance with current guidelines, directives and recommendations from the Provincial Health Officer, BCCDC, WorkSafe BC, and BC PSA Workplace Health and Safety.
- Some of these measures include:
  - Health Screening upon entry to a Courthouse
  - Enhanced cleaning and sanitizing by dedicated day porters
  - Courthouse assessments by a third-party health and safety consultant to identify modifications to the public spaces in order to comply with the PHO guidelines

- Environmental Measures including, removal of extraneous furniture, installation of Plexiglas/Lexan barriers, directional arrows, signage for physical distancing and maximum occupancy in public spaces (elevators, washrooms, courtrooms)
- Administrative Measures including drop box filing at entry point, promoting e-filing using Court Services Online, and supporting virtual court appearances, where appropriate
- IT measures such as network upgrades to support virtual hearings
- Personal Measures including the provision of PPE (provision of hand-sanitizers, masks and gloves, wearing masks)
- Court Services Branch continues to use a mixed model for staffing. Where operationally feasible, staff work from home. In person staff are adhering to health and safety guidelines.
- Microsoft Teams is being rolled out provincially to every courthouse to allow for virtual appearances.
- Since July, Provincial Court of BC Registries and BC Supreme Court Registries have been accessible to the public for in person service. Limited remote services were provided while the spaces were closed to members of the public.
- Supreme Court civil jury trial matters have been temporarily suspended until October 7, 2022.
- Supreme Court criminal jury trials recommenced September 7, 2021. The Ministry has been arranging for courthouse assessments to determine whether the jury trial can be conducted in the courthouse accordance with public health guidelines. Where the assessments reveal that there is no suitable space for a jury trial within the courthouse, the Ministry is identifying alternate locations (large facilities outside of the courthouse) to safely accommodate the jury trial. The first Supreme Court Criminal Jury Trial at an alternate court location was successfully held in Nelson (Capitol Theatre).
- Alternate locations for indigenous courts (family and criminal) are also being assessed on a community by community basis.

- Where possible interpreters are appearing virtually. Court Services Branch is piloting assistive listening equipment to accommodate interpreters appearing in person while allowing them to maintain physical distancing requirements. A remote interpreter system is being piloted and will provide interpreters to attend hearings virtually using the existing videoconferencing infrastructure.

**CROSS REFERENCE:**

- **Note G1 - COVID Recovery and Justice Recovery Initiative**

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 28, 2021

## PROGRESS UNDER BUILDING BC CAPITAL PROGRAM

### KEY MESSAGES:

- We are making considerable progress on investments in the 114,000 homes target. Of the 114,000, we anticipate 39,110 new units of housing funded by BC Housing and the post-secondary sector over a 10-year period.<sup>1</sup>
- As of April 30, 2021, 27,234 units are in the pipeline.
  - 17,707 units are completed or under construction;
  - 9,527 units are underway in various approvals processes; and
  - 3,527 units delivered through HousingHub partnerships, are completed or in the approvals process.

### FINANCES:

- *Budget 2018* announced a \$7 billion investment over 10 years.

### STATISTICS:

- Budget 2017 Update housing units completed and underway
  - Rapid Response to Homelessness: 1,894 of 2,000 targeted new units of modular housing in over 20 communities.
  - Affordable Rental Housing: 1,209 of 1700 targeted units.
- Budget 2018 housing units completed and underway:

<sup>1</sup> Note the target increased from the Budget 2018's 36,700 due to the addition of 2010 Regional Housing First units and 400 Homelessness Action Plan units.

- Deepening Affordability: 2,126 of 4,900 targeted units from pre-2017 programs with increased funding to improve affordability for units that would have been much less financially viable for clients.
- Supportive Housing Fund: 2,840 of 2,500 targeted units of supported housing for the homeless or those at risk.
- Community Housing Fund: 6,196 of 14,350 targeted rental units for the missing middle at or just below market rates.
- Women's Transition Housing Fund: 699 of 1,500 targeted units of transitional housing for women and children fleeing abuse.
- Indigenous Housing Fund: 1,140 of 1,750 targeted homes.
- Student Housing: 5,701 of 8,000 targeted units of student housing, included those self-funded by Post-Secondary Institutions (PSIs) through partnerships.
- Homelessness Action Plan: 328 of the 400 additional supportive housing units funded in Budgets 2019 and 2020.
- Regional Housing First Program: 856 of 2010 targeted units of affordable housing, with 1/3 of the funding from BC Housing.
- HousingHub: As of April 30, 2021, 3,527 units are completed or in process.<sup>2</sup> A key principle for this office that is ongoing operating subsidies will not be provided – only short term interim construction financing and in limited cases, an up front grant for a portion of the cost.

#### CROSS REFERENCE:

- A 4.8 - Progress Toward Implementing 30-Point Housing Plan
- B1.2 - Plan to meet 114,000 unit target
- B1.3 - Housing Hub
- B 5.1 - Budget 2021 - Housing Initiatives

<sup>2</sup> A few hundred units are contingent on other project completing to ensure that the construction loan financing costs remain within approved Treasury Board debt levels.



- B 5.2 - Progress on Budget 2017, Budget 2018, Budget 2019, Budget 2020

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 28, 2021

## PLAN TO MEET 114,000 AFFORDABLE UNITS TARGET

### KEY MESSAGES:

- In Budget 2018, government committed to deliver 114,000 units of affordable housing as part of our ten-year Homes for BC Plan. We are doing this through a combination of direct funding, financing, partnerships, and policy changes to support affordability of units built by the private sector.
- Direct Funding: We are making significant progress on investments in 39,110 new units of housing funded by BC Housing and the post-secondary sector over a ten-year period.
- Financing: through HousingHub we are working with partners in the community housing and private development industries to create affordable units through lower-cost financing and innovative capital structures. We have established a new debt limit of \$2 billion for these partnerships through the HousingHub.
- Partnerships: Together with the federal government, the Province is making significant investments in rapid transit infrastructure that will make people's lives more affordable and create walkable, sustainable communities. These projects will introduce new housing development along major transit lines and will contribute to the 114,000 affordable homes delivered by this government.
- Policy Changes: Government is working on a number of initiatives to enable and reduce the cost of new affordable housing:
  - Development Approvals Process Review: the Ministry of Municipal Affairs identified four general priority areas for action: streamlining approvals, development finance, public hearings and public input, official community plans and zoning.

- Secondary suites: as of December 2019, the BC Building Code allows suites in duplexes, townhomes, and other types of multi-family housing, and larger suite sizes are now possible. Government is working on ways to monitor building completions data to be able to report on the numbers of units generated by this policy change.
- The BC-Canada Expert Panel on the Future of Housing Supply and Affordability released its interim report titled: What We Heard Report in December 2020 and we look forward to release of the Final Report and Recommendations later this Spring. Government will consider how these recommendations may be applied toward meeting the 114,000 target.

### **FINANCES:**

- *Budget 2018* announced a \$7 billion investment over 10 years.
- The debt limit to support lending through the HousingHub has been established at \$2 billion.

### **STATISTICS:**

- Direct Funding - as of December 31, 2020, we can report that 23,707 directly-funded units are under way, with 5,987 already completed. However, this number does not include HousingHub.
- Financing: The total debt limit for BC Housing is \$2.8 billion, which includes a debt limit of \$2 billion specifically for partnerships to promote affordable housing supply through the HousingHub. As of April 30, 2021, HousingHub programs have seen 1,687 units completed and 1,840 others are in the construction, development, or initiation phases for a total of 3,527 units to date.

### **BACKGROUND:**

- Government is considering additional measures to improve affordability of existing housing, encourage the right kind of supply, and make new supply more affordable. These measures could require legislative amendments and

additional spending or debt capacity and are subject to Treasury Board approval and federal cost-matching in some cases.

- The Province continues to request federal cost-matching for the Indigenous Housing Fund.

- Advice/Recommendations

### CROSS REFERENCE:

- **A4.8** - Progress Toward Implementing 30-Point Housing Plan
- **B1.1** - Progress under BuildingBC Capital Program
- **B 1.3** - Housing Hub
- **B5.1** - Budget 2021 - Housing Initiatives
- **B5.2** - Progress on Budget 2017, Budget 2018, Budget 2019, Budget 2020

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

Last updated Date: May 28, 2021

**HOUSING HUB****KEY MESSAGES:**

- Through HousingHub we are working with partners in the community housing and private development industries to create new homes through lower-cost financing and innovative capital structures.
- Government will provide \$2 billion in low-interest financing to expand the HousingHub program to facilitate the creation of 8,800 units of rental housing and homeownership options for middle-income British Columbians over the next three years.
- This builds on approximately 1,000 completed homes through projects previously supported by the HousingHub.
- Both non-profit and private developers who are building rental or affordable ownership housing can access the HousingHub. Non-profit developers can also find development expertise with the HousingHub should they need additional help as they work their way through the development process.

**FINANCES:**

- The debt limit to support lending through the HousingHub has been established at \$2 billion.

**STATISTICS:**

- As of April 30, 2021, development of 3,527 units have been financed through the Housing Hub program:

- 1,687 units have been completed.
- 852 units are under construction.
- 392 units are in development; and,
- 596 units have been initiated

## BACKGROUND:

- HousingHub was created in April 2018 as part of the Province's Home for B.C.: A 30-point plan for housing affordability (30-Point Plan) to facilitate partnerships with non-profits, developers, Indigenous groups, and federal and local governments to develop new affordable housing for up to middle income households.
- The objective of HousingHub is to leverage these partnerships to increase housing production with efficient use of government resources.
- HousingHub has been designed as BC Housing's financing arm. In addition to lending to new construction, it will also support financing major renovations, land purchases as part of a future re/development opportunity, refinancing, and development of assisted living and residential care facilities.
- These financing activities have been an activity of BC Housing for many years. Housing Hub creates greater structure and monitoring around them and expands this role for BC Housing in the creation of affordable housing, province-wide.
- This program was paused for the 2020-2021 fiscal year and is expected to ramp up substantially for the next few years.
- Rents for HousingHub must be affordable for households up to the 75th percentile of household incomes. The typical project supports households earning average annual incomes of \$75,000.

## CROSS REFERENCE:

- **B 1.1** - Progress under BuildingBC Capital Program
- **B 1.2** - Plan to meet 11,400 unit target

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 12, 2021

## ACCESSIBILITY FOR PEOPLE WITH DISABILITIES

### KEY MESSAGES:

- The Province is committed to building a better B.C. for people with disabilities.
- The Ministry is leading work on the next BC Building Code, in collaboration with the Parliamentary Secretary for Accessibility and the Accessibility Secretariat, to include changes that will make new buildings more accessible for all people.
- Ministry staff are 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.
- Ministry staff are working with national standards development organizations, to further enhance accessibility requirements, for early adoption in the updated BC Building Code.
- The Province will conduct coordinated engagements with the Accessibility Secretariat on proposed BC Building Code changes.
- Timing of updates to the BC Building Code is dependent upon the development of new national accessibility standards and consideration of early adoption by British Columbia.
- In December 2020, an updated Building Accessibility Handbook was published online. This edition accompanies the current BC Building Code 2018 and provides explanatory text and illustrations to support users to apply code requirements to make buildings more accessible for people with disabilities.

**FINANCES:**

- No operating budget has been identified for this issue.

**STATISTICS:**

- In 2017, Statistics Canada data shows that one-quarter of British Columbians, over the age of 15, reported living with a disability.<sup>1</sup>
  - In B.C., a higher proportion of women (26.5 per cent) report living with a disability than men (22.9 per cent).
- Across Canada, disability prevalence is higher among Indigenous people: 36 per cent of Indigenous women and 26 per cent of Indigenous men report having a disability (excludes persons on reserves).<sup>2</sup>

**BACKGROUND:**

- In December 2018, the Province adopted the current edition of the BC Building Code, substantially based on the model National Building Code 2015, which included significant updates to increase building accessibility requirements.
- In November 2020, the Province committed, through the Canadian Free Trade Agreement's Regulatory Reconciliation Cooperation Table Agreement, to greater alignment of technical requirements across Canada.
- The Building and Safety Standards Branch is collaborating with the National Research Council, Accessibility Standards Canada, and the Canadian Standards Association on new accessibility requirements for adoption in future national and BC Building Codes.
- The Ministry will collaborate with the Parliamentary Secretary and the Accessibility Secretariat to conduct coordinated and inclusive engagements on BC Building Code changes.

<sup>1</sup> Statistics Canada. [Table 13-10-0374-01 Persons with and without disabilities aged 15 years and over, by age group and sex, Canada, provinces and territories](#)

<sup>2</sup> Statistics Canada, 2017 Aboriginal Peoples Survey



**CROSS-REFERENCE:**

- N/A

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

Last updated Date: March 23, 2021

**PROTECTIONS FOR RENTERS****KEY MESSAGES:**

- Our government has made important improvements to rental housing policies in B.C. that have saved renters money, increased protections, and improved services that renters and landlords count on.
- The Province has taken steps to improve protections for the 1.5 million renters in B.C. These include:
  - A rent increase freeze until the end of 2021.
  - Capping future rent increases at inflation.
  - Greater protections for tenants being evicted for renovation including stricter criteria and a requirement that landlords apply to the Residential Tenancy Branch (RTB) before issuing a notice.
  - Changing tenancy laws to ensure that landlords can no longer take advantage of tenants by using a fixed term tenancy agreement with a vacate clause.
  - Removing provisions that allowed landlords to apply for additional rent increases based on other units in the same geographic area.
  - New compensation to manufactured homeowners when a park is closed.
  - Introducing an expedited process for renters to receive their security and pet deposits back in a fair and timely manner.
  - Strengthening enforcement of the laws through a new Compliance & Enforcement Unit and greater penalties.

- This is in addition to new funding provided in the Budget 2017 update for the RTB of \$6.8 million over three years to increase staff resources and reduce wait times.
- Many of these initiatives were the result of recommendations made by the Rental Housing Task Force, chaired by MLA Spencer Chandra Herbert.

**FINANCES:**

- N/A

**STATISTICS:**

- N/A

**BACKGROUND:**

- N/A

**CROSS REFERENCE:**

- **B 2.2** - Rental Housing Task Force Progress
- **B 2.3** -Compliance & Enforcement Unit

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

Last updated April 12, 2021

**RENTAL HOUSING TASK FORCE PROGRESS****KEY MESSAGES:**

- In December 2018, the Rental Housing Task Force delivered 23 recommendations to government to improve fairness and security for tenants and landlords.
- Two early recommendations were related to rent increases. In response, the allowable rent increase was cut by 2%, limiting it to inflation in September 2018. The previous formula, set in 2004, allowed annual rent increases of 2% plus inflation.
- With the introduction of legislative changes to tenancy laws in March 2021, most recommendations are complete.
- We continue to gather feedback and look for ways to improve rental housing in B.C.

**FINANCES:**

- No budget allocated

**STATISTICS:**

- N/A

**BACKGROUND:**

- Completed actions include
  - implementing a province-wide rent bank system,

- increasing funding for public education,
  - strengthening compliance and enforcement,
  - expediting the dispute process, and
  - returning security deposits sooner
- Bill 7: the Tenancy Statutes Amendment Act 2021 included changes to
    - stop renovictions,
    - expand review grounds,
    - strengthen enforcement,
    - clarify the use of park rules in a manufactured home park and
    - clarify where tenants need to go for help.
- With the implementation of Bill 7, all but 7 recommendations will be complete  
The remaining recommendations that require further analysis and policy development include:
    - Working with local governments to develop tenant compensation and relocation guidelines for demolition
    - Investigating other options to increase repayment rate of orders by RTB
    - Working with local governments to develop, implement and enforce short term rental rules
    - Improving fairness and consistency by recording all hearings
    - Working with the insurance industry for improvements to insurance for landlords
    - Reviewing regulations relating to landlord's obligation to store abandoned property; and
    - Addressing the specific needs of non-profit housing and supportive housing providers
  - Government is now working with landlords on a process to allow for modest rent increases when capital improvements have been made, through application to the Residential Tenancy Branch (RTB).
  - All changes thus far have been implemented with existing resources.

**CROSS-REFERENCE:**

- B 2.1 – Protection for Renters

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

Last updated Date: April 14, 2021

**COMPLIANCE AND ENFORCEMENT UNIT OVERVIEW - RTB****KEY MESSAGES:**

- The Province has taken steps to improve administrative penalty provisions and strengthen the ability of the Residential Tenancy Branch (RTB) to enforce tenancy laws.
- The RTB began publishing administrative penalty decisions in 2020 as a further deterrent.
- We want to do all we can to ensure that landlords and tenants rights are protected from those that choose to not follow the law.

**FINANCES:**

- *Budget Update 2017* provided funds to establish the unit with a Director, 2 Compliance Officers and 2 Investigators
- \$260k in 2017/18 and \$425k in 2018/19

**STATISTICS:**

- The Compliance and Enforcement Unit has assessed over 260 complaints which resulted in over 170 investigations with files dating back to 2017.
- Compliance has been achieved in the majority (58%) of cases as a result of written and verbal warnings
- Penalties have been issued in 14 cases - 10 against landlords and 4 against tenants.

**BACKGROUND:**

- The Residential Tenancy Act allows the Director to order a person to pay an administrative penalty for serious, repeated or deliberate contraventions of the Act or non-compliance with decisions or orders of the Director.
- An administrative penalty may be up to \$5,000 for each day the contravention continues.
- When the RTB receives a complaint or a request for an administrative penalty, it is assessed using criteria set out in the legislation including previous contraventions and the gravity and magnitude of the contravention.

Recent legislative changes provide greater tools for the Compliance Unit – allowing them to compel records (rather than just documents) and issue penalties for fraud. These changes also include more relevant grounds for which a party can seek review of an administrative penalty decision.

**CROSS-REFERENCE:**

- N/A



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 1, 2021

## HOMELESSNESS STRATEGY

### KEY MESSAGES:

- This government has committed to implementing a homelessness strategy to address this serious issue that is impacting individuals and communities across the province.
- My ministry is leading the development of this strategy. This will include finding the right combination of housing with supports for people with various types of needs. Some will need significant health supports while others will only require moderate levels of support to live independently.
- We know there are many diverse factors influencing homelessness, so coordination across government ministries and agencies is essential.
- We have established the Cabinet Working Group on Mental Health, Addictions and Homelessness, which I chair. This recognizes the interconnectedness of these issues and the importance of working together. Membership includes the Minister of Mental Health and Addictions, who is the vice-chair, and the Ministers of Children and Family Development, Health, and Social Development and Poverty Reduction.
- No single ministry or government can do everything that is needed to reduce homelessness. To be successful, we need partners, and we are actively working with federal and municipal governments and a wide variety of organizations in the non-profit, public and private sectors.

**FINANCES:**

- No budget allocated

**STATISTICS:**

- The 2018 BC Homeless Count identified a total of 7,655 people experiencing homelessness in the province. The 2020 count was interrupted by COVID-19 but is resuming in 2021 and will be reported in Fall 2021.

**BACKGROUND:**

- In 2019, the Province released TogetherBC: BC's Poverty Reduction Strategy, which included "Action on Homelessness." It included a shift in the response to homelessness from a reactive approach focused primarily on housing, to a more systemic approach involving multiple partners.
- With the release of TogetherBC, several actions were funded to address homelessness. These include:
  - Establishment of the Office of Homelessness Coordination, now the Homelessness Policy and Partnerships Branch (HPPB).
  - Provincial homeless count, and complementary research on Indigenous homelessness
  - BC Rent Bank
  - Homelessness Community Action Grants program
  - BC Employment and Assistance policy enhancements
- HPPB is leading an Integrated Data Project which links provincial datasets to provide valuable information to better track and understand homelessness in BC.

**CROSS REFERENCE:**

- **Note A 4.6 – Homelessness and Encampments**

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

Last updated Date: May 28, 2021

**HOMELESS ENCAMPMENTS****KEY MESSAGES:**

- The impacts of the pandemic and the opioid crises have exacerbated homelessness issues across the Province.
- Encampments are not a safe or suitable form of housing or shelter. People deserve real homes and stability.
- We are working across ministries, with all levels of government and partnering with communities to keep people safe, healthy and to connected to services and housing supports.
- The most effective path to addressing encampments is through available and affordable housing and through effective health and well-being supports.
- Work is underway but takes time and coordination at all levels of government and with community partnerships.

**FINANCES:**

- One-time funding of \$156 million for COVID-19 and 2020 decampment response. Government Financial Information  
Government Financial Information
-

**STATISTICS:**

From January to May 2021, the Ministry was alerted to more than 1,300 people sheltering in over 30 encampment areas across the Province.

**BACKGROUND:**

- Homeless encampments have been increasing in number and complexity across the Province due largely to COVID-19 and the housing crisis.
- The Province responds primarily through:
  - Cross-ministry coordinated communication and action, providing access to encampment guidelines, and community engagement.
  - Housing First: Available shelter, supportive housing stock, rent supplements and contracted outreach services through BC Housing;
  - Ministry outreach-based supports: Health (health, substance use and mental health), Social Development and Poverty Reduction (income and social supports, and other;
  - Decampments: Due to encampment and community health and safety concerns, using court injunctions, emergency orders, land management and community agreements.
- Significant encampment areas have included:
  - Victoria: Where 229 people moved from city parks into shelter and housing between December and May.
  - Vancouver: Where 296 people moved from a Strathcona Park encampment and into shelter and housing between December and May. Smaller encampments across city parks remain and there is an estimated 50 people sheltering in Stanley Park.
  - Abbotsford: 70 to 80 people in an encampment around a highway right of way at Lonzo Road.
  - Nanaimo: Ongoing issues with people sheltering in parks and city spaces after 85 people displaced from large encampment due to fire in late 2020

- Cowichan: Estimated more than 100 people in small encampments
- Fraser Valley: Reports of encampments on municipal and crown land (forests and highways), fire safety and vehicles a concern
- Kelowna: People from multiple encampments across city parks and spaces have been moved to one large managed encampment area
- Squamish/North Vancouver RD: Vehicular and deep woods encampments
- Prince George: High needs cohort and municipal encampments

**CROSS REFERENCE:**

- **Note A 4.6** – Homelessness and Encampments
- **Note B 3.3** – Decampments – Victoria and Vancouver

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

Last updated Date: May 28, 2021

**DECAMPMENTS – VICTORIA AND VANCOUVER****KEY MESSAGES:**

- The impacts of the COVID-19 pandemic, along with the overdose crisis, have led to increasing unsheltered homelessness and encampments.
- At the start of the pandemic in Spring 2020, the Province acted quickly to help 605 people move from unsafe encampments in Victoria and Vancouver into indoor spaces with health and well being supports. 90 to 95 per cent remain stably housed.
- A year later, in Spring 2021, the Province again worked with the cities and non-profit service providers to close large and unsafe encampments in parks.
- This time, the efforts were supported by a Memorandum of Understanding to work together to provide shelter, housing and also to prevent new encampments from growing.
- In Victoria, 229 people moved from city parks into shelter and housing between December and May.
- In Vancouver, 296 people moved from a Strathcona Park encampment and into shelter and housing between December and May.
- We will continue to work across ministries and with communities to ensure people sheltering in encampments stay safe and are connected to the supports they need to exit homelessness.

**FINANCES:**

Financial summary of the encampment response in Victoria and Vancouver:

	2021/22	2022/23	2023/24
(in \$ millions)	Government Financial Information		

**STATISTICS:**

- 2021 Victoria decampment:
  - 266 spaces secured (incl. 40 rent supps)
  - 229 people moved to indoor spaces
  - Everyone known to shelter in parks during the pandemic offered housing.
  - A small number of people continue to shelter in the parks
- 2021 Vancouver decampment:
  - 418 spaces secured (incl. 40 rent supps)
  - 296 people moved to indoor spaces
  - A handful of people chose not to accept a space
- Spring 2020 decampments through Emergency Program Act (EPA) evacuation order:
  - 344 people housed from Victoria's Topaz Park and Pandora Avenue
  - 261 people housed from Vancouver's Oppenheimer Park
  - 90 to 95 per cent remain stably housed

**BACKGROUND:**

- Vancouver MOU: The Province signed a Memorandum of Understanding with the City and Park Board in April to confirm shared goals of ending and preventing encampments and to clarify roles. This included closure of the Strathcona Park encampment, housing options and bylaw management.
- Strathcona Park encampment: BC Housing was funded to develop indoor space options for up to 350 people, enabling closure of the camp by April 30, 2021.

- Victoria MOU: The Province signed a Memorandum of Understanding with the City of Victoria in March 2021 to confirm shared goals of ending and preventing encampments and to clarify roles.
- Victoria helped develop indoor sheltering options for more than 300 people sleeping in targeted parks, including Beacon Hill and Royal Athletic Park parking lot encampments-, enabling the closure of the camps by May 2021.
- There are 80 new rent supplements between the two communities to support the decampment strategy.
- Housing referrals are issued through the Coordinated Access process in both cities, based on support needs and inclusive of unsheltered people in other areas and those in shelter spaces.

**CROSS REFERENCE:**

- **Note B 3.4** – New Spaces, Supports and COVID
- **Note B 3.2** – Encampments



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

Last updated Date: May 26, 2021

**NEW SPACES AND SUPPORTS IN RESPONSE TO COVID****KEY MESSAGES:**

- The Province recognizes that communities across B.C. have experienced an increase in people seeking shelter outdoors due to several factors relating to the COVID-19 pandemic, including recommendations for social distancing within shelters and congregate housing.
- In response, our government secured funding more than 3,000 temporary spaces for people experiencing homelessness.
- Community isolation sites have been critical to support people who are vulnerable, such as those experiencing homelessness.
- These sites have been vital in preventing the spread of COVID-19 as they allow us to spread out the number of people in existing shelters, free-up acute care beds in hospitals, and prevent crowding.
- This winter, Government also funded an additional 388 new shelter spaces to respond to homelessness pressures in 13 communities across the Province.
- We are taking necessary steps to support people to move from homelessness into temporary spaces as a step toward stable housing.

**FINANCES:**Government  
Financial  
Information

- One-time funding for the following spaces:

○ \_\_\_\_\_ in 2021/22 for costs related to extending COVID-19 temporary leased spaces, with outreach and support costs, and for costs for safely maintaining existing COVID-19 supports and services.

- Additional shelter spaces:

- Government Financial Information

- Victoria/Vancouver decampment spaces:

- Government Financial Information

**STATISTICS:**

- BC Housing has been funded for 3,155 leased spaces to respond to the second wave of COVID-19 infections.
  - 1,275 shelter spaces and 1,880 hotel spaces.
  - 152 hotel/motel spaces are specifically targeted for women and children fleeing domestic violence.

**BACKGROUND:***COVID-19 Leased Spaces*

- Local health authorities identify people who require self-isolation and BC Housing works with the health authorities and operators to make these spaces available to them.
- Access to designated hotel spaces is by referral only either through the local health authority or BC Housing. At the direction of local health authorities, BC

Housing also secured hotel spaces for out-patients, individuals needing to self isolate due to a suspected exposure, or those who exhibit flu-like symptoms.

- In addition, BC Housing's response to COVID-19 has included resources and support for the community housing sector and homelessness service providers by providing masks, hand sanitizer, office and cleaning supplies; keeping non-profit service providers going with payments for staffing over-time; and providing additional meals for vulnerable people living in social housing and shelters.

#### *New Spaces in Winter 2020/21*

- BC Housing was funded in Winter 2020/21 to develop 388 new emergency shelters in response to the urgent need for emergency shelter spaces in communities across the province.

<b>Municipality</b>	<b># Spaces</b>
Abbotsford	45
Mission	22
Kelowna	40
Kamloops	40
Prince George	30
Sechelt	11
North Vancouver	10
Burnaby	25
Ladysmith	15
Port Alberni	15
Nanaimo	45
Tri Cities	30
Vancouver	60
<b>Total</b>	<b>388</b>

#### **CROSS REFERENCE:**

- **Note B 5.1** – Budget 2021 – Housing Initiatives
- **Note B 3.3** – Decampments – Victoria and Vancouver

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 28, 2021

## DECAMPMENT SUPPORTS

### KEY MESSAGES:

- BC Housing works closely with local health authorities to help people in encampments stay safe and to provide the appropriate health and social supports when they transition to housing.
- The needs of each person are assessed to determine which housing site would be suitable to ensure they receive the appropriate supports.
- Housing supports, sometimes referred to as wrap-around supports, can include daily meals, access to laundry and showers, individualized case planning and referrals to community, cultural and health services.
- Health services can include on-site and mobile outreach, primary care, overdose prevention, substance use and mental health services and vaccination clinics.
- The goal of housing, health and social supports is to help vulnerable people improve their health and stability so they can be safely, and permanently, housed.

### FINANCES:

- Government Financial Information

### STATISTICS:

- N/A

**BACKGROUND:**

- Several indoor spaces have been secured in Vancouver and Victoria to support people experiencing homelessness, specifically for those living in encampments.
- Work is underway to help move people inside with the goal of opening enough spaces for people at the encampments in Strathcona Park and Victoria parks by the end of April 2021.
- These spaces will provide wrap-around supports for those who are moving inside.

Victoria:

- A total of more than 300 sheltering spaces have opened including: Save-On-Foods Arena, Capital City Centre hotel, a transitional Tiny Home project in the Royal Athletic Park parking lot, the Russell Street shelter in Vic West, Cool Aid, the youth hostel, rent supplements and other vacancies throughout the city. The Island Health Orange Backpack team (RNs, psychiatric nurses, social workers) provides outreach, health, harm reduction and housing supports to unsheltered people in encampments, on the streets and in temporary housing and shelters.
- Island Health has contracted Cool Aid Society's health response team CAMICO (Cool Aid Mobile Inner-City Outreach) for the sites so that residents can access health care.
- Meals will be provided by the housing providers or through contracted food service providers.
- Where possible, individuals will be tested for COVID prior to moving indoors.
- Island Health will provide COVID vaccinations to people as they transition to housing sites.
- Experienced non-profit housing providers will be selected to operate the indoor spaces.
- Overdose prevention services will be available at all three sites as well as peer support programs. Island Health will be transitioning to a HOPS model (Housing

Overdose Prevention Site) where the services will include witnessing in residents' rooms rather than just in designated spaces. Sites will have a room for staff to maintain a presence and have harm reduction supplies on hand. This model is based on learnings from the hotel-operated designated Overdose Prevention Sites.

Vancouver:

- BC Housing's supportive housing store front, Orange Hall, is coordinating with Vancouver Coastal Health (VCH) to ensure that all those moving into congregate settings are being tested for COVID at least two days prior to moving inside.
- Two COVID vaccination clinics have been completed at the park.
- Individuals from the Strathcona encampment have been offered units at sites across Vancouver.
- These sites will offer a variety of wraparound supports including daily meals, access to laundry and showers and referrals to community and health services as needed.
- Each person will be offered an assessment from VCH's IHOT team (Intensive Housing Outreach Team) as they move into the indoor spaces. The team will provide direct care on an intensive, outreach basis and where necessary, referrals to specialist programs such as mental health and substance use services.
- Some housing sites will have Overdose Prevention Services as well as peer support programs within the building or nearby.
- Kilala Lelum, an Urban Indigenous Health and Healing Cooperative, is supporting individuals at the encampment with culturally-informed health care. BC Housing is in conversation with them to provide on-site supports once campers are moved indoors.

## CROSS REFERENCE

- **Note A 4.6** – Homelessness and Encampments
- **Note B 3.3** – Decampments – Victoria and Vancouver

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 15, 2021

## STRATA INSURANCE

### KEY MESSAGES:

- This is an extremely complex issue playing out in the private insurance industry, but that doesn't lessen our government's commitment to doing what we can to make the situation better.
- Everyone has a role to play in returning the market to balance. Our government has taken several steps already, and we will take further action as needed.
  - First, 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 "unhealthy" due to a variety of complex factors.
  - Second, the Legislature amended the *Strata Property Act* and *Financial Institutions Act* in 2020 to mitigate the rising costs of insurance. Some of the changes to the *Strata Property Act* require further consultation and regulations before they will come into force. Stakeholder consultations are currently underway.
- Questions related to insurance costs, industry regulation or a public insurance option should be directed to the Minister of Finance.

### FINANCES:

- No budget allocated to this work



**STATISTICS:**

- Data collected by BCFSa in January and February 2020 indicated that premiums, on average, were up by approximately 40% across the province (higher in some areas). In some cases, deductibles had increased several-fold over the previous year. BCFSa will collect more data later this year to determine how the market has changed.
- BCFSa's findings indicated a convergence of local and global factors that are driving up the cost of strata insurance in British Columbia. The data in the report suggested insurers struggle with sustaining profitability in the strata insurance market due to losses from mostly minor claims.
  - A key driver of those losses was water damage from plumbing leaks and failures, which accounted for approximately 46 per cent of the total claim costs since 2017 (56 per cent alone in 2018).
  - The average amount paid per water claim was relatively minor, approximately \$3,350 after the deductible.
  - The number of water damage claims peaked in 2018 at over 11,000 separate claims, accounting for about 70 per cent of total direct claims.

**BACKGROUND:**

- The *Strata Property Act* requires all strata corporations in British Columbia to obtain and maintain full replacement value property insurance.
- In late 2019, Government became aware that insurance premiums and deductibles were significantly increasing for strata corporations in British Columbia. Some stratas were unable to get full replacement value coverage.
  - To address this issue, Government directed to BCFSa to conduct a review of strata insurance and, after their interim report, introduced a bill to mitigate the impact of this issue.
- The bill amended the *Strata Property Act* and *Financial Institutions Act* to, among other reforms:

- Eliminate the practice of referral fees between insurers or brokers and strata property managers;
- Require insurance brokers to disclose the commissions they charge strata corporations; and
- Allow stratas to pay for unexpected premium increases from their contingency reserve fund where necessary.
- These legislative amendments also paved the way for government to consult with stakeholders and make further regulatory changes, including to:
  - clarify which parts of a strata lot the strata corporation must insure;
  - enhance depreciation report requirements and contingency reserve fund contributions to encourage proper maintenance; and
  - determine if there should be situations where strata corporations are not required to obtain full replacement value insurance.
- Stakeholder consultations are currently underway to determine how further regulation changes should be implemented.
- Staff members from the Office of Housing and Construction Standards are leading the stakeholder consultation and regulation changes.
- In December 2020, the final report of the BCFSA concluded that the strata market in British Columbia is “unhealthy” due to various complex factors, including global market pressures, climate change-related weather events, building claim history and potential earthquake exposure in the province.
- The BCFSA recognized that “Best Terms Pricing” (BTP) was one of several factors inflating strata insurance premiums and worked with the insurance sector to end this practice by January 2021.

#### CROSS REFERENCE:

- N/A

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

Last updated Date: April 2, 2021

**ELECTRIC VEHICLE CHARGING****KEY MESSAGES:**

- We know that strata property owners and renters want to reduce their carbon footprint and take advantage of the largest public charging network for electric vehicles in Canada.
- But some people in existing strata and apartment buildings are frustrated because they cannot get the approval of the strata council or landlord to install a charger for electric vehicles.
- Part of my mandate as the Minister Responsible for Housing is to “bring in “right-to-charge” legislation that will enable installation of electric vehicle charging infrastructure in more strata and apartment buildings.”
- The Province 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.
- Ministry staff will be consulting with stakeholders and amending legislation to make this happen in strata and rental housing.
- The new Provincial budget has generous grants to support electric vehicle charging, and both strata corporations and landlords are eligible to apply.  
<https://electricvehicles.bchydro.com/incentives/charger-rebates>)

**FINANCES:**

- No budget allocated.

**STATISTICS:**

- N/A

**BACKGROUND:**

- Electric vehicle charging is most challenging in retrofitting older multi-unit residential buildings because interested strata owners or renters are likely in the minority and cannot control improvements to common areas.
- Strata corporations are governed by elected volunteer strata councils with many issues to manage; parking is usually part of common property and subject to complex governance processes.
- In Canada, Ontario enabled right-to-charge legislation in May 2018.
- In addition to Ontario, the following U.S. jurisdictions have introduced or enacted right to charge legislation in condominiums and other multi-unit residential buildings: California, Hawaii, Oregon, Colorado, New York, New Jersey, Virginia, Florida, Boston, and Maryland (legislation introduced).

**CROSS REFERENCE:**

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated: March 25, 2021

## CLEANBC AND CLIMATE CHANGE ACCOUNTABILITY ACT

### KEY MESSAGES:

- Government is helping British Columbians improve energy efficiency and reduce carbon emissions in buildings, while lowering energy bills and making them healthier and more comfortable
- 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 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
- In addition, 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
- CleanBC also commits government to developing new energy efficiency standards for building retrofits in existing buildings by 2024
- These activities are part of an Existing Buildings Renewal Strategy to make buildings more energy efficient, cleaner, and safer for British Columbians during events such as earthquakes, wildfires, heat waves, drought, and floods
- Through these actions, our Government is on track to achieve our CleanBC commitments related to building codes and standards

### FINANCES:

- No Budget allocated

**STATISTICS:**

- The green building industry employs approximately 32,000 British Columbians in jobs ranging from architecture to manufacturing to installation
- Every dollar invested in energy efficiency generates up to four times its value in economic growth
- 75 percent of the buildings that will exist in 2030 already exist today
- Existing buildings account for 11 percent of B.C.'s total greenhouse gas (GHG) emissions and as much as 50 percent in urban areas.
- Retrofits to make homes more energy efficient was one of the most popular topics during the 2018 online engagement on Clean, Efficient Buildings during the 2018 online engagement on Clean, Efficient Buildings

**BACKGROUND:**BC Energy Step Code

- The BC Energy Step Code was introduced in 2017 as a roadmap to the Province's long-term energy efficiency goals and a voluntary opt-in standard that local governments can require builders to use in advance of Provincial changes to the minimum BC Building Code requirements
- To date, 42 communities now require or incentivize the BC Energy Step Code, while an additional 31 have started consultation on adopting it
- In partnership with the Energy Step Code Council and other stakeholders, Government is developing 20 percent energy-efficiency improvements for the next edition of the BC Building Code, with affordability a key part of the analysis
- Inter-ministry work has started on supporting local governments to set carbon pollution standards for new buildings, and Government will be reaching out to stakeholders soon, starting with the Energy Step Code Council

Existing Buildings Renewal Strategy

- Phase 1 of a targeted provincial engagement was completed in Fall 2019 with 27 cross-sectoral organizations
- Phase 2 of the targeted engagement is expected this spring/summer on a draft energy efficiency and resiliency strategy and policy options

- Following the Phase 2 engagement, a draft Existing Buildings Renewal Strategy is expected for public feedback late 2021; the strategy will focus on an approach that is affordable, equitable, practical and flexible

**CROSS REFERENCE:**

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 26, 2021

## BC HOUSING BUDGET 2021 - HOUSING INITIATIVES

### KEY MESSAGES:

- As of Budget 2021, BC Housing will receive more than \$4.95 billion over three years from provincial funding to help bring affordable housing within reach for people of all ages with low to moderate incomes.
- In 2021/22, over \$2.0 billion in funding will directly benefit approximately 121,600 households.
- Budget 2021 is increasing resources to respond to pandemic challenges and facilitate efforts to move people inside from parks in Vancouver and Victoria.
- Specifically, <sup>Government Financial Information</sup> for COVID-19 response:
  - Extension of 1,275 shelter spaces;
  - Extension and support costs of 1,880 hotel spaces;
  - Extension of outreach support services; and
  - COVID related costs to safely maintain existing services.
- In addition, Budget 2021 will provide <sup>Government Financial Information</sup> over three years to support increased temporary housing options and the Province's response to encampments in Victoria and Vancouver:
  - to fund the acquisition of up to five hotel/motels to provide permanent housing as part of the strategy to move people inside from the Strathcona and Victoria parks;



- to support and find temporary housing options for people living in the Strathcona Park and targeted parks in Victoria to ensure the closures of the camps in Spring 2021;
- to support ongoing operation hotels/motels acquired in Summer 2020 as permanent housing for campers in Oppenheimer Park and Pandora Corridor/Topaz Park;
- to fund temporary housing options for people experiencing homelessness across the province.

## FINANCES:

- Summary of Budget 2021 Provincial Contributions:

(in \$ millions)	2021/22 Estimates	2022/23 Plan	2023/24 Plan	Total
Provincial Contributions	1,820.74	1,697.28	1,432.52	<b>4,950.54</b>

- A financial summary of the new Budget 2021 initiatives is provided below:

(in \$ millions)	2021/22 Estimates	2022/23 Plan	2023/24 Plan	Total
COVID Service Extension	Government Financial Information			
Response to Homeless Camps in Vancouver and Victoria				
<b>Total</b>	<b>321.08</b>	<b>28.76</b>	<b>27.01</b>	<b>370.62</b>

## STATISTICS:

- N/A

**BACKGROUND:**

- **Preserving Existing Affordable Housing:**
  - *Budget 2021* confirms the previous *Budget 2020* allocation of \$432.3 million over three years to support essential building repairs and maintenance, critical life safety, seismic and fire safety and energy performance upgrades for existing units of social housing owned by government through the Provincial Rental Housing Corporation (PRHC), or by non-profit housing providers.
- **New Affordable Housing Supply:**
  - *Budget 2021* confirms years four through six of funding for government's 10-year commitment towards the construction of 29,100 of affordable housing announced in *Budget 2017 Update*, *Budget 2018*, *Budget 2019* and *Budget 2020* with the breakdowns provided below:
    - Affordable Rental Housing (Budget 2017 Update): 1,700 units
    - Rapid Response to Homelessness (Budget 2017 Update): 2,000 units
    - Deepening Affordability of Existing Projects (Budget 2018): 4,900 units
    - Community Housing Fund (Budget 2018): 14,350 units
    - Women's Transition Housing Fund (Budget 2018): 1,500 units
    - Supportive Housing Fund (Budget 2018): 2,500 units
    - Indigenous Housing Fund (Budget 2018): 1,750 units
    - Homelessness Action Plan (Budget 2019): 200 units
    - Homelessness Action Plan (Budget 2020): 200 units
  - These units will count towards government's commitment to deliver, in partnership, 114,000 new homes over ten years.

**CROSS-REFERENCE:**

- **Note B 1.1** - Progress Under Building BC Capital Program
- **Note B 3.3** - New Spaces and Supports in Response to COVID
- **Note B 3.4** - Decampments – Victoria and Vancouver
- **Note B 5.2** - Progress on Budget 2017, Budget 2018, Budget 2019, Budget 2020

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

Last updated Date: May 28, 2021

**PROGRESS ON BUDGET 2017 UPDATE, BUDGET 2018,  
BUDGET 2019 AND BUDGET 2020****KEY MESSAGES:**

- Significant progress has been achieved on commitments made through Budget 2017 Update, Budget 2018, Budget 2019, and Budget 2020
- This includes:
  - Creating supportive housing under the Homelessness Action Plan funded (Budget 2019 and Budget 2020);
  - Creating housing under the four Building BC programs and HousingHub (Budget 2018);
  - Enhancing the Rental Assistance Program and Shelter Aid for Elderly Renters program (Budget 2018);
  - Opening projects under the Rapid Response to Homelessness initiative and Affordable Rental Housing program (Budget 2017 Update);
  - Progress towards two new navigation centres in Vancouver and Nanaimo to provide enhanced shelter services for people experiencing homelessness (Budget 2020); and
  - Maintaining and rehabilitating projects through the Capital Renewal Fund (Budget 2018).
- As of April 30, 2021, there were 20,677 units in progress under Building BC (16,432 units), HousingHub (3,527 units) and COVID-19 Action Plan (718 units) in various stages of development across the province.

**FINANCES:****Budget 2020**

- Budget 2020 provided an additional \$118 million in operating funding and \$56 million in capital funding to support the Province's Budget 2018 announcement to support housing affordability.
- Budget 2020 provided \$56 million in funding to create 200 new units of supportive modular housing.
- Budget 2020 also provided an additional \$50 million over the three year plan towards expanding services that support people who are at risk of homelessness.
  - This funding is also used to implement two new 60-bed navigation centres. Plans to open these navigation centers are underway in Vancouver and Nanaimo, and will be shelters with enhanced services for people with complex challenges.
- Budget 2020 also provided \$45 million in 2022/23 to support B.C.'s housing strategy, Building BC.

**Budget 2019****Homelessness Action Plan**

- Budget 2019 provided \$53.49 million in capital funding to build 100 temporary and 100 permanent modular housing units, and to purchase land for one alternative shelter structure.
- Additionally, \$7.29 million in capital funding will be available in the 2021/22 for relocation of the temporary units to a permanent site.
- As of April 30, 2021, there are 328 units in progress, and of these 187 units are completed, 101 units are under construction, and 40 units are in development.

**Building BC Programs**

- As part of *Budget 2018*, four new development programs were created under Building BC:

1. **Community Housing Fund (CHF)**

- This program will provide close to \$1.9 billion over 10 years to build and operate 14,350 affordable new rental homes for seniors, families, low- and middle-income earners.
- As of April 30, 2021, 6,196 units are in progress. Of these, 310 units are completed, 1,935 units are under construction, 529 units are in development and 3,422 units have been initiated.

2. **Women's Transition Housing Fund (WTHF)**

- This program will provide \$734 million over the next 10 years to build 1,500 new supportive homes for women and children fleeing violence, including transition houses, safe homes, second-stage and long-term housing.
- As of April 30, 2021, 699 units are in progress. Of these, 71 units are completed, 191 units are under construction, 146 units are in development and 291 units have been initiated.

3. **Supportive Housing Fund (SHF)**

- This program will provide \$1.2 billion over 10 years to build and operate 2,500 units of supportive housing for those who are experiencing homelessness or at risk of homelessness.
- As of April 30, 2021, 2,840 units are in progress. Of these, 776 units are completed, 862 units are under construction, 313 units are in development and 889 units have been initiated.

4. **Indigenous Housing Fund (IHF)**

- This program will provide \$550 million over 10 years to build and operate 1,750 units of social housing for projects, both on- and off-Nation.

- As of April 30, 2021, 1,140 units are in progress. Of these, 88 units are completed, 373 units are under construction, 244 units are in development and 435 units have been initiated.

## **HousingHub**

- Announced as part of *Budget 2018*, HousingHub was created within BC Housing to promote, facilitate and coordinate housing partnerships. HousingHub partners with the non-profit sector, faith groups, for-profit builders, all levels of government and others to find and develop or redevelop available land and buildings, creating affordable homes.
- As of April 30, 2021, there are 3,527 homes in various stages of development, including 2,995 homes through the Provincial Rental Supply program, and 532 homes through the Affordable Home Ownership Program.

## **Enhancements to Rent Assistance Programs**

- In *Budget 2018*, the Province also expanded the eligibility requirements and increased the benefits under the Rental Assistance Program and Shelter Aid for Elderly Renters program.
- Enhancements to both programs include increasing the maximum rent ceiling and adding a third rental zone. These enhancements came into effect on September 1, 2018.
- The Rental Assistance Program (RAP) provides eligible working families with direct cash assistance to help pay rent in the private market. The maximum gross household income to qualify for RAP benefits increased from \$35,000 to \$40,000. The average monthly RAP payment is \$411 as of December 31, 2020.
- The Shelter Aid for Elderly Renters (SAFER) program provides direct cash assistance to low-income seniors (aged 60 or over) in the private market. The average monthly SAFER payment is \$201 as of December 31, 2020.

## **Budget 2017 Update**

### **Rapid Response to Homelessness (RRH)**

- As part of the Budget 2017 Update in September 2017, the provincial government announced an investment of \$291 million to build 2,000 modular housing units for those who are experiencing homelessness. In addition, \$170 million over three years is being provided for support services.
- As of April 30, 2021, there are 1,894 units completed.

### **Affordable Rental Housing (ARH)**

- The Province is also investing \$208 million through the *Budget 2017 Update* to create new units of affordable rental housing across the province.
- As of April 30, 2021, there are 1,209 units in progress. Of these, 299 units are completed, 424 units are under construction, 41 units are in development, and 445 units have been initiated.

### **STATISTICS:**

- N/A

### **CROSS REFERENCE:**

- **Note B 1.1** - Progress under Building BC Capital Program
- **Note B 1.3** - Housing Hub
- **Note B 5.1** - Budget 2021 – Housing Initiatives



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 19, 2021

## STATUTORY IMMUNITY

### KEY MESSAGES:

- The province respects the autonomy of local governments and our focus is on working collaboratively with them to get more people the homes they need.
- When the Province has relied on statutory immunity, it has done so with support of municipalities. Only rarely, has the Province used statutory immunity without local government support and only as a last resort.
- The Province is using statutory immunity in Penticton to keep a shelter operational. This will keep these people in safe indoor spaces and help prevent an encampment forming.
- COVID-19 and the ongoing opioid crisis have created an exceptional rise in homelessness across the Province which must be met with an exceptional response.
- BC Housing always works with local governments, health and community partners to ensure all new supportive housing is designed to meet local needs.

### FINANCES:

- NA

### STATISTICS:

- Previous reliance on statutory immunity to respond to homelessness:
  - 2020 Kelowna: Ellis Street temporary modular housing, municipal request
  - 2020 Penticton: Shelter operation during pandemic

- 2018 Nanaimo: Labieux Road temporary modular housing, decampment
- 2018 Maple Ridge: Burnett Street temporary modular housing, decampment
- 2018 Kamloops: 777 Mission Flats Road temporary modular housing, municipal request

## BACKGROUND:

- The Province can bypass standard development approval processes through reliance on statutory immunity<sup>1</sup> under Sec. 14(2) of the *Interpretation Act*, which states:
  - Government bound by enactments; exception
  - 14 (1) Unless it specifically provides otherwise, an enactment is binding on the government.
  - (2) Despite subsection (1), an enactment that would bind or affect the government in the use or development of land, or in the planning, construction, alteration, servicing, maintenance or use of improvements, as defined in the Assessment Act, does not bind or affect the government.
- Advice/Recommendations; Legal Information
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<sup>1</sup> Statutory immunity is sometimes incorrectly referred to as paramountcy – a legal term describing the intersection of federal and provincial laws. The term Crown immunity is also sometimes used. As such, the term statutory immunity is preferred.

- Victoria, Meares Street permanent supportive housing
- Victoria, Yates Street permanent supportive housing
- Victoria, Catherine Street permanent supportive housing?
- Victoria, Balmoral Street permanent supportive housing
- Saanich, Albina Street permanent supportive housing (RHI)

Advice/Recommendations; Legal Information

●

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 15, 2021

## CORE MESSAGING – MULTICULTURALISM AND ANTI-RACISM

### KEY MESSAGES:

- The COVID-19 pandemic and the recent protests around the world have shone a spotlight on issues of racism and hate.
- Our government has been unequivocal in condemning acts of racism and hate in British Columbia and in taking decisive action to address systemic racism.
- Under our leadership we have:
  - Re-established the Office of the Human Rights Commissioner;
  - Implemented the Declaration of the Rights of Indigenous Peoples Act;
  - Launched the new Resilience BC Anti-Racism Network;
  - Conducted an independent review of anti-Indigenous racism in the health system;
  - Launched a review of the BC Police Act;
  - Initiated work to introduce the Province's first Anti-Racism Act and legislation on race-based data collection.
  - Begun to established an anti-racism hotline
- Throughout the pandemic, our government has actively engaged Indigenous and other racialized communities on how we can work together to address racism.
- In response to the rise in hate crime during the pandemic, we launched the new Resilience BC network website with information and videos in English and 12 additional languages for victims and bystanders.
- We also launched an anti-racism information campaign and increased funding to community organizations to tackle racism at a local level.

- All British Columbians deserve to live in a province where they feel safe and can achieve their full potential, free from discrimination, and our government is leading the way.

**FINANCES:**

- N/A

**STATISTICS:**

- N/A

**CROSS REFERENCE:**

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 14, 2021

## ANTI RACISM ACT

### KEY MESSAGES:

- Racism and hate are hurting people in our communities – especially during COVID-19.
- B.C. should be a place that works for everybody, regardless of their race or skin colour.
- We've seen a rise in anti-Asian and anti-Indigenous racism during COVID-19, and a world-wide focus on anti-Black racism through the marches for Black Lives Matter.
- 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.
- We are in the early stages of this work – race-based data collection is likely to come sooner, this one is going to take time.
- We have been gathering feedback from the Multicultural Advisory Council, the Resilience BC Anti-Racism Network and others about how we can get there together with a made-in-B.C. anti-racism act.
- We have also reached out to Indigenous leaders to begin discussions.
- This Act is a recommendation from the Multicultural Advisory Council.
- The Multiculturalism Act is now more than 25 years old and it's time to transition to a more active anti-racism approach.
- We are all in this together – it is only by acknowledging that racism exists that we can start having those courageous conversations that will help us stamp it out.

### FINANCES:

- Current costs (primarily staffing and consultation) are accounted for in the ministry's base administrative budget.
- Government Financial Information

### STATISTICS:

- 36% of British Columbians and 51% of Metro Vancouver residents self-identified as a visible minority or Indigenous in 2016 (Census 2016).
- The pandemic has had disproportionate socio-economic impacts on people of colour. Statistics Canada 2020 labour market data showed that Indigenous people living off reserve, Black, Filipino, Chinese and South Asian Canadians were more heavily impacted than white Canadians by job losses in 2020.
- Anti-Asian hate crimes increased by over 700% in 2020 compared to 2019 in Vancouver.
- In Vancouver, hate crimes incidents increased by 97% from 142 incidents in 2019 to 280 in 2020.

### BACKGROUND:

- PS Singh's mandate letter includes direction to "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."
- The ministry expects to begin consultations on the new anti-racism act in the fall of 2022, Cabinet Confidences
- On March 24th, 2020, an engagement webpage was launched where citizens can learn about the upcoming engagement plans for the legislation and register for more information.

### CROSS REFERENCE:

- **Note C3** – Race-based Data Legislation

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 3, 2021

## JAPANESE CANADIAN RECOGNITION

### KEY MESSAGES:

- Our government recognizes the significant harm that came to Japanese Canadians as a result of government actions before, during and after the Second World War.
- We know that increasing understanding of this history is crucial to changing attitudes and healing wounds.
- That's why, to honour the Japanese-Canadian community, we have committed to providing lasting recognition of the traumatic internment of more than 22,000 Japanese-Canadians during World War II in libraries, communities and at the B.C. Legislature.
- Since 2019, we have been working with the National Association of Japanese Canadians (NAJC) on a path forward that honours survivors and acknowledges these injustices.
- We 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.
- This work is complex and requires cross-government involvement. That's why it's important that we take the time to do it right.
- As we do this, we are committed to working with the National Association of Japanese Canadians to ensure that our next steps are informed by their recommendations.

### FINANCES:

- No existing budget: <sup>Cabinet Confidences</sup>

### STATISTICS:

- N/A



**BACKGROUND:**

- One of Parliamentary Secretary Singh's mandate commitments is to provide "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 in honour of the Japanese-Canadian community."

- NAJC submitted three proposals to the Province in 2019 and 2020 outlining the level of recognition they are seeking. In the most recent submission, they are requesting in funding for the following initiatives:

- **Health and Wellness** – Seeking approximately over 20 years, primarily to support seniors' health, mental health, wellness and social housing initiatives.
  - **Combatting Racism & Acknowledgement (Monument)** - Seeking approximately to install a monument in Victoria, and small replicas for other Canadian cities where Japanese-Canadians relocated to after they were banned from the coast.
  - **Legacy Fund** – Seeking endowment fund (approx.) that community could administer to support the Japanese Canadian Community:
    - **Education K-12** – Seeking to complete the development of digital teaching materials.
    - **Heritage** – Assets and Living Heritage - Seeking in support for memorial garden restoration and upkeep and more plaques/signage through Ministry-led projects plus on-going funding to existing Japanese-Canadian museums across the province and to support the creation of new ones.
    - **Culture and Community Building** – Seeking to distribute via grants to various community organizations.

- On March 25<sup>th</sup>, 2021, the Ministry of Health issued a one-time grant of \$2M to Nikkei Seniors Healthcare and Housing Society in Burnaby for health and wellness programming for internment survivors as an interim gesture while the

ministry works with the NAJC on a broader recognition package in the coming year.

**CROSS REFERENCE:**

- N/A

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

Last updated Date: April 30, 2021

**RESILIENCE BC ANTI RACISM NETWORK****KEY MESSAGES:**

- All British Columbians have the right to feel safe in their communities.
- We've seen a rise in anti-Asian and anti-Indigenous racism during COVID-19, and a world-wide focus on anti-Black racism through the marches for Black Lives Matter.
- The Resilience BC Anti-Racism Network offers a more strategic and coordinated approach for responding to racism and hate in B.C. communities.
- The Resilience BC Anti Racism Network has a centralized "Hub" that anchors the program and provides support to more than 50 "Spokes" which lead anti-racism and anti-hate work at local and regional levels.
- The Resilience BC Anti-Racism Network is one part of our government's work to combat hate activity in B.C.
- Through the Resilience BC Anti-Racism Network there is multilingual information and videos on what to do if you are the victim or witness of a hate incident.

**FINANCES:**

- The annual program budget for Resilience BC is \$540,000.
- Government Financial Information

**STATISTICS:**

- Anti-Asian hate crimes increased by over 700% in 2020 compared to 2019 in Vancouver.

- In Vancouver, hate crimes incidents increased by 97% from 142 incidents in 2019 to 280 in 2020.
- On September 9, 2020, Project 1907 recorded over 600 incidents of anti-Asian racism across Canada. Women in BC accounted for nearly 70% of all reported incidents.

## BACKGROUND:

- Resilience BC was announced on November 20, 2019 during Multiculturalism Week.
- In March 2020, the Victoria Immigrant and Refugee Centre Society (VIRCS) was selected as the Hub for the Resilience BC anti-racism network.
- The Ministry held an open solicitation process from April to May 2020 to identify contractors to deliver Spoke services.
- 34 organizations were selected as Spokes in all regions of the Province to join the Network in August 2020.
- The base budget for Resilience BC is \$540K, including \$240K for the central Hub and \$300K for community Spokes.
- In 2020/21, the ministry invested an additional \_\_\_\_\_ in Resilience BC in one-time initiatives as part of the Anti-Racism Restart and Recovery Initiatives under Stronger BC. The program is back to its base budget in 2021/22, although many of the one-time initiatives that received additional funding in 2020/21 will continue through the fall and winter of 2021.

Government  
Financial  
Information

## CROSS REFERENCE:

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 23, 2021

## ANTI RACISM RESTART AND RECOVERY

### KEY MESSAGES:

- The COVID-19 pandemic and the recent protests around the world have shone a spotlight on issues of racism and hate.
- Our government has been unequivocal in condemning acts of racism and hate in British Columbia and is taking decisive action to address systemic racism.
- We prioritized funding of \$1.9M for Anti-Racism Resilience and Recovery initiatives in Stronger BC, B.C.'s Economic Recovery Plan announced in the Fall of 2020.
- In March 2021, we provided an additional ~~in recovery~~ funding for additional anti-racism initiatives.
- In total, \$2.9M in recovery funding was invested in the following initiatives in 2020/21, over and above the ministry's base budget for anti-racism:

- Anti-Racism Public Education Campaign
- Multiculturalism Grants Program Expansion
- Resilience BC Anti-Racism Network Expansion and Training
- Institutional Change Project
- Vancouver Foundation Grants

### FINANCES:

- In 2020/21, the ministry's base budget for multiculturalism and anti-racism was supplemented by an additional in contingency for one-time anti-racism recovery initiatives.

### STATISTICS:

- N/A

Contact: Angela Cooke

Tel:   
Government  
Financial  
Information

Mobile:

Page 1 of 2

**BACKGROUND:**

- Anti-Racism Restart and Recovery Funding supported the following initiatives:

- Anti-Racism Public Education Campaign a province-wide awareness campaign featuring artwork by Indigenous, Black and People of Colour (IBPOC) artists accompanied “anti-racism reminders” for British Columbians.

Government  
Financial  
Information

- Multiculturalism Grants Program Expansion 192 organizations received grants of between \$5,000 and \$10,000 to undertake projects that address anti-Indigenous, anti-Asian and anti-Black racism as well as to support IBPOC youth and other related projects.

Government  
Financial  
Information

- Resilience BC Anti-Racism Network Expansion and Training Members of the Resilience BC Anti-Racism Network received additional grants to help them address increased incidents of racism during the pandemic and launch new training initiatives.

Government  
Financial  
Information

- Institutional Change Project a contractor was secured to develop a training module on systemic, institutional and structural racism for senior government officials that will be implemented in 2021/22.

Government  
Financial  
Information

- Vancouver Foundation Grants In partnership with the Ministry of Social Development and Poverty Reduction, MAG provided the Vancouver Foundation with additional funding that it distributed to IBPOC community organizations to build their capacity to respond to increased challenges during the pandemic.

Government  
Financial  
Information

- Established an Anti-Racism Hotline

**CROSS REFERENCE:**

- **Note C5** – Resilience BC Anti-Racism Network

Contact: Angela Cooke

Tel: Government  
Financial  
Information

Mobile:

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

Last updated Date: March 31, 2021

**CHINESE CANADIAN MONUMENT****KEY MESSAGES:**

- The contributions of British Columbians of Chinese descent are an essential part of our province's success and cultural richness.
- That's why our government has invested more than \$10 million to support establishing the Chinese Canadian Museum.
- This will be Canada's first museum honouring the Chinese Canadian community.
- The museum's hub in Vancouver Chinatown will be an impressive monument in itself, exemplifying our commitment to educating all British Columbians about Chinese Canadian history and culture.
- We are aware that the previous administration had plans to work with the City of Vancouver to install a monument in Vancouver Chinatown related to the 2014 formal apology for historical wrongs.
- The city is working through their larger community plans for the Vancouver Chinatown and we have continued to engage with the City of Vancouver about options. We will continue to work with the city and community groups on this important issue.

**FINANCES:**

- \$100,000 of provincial funding is in trust with Heritage BC to support the future installation of a monument.

**STATISTICS:**

- N/A

**BACKGROUND:**

- In 2015, under the previous administration, the B.C. government placed \$100,000 in trust with Heritage BC to support the future installation of a

monument in Vancouver Chinatown's Keefer Memorial Square that would acknowledge the 2014 provincial apology to Chinese-Canadians.

- Between 2015 and 2018, monuments acknowledging the apology were installed in eight other cities across the Province, but the City of Vancouver asked for the Vancouver Chinatown monument to be delayed because of competing redesign priorities for the neighbourhood.
- The City of Vancouver has experienced multiple delays with its community planning processes since then. Intergovernmental Communications; Government Financial Information
- In the coming months, the ministry will consult with the Chinese Canadian Museum Advisory Committee and the Premier's Chinese Canadian Community Advisory Committee on whether it should continue to work with the City of Vancouver according to its long-range timelines or whether it should investigate another opportunity to invest the \$100,000 on a project that could be implemented sooner (e.g. a piece of a public art that could be installed at the museum's pocket gallery).
- On July 16, 2020, the B.C. government announced \$10 million to support further work to establish the Chinese Canadian Museum - the first in Canada. Development and operation of the museum is being led by the Chinese Canadian Museum Society of BC, established in March 2020.
- Minister Mark is now leading the Chinese Canadian Museum project.

## CROSS REFERENCE

- N/A



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

Last updated Date: April 14, 2021

**GERMAN RECOMMENDATIONS – IMPLEMENTATION  
UPDATE****KEY MESSAGES:**

- In Dr. German's 2018 report, he outlined the scope of the problem 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.
- While our work on implementing Dr. German's recommendations is now nearly complete, we will continue to build on the actions to date with the goal of making our province the most difficult place to launder money in Canada.

**FINANCES:**

- Not applicable

**STATISTICS:**

- A total of 38 of 48 recommendations, or nearly 80%, have now been addressed.
- Of the remaining 10 recommendations to be addressed, nine will be addressed by legislation introduced Cabinet  
Confidences;  
Advice/Recommendations by the Gaming Policy and Enforcement Branch.

- The focus of this legislation is to create the new Independent Gaming Control Office (IGCO); a standards-based model; and clarify the roles and responsibilities of the regulator and the BC Lottery Corporation (BCLC).
- The other remaining recommendation relates to money services businesses (MSBs) and is also expected to be addressed through legislation.
- The introduction of a source of funds declaration along with the enhanced presence of government regulators at Lower Mainland casinos, combined with policies implemented by BCLC and the establishment of the Joint Illegal Gaming Investigation Team (JIGIT) have contributed to a decrease in suspicious cash transactions in B.C. casinos.
  - They have gone from a high of over \$27 million in July 2015 – to just over \$450,000 in February 2020, or a decline of 98%.

#### **BACKGROUND:**

- Work on addressing AML also includes working aggressively to reduce the risk of all illicit behaviour in B.C.'s gambling facilities.
- Key measures that have been put in place include:
  - A requirement that every casino customer who tries to buy-in with \$10,000 or more in a 24-hour period complete a source of funds declaration and provide a receipt, and
  - Enhanced presence of government regulators at Lower Mainland casinos during peak hours.
- As casinos have been closed due to the pandemic since March 16, 2020, there has been no opportunity to monitor the progress of our AML efforts within those facilities. Monitoring progress is expected to resume once the PHO allows facilities to re-open.
- Analysis and work remain ongoing to ensure AML measures are continuously evaluated and strengthened.

**CROSS REFERENCE:**

- **Note D2 – German Reports**

**APPENDIX: STATUS OF ALL GERMAN RECOMMENDATIONS**

Number	Recommendation	Actions Taken
<b>UNDERWAY</b>		
1	That the <i>Gaming Control Act</i> (GCA) be amended to provide for the Recommendations in this Report	<ul style="list-style-type: none"> <li>• These will be addressed through legislation Cabinet Confidences</li> </ul>
2	That the GCA clearly delineate the roles and responsibilities of BCLC and the Regulator	
24	That the casino industry transition to a standards-based model.	<ul style="list-style-type: none"> <li>• These will be addressed through legislation Cabinet Confidences</li> </ul>
25	That the foundational standards of the standards-based model be developed by a cross-sector of industry and government, building upon the Ontario Standards, and that they be periodically reviewed and renewed.	
26	That the CEO/Registrar of the Regulator be the keeper of the standards.	
27	That BC transition to an independent regulator in the form of a Service Delivery Crown Corporation, with a Board of Directors and a CEO/Registrar.	
28	That the Board of Directors of the Regulator be a governance board and not be responsible for appeals from decisions of the Registrar.	
30	That anti-money laundering be a responsibility of the Regulator, and that it institute mandatory training for front-line gaming personnel, including VIP hosts, with consideration of a Play Right program.	<ul style="list-style-type: none"> <li>• These will be addressed through legislation Cabinet Confidences</li> </ul>
31	That the Regulator also be the regulator of BCLC and that the BCLC Board, officers and employees be subject to registration.	
46	That the Province consider a licensing and recording regime for MSBs, similar to the <i>Metal Dealers Recycling Act</i> .	<ul style="list-style-type: none"> <li>• Consultation paper released in winter/spring 2020.</li> <li>• Legislation anticipated.</li> </ul>
<b>COMPLETE</b>		

Interim 1	Service Providers (SPs) must complete a Source of Funds (SOF) Declaration for cash deposits or bearer monetary instruments of \$10,000 or more. At a minimum, the declaration must outline a customer's identification and provide the SOF, including the financial institution and account from which the cash or bond was sourced. After two consecutive transactions, cash can only be accepted from the customer once it has been determined that it is not of a suspicious or illegal nature.	<ul style="list-style-type: none"> <li>Since January 2018, all cash and monetary instruments of \$10,000 or more (whether in a single transaction or as the total amount of buy-ins over a 24-hour period) require a SOF receipt by the patron prior to acceptance by the SP.</li> <li>Receipts and SOF declarations must include the patron's name, financial institution that issued the cash, location of the financial institution, and the patron's bank account information.</li> </ul>
Interim 2	GPEB investigators be on shift and available to the high-volume casino operators in the Lower Mainland, on a 24/7 basis. The presence of the regulators will allow for the increased vigilance required in casinos. In particular, it will assist with source of funds issues, third party cash drops and general support for GSPs and BCLC.	<ul style="list-style-type: none"> <li>GPEB uses a risk-based approach to schedule onsite gaming investigators at the five largest Lower Mainland casinos during peak hours.</li> <li>A Gaming Investigator is available by phone 24/7 for the high-volume Lower Mainland casinos.</li> </ul>
3	That BCLC, in conjunction with the Regulator and Service Providers, review the present Source of Funds (SOF) Declaration on at least an annual basis to determine if refinements are required	<ul style="list-style-type: none"> <li>BCLC added wording from recommendation to their standards.</li> <li>BCLC has committed to arranging a meeting, at least once a year, with the regulator and service providers to review the Source of Fund declaration.</li> </ul>
5	That the Service Providers be responsible for completing all necessary reports to FinTRAC, including STRs.	<ul style="list-style-type: none"> <li>Reporting to FinTRAC by BCLC will continue with safeguards addressing Dr. German's recommendations incorporated into the forthcoming legislation.</li> </ul>
6	That discussions with FinTRAC take place with the purpose of designating the Service Providers as direct reports to FinTRAC, failing which that reports from Service Providers be sent in an unaltered form to FinTRAC by BCLC.	
7	That BCLC provide Corporate STRs if its files contain relevant information not contained within an STR from a Service Provider.	
8	That Service Providers develop the necessary capacity to assess risk and perform due diligence on suspicious transactions.	
9	That the service providers copy STRs to BCLC, the regulator (and the DPU) and the RCMP.	

10	That the Regulator / DPU be provided with access to iTRAK in its offices.	<ul style="list-style-type: none"> <li>Workstations installed at GPEB's Burnaby Kingsway office, the GPEB workspace at the RCMP Green Timbers (JIGIT) office and at five other locations. Discussed with Dr. German who had no concerns.</li> </ul>
11	That UFT and SCT reports be eliminated.	<ul style="list-style-type: none"> <li>SPs will continue to submit UFTs to BCLC and also to GPEB in the form of s. 86 reports.</li> <li>SCT reporting has been eliminated.</li> </ul>
12	That a Transaction Analysis Team be developed to review all STRs and that the team be composed of a representative of the Regulator/DPU, JIGIT and BCLC.	<ul style="list-style-type: none"> <li>JIGIT, GPEB and BCLC hold weekly teleconferences to share information to share real time incidents from the past week.</li> </ul>
13	That the Transaction Analysis Team meet on at least a weekly basis to review all STRs and develop strategies to deal with each.	<ul style="list-style-type: none"> <li>Monthly meetings focus on identifying overall trends and how current processes should be modified and improved.</li> </ul>
14	That JIGIT be provided continuing support with respect to its investigative mandates.	<ul style="list-style-type: none"> <li>Solicitor General confirmed support for JIGIT's investigative mandates.</li> </ul>
15	That the Province consider transitioning JIGIT to a permanent, fenced funding model within the RCMP's provincial budget.	<ul style="list-style-type: none"> <li>JIGIT was formed as a fenced funded unit and remains a fenced funded unit within the RCMP.</li> </ul>
19	That persons working in VIP rooms be provided with an independent avenue to report incidents of inappropriate conduct by patrons.	<ul style="list-style-type: none"> <li>A new Public Interest Standard developed and implemented.</li> </ul>
20	That cash alternatives become the responsibility of the Service Providers, subject to their compliance with overarching standards	<ul style="list-style-type: none"> <li>Cash alternatives already responsibility of service providers. Significant analysis was undertaken.</li> </ul>
22	That Player Gaming Funds (PGF) accounts be eliminated once responsibility for cash alternatives has transitioned to the service providers.	<ul style="list-style-type: none"> <li>With SOF policy in place and new limitations, PGFs are one of the safest alternatives and will not be eliminated.</li> </ul>
23	That BCLC implement a chip tracking system for Service Providers.	<ul style="list-style-type: none"> <li>Exploration of chip-to-player table tracking system underway.</li> <li>Continue monitoring using risk-based approach, to monitor chip liabilities.</li> </ul>
32	That the Regulator provide a 24/7 presence in the major Lower Mainland casinos, until a designated policing unit is in place.	<ul style="list-style-type: none"> <li>GPEB is using a risk-based approach to schedule onsite gaming investigators at key locations and times.</li> </ul>

		<ul style="list-style-type: none"> <li>A gaming investigator is available by phone 24/7 for the high-volume Lower Mainland casinos.</li> </ul>
33	That appeals from decisions of the Registrar be sent to an administrative tribunal constituted for this purpose, or already in existence.	<ul style="list-style-type: none"> <li>GPEB is proposing to amend the GCA to provide a reconsideration process consistent with comparable BC regulatory statutes.</li> </ul>
35	That the Regulator have dedicated in-house counsel.	<ul style="list-style-type: none"> <li>Legal Services Branch will continue to provide dedicated staff to the regulator.</li> </ul>
36	That investigators hired by the Regulator meet core competencies.	<ul style="list-style-type: none"> <li>Job requirements and related behavioural competencies for gaming investigators were already in place and must be demonstrated as part of the hiring process.</li> </ul>
44	That the Provincial prosecution service (PPS) ensure that it has prosecution counsel familiar with gaming law.	<ul style="list-style-type: none"> <li>Confirmation provided that the PPS has the necessary resources and training capacity to fully address this recommendation.</li> </ul>
<b>CLOSED</b>		
4	That BCLC re-enforce the importance of Service Providers not accepting cash or other reportable instruments if they are not satisfied with a source of funds declaration.	<ul style="list-style-type: none"> <li>Instruments of \$10,000 or more (whether in a single transaction or as the total amount of buy-ins over a 24-hour period) would require a Source of Funds (SOF) declaration by the patron prior to acceptance by the SP.</li> <li>BCLC has revised its policy to explicitly restate that SPs should not accept cash or other reportable instruments if they are not satisfied with a SOF declaration.</li> </ul>
16	That BCLC not engage in further undercover operations, except in conjunction with the Regulator and/or the police.	<ul style="list-style-type: none"> <li>BCLC employees conduct due diligence into customers and transactions; BCLC will reiterate that this is the scope of their role.</li> </ul>
17	That no further expense be incurred by BCLC with respect to the SAS AML software system.	<ul style="list-style-type: none"> <li>BCLC has not incurred any expenses in relation to SAS AML since May 19, 2016 and will incur no further expenses, outside of any maintenance required.</li> </ul>
18	That BCLC ensure VIP hosts to not handle cash or chips.	<ul style="list-style-type: none"> <li>The Casino and Community Gaming Centre Standards, Policies and Procedures (CSPP)</li> </ul>

		were revised to more explicitly state that VIP hosts cannot handle cash or chips.
21	That cash limits not be imposed on buy-ins.	<ul style="list-style-type: none"> <li>In his report, Dr. German noted that due to implementation of his first interim recommendation related to Source of Funds, limits on cash buy-ins become unnecessary.</li> </ul>
29	That regulatory investigators continue to be Special Provincial Constables.	<ul style="list-style-type: none"> <li>GPEB investigators are currently designated as SPCs.</li> </ul>
34	That funding of the Regulator continue to be from gaming revenue.	<ul style="list-style-type: none"> <li>Dr. German's intention was for the government to proceed with funding GPEB through its current process and no change was required.</li> </ul>
37	That a Designated Policing Unit be created to specialize in criminal and regulator investigations arising from the legal gaming industry, with an emphasis on Lower Mainland casinos.	<ul style="list-style-type: none"> <li>Gaming Investigative Intelligence Unit (GIU) created within JIGIT. Collaborative enforcement efforts will be addressed in Provincial AML Strategy.</li> </ul>
38	That the DPU be an integral part of the Regulator.	
39	That the DPU not be responsible for investigating illegal gaming outside casinos.	
40	That the DPU contain an Intelligence Unit.	
41	That the duties of the OPP Casino Bureau and the Nevada GCB Enforcement Division be reviewed in order to determine an appropriate role for the DPU.	<ul style="list-style-type: none"> <li>Research has been undertaken and GPEB will adopt some of the approaches in managing proceeds of crime in BC casinos.</li> </ul>
42	That anti-money laundering be a specific responsibility of the DPU.	<ul style="list-style-type: none"> <li>Gaming Investigative Intelligence Unit (GIU) created within JIGIT. Collaborative enforcement efforts will be addressed in Provincial AML Strategy.</li> </ul>
43	That funding of the DPU be from gaming revenue.	
45	That the Province undertake research into allegations of organized crime penetration of the real estate industry	<ul style="list-style-type: none"> <li>The Province commissioned two independent investigations and reports to be generated exploring linkages between organized crime and real estate.</li> <li>Dr. German's "Dirty Money – Part 2" and the "Expert Panel on Money Laundering" were completed and their reports publicly released on May 9, 2019.</li> </ul>
47	That the Province consider researching the vulnerability of the luxury car sector and the horse racing sector to organized crime.	<ul style="list-style-type: none"> <li>Dr. German's "Dirty Money – Part 2" was commissioned to research these areas and his report was publicly released on May 9, 2019.</li> </ul>

48	<p>That the Province continue to encourage the federal government to amend the POCMLTFA to broaden the entities subject to reporting, specifically luxury goods of interest to organized crime.</p>	<ul style="list-style-type: none"> <li>• Minister Eby presented to the Standing Committee on Finance in Ottawa on March 27, 2018 to speak to amendments to the PCMLTFA.</li> <li>• Minister Eby has written to the federal ministers responsible on two separate occasions and has raised concerns and advocated for the Government of BC's position at multiple Federal/Provincial/Territorial meetings over the past several years.</li> </ul>
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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 26, 2021

## GERMAN REPORTS

### KEY MESSAGES:

- The Government has entered into four contracts with Dr. Peter German since 2017. There are currently no active contracts with Dr. German.
- The work undertaken by Dr. German has made significant contributions to advancing our understanding of the breadth and depth of money laundering in B.C.'s casinos in the Lower Mainland as well as identifying other vulnerable sectors.
- Dr. German's findings, recommendations and insights have provided our government with valuable information that have enabled us to begin addressing the broader impacts of money laundering and the illicit activities that accompany it.

### If asked about compensation for Cullen Commission testimony:

- Government's two most recent contracts with Dr. German specifically stated that the services for which Dr. German was to be remunerated did not include the time spent testifying to the Commission, or preparing to testify, in the event he was called as a witness.
- This was in recognition of the fact that the gathering, assembly, organization and review of the documents in Dr. German's possession would involve significant time and effort on Dr. German's part.

**FINANCES:**

- The total combined value of all four contracts was \$738,175.00.
- As of the most recent payment, the total amount paid to Dr. German to date (as of March 26, 2021) is \$657,270.33.
  - These payments include Dr. German's payments to sub-contractors, engaging experts in the field and all expenses related thereto.
- Dr. German's second contract was originally <sup>Government</sup> and was amended to \$300,000 and ultimately to approximately \$358,000 to accommodate additional research required in the later months of the contract.
- All existing contracts with Dr. German have now expired.

	Original Start & End Date	Extension dates	Total Contract Value	Total Paid	Hourly Rate
<b>Contract #1</b>	September 22, 2017 to March 31, 2018	April 1, 2018 to March 31, 2019	\$245,000	\$235,400.96	\$275
<b>Contract #2</b>	September 27, 2018 to March 31, 2019	April 1, 2019 to May 31, 2019	\$358,175	\$358,147.55	\$275
<b>Contract #3</b>	June 1, 2019 to June 30, 2020	Not applicable	\$100,000	\$34,403.98	\$300
<b>Contract #4</b>	July 1, 2020 to December 31, 2020	January 1, to February 28, 2021	\$35,000	\$29,317.84	\$300

**STATISTICS:**

- N/A

**BACKGROUND:**

- Dr. German's first contract was for a review of British Columbia's anti-money laundering policies and practices in the gambling industry, with a focus on the Lower Mainland.

- The final report, titled “Dirty Money”, was delivered to government in April 2018.
- Dr. German’s second contract centred on identifying the scale and scope of verifiable illicit activity in the real estate market and an examination of money laundering in the horse racing and luxury car market.
  - The final report, titled “Dirty Money – Part 2”, was delivered in March 2019.
- The third and fourth contracts with Dr. German were related to retrieval and preparation of documentation in response to requests from the Cullen Commission into money laundering in B.C., and the ongoing consultations with respect to addressing the recommendations from his two reports.

#### CROSS REFERENCE:

- **Note D 1** - German Recommendations – Implementation Update
- **Note A 4.1** - Cullen Commission - Public Inquiry into Money Laundering
- **Note G 12** - Justice Services Branch – Cullen Commission
- **Note H 9** - Legal Services Branch – Cullen Commission

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

Last updated Date: March 26, 2021

**PROVINCIAL AML STRATEGY****KEY MESSAGES:**

- The Anti-Money Laundering Secretariat (AMLS) along with a multi-ministry working group developed a provincial strategy that provides a framework to guide and support AML efforts for government, regulators and non-regulators.
- Our goal is to make B.C. the toughest jurisdiction in which to launder money. We are focusing our efforts on prevention and deterrence so we can reduce our reliance on enforcement and prosecution, which depends heavily on federal support.
- Disruption of money laundering activities is key and our greatest opportunity to do this is through detection, deterrence and prevention of illicit behaviour.
- Integral to the success of this strategy will be the ongoing commitments from key partners, including the private and public sectors, in areas such as intelligence, data collection and analysis.
- This strategy was developed to be agile and responsive to reflect the changing realities of money laundering, as well as any future recommendations stemming from the final Cullen Commission report.

**If asked about progress to date:**

- Actions to address the objectives of the strategy have already begun including:
  - The Landowner Transparency Registry legislation came into force with the filing requirements applying as of November 30, 2020 and the search provisions came into force in April 2021;

- New requirements for corporations to keep a registry of beneficial owners in their records offices came into effect on October 1, 2020;
- Legislation to create a single regulator of real estate under the BC Financial Services Authority received Royal Assent on March 25, 2021.
- Analysis and development of options continues for unexplained wealth orders;
- Consultations were undertaken and completed on:
  - the creation of a publicly searchable registry of beneficial owners of corporations;
  - money services businesses; and
  - amendments to the *Mortgage Brokers Act*.
- 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.

## FINANCES:

- As the AML strategy work crosses multiple branches and ministries, the work underway, including the implementation of action items, is funded through already approved ministry votes instead of a standalone budget line.
- Costs to develop this strategy include \$10,000 which was paid to Deloitte in the 2019/20 fiscal year for a jurisdictional scan and for ongoing advisory services.

## STATISTICS:

- N/A

**BACKGROUND:**

- The Provincial AML Strategy looks longer-term with an emphasis on the first three to four years and includes measurable successes within the first year.
- The founding principles of the strategy centre on disrupting the criminal economy and managing the impact for British Columbians.
- These principles underpin the goals and objectives which form the overarching framework for the strategy. These goals are:
  - #1: A coherent and agile approach to the identification and prevention of money laundering;
  - #2: Implementation of a coordinated compliance and enforcement regime to make BC the most difficult jurisdiction in Canada in which to launder money; and
  - #3: Government, partners, and stakeholders prioritize AML efforts and take an integrated and coordinated approach to combat money laundering.
- In implementing this strategy, the Province will work closely with several stakeholders including the Federal Government, regulators and non-regulators within BC.

**CROSS REFERENCE:**

- **Note D 1** - German Recommendations – Implementation Update
- **Note A 4.1** - Cullen Commission - Public Inquiry into Money Laundering
- **Note G 12** - Justice Services Branch – Cullen Commission
- **Note H 9** - Legal Services Branch – Cullen Commission

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 21, 2021

## CONDUCT OF BAIL HEARINGS (INDICTABLE MATTERS)

### KEY MESSAGES:

- In February 2017, the Alberta Court of Queen's Bench determined that there is no legal authority for police officers to conduct bail hearings in indictable matters, including hybrid offences where the Crown has not yet elected whether to proceed indictably or summarily (In the *Matter of Hearing Office Bail Hearings (Re)*, 2017 ABQB 74).
- At the time, police in BC conducted approximately 1,400 out-of-court, after-hours, weekend, and statutory holiday bail hearings per month in all locations outside of Vancouver.
- Implementation of a new process for Crown-led bail hearings began in February 2018. Phase one, involving Crown Counsel having conduct of all weekend bail hearings, was completed in November, 2018.
- There are now five weekend bail hub locations operating in Vancouver, Surrey, Victoria, Kelowna, and Prince George.
- Phase two involves Crown assuming conduct of all evening bail court hearings across the province, utilizing three hub locations in Vancouver, Victoria, and Surrey. Implementation of phase two has been affected by budget pressures and the COVID-19 pandemic.
- The initial estimated resource requirements for weekends only were 10 Crown Counsel and 10 Legal Assistants (total of 20 FTEs).
- Costs are estimated at \$2.5 million in the COVID-19 impacted 2020/21 fiscal year, ending March 31, 2021. Costs were less than the estimated

Page 1 of 3

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requirements of \$3.0 million due primarily to the pandemic, which resulted in fewer bail hearings taking place and some hiring lags.

- Full implementation of the Crown's direct responsibility for after-hours charge approval and bail hearings from police, including weekday evenings, will move ahead as soon as is feasible after the pandemic-related interruption of court and Crown counsel operations substantially declines, likely by the end of the calendar year.
- Some system enhancements have been required, involving JUSTIN betterments, to allow for electronic charge assessment for smaller and more remote detachments, and a new system to allow for secure electronic transfer of evidence from police to Crown Counsel at the hub locations.
- The Crown Led Bail model served as a useful prototype for the emergency measures undertaken to maintain weekday court bail operations in response to the COVID 19 shutdown. Aspects of the system's emergency response, including reliance on remote rather than in person appearances at bail hearings by accused persons, are expected to continue over the long term, to permanently reduce the need of unnecessarily moving prisoners back and forth from police lock-ups to courthouses. The Provincial Court's intention to institutionalize the remote appearances model for all bail hearings underlines the necessity of completing implementation of the Crown led weekday evening bail program.
- Once fully implemented, in addition to better access to justice, the BCPS anticipates associated benefits from the move to Crown-led after hours bail, including: more efficient file management and quality control at the front end of the process, better and more efficient work flows for police, Crown Counsel, and court registry staff, and a likely reduction in the number of accused persons, who would otherwise qualify for immediate release, being held in custody unnecessarily on short-term remands.

## FINANCES:

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- Current allocation is \$3.3 million. Government Financial Information  
Government Financial Information
- Current FTEs are 20, requirements upon full implementation are estimated at 35.

**STATISTICS:**

- N/A

**BACKGROUND:**

- At the time of the Alberta judgment, BC was the only jurisdiction in Canada apart from Alberta in which police conducted bail hearings (usually outside of regular court hours) in indictable matters. A review of the Alberta judgment led BC Prosecution Service (BCPS) to conclude that the legal analysis set out in the Alberta judgment is the correct interpretation of the relevant provisions of the *Criminal Code*, resulting in the BCPS and its justice partners developing a new process for Crown counsel to assume direct responsibility for all after-hours charge approval and bail hearings from police.

**CROSS REFERENCE:**

- N/A

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

Last updated Date: April 21, 2021

**CROWN COUNSEL ASSOCIATION BARGAINING****KEY MESSAGES:**

- The collective agreement between the Employer and BC Crown Counsel Association expired on March 31, 2019 and key provisions of it remain in force until a new agreement is reached.
- The expired agreement had been in effect since April 1, 2007 and involved linking of Crown Counsel salaries to that of Provincial Court Judges, plus an additional annual amount as a “catch up” provision. At the expiry of the agreement top Crown Counsel salaries had reached the intended target of 85% of Judges’ salaries.
- The parties commenced bargaining a new collective agreement in January 2019.
- Negotiations broke off in March 2019 for an arbitration to determine whether the annual salary adjustment provisions in the agreement (including the pay link to Provincial Court Judges) would continue beyond the March 31 expiry.
- In December 2019, the arbitrator ruled that the annual salary adjustment provisions would continue as long as the current collective agreement remains in force, but without the additional “catch up” amount.
- This ruling had the effect of providing a 1.51% increase to Crown Counsel salaries effective April 1, 2019.
- The parties returned to the bargaining table in February 2020 and also commenced negotiations on essential service levels at that time.
- In March 2020, the parties reached an interim agreement, initially in effect until June 15, 2020 and then extended to August 1, 2020, with respect to the salary adjustment to be provided to Crown Counsel on April 1, 2020. It provided a

provisional 2% wage increase to Crown Counsel on April 1, 2020 and allowed time for the BC Crown Counsel Association to consult with their members.

- Negotiations arrived at an impasse in August 2020 despite both parties expressing a willingness to arrive at an agreement through bargaining. The previous collective agreement remains in effect and the salary linkage to Provincial Court Judges continues. Crown Counsel received a total wage increase of 2.22% effective April 1, 2020, and an additional 2.26% increase on April 1, 2021.

#### **FINANCES:**

- In fiscal 2021 \$4.9 million was provided via the Financial Administration Act (FAA) for the 2019 and 2020 CCA increases, including lockstep and benefits. Budget 21 provides funding of \$8.6 million to fund previous and current year increases, including lockstep and benefits.

#### **STATISTICS:**

- There are approximately 475 Crown Counsel Association members.
- Included Crown Counsel salaries currently range from \$92,968 to \$239,578 annually and average approximately \$170,000.

#### **CROSS REFERENCE:**

- N/A

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

Last updated Date: April 13, 2021

**R. V. JORDAN; JUDICIAL STAY FOR UNREASONABLE  
DELAY****KEY MESSAGES:**

- The BC Prosecution Service (BCPS) has been actively working on reducing systemic delay for a number of years and continues to do everything it can to meet the timelines established by the Supreme Court of Canada in the cases it prosecutes.
- Starting in 2012, BCPS has implemented a number of process reforms that were specifically designed to address the problem of delay. These reforms were substantially completed in December 2015 and include:
  - Enhanced Crown File Ownership to reduce file churn;
  - Province-wide Quality Standards for proactive criminal case management, including front-end disclosure and online charge assessment;
  - Policy direction on increased early resolution;
  - Increased flexibility on the use of Direct Indictments;
  - Technology improvements to information-flow between police, the Prosecution Service and the defence;
  - Implementation of a province-wide electronic File Closing Survey to gather business intelligence on material process and file developments;
  - A Major Case Management model to bring a project management approach to CJB's largest prosecutions.

- It is readily apparent that the COVID 19 pandemic has impacted time to trial for criminal cases. What is less apparent is how this delay will be characterized by the courts when assessing whether the delay is constitutionally unreasonable.
- The BCPS has been using the time during which access to courtrooms is restricted, to ensure a smooth transition to normal operations. To that end we have continued to update and streamline our process for receiving information from police by working to expand electronic transfer of file materials. We have also reviewed our files to ensure that only viable prosecutions, and those that cannot be disposed of through appropriate resolutions, remain in the system. The plan is to proactively address the accumulating backlog of files, ensuring adequate justice system and BCPS capacity, so that we can effectively prosecute the cases that remain, particularly our most serious cases, in an expeditious manner.

#### **FINANCES:**

- N/A

#### **STATISTICS:**

- N/A

#### **BACKGROUND:**

- On July 8, 2016, the Supreme Court of Canada established binding timelines for the processing of criminal cases in Canada.
- Systemic delay (excluding delay attributable to the defence) that extends beyond the established timelines is presumptively “unreasonable” under s. 11(b) of the *Charter of Rights and Freedoms*. The established timeline for Provincial Court criminal cases is 18 months and the established timeline for BC Supreme Court criminal cases is 30 months.

- Unless Crown Counsel is able to justify systemic delay that exceeds these thresholds on the basis of “exceptional circumstances”, the constitutional right to be tried within a reasonable time is violated and the prosecution is liable to be terminated by a judge.
- As part of an ongoing process of continuous improvement, the BCPS has been developing and rolling out new reforms and initiatives since 2016. These include:
  - A Comprehensive Disclosure Strategy (in partnership with the Policing and Security Programs Branch of the Ministry of Public Safety and Solicitor General) aimed at increasing efficiencies and reducing delay in criminal case disclosure. Implementation of the recommendations of the Comprehensive Disclosure Strategy is ongoing and includes the Front End Efficiencies Pilot offices in Vancouver, Surrey and Prince George.
  - A Continuous Improvement Plan that is focused on streamlining the BCPS’s administrative processes;
  - The development of an electronic Crown Counsel Scheduling System, which will facilitate integrated electronic case scheduling with the Provincial Court so that Crown Counsel’s availability can be accessed by Judicial Case Managers for the purpose of fixing trial dates. This project also provides direct support for the long-term sustainability of Crown File Ownership, which is designed—at least in part—to facilitate increased early resolution and proactive file management by assigned Crown Counsel.
  - Initiating a system to proactively review and monitor outstanding files for undue delay particularly those cases in which the accused has apparently moved or left BC. When such files are identified, Crown counsel work closely with the police to ensure that the accused are brought before the court in a timely way.
- The BCPS’s completed reforms, coupled with its ongoing initiatives, help the Prosecution Service to mitigate concerns about delay that have been raised by the Supreme Court of Canada. However, the risk of judicial stays of proceedings

in criminal cases, including those involving serious charges of violence, continues to vex all jurisdictions in Canada, including BC.

- There is an argument to be made that pandemic-related adjournments which contributed to the delay constitutes a “discrete Exceptional Circumstance” that should not be included in the calculation of total time to trial. This argument has been accepted by the trial courts but it has not been confirmed on appeal.

**CROSS REFERENCE:**

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 13, 2021

## PROSECUTING HATE CRIMES

### KEY MESSAGES:

- The Crown Counsel policy on hate crimes (HAT 1) provides guidance to prosecutors dealing with offences that are motivated by the offender's bias, prejudice, or hate towards others.
- The policy notes that these offences are driven by bigotry and intolerance for others and are to be regarded as serious matters.
- BCPS has a designated resource counsel group with members across the province available to advise Crown Counsel dealing with these offences. Resource material addressing case law, subject matter publications, and links to partner agencies is made available for further assistance to prosecutors. In addition, the lead Hate Crime resource counsel meets on a monthly basis with the police-based BC Hate Crime Team.
- Particularly under the current extraordinary circumstances fueled by the pandemic, when offences are motivated by hatred based on race or national or ethnic origin there is a strong public interest in prosecuting those offences whenever the evidence supports the charges.

### FINANCES:

- N/A

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Contact: Trevor Shaw	Tel: 604-660-4085	Mobile:



**STATISTICS:**

- N/A

**BACKGROUND:**

- HAT 1 reminds prosecutors that the *Criminal Code* contains specific offences and sentencing provisions relating to hate crimes and that, for all offences, the Criminal Code provides that when an offence was motivated by hate, that motivation is an aggravating factor on sentencing.
- The policy encourages prosecutors to lead evidence necessary to prove hate based or racist motivation at trial to allow the court to recognize this motivation as a statutorily imposed aggravating factor on sentence.
- The BCPS applies a two-part test to determine whether criminal charges will be approved and a prosecution initiated:
  - there must be a substantial likelihood of conviction based on the evidence gathered; and
  - the public interest must require a prosecution.
- In every case, Crown Counsel are advised by the Charge Assessment Guidelines (CHA 1) that evidence an offence was motivated by bias, prejudice, or hate based on race, national or ethnic origin, is a public interest factor that favours prosecution. No comment can be provided about any hate-related prosecutions that are currently before the courts.
- Most recently, the monthly meeting included a PSSG representative from Cross-Ministry Working Group on Anti-Racism and Anti-Hate. The Director of Criminal Appeals and Special Prosecutions participates in Working Group meetings and the BCPS stands ready to provide legislative review should provincial anti-hate legislation be put forward.

**CROSS REFERENCE:**

- N/A

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# Ministry of Attorney General and Minister Responsible for Housing

## 2021/22 Estimates Debates Note

Last updated Date: April 8, 2021

### SPECIAL PROSECUTIONS

#### KEY MESSAGES:

- Special Prosecutors are appointed by the Assistant Deputy Attorney General, when he considers it in the public interest to do so, usually to avoid any potential for real or perceived improper influence in the administration of justice. Special Prosecutors are senior outside lawyers who are able to make their decisions independently of both government and the BC Prosecution Service.
- In order to protect the integrity and independence of the Special Prosecutor system, it would not be appropriate for me as Attorney General to comment on, or discuss, any ongoing matter that is being managed by a Special Prosecutor.

#### FINANCES:

- N/A

#### STATISTICS:

- N/A

**BACKGROUND:**

- The following non-exhaustive list contains summaries of high-profile Special Prosecutions that have entered the public domain. In most cases they are the subject of Media Statements that have been released by the BCPS.

BC Legislature

- On November 20, 2018, the BCPS announced that Assistant Deputy Attorney General Peter Juk, QC, appointed David Butcher, QC, and Brock Martland, QC, as Special Prosecutors to provide legal advice to the RCMP in relation to an ongoing investigation into the activities of senior staff at the British Columbia Legislature.
- Mr. Butcher and Mr. Martland were given a mandate to provide legal advice to the RCMP investigators as necessary, to conduct any related charge assessment, and to assume conduct of the prosecution if charges were approved.
- On December 18, 2020, Mr. Butcher and Mr. Martland approved charges against Craig Harley James.
- Mr. James was charged with four counts of breach of trust by a public officer and two counts of fraud in excess of \$5000.
- The indictment charging Mr. James with these offences was filed on December 17, 2020 under BC Supreme Court file number 181243. On December 18, 2020, Mr. James made his first appearance on this matter in the Victoria Courthouse. No date has been set for the trial.

Vancouver Police Department Detective James Fisher

- On August 29, 2017, Assistant Deputy Attorney General Peter Juk, QC, appointed Joseph Doyle, QC, as Special Prosecutor to provide advice and assistance to the RCMP in the course of their investigation into the conduct of Vancouver Police Department (VPD) officers involved in the investigation of former VPD detective James Fisher.

- On July 7, 2017, the Police Complaint Commissioner wrote to the Director of Police Services requesting that he make a *Police Act* section 44(1) order for a special investigation into "allegations of serious misconduct" possibly "criminal in nature" by three members of the Counter Exploitation Unit (CEU) of the VPD.
- As a result, the Director of Police Services ordered an investigation into the matter, and further ordered that it be conducted by the RCMP. The matter was ultimately investigated by RCMP officers from Alberta.
- The Director of Police Services wrote to the ADAG, recommending that a Special Prosecutor be appointed. Based on the nature and circumstances of the request, and the direct involvement of the BCPS in matters involving former detective Fisher, the ADAG concluded that a Special Prosecutor should be appointed.
- Mr. Doyle's mandate included the following:
  - Offering such legal advice to the investigative agency as might be necessary in the circumstances;
  - Conducting an independent assessment of any Report to Crown Counsel (RCC) that might be submitted and making the charging decision they deemed appropriate in the exercise of their independent discretion in accordance with BC Prosecution Service policies;
  - Providing a written report to the ADAG with the results of the assessment and the reasons for the decision; and
  - If determined, in the exercise of their discretion that a prosecution were warranted, conducting the prosecution and any subsequent appeal.
- On August 7, 2019, the investigators provided the Special Prosecutor with a RCC. Between that date and December 2019, the investigators provided additional investigative information and material to the Special Prosecutor.
- On May 30, 2020, the Special Prosecutor informed the ADAG that he had concluded that the charge assessment standard for criminal charges had not been met for any of the officers and no charges were approved.

- A clear statement setting out the reasons for the Special Prosecutor's conclusions regarding the charge assessment have been delayed, as several related matters remained pending, including the conduct investigation under the *Police Act*.

#### R. v. Vagramov

- On December 17, 2018 Michael Klein QC was appointed Special Prosecutor in relation to an investigation of a sexual assault alleged to have occurred in Coquitlam in 2015. The suspect was alleged to be Mr. Robert Vagramov, the current mayor of Port Moody.
- Ultimately Mr. Klein approved a single charge of sexual assault contrary to section 271 of the Criminal Code against Mr. Vagramov. The accused made his first appearance on the matter on April 25, 2019 in Port Coquitlam Provincial Court.
- After consideration of the circumstances of the offence, the BCPS policy on Alternative Measures for Adult Offenders (ALT 1) and the provisions of the Criminal Code dealing with alternative measures the Special Prosecutor referred Mr. Vagramov to Community Corrections for an assessment of suitability for alternative measures.
- On November 12, 2019 Special Prosecutor Michael Klein QC stayed the proceedings against Robert Vagramov after being advised by BC Corrections that Mr. Vagramov has successfully completed an Alternative Measures program authorized pursuant to section 717(1) of the Criminal Code.
- The press has subsequently petitioned the BC Supreme Court for an order allowing access to the "records" relating to the alternative measures. The application was recently dismissed but the petitioner is appealing the decision. The Special Prosecutor retains conduct of the file for the purposes of responding to that application.

#### R. v. Ed John

- On February 22, 2019, Michael Klein QC was appointed Special Prosecutor following receipt by the BCPS of a Report to Crown Counsel relating to sexual offences alleged to have occurred in and around Prince George in 1974. The suspect identified in the report was Edward John, Hereditary Chief of the Tl'azt'en Nation.
- Mr. Klein was given a mandate to provide legal advice to the RCMP investigators as necessary, conduct any related charge assessment, and assume conduct of the prosecution if charges were approved.
- Mr. Klein subsequently approved four counts of having sexual intercourse with a female person without her consent contrary to section 144 of the Criminal Code of Canada R.S.C. 1970 Chap. C-34. The incidents are alleged to have occurred between March 1st, 1974 and September 15th, 1974. The preliminary inquiry was recently concluded with a committal on all counts. The trial is scheduled to commence on October 4, 2021.

#### Trespass at home of Premier

- On March 5, 2020 Dirk Ryneveld, QC, was appointed Special Prosecutor by Assistant Deputy Attorney General Peter Juk, QC, in relation to allegations of mischief and trespass by individuals at the home of John Horgan, Premier of British Columbia.
- Mr. Ryneveld was given a mandate to conduct an independent assessment of the Report to Crown Counsel and, if he concluded that a prosecution was warranted, to conduct the prosecution and any subsequent appeal.
- Mr. Ryneveld approved charges of mischief contrary to Section 430(4) of the Criminal Code against three individuals.

● Security Concern; Personal Information

#### R. v. Bouvette

- On January 16, 2020 the BCPS announced that Marilyn Sandford QC had been appointed Special Prosecutor to conduct an independent review of the conduct of the BCPS in the prosecution of R. v. Bouvette. The file was prosecuted in Cranbrook in 2012-2013 and involved a conviction for criminal negligence causing death. The accused was a care giver originally charged with second degree murder following the death of a 19-month-old toddler she was babysitting.
- Ms. Sandford was appointed following media inquiries about disclosure issues that had recently been brought to light by an investigative journalist. The story alleged inadequate disclosure of independent reports critical of the work on the case by the Alberta pathologist who conducted the autopsy.
- Ms. Sandford recently completed her review and has provided a written report. In her report Ms. Sandford concluded that:
  - There is a strong case to be made that Ms. Bouvette did not receive disclosure of significant, relevant materials.
  - As a result of that non-disclosure, Ms. Bouvette's Charter rights may well have been breached and that her conviction may accordingly represent a miscarriage of justice.
  - Appellate review is desirable in order to determine whether a potential miscarriage of justice has occurred.
  - Ms. Bouvette should be provided with copies of all of the materials collected as part of the Special Prosecutor's investigation, with necessary redactions of those materials or portions thereof that do not meet the test of relevance or with respect to which redaction is otherwise justified based upon the application of relevant legal principles.
  - If Ms. Bouvette applies to the British Columbia Court of Appeal for an extension of time to file a notice of appeal from conviction on the basis of matters raised in the Special Prosecutor's report and the new disclosure provided to her, the Crown will not oppose her request that the Court extend the time for filing a notice of appeal.

- If Ms. Bouvette applies to the Court of Appeal to file fresh evidence on appeal related to any disclosure materials that were not previously disclosed to her, the Crown will not oppose such an application.
- The Special Prosecutor also recommended that Ms. Bouvette be provided with a copy of the report. Ms. Sandford will continue as Special Prosecutor on this matter and has already taken steps to begin implementing her conclusions and recommendations.
- The Special Prosecutor recently advised the BCPS that Ms. Bouvette has commenced proceedings in the Court of Appeal.

#### Chilliwack MLA Constituency Office

- On March 20, 2017, the Acting Assistant Deputy Attorney General (ADAG) John Labossiere appointed a Special Prosecutor in relation to allegations of theft of money from the constituency office of Chilliwack MLA John Martin.
- Robin McFee, QC, was appointed Special Prosecutor when the RCMP requested that a Special Prosecutor be appointed for the purpose of providing legal advice during the investigation and any resulting prosecution.
- On September 19, 2019, the BC Prosecution Service (BCPS) announced that Mr. McFee approved charges against accused Desmond Michael Devnich.
- Mr. Devnich was charged with two counts of fraud over \$5000 contrary to section 380(1) of the Criminal Code and two counts of breach of trust by a public officer contrary to section 122 of the Criminal Code.
- The charges covered the time period from June 25, 2013 to February 27, 2017. On October 6, 2020 Mr. Devnich pled guilty to two counts of breach of trust. He was sentenced on March 31.

#### **CROSS REFERENCE:**

- N/A



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated date: April 12, 2021

## ASSESSMENT OF CRIMINAL AND FAMILY SCHEDULING TIMELINESS

### KEY MESSAGES:

- This Ministry is committed to reducing times to hearing and improving the timeliness of matters coming before the courts.
- We know we need to make improvements and reduce times to hearing and are continuing to make significant progress in this area with some of our program enhancements and technology innovations.
- The COVID-19 pandemic restrictions have seen the justice system develop adaptive processes that continue to provide access to justice through electronic and virtual methods in both the Supreme Court and Provincial Court.
- Progress continues to be made to reduce time to hearing in the criminal justice system.
- Over the last year, the Ministry expanded early resolution processes for family cases to Surrey and Victoria to encourage families to resolve disputes by agreement or help obtain just and timely decisions in Provincial Court.

### FINANCES:




- N/A

**STATISTICS:**

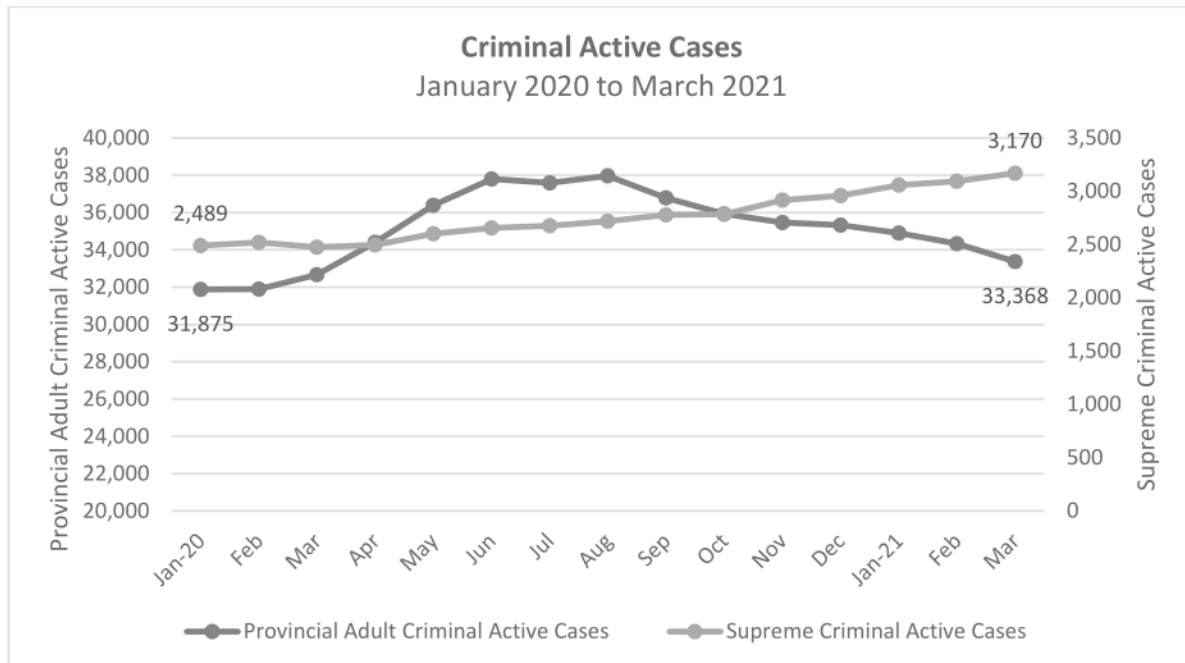
- The last published semi-annual Provincial Court Time to Trial Update report was from September 2019. The Chief Judge has not confirmed when the next set of survey data will be released, though normally, a survey would be taken at the end of March.

**Criminal matters**

- As of September 2019, the time to schedule a criminal adult trial is:
  - Less than 2 days – time to hearing of 5.9 months (OCJ standard 6 months)
  - 2 to 4 days – time to hearing of 7.6 months (OCJ standard 7 months)
  - 5 days or more – time to hearing of 7.9 months (OCJ standard 8 months)








































Criminal Trials	Months to Trial		Standard
	September 2019		
Adult <2 Day		5.9	6
Adult 2-4 Day		7.6	7
Adult 5+ Day		7.9	8

- Since recent Provincial Court Time to Trial data is not available, and the Supreme Court does not publish timeliness data, active caseload trends are provided.



- Active Provincial Adult Criminal cases increased by almost 6,000 cases during the pandemic and have been decreasing since August 2020 with counts within 5% of pre-pandemic caseload levels.
- Supreme Court criminal active caseload shows a steadily increasing trend, where there are 681 more active cases in March 2021, a 27% increase, compared to January 2020.
- Between January 1 and April 2, 2021, there have been 4 Provincial Court adult criminal cases judicially stayed due to systemic delay. The figures for previous years are:

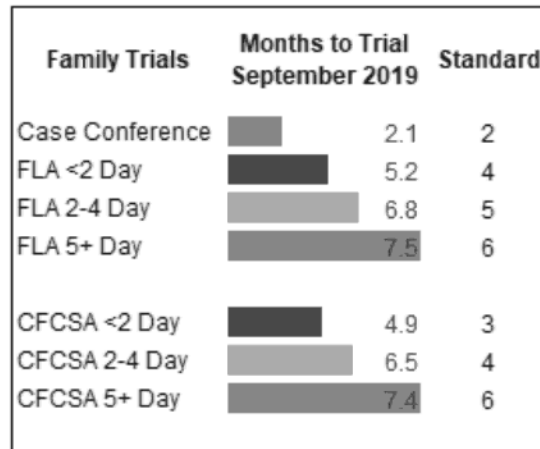
**Court Cases Judicially Stayed Due to Systemic  
Delay between 2009 and 2021 YTD**

	Provincial	Supreme	Total
2009	 44	 3	 47
2010	 57	 1	 58
2011	 111	 11	 122
2012	 66	 2	 68
2013	 23	 3	 26
2014	 15	 3	 18
2015	 18	 11	 29
2016	 14	 6	 20
2017	 29	 6	 35
2018	 18	 3	 21
2019	 9	 3	 12
2020	 11	 1	 12
2021 YTD	 4	 0	 4

\* YTD = January 1, 2021 to April 2, 2021.

### Family matters

- As of September 2019, the time to schedule a general family trial:
  - Less than 2 days – time to hearing of 5.2 months (OCJ standard 4 months)
  - 2 to 4 days – time to hearing of 6.8 months (OCJ standard 5 months)
  - 5 days or more – time to hearing of 7.5 months (OCJ standard 6 months).
- As of September 2019, the time to schedule a child protection hearing:
  - Less than 2 days - current time to hearing 4.9 months (OCJ standard 3 months)
  - 2 to 4 days - time to hearing of 6.5 months (OCJ standard 4 months)
  - 5 days or more - time to hearing of 7.4 months (OCJ standard 6 months).



## BACKGROUND:

- In 2010, the Cowper report and the Justice Delayed report from the Provincial Court Office of the Chief Judge (OCJ) identified issues, including the criminal justice moving too slowly.
- Since the Provincial Court released its first Justice Delayed report in 2010, it has generally taken less time to get a criminal or family trial scheduled.
- The last published semi-annual OCJ Time to Trial Update report was from September 2019. The Chief Judge has not confirmed when the next set of survey data will be released, though normally, a survey would be taken at the end of March.
- The September 2019 OCJ Time to Trial report indicates that delays in scheduling Provincial Court Criminal or Family Trials have generally improved, except for less than 2-day general family and child protection trials. Criminal trials between 2-4 days long and all types of Family trials continue to exceed OCJ established standards.
- While we see a decreasing trend in judicially stayed cases since the R. v. Jordan Supreme Court of Canada decision in 2016, BC has been diligent in monitoring judicial stays due to systemic delay.
- Progress continues to be made to reduce time to hearing in the criminal justice system, impacting both Supreme Court and Provincial Court, related to bail,

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administration of justice offences, preliminary inquiries, reclassify some offences, and expand judicial case management. The jury selection process was also streamlined.

- Virtual bail hearing process will be piloted in the North Region commencing April 19, 2021, which is expected to avoid delays and reduce disruption in Court caused by bail hearings and to allow trials to begin promptly. Other benefits include reduction in accused community displacement, reduction of time in-custody for accused pre-trial, increased number of bail hearings held by video (instead of in person or by voice-only), reduction of travel time for transport to bail hearings.
- For family matters, the Early Resolution and Case Management process was implemented in May 2019 in Victoria and December 2020 in Surrey, and seeks to contribute to better outcomes for families through less conflict in resolving family issues, more stable resolutions, less future involvement with family court, and reduced social and health effects.
- For the rest of the province, the ministry will be implementing new Provincial Court Family Rules on May 17, 2021, to streamline the family court process.
- Expedited processes have also been implemented to support families making changes to an existing child or spousal support order or agreement as a result of the COVID-19 pandemic.
- Timeliness can be impacted by several factors:
  - The proportion of judicial resources devoted to criminal, civil, and family matters in conjunction with the relative caseload.
  - The Provincial Court implemented an assignment court model which now increases flexibility and maximises efficiency when assigning judicial resources to cases ready to proceed to trial.
  - Lengthier times to hearing can be due to a limited number of court sitting days at smaller court locations. These smaller locations cannot

accommodate larger trials and have difficulties reacting to caseload fluctuations.

- Other key drivers of family case processing timeliness include capacity, participant readiness, implementation of more efficient processes, alternatives to court, and overall caseload trends.

**CROSS REFERENCE:**

- N/A

# Ministry of Attorney General and Minister Responsible for Housing

## 2021/22 Estimates Debates Note

Last updated Date: April 27, 2021

### BUDGET PRESSURES AND OPERATING RESOURCES

#### KEY MESSAGES:

- Budget 2021 provides new funding to address existing pressures in the Court Services Branch (CSB). This funding includes support for the pandemic response, recent expansion of the Abbotsford Law Courts, and negotiated collective agreements.
- The (CSB) is managing funding pressures due to facilities, virtual court, aging videoconference units, maintaining Sheriff vehicles, amortization for capital assets, and COVID-19 related costs.

#### FINANCES:

- Budget 21/22 includes funding increases of \$8.183M and 45.82 FTEs for the following items:
  - Courts Modernization (\$2.214M/20 FTEs)
  - Negotiated wage lifts and benefits including the Sheriff's Temporary Market Adjustments (\$2.114M/0.00 FTEs)
  - Major Trials (\$0.3M/3.45 FTEs)
  - Family Dispute Resolution (\$0.120M/1 FTE)
  - Prior Year decisions (\$3.435M/21.37 FTEs)
    - Facilities Expansion (\$2.037M/21.37 FTEs)
    - Wage Mandates (\$1.798M)
    - CSB Videoconferencing (-\$0.140M)
    - Crown Led Bail (-\$0.260M)

#### BACKGROUND:

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- COVID-19 led to some savings from reduced operations. However, as the courts resumed, the increased costs incurred to prepare court locations for operations exceeded the savings. Government provided contingency funding in 2020/21 to support these safety measures.
- Increased costs include cleaning, personal protective equipment, resources for night and weekend court and alternate off-site court hearing locations in addition to assessments conducted to ensure court locations are ready for operations in offsite locations. These increased costs are expected to continue until social distancing measures can be relaxed.
- Facilities – increasing costs associated with tenant improvements to maintain aging facilities, addressing current health and safety standards as well as finding accommodation for additional staff to meet service expectations.
- Courts Modernization funding will be used to support the move to increased virtual hearings. This includes IT systems upgrades to support electronic documents and e-filing of court documents, hardware and software to support virtual hearings, and additional staff to support remote proceedings given the increased associated workload.
- Increasing costs for unfunded amortization of capital assets including videoconferencing equipment.

**CROSS REFERENCE:** N/A

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

Last updated: April 6, 2021

**COVID RECOVERY AND JUSTICE RECOVERY INITIATIVE****KEY MESSAGES:**

- COVID-19's impact on access to justice has been significant, broad, and immediate, identifying the vulnerability of this essential service to interruption.
- Across the three courts, cases were adjourned during the onset of the pandemic, with the system attempting to move to videoconferencing where technology allowed or where interim solutions could be provided.
- Shared leadership across the Justice Sector, the three levels of court, as well as two external 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.
- Benefits beyond maintaining core operations are being experienced by some of the more vulnerable people, including disadvantaged populations, single parents, Indigenous people, and British Columbians living in rural or remote communities, with persons potentially saving hours of travel time, safety of alternate virtual delivery of witness and victim statements, or impacted person being able to avoid being displaced from their communities.
- Foundational, functional and modernizing changes are being made throughout the system, including further improvements to tools such as increasing the network bandwidth at courthouses across the province, enhancing existing systems to allow for expanded use of remote and virtual proceedings, and

further developing initiatives that will be part of the ongoing move away from antiquated, paper based, manual processes at brick and mortar locations.

- These initiatives will make it easier for the public who use court and include:
  - increased family mediation and recalculation services.
  - enhanced Provincial Court Virtual Bail model.
  - online Traffic Court dispute resolution.
  - development of a virtual Indigenous Justice Centre.
  - modernized case management systems for digital applications and evidence management.

## FINANCES:

- \$2M in emergency funding was provided for Justice Electronic Delivery Initiative (JEDI) COVID-response projects that were launched in the last year. Details on expenditures can be found in the table below.

JEDI Phase 1 Emergency Funding ( \$2M operating)			
Initiative	Description	Branch Jving	Committed
<i>E filing - Phase 1</i>	<i>Family Forms</i>	CSB	\$ 340,000.00
	<i>Court of Appeal</i>	CSB	\$ 34,965.50
	<i>Divorce Forms</i>	CSB	\$ 149,999.50
	<i>Traffic Court Forms</i>	CSB	\$ 114,000.00
<i>Virtual Hearings</i>	<i>MS Teams Emergency Implementation</i>	ISB	\$ 206,045.49
	<i>MS Teams Supreme Court</i>	CSB	\$ 8,628.77
	<i>MS Teams Provincial</i>	CSB	\$ 17,236.58
	<i>Audio Connections</i>	CSB	\$ 85,000.00
<i>Technology Proofs</i>	<i>Virtual Hearings Extensions</i>	ISB	\$ 149,955.00
<i>On-line Booking</i>	<i>Crown Counsel Sheduling System Updates</i>	PSB	\$ -
<i>Video-Conferencing Refresh/E</i>	<i>Emergency Expansion of Video-conferencing equipment.</i>	CSB	\$ 49,930.66
<i>Alternative Resolution</i>	<i>Family Justice Mediation Platform</i>	TTI	\$ 200,000.00
<i>Technology Enablement</i>	<i>Network Upgrade</i>	ISB	\$ 95,000.00
	<i>Problem Reporting Portal (Support Model)</i>	ISB	\$ 235,000.00
	<i>Digital Authentication Analysis</i>	ISB	\$ 10,000.00
	<i>Virtual Bail Wiring and Network</i>	JSB	\$ 35,000.00
	<i>Secure File Transfer</i>	ISB	\$ 20,000.00
	<i>Hardware additions for Prosecution Services</i>	PSB	\$ 34,000.00
	<i>Docking Stations for Sprme and CoAppeal</i>	CSB	\$ 49,494.70
<i>Document Management</i>	<i>Supreme Court Veiwier</i>	CSB	\$ 125,000.00
	<i>Supreme Court Binders</i>	CSB	\$ 39,782.50
			\$ 1,999,038.70

- Digital Investment Board approved \$5.600M capital funding over the next 12 months, enabling several court modernization initiatives to get underway, directed at increasing and enhancing services such as: virtual hearings, gathering the requirements for digital evidence management, and expanding the use of electronic filing.
- Budget 21 provides \$15.677 million in funding over three years (\$5.5M in FY 21/22, \$5.3 in FY 22/23, and \$4.9M in 22/23) for Court Modernization and for justice recovery projects that will create significant improvement for the ministry including virtual bail, traffic court, infrastructure improvements, etc.

### STATISTICS:

- From April 2020 to February 2021, combining all Provincial Court and Supreme Court appearances, about 61% of total court appearances were held virtually and enabled by technology, whether by teleconference, video conference, or MS Teams audio or video, compared to about 16% pre-Covid. From April 2020 to February 2021, there have been over ~~Governme~~ more virtual appearances compared to last year over the same period

### BACKGROUND:

- With the onset of the pandemic it became apparent the justice system was not well equipped to quickly move out of the courtroom.
- Historically, the court system has been slow to adopt changes, preferring instead to rely on tried and true methods. Health and safety concerns during the pandemic, however, highlighted the need to modernize courts, upgrade technology and allow for virtual and digital justice services as no longer could there be courtrooms or courthouses full of people waiting for their scheduled proceeding or to make in person applications.
- From March 16, 2020 to July 3, 2020, during the initial pandemic period, 28,137 Provincial Court matters and over 4,000 Supreme Court matters were adjourned. For those matters not already addressed, these are placing

additional pressure on a system already contending with backlogs and delays in some areas. Worst case scenario is the risk of judicial stays due to unreasonable delays (Jordan risk).

- The pandemic has created a window of opportunity by significantly increasing the interest and willingness of court users to adopt electronic and virtual methods to access the justice system.

#### **If asked about support from the Ministry**

- Ministry staff in several justice branches, including Justice Services Branch, Information Systems Branch, Court Services Branch, and Corporate Management Services Branch, have taken on several duties above and beyond their regular roles to ensure access to justice for British Columbians.
- A cross-Ministry governance structure was put in place to successfully manage the JEDI funds. This structure will evolve this spring to effectively manage the anticipated additional funds for court modernization.
- Staff continue to support both the day to day functioning and the much-needed modernization of the justice sector.
- A handful of staff were seconded from existing roles to support modernization project delivery that was originally planned to occur over five years rather than 18 months.

#### **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: March, 24, 2021

## ELECTORAL BOUNDARIES COMMISSION

### KEY MESSAGES:

- The *Electoral Boundaries Commission Act* requires an independent, three-person commission to be appointed after every second general election.
- The commission is responsible for recommending electoral district boundaries and names in accordance with the Act.
- The next commission must be appointed no later than October 24, 2021.
- The Act requires that the Chief Electoral Officer will be a commissioner. The Lieutenant Governor in Council nominates a judge or retired judge, and the Speaker nominates a qualified person. The commissioners are appointed by an Order in Council.

### If amendments to the Act have been introduced:

- The legislation is before the House.
- Members are welcome to debate the legislation in that venue.
- There is no guarantee the commission will recommend adding more electoral districts.
- It is premature to make assumptions about potential costs associated with additional electoral districts.

### FINANCES:

- Based on past practice, the independent commission will likely be funded under a specific appropriation under its own vote (Special Offices, Ministries and Other Appropriations category).

- Amounts spent by the commission in 2014/15 and 2015/16 totalled \$1,539,000.
- The most recent commission (2014/15) received administrative support from Elections BC. This approach reduced the net additional costs of the commission, and ensured the commission had ready access to Elections BC's expertise on mapping and related issues.
- Elections BC has indicated interest in providing administrative support to the next commission.
- The estimated cost of the next commission will depend on factors like whether a retired or a sitting judge is appointed as a commissioner, and the commission's choices around public consultation methods and travel.

#### STATISTICS:

- N/A

#### BACKGROUND:

- Covid-19 considerations:
  - The Act allows the commission to hold hearings before its preliminary report is released if the commission chooses. The commission must hold hearings after the preliminary report is released.
  - The commission has authority to hold hearings as it sees fit, which could include virtual hearings if public health guidance or orders preclude travelling and conducting in-person meetings.

#### CROSS REFERENCE:

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 31, 2021

## EARLY RESOLUTION MODEL PROVINCIAL COURT FAMILY RULES

### KEY MESSAGES:

- In December 2020, Surrey and Victoria became early adopters of the Early Resolution Registry provisions of the new Provincial Court Family Rules. majority of the new rules are being implemented.
- Based on the Victoria prototype, implementation of the early resolution model in Surrey was a critical component of the Provincial Court's COVID-19 recovery plan to divert as many family law cases as possible to family programs and services.
- Expansion of the model to other registries will take place as funding and resources become available.
- The early resolution is designed to encourage parties to resolve family disputes by agreement or to help them get just and timely decisions in provincial court.
- Prior to appearing in court, the model requires:
  - a needs assessment by a Family Justice Counsellor (including screening for family violence or risk factors) to identify legal and non-legal needs;
  - referrals to community organizations and services including legal advice;
  - participation in a parenting education program; and

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- where appropriate, individuals participate in at least one consensual dispute resolution session to identify, discuss and attempt to resolve all their issues.
- If asked about the treatment of family violence in the Rules or this Model see Appendix A

## FINANCES:

- For FY21, JSB received \$0.671M from the Pandemic Response and Economic Recovery fund as well as \$0.3M from Capital Contingencies. The capital funding was for laptops for new positions.
- 14.5 FTEs were funded: 13.5 for JSB and 1.0 for CSB.
- Funding for Family Justice Services Division, Legal Aid BC and Court Services Branch for the early resolution sites is as below. (Funding for Victoria was decided in Budget 2018.)

	2020/2021	2021/2022	2022/2023	2023/2024
Victoria	\$0.758M	\$0.758M	\$0.758M	\$0.758M
Surrey	\$0.671M* \$0.030M**	\$2.016M	\$1.886M	\$1.876M

\* 14.5 FTEs (\$0.700M) were funded: 13.5 for JSB(\$0.671M) and 1.0 for CSB (\$0.029M)

\*\* Capital Contingencies

- Further expansion of early resolution services beyond the existing two Early Resolution Registries (Surrey and Victoria) will require additional funding.

## STATISTICS: – early evaluation results from Victoria

- Evaluation of the model is being completed in phases. Early indicators are encouraging.
- A five-month snapshot in year 1 of the Victoria Early Resolution Model prototype indicates that potentially less than 1/3 of cases are proceeding to court.

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- When comparing new family law cases in Victoria over the same period in 2018 and 2019, Victoria had a decline of 55% in new family law cases.
- More time and data will improve our ability to attribute results to the model.
- Clients surveyed as part of the Victoria ERP Evaluation have been highly positive about how the assessment process improved their understanding of their situation, options and what to expect as part of the court process. They overwhelmingly supported needs assessment and consensual dispute resolution being required in family law matters.
- When asked about Consensual Dispute Resolution (CDR) at the Justice Access Centre:
  - **100%** had a good understanding of how to prepare as well as what was being discussed and why;
  - **93%** felt safe throughout the CDR process;
  - **90%** agreed or strongly agreed that Consensual Dispute Resolution was helpful for people with family law issues, when appropriate.
- Anecdotal evidence from the evaluation includes key informants saying that with the Model, more matters are getting resolved through mediation and few are coming into court at all.
- In Victoria, the overall number of issues per new family law case proceeding to court has declined under the Model.

## BACKGROUND:

- Early resolution requirements are designed to shift the culture of resolving family disputes.

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- Numerous reports on family justice encourage a culture shift towards replacing adversarial processes with information, referrals and consensual dispute resolution services (where appropriate).
- Reducing conflict and stress is better for families and their ongoing relationships. This is particularly important for children.
- Court time is used more meaningfully when parties arrive prepared after early resolution services.
- Early learnings from the Victoria prototype informed the finalization of the new Provincial Court Family Rules. Formal evaluation of Victoria has begun and will also be conducted for Surrey.

#### CROSS REFERENCE:

- **Note G16** – Provincial Court Family Rules Implementation

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## Appendix A: Family Violence

- **How will urgent issues like protection orders be dealt with under this model?**
  - Protection-related issues and priority parenting matters proceed directly to court on a time sensitive basis.
  - The court forms and process for protection orders have been improved for better information provision, timely access to court, and to support enforcement of protection orders made by the court.
  - A Provincial Court Family Forms App will soon be available province wide, providing a user-friendly online option to apply for a Protection Order and other Family Law Act orders in Provincial Court
- **Why are individuals with family violence concerns required to attend family justice services? Should they be exempt from consensual dispute resolution?**
  - Families in early resolution registries benefit significantly from assessment, referrals and parenting education, even if they don't participate in consensual dispute resolution. In many cases, needs assessment is where family violence issues are first identified. In some cases, consensual dispute resolution process can be adapted to enable participation.
  - As part of the assessments they conduct, Family Justice Counsellors:
    - provide information, referrals, support and safety planning for families as well as help with forms and preparing to go to court;
    - adapt consensual dispute resolution processes to address power imbalances and other issues, if appropriate; or can
    - exempt parties from participating in consensual dispute resolution if it is not appropriate.
- **What is the training of family justice counsellors on family violence?**
  - Family Justice Counsellors are certified family mediators trained in issues and dynamics related to family violence; specially trained to use a standardized assessment tool to help identify areas of concern and to support decisions about if or how mediation can occur in a safe way.

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

Last updated Date: April 8, 2021

**GLADUE SERVICES****KEY MESSAGES:**

- Indigenous people continue to be substantially overrepresented throughout the criminal justice system. To address this problem, the Supreme Court of Canada has held that consideration of Gladue factors is required for all criminal court proceedings involving Indigenous people, and that Gladue principles should inform the justice system more broadly.
- Gladue reports provide courts with comprehensive information about an Indigenous offender's background and community, and available options for sentencing and bail that offer realistic and viable alternatives to jail.
- Gladue services in British Columbia have been provided by Legal Aid BC since 2011 and funded by the Law Foundation and the Province.
- On September 30, 2020, the Ministry began discussions with Legal Aid BC (LABC) and the BC First Nations Justice Council (BCFNJC) to transition the Gladue services from LABC to BCFNJC and both a Gladue Transition Steering Committee and a Gladue Transition Working Group were created.
- The transition from LABC to the Gladue Services Department (GSD) of the BCFNJC was effective April 1, 2021.
- The GSD will implement Gladue operations and services in a phased approach with limited operations commencing April 1, 2021 and expansion to full operations effective October 1, 2021.

**FINANCES:**

- Previous budget decisions provided \$3.0M to support the Indigenous Justice Centres and Gladue, as well as capacity funding for the Indigenous Justice Policy & Legislation Division.

Government Financial Information

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**STATISTICS:**

- Despite making up only approximately 5% of the population of British Columbia, nearly one-third of those incarcerated in the provincial correctional system are Indigenous.
- According to the latest Statistics Canada report on adult and youth corrections, the overrepresentation of Indigenous peoples in the correctional system in BC continues to increase in all categories: male, female, adult, and youth. There has been a 64% increase in Indigenous adults in custody over the past 10 years.
- In fiscal 2019/2020, LABC completed 289 reports for Indigenous clients.

**BACKGROUND:**

- In February 2021, the BCFNJC released the *Gladue Services Department Proposed Operating Framework* ("the GSD Framework").
- The GSD will operate as a branch of the BCFNJC. The annual budget for the GSD will be delegated by BCFNJC as consistent with any agreements reached between BCFNJC and the province and/or other external funders.

- The GSD's resource model will primarily be decentralized, with staff and contractors operating at the community level wherever possible.
- Strategy #6 of the BC First Nations Justice Strategy (2020) calls for the implementation of a comprehensive Gladue strategy supported by a dedicated First Nations controlled Gladue Implementation Agency (now the Gladue Services Department).
- The GSD operational priorities include increasing the capacity and number of Gladue writers, developing Gladue awareness and education programs, and formalizing the Gladue reporting process across justice system stakeholders.
- The GSD's resource model will primarily be decentralized with staff and contractors operating at the community level wherever possible, specifically in partnership with the recently opened Indigenous Justice Centres across B.C.

#### CROSS REFERENCE:

- **Note G8** - First Nations Justice Strategy
- **Note G9** – Métis Justice Strategy

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 31, 2021

## HUMAN RIGHTS CODE: INDIGENOUS IDENTITY

### KEY MESSAGES:

- Although we know systemic racism exists in British Columbia, Indigenous people are underrepresented among those who are filing complaints to the Human Rights Tribunal.
- A recent report prepared for the BC Human Rights Tribunal, *Expanding Our Vision: Cultural Equality & Indigenous Peoples' Human Rights* recommends that Indigenous identity be added as a protected ground to the Human Rights Code to enhance access to justice for Indigenous people.
- Ministry staff are in the process of reviewing the report and giving full consideration to its recommendations.

### [If asked about Social Condition]

- We understand the Human Rights Commissioner, social justice groups and some Indigenous peoples are asking for social condition to be added to the Human Rights Code.
- This would be a new protected ground and is potentially complex, both in substance and in scope, so will require additional policy work to ensure potential implications are given due regard.

### FINANCES:

- The potential addition of "Indigenous identity" as a protected ground does not change the current state of the law in B.C., it simply makes an implicit



protection explicit. Therefore, it is not anticipated that there will be associated financial implications.

### STATISTICS:

- N/A

### BACKGROUND:

- Cabinet Confidences; Intergovernmental Communications



- There have been several calls to add Indigenous identity to the Code including Mary Ellen Turpel-Lafond's Report *In Plain Sight* about systemic racism in the health sector. The Human Rights Commissioner, Human Rights Tribunal, and the Union of BC Indian Chiefs have also advocated for this amendment.
- The Commissioner has also recommended that "social condition" be amended, at the same time, given that Covid-19 has been especially devastating for those living on the street, in poverty, or with lower levels of education or literacy. She requests this is an urgent amendment.
- Ravi Kahlon made a recommendation for the policy work to begin on social condition following his engagement on the Commission.

**CROSS REFERENCE:**

- N/A

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

Last updated Date: March 25, 2021

**INDIGENOUS COURTS****KEY MESSAGES:**

- The Provincial Courts of BC now include seven Indigenous Courts (IC) which are sentencing courts that support rehabilitation and healing through traditional ways and restorative justice.
- ICs are developed in consultation with local First Nations, the community at large, the judiciary, Legal Aid BC (formerly Legal Services Society), Crown counsel, defence lawyers, Community Corrections, police, and Indigenous service providers such as the Native Courtworker and Counselling Association of BC.
- Following endorsement of the BC First Nations Justice Strategy (Strategy), work is ongoing between MAG, the judiciary and the BCFNJC to expand IC's in the province in accordance with the Strategy.

Intergovernmental Communications

**FINANCES:**

- There is no budget allocated to this item.

**STATISTICS:**

- N/A

**BACKGROUND:**

- The Provincial Courts of BC now include seven Indigenous Courts (IC):
  - New Westminster First Nations Court (opened November 2006)
  - North Vancouver (Chet wa nexwníw ta S7ełw'í7tel) Indigenous Court (opened February 2012, serves Whistler, Squamish and the North Shore)
  - Kamloops (Cknucwentn) First Nations Sentencing Court (opened March 2013)
  - Duncan First Nations Court (opened May 2013)
  - Nicola Valley Indigenous Court (opened in Merritt, October 2017)
  - Prince George Indigenous Court (opened April 2018)
  - Williams Lake Indigenous Court (opened December 2020)
- ICs do not conduct trials; they are criminal sentencing courts that provide support and healing.
- They use restorative justice and traditional ways to assist in rehabilitation and reduce recidivism, while repairing harm done to victims and communities.
- IC focus is collaborative and wholistic, recognizing the unique circumstances of Indigenous offenders.
- ICs share certain elements but are designed to meet local community needs.
- Offenders generally sit in a circle with the judge, lawyers and others that may include victims, First Nations Elders and support people, including family members.

- Healing Plans are at the core and are developed by the participants to address unique factors of the Indigenous offender. They balance the rigour and legal requirements of the traditional court system with Indigenous ways.
- Healing plans can include both traditional and developmental forms of sentencing, including probation, attending sweat lodges, addiction treatment or reconnecting with community.
- Healing plans leave offenders with two key responsibilities: to work with identified support and service providers, and to report their progress to the courts.
- A blanket ceremony, symbolizing a new beginning, may be held for an offender who successfully completes a healing plan.

#### CROSS REFERENCE:

- **Note G8:** First Nation Justice Strategy
- **Note G9:** Metis Justice Strategy

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 23, 2021

## INDIGENOUS JUSTICE CENTRES

### KEY MESSAGES:

- The first three Indigenous Justice Centre's (IJC's) were developed in Prince George, Prince Rupert and Merritt and became operational as of March 2020.
- The IJCs play an integral role in developing Indigenous justice services capacity, as well as in the direct delivery of Gladue services for Indigenous people.
- Effective, April 1, 2021, Gladue services transitioned from Legal Aid BC to the BC First Nations Justice Council (BCFNJC) and Gladue services are being delivered from the three operational IJCs through the Gladue Services Department.
- Indigenous Justice Centres provide wraparound service capacity, and intend to achieve the following:
  - Support the development and capacity of community-based, culturally-appropriate diversion programs as alternatives to incarceration;
  - Support Gladue report writing capacity and promote the expanded application of Gladue principles;
  - Assist clients in accessing existing or new support services for mental health and addictions;
  - Provide a critical linkage to Indigenous Courts;
  - Reduce court backlogs and free-up judicial resources;
  - Reduce pressure on community police through crime prevention and provision of diversion options; and

- Substantially reduce simple “Administration of Justice” offences and the financial and social costs associated with them.

## FINANCES:

- Previous budget decisions provided \$3.0M to support the Indigenous Justice Centres and Gladue, as well as capacity funding for the Indigenous Justice Policy & Legislation Division.

Intergovernmental Communications; Government Financial Information

Intergovernmental Communications; Government Financial Information



## STATISTICS:

Intergovernmental Communications

## BACKGROUND:

- The Indigenous Justice Centres have been identified by the BCFNJC as a high priority action area within, and cornerstone of, the First Nations Justice Strategy. The IJC's provide the necessary infrastructure and community capacity

Page 2 of 3

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to allow communities to identify and implement programs based on wrap around, culturally-relevant services for the people within their communities.

- The IJCs will provide legal information, advice, advocacy and representation to clients, with a primary focus on criminal law and child welfare.
- The IJCs will also have outreach and support staff to assist clients to address wellness needs wholistically and begin the process of tackling the factors that brought them into the justice system.
- These supports include helping clients with trauma, cultural and community inclusion, mental health and substance use, housing, education and employment, among others.
- The IJCs will be community-specific so if these supports are already provided in the community, clients will be connected through guided referrals.

#### CROSS REFERENCE:

- **Note G4:** Gladue Services
- **Note G8:** First Nations Justice Strategy
- **Note G9:** Metis Justice Strategy



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 23, 2021

## BC FIRST NATIONS JUSTICE STRATEGY

### KEY MESSAGES:

- The BC First Nations Justice Strategy (Strategy) was jointly developed by the BC First Nations Justice Council, BC First Nations Chiefs, leaders and communities, and the Province of British Columbia.
- On March 6, 2020, the Strategy was endorsed and announced to the public at a signing ceremony on Snuneymuxw (Snuh-NAY-mow) Territory in Nanaimo, B.C.
- This Strategy was **First Nations led** as opposed to First Nations informed.
- The Strategy undertakes aims to make transformative changes to the justice system to improve outcomes for Indigenous people interacting with the Justice system and to reduce the overincarceration of Indigenous people.
- The BCFNJC and the Province have been working together to develop a Strategy Implementation Workplan (Workplan) for approval to begin implementation.
- BCFNJC is working with the Province and Canada to create a partnership committed to advancing the work under the Strategy.

### FINANCES:

- Intergovernmental Communications

### STATISTICS:

- N/A

**BACKGROUND:**

- On September 7, 2017, the Ministry of Attorney General, the Ministry of Public Safety and Solicitor General and the BC Aboriginal Justice Council (now the BC First Nations Justice Council (BCFNJC), entered into a Memorandum of Understanding with the aim of jointly developing a provincial Indigenous Justice Strategy (IJS).
- In March 2019, the BCAJC announced that they had received formal endorsement from its three founding organizations, the BC Assembly of First Nations (BCAFN), the Union of BC Indian Chiefs (UBCIC), and the First Nations Summit (FNS) to change its name to the BC First Nations Justice Council (BCFNJC), and to change its mandate to focus on First Nations specific justice issues and to develop a First Nations Justice Strategy.
- This change recognizes that Indigenous peoples in BC (First Nations, Métis, and Inuit) have different cultures, priorities and histories with the BC Province and that the former BCAJC could not speak for all Indigenous groups within BC.
- Thus, resulting in the development of two strategies one for the First Nations and one for the Metis.
- The Province received the draft First Nations Justice Strategy on November 20, 2019.
- Minister Eby & Minister Farnworth, BCFNJC, and representatives from BCAFN, FNS and UBCIC, endorsed and publicly announced the Strategy on March 6, in Nanaimo.

**CROSS REFERENCE:**

- **Note G9** – Metis Justice Strategy

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

Last updated Date: March 25, 2021

**MÉTIS JUSTICE STRATEGY****KEY MESSAGES:**

- The Province has committed to working with both the BCFNJC and Métis Nations BC Justice Council (MNBCJC) to ensure Nations-distinct approaches are recognized through the creation of 2 strategies, with overlap where appropriate, representing the unique histories and needs of each group.
- The Métis Justice Strategy was developed through seven Community Engagement Sessions with Métis leaders, community members and service providers throughout the summer of 2019 and involved participation of members from 38 chartered Métis communities.
- The Province has begun consultation with the Métis Nation BC (MNBC) on the Strategy which is expected to take place until summer 2021.

- Intergovernmental Communications
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**FINANCES:**

- Intergovernmental Communications

**STATISTICS**

- N/A

**BACKGROUND:**

- On September 7, 2017, the Ministry of Attorney General, the Ministry of Public Safety and Solicitor General and the BC Aboriginal Justice Council (now the BC First Nations Justice Council (BCFNJC), entered into a Memorandum of Understanding with the aim of jointly developing a provincial Indigenous Justice Strategy (IJS).
- In March 2019, the BCAJC announced that they had received formal endorsement from its three founding organizations, the BC Assembly of First Nations (BCAFN), the Union of BC Indian Chiefs (UBCIC), and the First Nations Summit (FNS) to change its name to the BC First Nations Justice Council (BCFNJC), and to change its mandate to focus on First Nations specific justice issues and to develop a First Nations Justice Strategy.
- This change recognizes that Indigenous peoples in BC (First Nations, Métis, and Inuit) have different cultures, priorities and histories with the BC Province and that the former BCAJC could not speak for all Indigenous groups within BC.
- In April 2019, in response to the BCFNJC's change in mandate, the Métis Nation of British Columbia (MNBC), formed its own justice council, Métis Nations British Columbia Justice Council (MNBCJC), to address the way the justice system interacts with Métis people within BC and to inform a Métis Justice Strategy (Strategy) developed in partnership with the MAG and the PSSG.
- The FNJC Strategy has been completed and is public on the FNJC website.

**CROSS REFERENCE:**

- **Note G8** – First Nations Justice Strategy

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 06, 2021

## LEGAL AID – AGREEMENT WITH THE ASSOCIATION OF LEGAL AID LAWYERS AND LEGAL AID BC

### KEY MESSAGES:

- The BC government recognizes the importance of legal aid services for British Columbians and has an ongoing mandate to “improve and support legal aid, including First Nations legal services, dispute resolution services for families and expanded poverty law services to increase access to justice”.
- The August 2019 Agreement between the Ministry of Attorney General (Ministry), Association of Legal Aid Lawyers (ALL) and Legal Aid BC (LABC) provides stability in the delivery of legal aid services going forward. It is hoped that the increase to the tariff rates, coupled with an ongoing relationship with government to negotiate again will encourage more lawyers to take legal aid contracts.
- The negotiation framework portion of the Agreement also includes an agreement on the minimum level of essential services that will apply in the next round of negotiations to ensure the most vulnerable clients are protected in the event of a work stoppage.
- Per the terms of the Agreement, the Province is currently engaged with ALL in the second year of policy consultation. The consultations seek ALL’s input on legal aid policy matters, including issues related to coverage, eligibility, scope, quality of legal aid services, as well as access to justice initiatives that relate to the delivery of legal aid services.

- Preparation for the next round of bargaining with ALL is underway and is expected to commence in late 2021/early 2022, approximately 3 months prior to the expiry of the existing tariff agreement.

### **FINANCES:**

- The ministry provided \$18.9M in base funding to Legal Aid BC in 2020/21 to fund the tariff increases as well as other service enhancements. This funding continues in 2021/22, as well as, in each of the outer fiscal years.

### **STATISTICS:**

- N/A

### **BACKGROUND:**

- The province's legal aid system relies on approximately 1000 lawyers in private practice across the province accepting referrals from Legal Aid BC (LABC) to provide services to clients.
- Recent experience with potential service withdrawals and lawyer attrition highlighted an ongoing, systemic obstacle to improving access to justice. The tariff rates made it increasingly difficult for LABC to deliver legal aid services exclusively through local lawyers in many parts of the province, particularly in the central and northern areas of the province and in smaller communities.
- The Association of Legal Aid Lawyers (ALL) submitted a proposal to government in spring 2019 that solidified the need to engage in negotiations to preserve the provision of services and to address the historically ignored legal aid tariff rates.
- On August 30, 2019 the Province signed an agreement with the Association of Legal Aid Lawyers (ALL), and the Legal Services Society (now known as Legal Aid BC) which increased historically neglected legal aid rates and averted job action by legal aid lawyers.
- The Agreement is in effect until March 31, 2022, and provides for:

- Phased increases to tariff rates;
- The establishment of a permanent negotiating relationship between the Province and ALL; and
- A policy consultation process during the term of the agreement to examine issues that were unresolved during the negotiations.

**CROSS REFERENCE:**

- N/A



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 06, 2021

## LEGAL AID BRITISH COLUMBIA FUNDING

### KEY MESSAGES:

- The BC government recognizes the importance of legal aid services for British Columbians and has an ongoing mandate to “improve and support legal aid, including First Nations legal services, dispute resolution services for families and expanded poverty law services to increase access to justice”.
- The government has provided significant funding increases to LABC in recent years to restore services that had been previously reduced. 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. 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 leveraged technology where appropriate to support virtual court processes developed by the provincial courts in response to the pandemic.

### FINANCES:

- LABC receives 95% of its funding from Government (\$107.503M for 2021/22; \$107.708M for 2022/23 and \$107.708M for 2023/24) with the remainder coming from the Law Foundation and the Notary Foundation).
- As of January 2021,  
Advice/Recommendations; Legal Information  
Advice/Recommendations; Legal Information

**STATISTICS:****Clients Served (Numbers from Annual Service Plan Report 2019/20)**

Area of Law	2019/20		2018/19		2017/18	
	Service Requests	Contracts	Service Requests	Contracts	Service Requests	Contracts
Criminal	24,256	20,221	23,926	19,221	24,229	19,179
Family	8,131	4,400	7,951	4,158	7,261	3,276
CFCSA <sup>1</sup>	2,925	2,085 <sup>2</sup>	3,018	2,286	3,095	2,255
Immigration	2,480	1,941	2,029	1,603	1,737	1,327
Administrative Appeals	93	17	94	15	112	24
<b>Total</b>	<b>37,885</b>	<b>28,664</b>	<b>37,018</b>	<b>27,283</b>	<b>36,434</b>	<b>26,061</b>
<p>* All volumes in this table reflect both standard and appeal service requests and contracts.</p> <p><sup>1</sup> LABC provides services to eligible clients facing child protection issues under the CFCSA.</p> <p><sup>2</sup> Includes PLC cases as well as contracts referred to the private bar.</p>						

**BACKGROUND:**

- Legal Aid BC (LABC), is the key provider of legal aid services on behalf of the government, which provides 95% of LABC's funding.
- The services provided by LABC include information, advice, and representation for financially eligible persons for serious family, child protection, and criminal law matters.
- Legal representation is also available for immigration and refugee matters, Mental Health Review Board Hearings, BC Review Board hearings, and for those who have a prison issue for which the Charter of Rights and Freedoms establishes a right to counsel.

### If Asked About Service Delivery Overlaps with Legal Clinics and Indigenous Justice Centres

- The seven legal clinics (poverty law, housing law, disability law and immigration and refugee law), administered by the Law Foundation, deliver services that are not provided by LABC. LABC had 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.
- Indigenous Justice Centres are being developed as part of the BC First Nations Justice Strategy (BCFNJC) to meet the myriad needs of BC's Indigenous populations. For example, Indigenous Justice Centres have a wider scope of legal matters covered than LABC's Parents Legal Centres which focus primarily on providing services for families at risk of losing their children.
- Gladue report writing services have 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.

### **CROSS REFERENCE:**

- **Note G13:** Legal Clinics
- **Note G7:** Indigenous Justice Centres
- **Note G4:** Gladue

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 06, 2021

#### LEGAL AID BC COVID 19 IMPACT & RESPONSE

##### KEY MESSAGES:

- The justice sector response to the COVID 19 pandemic has required the collaboration of the courts, Justice Services Branch, Legal Services Branch provincial and federal prosecution services, Legal Aid BC (LABC), private lawyers, corrections services, law enforcement agencies and public health officials.
- Activities undertaken by LABC to support the courts has included:
  - 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.

- LABC has also taken action during the pandemic to ensure continuity of services to some of BC's most vulnerable citizens. (See "Background" for more information).

If asked about clients served and or cost savings/increases during the pandemic

- 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.
- The COVID-19 pandemic has <sup>Advice/Recommendations; Government Financial Information</sup>  
Advice/Recommendations; Government Financial Information

## FINANCES:

- <sup>Advice/Recommendations; Government Financial Information</sup>

- Forecasting both demand for services as well as expenditures, will be significantly challenged until justice system procedures stabilize.

## STATISTICS:

- It is still too early to predict future needs or make accurate financial assessments of the return to normal post-pandemic.
- Though current intake volumes are approaching or above normal (with the exception of immigration), intake volumes were generally down over the period from April 2020 – February 2021:
  - Criminal: 80%

- Family: 102%
- CFCSA: 89%
- Immigration: 57%
- The following shows Legal Aid intake for February 2021 as a percentage of normal pre-COVID intake:
  - Criminal: 99%
  - Family: 127%
  - CFCSA: 94%
  - Immigration: 41%

### **BACKGROUND:**

- 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.
- LABC and the Ministry continue to monitor demand and developments to the justice system, and assess the consequential budgetary impacts.

#### CROSS REFERENCE:

- **Note G11** – Legal Aid BC Budget

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 06, 2021

## LAW FOUNDATION LEGAL CLINICS

### KEY MESSAGES:

- The Province funds seven legal clinics, which are administered by the Law Foundation. This includes a housing law, disability law, and immigration and refugee law clinic (all located in Vancouver), as well as 4 poverty law clinics (one in Kamloops, Kelowna, Prince George, and Surrey).
- The legal clinic model is achieved by adding a lawyer and support staff to existing advocacy programs, and cost <sup>Government</sup> yearly to operate.
- The clinics provide free legal information, advice, and representation to low-income individuals in locations where a need for poverty law and specialized services are identified. In addition, the clinic lawyers provide public legal education, and support advocates and lawyers in the province through resources, training, and advice.
- The legal clinics improve the province's capacity to meet the need for poverty law services resulting from the economic and social impacts of the COVID 19 pandemic.
- 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 of services remotely and several have carried on their public legal education mandates by webinar.



### IF ASKED ABOUT OVERLAP WITH LEGAL AID BC (LABC) SERVICES AND INDIGENOUS JUSTICE CENTRES

- 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 because of funding cuts. The services offered at the Immigration and Refugee (I & R) 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.

### IF ASKED ABOUT STATUS OF PRINCE GEORGE POVERTY LAW CLINIC

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.

**FINANCES:**

- The Province has committed \$0.250M per year of operation for each legal clinic.
- \$0.358M ongoing base funding to the Law Foundation for the advocacy network.

**STATISTICS:**

- The Law Foundation is developing a robust evaluation plan, with a target completion date of December 2021.

**BACKGROUND:**

- The Law Foundation of BC:
  - Has a legislated mandate to ensure access to justice in five areas: legal education, legal research, legal aid, law reform, and law libraries.
  - Funds 98 front line programs in every community with more than 5000 people across British Columbia.
  - Is well positioned to leverage the existing advocacy network and provincial funding to create full-service clinics that meet the legal needs of British Columbians with a range of legal problems.
- *Budget 2019* provided \$1.75M (“up to \$2.0M”) in contingency funding to establish seven legal clinics.
- On August 2019, the Board of Governors approved grants of Government to seven existing advocacy centres to create the legal clinics.
- The first legal clinic was operational as of November 2019, and the seventh as of April 6, 2020. Specific start dates are as follows:

Location	Type	Housed in the Advocacy Program	Operational
1. Vancouver	Housing Law Clinic	Tenant Resource and Advisory Centre Society	November 15, 2019
2. Kamloops	Poverty Law Clinic	Kamloops and District Elizabeth Fry Society	December 2, 2019
3. Surrey	Poverty Law Clinic	SOURCES Community Resources Society	January 6, 2020
4. Prince George	Poverty Law Clinic	TBD	January 6, 2020
5. Vancouver	Disability Law Clinic	Disability Alliance BC	February 24, 2020
6. Kelowna	Poverty Law Clinic	Ki-Low-Na Friendship Society	April 1, 2020
7. Vancouver	Immigration and Refugee Legal Clinic	Immigrant Services Society of BC	April 6, 2020

#### Law Foundations Clinics Locations 2021/2022:

- Poverty Law Clinics – Prince George, Kamloops, Surrey, and Kelowna
- Immigration Law – Vancouver
- Housing Law – Vancouver
- Disability Law – Vancouver

#### **CROSS REFERENCE:**

- **Note A 4.3:** Legal Clinics

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 6, 2021

## PUBLIC INTEREST DISCLOSURE ACT

### KEY MESSAGES:

- The Public Interest Disclosure Act (PIDA) was brought into force on December 1, 2019 and encourages transparency and accountability in government organizations. It provides employees with a clear framework to disclose concerns about serious wrongdoing, while protecting them from reprisal.
- PIDA currently applies to employees of government ministries and independent offices of the Legislature.
- Government is committed to extending the coverage of PIDA between now and 2024 to broader public sector organizations<sup>1</sup>.
- Prior to the COVID-19 pandemic, the ministry consulted broadly to determine which organizations should be covered by PIDA. During Fall, 2020 the ministry reconsulted those organizations with respect to their readiness for implementation in light of the impacts of the pandemic.

### If asked about internal investigations or annual reporting:

- The Public Service Agency (PSA) is responsible for managing the implementation of PIDA in ministries, including investigations of internal disclosures and annual reporting.
- The PSA has indicated that they are preparing to release government's annual report (which is expected to be mid-June).

<sup>1</sup> For example: to Crown corporations, Health sector organizations, Public post-secondary institutions and Public K-12 education organizations

- The Ombudsperson is expected to release their annual report for 2020/21 in May of this year.

**FINANCES:**

- Fiscal impacts of expanding PIDA's scope of coverage across the broader public sector are difficult to quantify at this stage. Ministries may see funding requests from organizations that they support as PIDA is expanded over the coming years.
- There is no budget allocation for the Ministry of Attorney General specifically for PIDA as the PSA is responsible for implementing PIDA in ministries.

**STATISTICS:**

- N/A

**CROSS REFERENCE:**

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 06, 2021

## MENTAL HEALTH ACT RIGHTS ADVICE SERVICE

### KEY MESSAGES:

- The Ministry of Attorney General is supportive of developing a service that provides independent rights advice and advocacy for individuals involuntarily detained under the *Mental Health Act*, subject to Cabinet and Treasury Board approval.
- A working group with representatives from the Ministry of Attorney General, the Ministry of Health, and the Ministry of Mental Health and Addictions has been meeting regularly and is exploring service model options for the rights advice service.
- Alberta, Saskatchewan, Ontario, New Brunswick, Nova Scotia, and Newfoundland have independent rights advice services for individuals involuntarily detained under mental health legislation that provide examples of how a similar service could be implemented in BC.
- Targeted consultations with key stakeholders to date have demonstrated that the proposed rights advice service is viewed positively. Broader consultations will continue through the spring.

### FINANCES:

- There is currently no budget allocated to a mental health rights advice service for the purpose recommended by the Ombudsperson.

**STATISTICS:**

- N/A

**BACKGROUND:**

- The *Mental Health Act* requires designated mental health facilities to notify an involuntary patient of their rights, including Charter rights, when the patient is detained, when the patient is transferred to another designated facility, and when the patient's detention is renewed. This rights notification is typically provided by facility staff such as a nurse or social worker.
- An Ombudsperson's investigation found that most patient files reviewed did not have proper documentation of patients being informed of their rights. In response, the Ombudsperson recommended the province create a rights advice service for involuntary patients in BC in its March 2019 report *Committed to Change: Protecting the Rights of Involuntary Patients under the Mental Health Act*. The report called for the rights advice service to be mandated through the introduction of legislative changes to the *Mental Health Act* by the end of 2019, with the service to be implemented in 2020.
- The BC Ombudsperson's report included a letter from the Deputy Attorney General indicating support in principle for the creation of a rights advice service for involuntary patients, subject to Cabinet and Treasury Board approval. There was no commitment specifically to the Ombudsperson's proposed model or proposed timing.
- In January 2021, the Representative for Children and Youth released *Detained: Rights of children and youth under the Mental Health Act*. This report recommended that an independent body be mandated to provide rights advice and advocacy to children and youth, in line with the recommendations in the Ombudsperson report.
- A number of other organizations have expressed their support for the establishment of a rights advice service including Health Justice, the Community Legal Assistance Society, the Canadian Bar Association, the Canadian Mental

Health Association, the Nurses and Nurse Practitioners of British Columbia, the Disability Alliance of BC, and the BC Schizophrenia Society.

**CROSS REFERENCE:**

- N/A



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 31, 2021

## PROVINCIAL COURT FAMILY RULES IMPLEMENTATION

### KEY MESSAGES:

- New Provincial Court Family Rules (the Rules) came into effect May 17, 2021 across the province.
- The Rules are used by the Provincial Court to manage cases and resolve issues within the jurisdiction of the court under the *Family Law Act* including parenting arrangements, guardianship of a child, contact with a child, child and spousal support, relocation and protection orders. The Rules also apply to enforcement of child and spousal support under the *Family Maintenance Enforcement Act*. These Rules do not apply to *Child Family and Community Service Act* or *Divorce Act* proceedings.
- The Rules were developed jointly with the Provincial Court and were also informed by feedback from a public consultation paper, prototype experience in Victoria Registry and targeted engagement with organizations throughout the province.
- The Rules include a focus on early resolution of family law cases, a new approach to case management including family management conferences, a streamlined court process, and new forms that are easier to use and understand.
- The changes are aimed at improving efficiency and effectiveness of the Provincial Court and creating a better experience for families resolving their legal disputes.
- The Rules enable a phased shift of the Provincial Court family process towards early resolution, with the Surrey Registry and Victoria Registry being early

adopters of the early resolution registry requirements which enable mandatory assessment including early screening for family violence.

- The emphasis on early resolution services through assessment, referral, education, and mediation, as applicable, will help families resolve their disputes in a more sustainable and holistic way.

## FINANCES:

- There is no budget allocated to the implementation of the Provincial Court Family Rules. Further expansion of early resolution services beyond the existing two Early Resolution Registries (Surrey and Victoria) will require additional funding.
- Ministry staff are supporting the implementation including the development of core materials, updates to government web materials, and education support for internal and external stakeholders.

## STATISTICS:

- In 2018/2019 the Provincial Court reported *Family Law Act* cases, to which the Rules apply, made up 58% of all civil cases in that court.
- Further, the Provincial Court reported that 40% of family matters were self-represented appearances.

## BACKGROUND:

- The current Provincial Court (Family) Rules were last substantially reformed in 1998. They were amended when the *Family Law Act* came into force, but significant policy changes were not made at that time.
- The Rules align more closely with the *Family Law Act* to encourage parties to resolve their dispute through agreements and appropriate family dispute resolution before making an application to a court, and to create parenting

arrangements and arrangements respecting contact with a child that are in the best interests of the child.

- The early resolution registry requirements include a needs assessment, parenting education program, and consensual dispute resolution where appropriate. Additional court sites will be added as funding and resourcing are made available to support the services provided through Family Justice Services Division.
- The first court appearance for parties proceeding to court is a family management conference with a judge. The purpose of the family management conference is to explore the possibility of settlement, ensure that the parties and their file are ready to proceed, and make any case management or interim orders that parties may need until the final hearing of their case.
- Based on research, the experience of other jurisdictions and early information from the Early Resolution and Case Management Model prototype which began in Victoria in May 2019, some of the improvements and outcomes we expect to see from the new model are:
  - earlier awareness and intervention in matters involving people at risk for family violence;
  - broader exposure to consensual dispute resolution to help families resolve or narrow their issues and reach more durable and suitable agreements;
  - an emphasis on resolving family issues in a more holistic way by providing support and referrals for legal and non-legal needs;
  - more case management for family matters that do need to go before a judge;
  - fewer matters proceeding to court for determination, and for those matters that do proceed, the issues for determination will often be more focused, resulting in shorter hearings;
  - more meaningful court appearances and improved outcomes for parties;

- forms that are user designed and easier for individuals to complete and file electronically; and
- rules and court processes that are easier to understand and more accessible for self represented parties, leading to higher user satisfaction.

**CROSS REFERENCE:**

- **Note G.3** – Early Resolution Model Provincial Court Family Rules
- **Note in JSB Branch Binder** - Self Represented Litigants

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

Last updated: April 6, 2021

**CULLEN COMMISSION: PUBLIC INQUIRY  
INTO MONEY LAUNDERING****KEY MESSAGES:**

- Money laundering is a blight on our communities. 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.
- In response to public demand, the Province announced a public inquiry into money laundering activities in May, 2019.
- B.C. Supreme Court Justice Austin F. Cullen was appointed to head the inquiry.
- In November 2020, Justice Cullen delivered his interim report to the Province. While there were no recommendations in this interim report, the Province continues to take steps to disrupt money laundering and financial crime in B.C.
- The date for the final report to be delivered to the province was recently extended from May 2021 to December 15, 2021.
- This is in response to delays created by COVID as well as a higher number of hearing days, which increased from the originally planned 85 days to 125 due to the Commission being as thorough as possible in gathering relevant evidence.
- The overall budget for the completion of the Commission's work remains on track with the original estimate of \$15M.

**FINANCES:**

- Estimated budget for completion of the Commission's work, including production of the Final Report in December is \$14.8M.
- Commission resources were all contracted and will be released from the work as their roles are finished following the completion of the hearings.

**STATISTICS:**

- N/A

**BACKGROUND:**

- The decision to proceed with a commission of inquiry followed three independent reviews (German 2018 and 2019 and Maloney's 2019 report) that found extraordinary levels of money laundering in B.C.'s casinos, real estate market and other sectors of the economy.
- B.C. Supreme Court Justice Austin F. Cullen was appointed to head the inquiry, which will look at the full scope of money laundering in B.C., including real estate, gambling, financial institutions, and corporate and professional sectors.
- It will also examine regulatory authorities and barriers to effective law enforcement of money laundering activities.

**If asked about support from the Ministry**

- Ministry staff supported the Commission set-up, including facilities, IM/IT, contract management and ensuring that appropriate budget and financial management processes and monitoring are in place. Staff will also assist the decommission once the final report is submitted.
- Ministry staff created a process for the review and approval of coverage for legal counsel for those witnesses formally recognized as Participants, as well as indemnity coverage for those being called as witnesses due to their previous or

current employment with government. A screening process for this assessment has been established and is being administered by an independent third party.

- Ministry staff also supported the Commission in its move to virtual hearings.

**CROSS REFERENCE:**

- **Note A4.1** - Cullen Commission – Top Issues
- **Note H9** - Cullen Commission
- **Note D3** - Provincial AML Strategy

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last Updated Date: March 30, 2021

## CAMBIE SURGERIES CORPORATION v MEDICAL SERVICES COMMISSION

### KEY MESSAGES:

- The Cambie Surgeries litigation concerns the prohibitions on extra billing under the *Medicare Protection Act (MPA)* which help to preserve a publicly managed and fiscally sustainable health care system for BC. Government's priority in this matter is to uphold the *MPA* and the benefits it safeguards for patients in BC.
- In this litigation, two private clinics and four individual patients seek a declaration that the provisions of the *MPA* prohibiting extra billing and private medical insurance violate the rights of patients under s. 7 of the *Charter*.
- These clinics took the government to court when the Medical Services Commission (Commission) sought to audit the clinics to determine whether they were engaged in extra billing. The Province expects and requires that all private clinics will come into full compliance with the law.
- A lengthy trial concluded on February 28, 2020. The court issued an 880-page decision on September 10, 2020, and the plaintiffs filed an appeal the next day. The appeal is scheduled to be heard over five days beginning on June 14, 2021.
- There are a number of intervenors, including Canadian Doctors for Medicare, the BC Health Coalition, the BC Nurses Union, the BC Anesthesiologists Society, and five individuals who seek to support the appellants' position. The Attorney General of Canada is a party and submitted evidence in support of the Province's position.
- In fall 2018, the plaintiffs were granted a court order preventing the enforcement of the prohibitions on extra billing and private insurance in the *MPA* until June 1,

Page 1 of 3



2019. After the injunction expired a much narrower form of injunction was put in place, by consent, which expired when the trial judge issued his reasons for decision.

- In February 2019, the plaintiffs filed an application to prevent the enforcement of s. 18.1 of the *MPA*, which was scheduled to come into force on April 1, 2019. Section 18.1 is a new prohibition with respect to extra billing for diagnostic services. The plaintiffs' application was adjourned after the Province deferred the coming-into-force of s. 18.1 to March 31, 2020. On March 11, 2020, the Province deferred the coming into force of section 18.1 indefinitely.
- As the matter is before the courts, it would be inappropriate for me to comment further.

If asked why Cambie clinic is still allowed to bill MSP

- Cambie itself does not bill MSP. Cambie says physicians practising there have not billed MSP in connection with services provided there since September 2014.

If asked how the Commission enforces the *MPA*

- The Honourable Adrian Dix, Minister of Health is in the best position to provide details about how the Commission ensures compliance with the *MPA*.

## FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations pages 43 - 44.

## STATISTICS:

- N/A

## BACKGROUND: (Subject to Solicitor Client Privilege)

- Advice/Recommendations; Legal Information

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Withheld pursuant to/removal as

Advice/Recommendations ; Legal Information ; Government Financial Information

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

Last updated Date: May 30, 2021

**CANNABIS LEGALIZATION, REGULATION AND LITIGATION****KEY MESSAGES:**

- Non-medical cannabis has been legal in Canada since October 2018. Edibles, extracts and topical cannabis products were legalized in October 2019. Medical cannabis, currently authorized by Health Canada, was legalized in 2001.
- The federal government regulates medical cannabis and the production and processing of all cannabis and cannabis products.
- The provinces and territories are responsible for non-medical cannabis wholesale distribution, retail sales, and public health and safety (including compliance and enforcement) and have established minimum age limits, possession limits, public consumption and personal cultivation rules, and amendments to road safety laws.
- The *Cannabis Control and Licensing Act* and regulations authorize private retail store licensing; the provincial age limit; possession, public use and personal cultivation; enforcement; and provincial offences.
- The *Cannabis Distribution Act* and regulations govern provincial wholesale distribution and the operation of public retail sales.
- The Ministry of Public Safety and Solicitor General has primary responsibility for cannabis regulation in BC. This includes cross-government coordination under the Cannabis Legalization and Regulation Secretariat (Secretariat), wholesale distribution and public retail sales managed by the Liquor Distribution Branch (LDB), licensing and regulation of private non-medical cannabis retail stores by the Liquor and Cannabis Regulation Branch (LCRB), security screening of license

applicants by the Security Programs Division (SPD), and enforcement against illegal retail and production sales through the Community Safety Unit (CSU).

- In 2019, Cabinet approved the “Indigenous Cannabis Strategy”, supporting Indigenous interests in cannabis-related economic development. BC has successfully concluded two agreements with BC Indigenous nations in relation to cannabis retail sales and continues to negotiate with other Indigenous nations. Further developments on the Indigenous Strategy are underway.

If asked about further details of the regime:

- The Minister of Public Safety and Solicitor General is leading new cannabis related initiatives, including supporting economic development and Indigenous initiatives regarding legalized non-medical cannabis generally.

#### **FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 – Vote 15 – Ministry Operations Pages 43 - 44.

#### **STATISTICS:**

- N/A

#### **BACKGROUND: (Subject to solicitor-client Privilege)**

• Advice/Recommendations; Legal Information

•

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Advice/Recommendations ; Legal Information ; Personal Information

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 31, 2021

## COASTAL GASLINK PROJECT (CGL) PIPELINE PROTESTS

### KEY MESSAGES:

- The Coastal GasLink Project represents great opportunities for people in British Columbia.
- The provincial government is focused on relationships with Indigenous Peoples that are based on respect and recognition of rights, including rights recognized under international law. We expect the project to be advanced in a way that respects Indigenous rights and ensures benefits for Indigenous Peoples.

### If asked about the court injunctions obtained by Coastal GasLink and others:

- The Province respects the rights of Indigenous communities and their supporters to associate and express themselves through lawful protests. This right does not extend to unlawful blockades.
- Since December 2019, Coastal GasLink and other impacted parties have obtained injunctions to prevent unlawful blockades.
- Vancouver Fraser Port Authority sought to prosecute allegations of contempt against protesters who were arrested in February 2020 for blocking the Clark and Hastings intersection in Vancouver, which provides access to port lands. The next court date in those proceedings is May 31, 2021.

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If asked about the current status of the Coastal GasLink Project or the presence of work camps:

- Questions on the specifics of the Coastal GasLink Project (or the presence of work camps) are best referred to my colleagues the Honourable Bruce Ralston, Minister of Energy, Mines and Petroleum Resources and the Honourable George Heyman, Minister of Environment & Climate Change Strategy.

If asked about the reconciliation process:

- Questions on the reconciliation process are best referred to my colleague, the Honourable Murray Rankin, Minister of Indigenous Relations and Reconciliation.

If asked about the recent Dark House Petition

- On May 9, 2019, the Province was served with a petition by Dark House asking the BC Supreme Court to set aside the decision to accept the Coastal GasLink archaeological mitigation plan.
- The petition hearing that was set for September 23 to 25, 2020 was adjourned generally, with no new dates set.
- As this matter is before the courts, it is not appropriate for me to comment further.

## FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

## STATISTICS:

- N/A

Contact:	Legal Information		Tel:	Legal Information		Mobile:	Government
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**BACKGROUND:**

- In 2012, LNG Canada selected TransCanada Pipeline (now TC Energy) to design, build, own and operate the approximately 670-km Coastal GasLink gas pipeline. Construction began in 2019.
- In December 2018 and 2019, Coastal GasLink obtained injunctions and enforcement orders from the BC Supreme Court restraining anyone with knowledge of the orders from interfering with Coastal GasLink's operations in the area.
- In May 2019, Indigenous persons claiming to be members of the Unist'ot'en clan of the Dark House of the Wet'suwet'en House filed a petition for judicial review seeking to quash the approval of two mitigation plans prepared in relation to disturbance of an archeological site. The petition hearing has been adjourned generally.
- In early 2020, protesters began blockading transportation routes and other sites across Canada in opposition to the Coastal GasLink Project. On December 31, 2019, Coastal GasLink obtained an injunction restraining interference with its pipeline project in the Wet'suwet'en area of northern BC. Seven other entities, including the AGBC, also obtained court injunctions to prevent unlawful blockades. The injunction orders remain in effect. Contempt proceedings against some of the protesters are set for May 31, 2021.

**CROSS REFERENCE:**

- N/A

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 29, 2021

## Conseil scolaire francophone de la C-B v. HMQBC, Ministry of Education, and Board of Education of School District 39

### KEY MESSAGES:

- In December 2020, the Conseil scolaire francophone (Conseil), the Province's only francophone board of education, filed a new notice of civil claim against HMQ, the Minister of Education and the Vancouver Board of Education (VBE).
- The claim alleges the defendants have collectively failed to remedy the unjustified breach of s. 23 of the *Charter* (minority language education rights) in Vancouver, west of Granville (Vancouver West Claim).
- The Conseil alleges that it is entitled to surplus or under-utilised space from English-language school boards (particularly the VBE), that the VBE has breached s. 23 of the *Charter* by not transferring those assets, and that the VBE and the Province share responsibility to remedy the s. 23 breaches.
- The Vancouver West Claim follows comprehensive litigation brought by the Conseil, alleging insufficient government funding for schools in 16 areas and systemic issues with the Province's capital funding system (Previous Claim).
- The Supreme Court of Canada (SCC) substantially allowed the Conseil's appeal of the Previous Claim in June 2020, but the findings at issue in the Vancouver West Claim were not appealed after the original trial decision in 2016.
- As these matters are before the courts, I cannot comment further at this time.

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If asked about the Province's implementation of the Conseil SCC decision:

- My colleague, the Honourable Jennifer Whiteside, Minister of Education is better placed to answer specific questions regarding francophone education in the Province.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

**STATISTICS**

- N/A

**BACKGROUND: (Subject to solicitor-client privilege)**

Advice/Recommendations; Legal Information

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 28, 2021

## COST RECOVERY

### KEY MESSAGES:

- The Legal Services Branch (“LSB”) of the Ministry of Attorney General recovers the costs associated with providing most legal services to government.
- The charge-back rates were last reviewed and increased effective April 2021.
- **For fiscal 2020/21<sup>1</sup>:**
  - Net expenditures were \$29.0M, which was over budget by \$1.7M
  - Gross expenditures were \$129.4M, including \$38.8M for outside counsel and experts
  - Total recoveries for legal services were \$100.3M.
- **For fiscal 2019/20:**
  - Net expenditures were \$28.5M, which was over budget by \$0.6M
  - Gross expenditures were \$127.6M, including \$42.7M for outside counsel and experts.
  - Total recoveries for legal services were \$99.1M.

### FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

<sup>1</sup> Note that 2021/21 figures are unaudited.

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Advice/Recommendations ; Legal Information ; Government Financial Information

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 31, 2021

## COURT HEARING FEES (SECTION 35 LITIGANTS)

### KEY MESSAGES:

- In February 2020, Justice Burke in *Yahey v. British Columbia*, held that s. 35 or treaty rights litigants are exempt from payment of daily court hearing fees.
- This finding is inconsistent with appellate jurisprudence holding that constitutional litigants are not entitled to preferential access to justice.
- The Attorney General of British Columbia (“AGBC”) is appealing the decision to ensure civil litigants have equal access to the superior court in accordance with the *Supreme Court Civil Rules*.
- Exempting s. 35 or treaty rights litigants from payment of daily court fees may negatively impact incentives for efficient use of limited judicial and court resources in lengthy trials, to the potential detriment of access to justice for all other litigants within the justice system.
- In BC, daily court hearing fees are collected pursuant to section 2(1) and Schedule 1 of Appendix C of the *Supreme Court Civil Rules (Rules)*. The Supreme Court of Canada has held that hearing fees are a valid exercise of provincial jurisdiction provided they do not impose “undue hardship” upon litigants.
- The *Rules* include an exemption from payment of hearing fees where a litigant would suffer undue hardship.
- The Plaintiffs did not seek such an exemption; instead they challenged the constitutionality of hearing fees in s. 35 claims.
- The hearing of the appeal is set for September 23-24, 2021.
- As the matter is before the courts, I cannot comment further.

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**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND: (Subject to solicitor-client privilege)**

- [REDACTED] Advice/Recommendations; Legal Information; Intergovernmental Communications

- [REDACTED]

**CROSS REFERENCE:**

- **Note H16** – Indigenous Claims and Fee Simple Lands
- **Note H20** – Indigenous Litigation – Blueberry River First Nation
- **Note H21** - Indigenous Litigation –Cowichan Nation v AG Canada et al.
- **Note H24** – Indigenous Litigation – Saik’uz and Stellat’en First Nations v Rio Tinto Alcan Inc et al.

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 17, 2021

## COVID RESPONSE AND COSTS

### KEY MESSAGES:

- The COVID-19 pandemic and response presented numerous legal issues in all sectors of government. To ensure that these legal issues were addressed in a coordinated and efficient manner, Legal Services Branch (“LSB”) formed COVID-19 legal working groups and response teams.
- LSB’s COVID-19 response teams provide advice on child protection and Director’s counsel; constitutional issues; corrections; court services; education; emergency management and planning; finance; the *Freedom of Information and Protection of Privacy Act*; gaming; Indigenous issues; housing; local government; public health law; resource, environment and land law; and trade.
- LSB’s legal working groups and response teams have provided advice on key COVID response initiatives and ministerial orders under the *Emergency Programs Act*.
- To ensure delivery of consistent legal advice, LSB created a knowledge management database for all legal advice provided in relation to COVID-19.

### FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.



**STATISTICS: (Subject to solicitor-client privilege)**

- [redacted] Advice/Recommendations; Legal Information

**BACKGROUND:**

- LSB's COVID-19 legal working groups are:
  - Post COVID-19 Recovery Working Group
  - Contract Law Working Group
  - Labour and Employment Working Group
  - Procurement Working Group
  - Trade Working Group
  - Vulnerable Populations Working Group
  - Zoom Legal Working Group

**(Subject to solicitor-client privilege)**

- [redacted] Legal Information

**CROSS REFERENCE:**

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- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 17, 2021

## ***CROWN PROCEEDING ACT – SETTLEMENTS***

### **KEY MESSAGES:**

- The *Crown Proceeding Act* (“CPA”) vote is a statutory appropriation. Expenditures to the account can be of three (major) types:
  1. payments as a result of decisions;
  2. payments as a result of settlements; and
  3. the creation of liabilities where there is a reasonable prospect of loss, and where that loss can be quantified. These are charged to the account on an accrual basis when the prospect of loss and quantum of loss can be determined with reasonable certainty.
- Settlement amounts can be disclosed once a proceeding has concluded, and the Attorney General has tabled the annual report before the Legislature under s. 15 of the *CPA*. This is the only mechanism for the disclosure of information relating to settlement amounts.

### **FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.
- Estimates – Fiscal Year Ending March 31, 2022 - Vote 17 – Crown Proceeding Act Page 46.
- The *CPA* Budget is \$24.5M annually. This budget is used to pay judgments, arbitration awards, settlements and court ordered costs.

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**If asked about details of settlements (subject to solicitor-client privilege)**

- [REDACTED] Advice/Recommendations; Legal Information

**STATISTICS:**

- N/A

**BACKGROUND: (subject to solicitor-client privilege)**

- [REDACTED] Legal Information

- [REDACTED]

Disclosure of Settlement Amounts

- The *CPA* establishes both the process and the timing of disclosure of settlement amounts. Section 15 requires that prescribed information be tabled in the Legislature each year, and thus be released publicly.

- [REDACTED] Cabinet Confidences; Legal Information

Legal Information

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Advice/Recommendations ; Legal Information ; Government Financial Information

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 1, 2021

## CULLEN COMMISSION

### KEY MESSAGES:

- The Commission of Inquiry into Money Laundering in British Columbia (“Commission”) was established on May 15, 2019. It has a broad mandate to inquire into and report on money laundering in British Columbia, including money laundering in the following sectors: gaming and horse racing; real estate; financial institutions and money service; corporate; luxury goods; and professional services.
- The Province has been granted participant status in the inquiry. The Province’s participation involves providing the Commission with access to documents and witnesses relevant to the Commission’s mandate as well as appearing as a participant in the evidentiary hearings.
- The Ministry of Finance, the Gaming Policy and Enforcement Branch (“GPEB”), and various other Ministries have disclosed thousands of documents to the Commission. The Commission has interviewed and called on numerous government representatives to testify.
- The Commission conducted overview hearings from May 25 to June 19, 2020. The hearings consisted predominantly of expert witnesses, who provided an overview of money laundering typologies and regulatory models. A panel of government witnesses gave evidence at the hearings about the Province’s cross-sector anti-money laundering strategy and the work being done by the anti-money laundering Deputy Ministers’ Committee.

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- The Commission's evidentiary hearings commenced in October 2020 and concluded in May 2021. The Commission has heard evidence addressing gaming, casinos, horseracing, real estate, professional services, the corporate sector, financial institutions, money services, luxury goods, and cryptocurrency and topics such as trade-based money laundering, quantification, privacy issues, asset recovery, enforcement and regulation.
- Further hearings will address further topics relating to government response and approaches in other jurisdictions and government's knowledge of and response to money laundering over the years.
- Many government witnesses have provided evidence to the Commission to date, including witnesses from the Ministry of Finance, GPEB, the Civil Forfeiture Office, and the BC Financial Services Authority, among others. Additional government witnesses are expected to testify in the remainder of the hearings.
- The Commissioner produced his interim report in November 2020 and recently received an extension to produce his final report by December 15, 2021.

#### FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 – 44.

#### STATISTICS:

- N/A

#### CROSS REFERENCE:

- **Note A 4.1:** Cullen Commission
- **Note G 17:** Cullen Commission: Public Inquiry Into Money Laundering

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

Last updated Date: May 28, 2021

**COVID – VULNERABLE POPULATIONS AND ENCAMPMENTS****KEY MESSAGES:**

- The impacts of the COVID-19 pandemic, along with the overdose crisis, have led to increasing unsheltered homelessness and encampments.
- In April 2020, the Province constituted a Vulnerable Populations Working Group to identify, assess and address key issues for responding to the needs of vulnerable people who are homeless or living in congregate housing, and to report to the Provincial Emergency Coordination Centre and escalate policy issues for decision, including action items to take forward to Cabinet
- The working group includes representatives of Provincial government, BC Centre for Disease Control, BC Housing, Community Living BC, health authorities, and the cities of Victoria and Vancouver.
- The Province is working with the cities of Victoria and Vancouver to offer everyone sheltering in encampments a place to go, and a step towards stable housing.
- Victoria and Vancouver have committed to managing the parks for public use, which includes overnight sheltering for people experiencing homelessness in accordance with bylaws.
- We will continue to work across ministries and with communities to ensure people sheltering in encampments stay safe and are connected to the supports they need to exit homelessness.



**If Asked about litigation involving Beacon Hill Park**

- Victoria has been working in partnership with the Province and BC Housing to close the encampment in Beacon Hill Park.
- I cannot comment on the litigation as the matter is presently before the courts.

**If Asked about s. 14(2) of the *Interpretation Act* (Statutory or Crown Immunity)**

- Section 14(2) of the *Interpretation Act* provides that an enactment respecting the use or development of land “does not bind” government as a user of the land.
- The court has found this immunity extends to BC Housing’s use of land, because BC Housing is an agent of government.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND: (subject to solicitor-client privilege)**

Advice/Recommendations; Legal Information

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Advice/Recommendations; Legal Information



### CROSS REFERENCE:

- **Note B 3.2** – Encampments
- **Note 3.3** – Decampments – Victoria and Vancouver
- **Note B 3.4** – New Spaces, Supports and COVID
- **Note 4.7** – Homelessness and Encampments and

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

Last updated Date: April 1, 2021

**GREENHOUSE GAS POLLUTION PRICING ACT REFERENCE****KEY MESSAGES:**

- British Columbia supported the constitutionality of the Federal *Greenhouse Gas Pollution Pricing Act* (GGPPA).
- Canada can only meet its commitments under the Paris Accord if all provinces adequately price greenhouse gas (“GHG”) emissions. BC argued that the control of GHGs is generally in provincial jurisdiction, but the federal government must be able to set minimum national standards for adequate pricing.
- On March 25, 2021 Chief Justice Wagner, for a majority of the Supreme Court of Canada agreed with this position.
- This case protects British Columbia’s ability to make its own environmental policies, while helping to ensure a level playing field and common ambition across the country.
- The decision allows for narrowly-defined federal authority when there are grave extraprovincial consequences from leaving a matter completely to each province.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 – Vote 15 – Ministry Operations  
Pages 43 - 44

**STATISTICS:**

- N/A

**BACKGROUND:**

- On June 21, 2018, Parliament enacted the GGPPA. It imposes a charge on various fossil fuels according to the amount of carbon emissions they produce. For large emitters, the GGPPA provides for an Output-Based Pricing System. The GGPPA is designed to function as a backstop measure; it will not apply in provinces that have their own carbon pricing measures in place, provided that the Governor in Council considers those measures to be sufficiently stringent.
- Saskatchewan, Ontario, and Alberta all referred the GGPPA to their respective courts of appeal. The Saskatchewan and Ontario courts upheld it, while the Alberta court said it was unconstitutional. British Columbia appealed the Alberta decision when Canada declined to do so.
- The SCC released its decision on March 25, 2021, making the following legal findings:
  - A “matter of national concern” should be defined precisely, not expansively.
  - Matters of national concern do not foreclose concurrent provincial authority to address the same problems (in this case, GHGs).
  - The federal government must prove “grave extraprovincial consequences” to establish a matter of national concern.
  - The federal government’s approach should not go further than a proportionate response to those grave extraprovincial consequences.
  - Leaving GHG emissions to provincial choice would pose grave extraprovincial consequences and setting national minimum standards of stringency is a proportionate response to those consequences.

**CROSS REFERENCE:**

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 31, 2021

## OPIOID LITIGATION

### KEY MESSAGES:

- BC commenced a class action (HMQ v Apotex) on behalf of all federal, provincial and territorial governments on August 29, 2018, and subsequently enacted the *Opioid Damages and Health Care Costs Recovery Act*.
- The claim is against the manufacturers and distributors of opioid products to recover the cost of treating opioid-related disease caused by the industry's wrongful conduct.
- BC alleges that the manufacturers and distributors engaged in deceptive marketing tactics with a view to increase sales, resulting in increased rates of addiction and overdose.
- As this is a class action, all of Canada's jurisdictions have the potential to participate in the action. Litigation efforts are being coordinated nationally through a working group.
- Justice Brundrett is the assigned case management judge.
- BC is pursuing certification and has retained experts to prove its claim and generate a quantum.
- On September 15, 2019, Purdue (USA) filed for Chapter 11 Bankruptcy in the United States. BC, along with other Canadian jurisdictions, are participating in the US Bankruptcy, but focussed on a Canadian resolution.
- As the matter is before the Courts, it would be inappropriate for me to comment further.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43-44.

**STATISTICS:**

- N/A

**CROSS REFERENCE:**

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 24, 2021

## HEALTH - TOBACCO LITIGATION

### KEY MESSAGES:

- BC has brought a claim pursuant to the *Tobacco Damages and Health Care Costs Recovery Act* against the three principal Canadian tobacco manufacturers (and their foreign parent corporations) to recover the cost of treating tobacco-related disease caused by the industry's wrongful conduct.
- BC alleges that had the industry not engaged in deceitful and unlawful conduct, particularly in the 1950s, 1960s and 1970s, smoking rates would have dramatically decreased much earlier, fewer people would have succumbed to tobacco-related disease, and health costs would have been much lower.
- On March 1, 2019 the Quebec Court of Appeal (QCA) upheld a 2015 lower court ruling in favour of a plaintiff class, comprised of smokers and their families. Three defendant tobacco companies – Rothman Benson & Hedges Inc., Imperial Tobacco Canada and JTI-Macdonald Corp. – are ordered to pay approximately \$17Billion inclusive of accrued interest.
- In March 2019, following the QCA decision, the Ontario Superior Court (ONSCJ) granted JTI-Macdonald Corp, Imperial Tobacco, and Rothmans Benson & Hedges creditor protection under the *Companies' Creditors Arrangement Act* (CCAA).
- In granting these orders, the ONSCJ ordered a temporary stay of all actions. The stay has been extended a number of times. The current extension of the stay is set to expire September 30, 2021. No steps in the litigation are permitted at this time.
- On March 15, 2019 Imperial Tobacco Canada filed for bankruptcy protection in the USA using Chapter 15 bankruptcy protection, which allows foreign companies to ask a bankruptcy judge to protect property located on U.S. soil.

- A CCAA monitor has been appointed for each of the three Canadian tobacco entities.
- Former Chief Justice Winkler of Ontario has been appointed mediator over the CCAA proceedings by consent of the parties.
- BC is engaging in the mediation of all outstanding actions against the three tobacco companies.
- As the matter is before the courts, it would be inappropriate for me to comment further

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

**STATISTICS:**

- N/A

**CROSS REFERENCE:**

- N/A



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 25, 2021

#### ICBC CLASS ACTION: RORISON

##### KEY MESSAGES:

- Since 1994, ICBC has reimbursed MSP for doctors' services when injuries arise out of motor vehicle accidents.
- This arrangement has a sound policy rationale. It has not been secret.
- The *Rorison* action was filed March 3, 2020. The plaintiffs challenge the legal authority for the arrangement in a proposed class action.
- The action is against the Province and ICBC as co-defendants.
- The Province filed and served its response to civil claim on July 3, 2020.
- A certification hearing began on April 26-28, 2021.
- The remainder of the certification hearing is scheduled for June 28-30, 2021.
- As this matter is before the courts, it would not be appropriate for me to comment further.

##### FINANCES:

- Estimates – Fiscal Year Ending March 31, 2021 - Vote 15 – Ministry Operations 43 - 44.

##### STATISTICS:

- N/A

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Advice/Recommendations ; Legal Information ; Government Financial Information

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

Last updated Date: March 15, 2021

**INDEMNITY POLICY AND PRACTICES OVERVIEW****KEY MESSAGES:**

- Providing legal assistance and indemnities to public servants acting in the course of their employment is essential to the protection of the Crown's interests, the fair treatment of public servants and the effective management of government.
- Indemnity coverage is provided under the *Excluded Employee (Legal Proceedings) Indemnity Regulation* (Regulation); under collective agreements, where applicable; and by way of special indemnities pursuant to s. 72 of the *Financial Administration Act* where coverage is not otherwise available.
- Indemnity coverage under the Regulation is available to current or former excluded employees and members of the executive branch of government. It is not available to MLAs, except for those serving as members of the executive council in relation to matters arising from that role.

If asked about total amount expended on indemnities

- The Risk Management Branch of the Ministry of Finance is the appropriate source of this information.

If asked about a specific ongoing indemnity

- Government cannot disclose any information about coverage, including whether coverage has been requested, provided, denied or terminated.
- The only exceptions are where: disclosure is required by law; disclosure is to the persons involved in the coverage; or the persons involved consent. [If pressed:

Page 1 of 3

We can undertake to determine whether consent to release the amount has been provided. However, questions about specific indemnities are better answered by my colleague the Honourable Selina Robinson, Minister of Finance].

**FINANCES:**

- Refer to Risk Management Branch – Ministry of Finance.
- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND:**

- The Regulation and the applicable collective agreements set out the preconditions for coverage and situations where coverage is available and establish processes for granting and receiving coverage.
- There are also circumstances analogous to those covered by the Regulation, where coverage is provided as a special indemnity under s. 72 of the *Financial Administration Act* and the *Guarantees and Indemnities Regulation*. In such circumstances, no coverage available under the Regulation, but it is in government's interest to provide someone with an indemnity.
- The Risk Management Branch of the Ministry of Finance is the appropriate source of information about the total amount expended on indemnities. Except in very limited circumstances, government cannot disclose information about coverage.
- Where a specific indemnity has been concluded, the amount of the indemnity can be disclosed.

**CROSS REFERENCE:**

- N/A

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

Last updated Date: May 28, 2021

**INDIGENOUS CLAIMS AND FEE SIMPLE LANDS****KEY MESSAGES:**

- A number of First Nations have brought claims seeking declarations of Aboriginal title that include private, fee simple lands.
- The Province has taken the position that it will oppose a declaration that has the potential to create uncertainty over the land base and for private property owners.
- At the same time, the Province will continue to work collaboratively with First Nations to ensure they have a meaningful role in land and resource management, and that they share the resulting benefits and economic opportunities.
- While these efforts will continue, the Province will defend its past disposition of lands to settlers and those investing in the Province.
- As these matters are before the courts, I cannot comment further.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

**STATISTICS:**

- N/A

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Information

- **Note H21** - Indigenous Litigation –Cowichan Nation v AG Canada et al.
- **Note H22** – Indigenous Litigation – Kwikwetlem Nation v HMQBC et al.
- **Note H24** – Indigenous Litigation – Saik’uz and Stelat’en First Nations v Rio Tinto Alcan Inc et al.
- **Note H25** – Indigenous Litigation - Site C Project (West Moberly & Prophet River)



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 28, 2021

## DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT

### KEY MESSAGES:

- The *Declaration on the Rights of Indigenous Peoples Act* (*Declaration Act*), came into force in November 2019.
- The *Declaration Act* sets out a framework for implementing the UN Declaration on the Rights of Indigenous Peoples (UN Declaration) in BC.
- Courts have encouraged government and Indigenous Peoples for decades to seek reconciliation of the rights of Indigenous Peoples outside of court processes. The *Declaration Act* creates a path forward for the Province, creating clarity and predictability for all people in BC.
- Meaningful reconciliation with Indigenous Peoples is a top priority for our government. We are committed to continuing to work together to build an even stronger, more inclusive and more just BC that will create a better future for everyone.

If asked, “what does the *Declaration Act* do?”

- The *Declaration Act* mandates government to ensure provincial laws are consistent with the UN Declaration. It requires development of an action plan in cooperation and consultation with Indigenous Peoples to achieve the objectives of the UN Declaration, and regular reporting to the Legislature to monitor progress – providing transparency and accountability.
- It allows for flexibility for the Province to enter into agreements with a broader range of Indigenous governments.

Contact: Legal Information	Tel: Legal Information	Mobile: Government
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If asked, “what is the status of the action plan?”

- The Province is working with Indigenous Peoples and organizations, individual First Nations, Treaty Nations, urban Indigenous coalitions and Métis Nation BC to develop an action plan that reflects Indigenous priorities and outlines government action moving forward.
- I am committed to supporting the Honourable Murray Rankin, Minister of Indigenous Relations and Reconciliation to deliver the action plan, to build strong relationships based on recognition and implementation of the inherent rights of Indigenous peoples protected in Canada’s constitution. This is an important item in my mandate letter.

If asked, “what is the Province’s response to criticism from some First Nations leaders over lack of progress in implementing the *Declaration Act*?”

- There is no doubt that this work takes time. It has been described as generational work.
- But it is also important to acknowledge that we have continued to make progress to implement the UN Declaration since the *Declaration Act* was enacted.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

**STATISTICS:**

- N/A

**CROSS REFERENCE:**

- **Note H34** – Draft Guidelines on Civil Litigation involving Indigenous Peoples

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 28, 2021

## INDIGENOUS - TREATY LAND ENTITLEMENT

### KEY MESSAGES:

- The Province and Canada are currently negotiating with the following five Treaty 8 First Nations in northeastern BC who have outstanding treaty land entitlement (“TLE”) claims against the Crown:
  - Blueberry River and Doig River First Nations;
  - Halfway River and West Moberly First Nations; and
  - Saulteau First Nation.
- The TLE First Nations claim they did not receive all the lands to which they are entitled under the TLE clause of Treaty 8.
- The settlement of TLE claims will include (i) payment of cash by Canada to the First Nations; (ii) the transfer by the Province of control and administration of provincial Crown lands to Canada (with the intent that these lands be added to reserve) (“shortfall lands”); and (iii) additional lands for sale to the TLE First Nations at fair market value, with subsurface ownership excluded (“additional lands”). In return, the Province and Canada will be released from all TLE-related claims.
- Some proposed interim land protections and transfers of TLE land selections, including the Blueberry River selections at Charlie Lake and Red Creek, have generated strong public interest, opposition, and controversy. The Province is working with stakeholders and affected Indigenous Nations to address these issues.

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If asked about the status of interim land protections, proposed land or outstanding consultation with other Indigenous Nations:

- My colleague, the Honourable Murray Rankin, Minister of Indigenous Relations and Reconciliation is better placed to answer specific questions regarding the status of interim land protections, proposed transfer of TLE land selections, and ongoing Indigenous Nations consultation.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND:**

- Treaty 8 was originally signed in 1899 between the Crown and First Nations. Signatory First Nations surrendered their claims to Aboriginal title in exchange for reserve land and the right to pursue their usual vocations of hunting, trapping, and fishing. The TLE First Nations adhered, or were added to, annuity pay lists between 1900-1914.
- The five TLE First Nations commenced specific claims against Canada. In connection with TLE, Halfway River, West Moberly, and Sauteau First Nations have each commenced claims against the Province and Canada in BC Supreme Court, while Doig River First Nations has commenced a claim in BC Supreme Court against Canada only.

**The following information is subject to solicitor-client privilege:**

- Advice/Recommendations; Legal Information

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**CROSS REFERENCE:**

- **Note H20** – Indigenous Litigation – Blueberry River First Nation v. HMQBC

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<div>Contact:</div>		<div>Tel:</div>	<div>Mobile: Financial Information</div>

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

Last updated Date: April 28, 2021

**INDIGENOUS LITIGATION CASES AND BUDGET****KEY MESSAGES:**

- The budget for Indigenous litigation is \$6.9 million.
- The actual expenditures for FY 2020/2021<sup>1</sup> were \$11.5 million, which includes \$4.8 million in services recovered from clients.
- The actual expenditures for FY 2019/2020 were \$12.1 million, which includes \$5.9 million in services recovered from clients.
- Legal costs associated with specific litigation are protected by solicitor-client privilege and are not normally disclosed by government.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND:**

- On June 26, 2014, the Supreme Court of Canada released a landmark decision granting the Tsilhqot'in Nation a declaration of Aboriginal title to approximately 1750 square kilometers of land in the Cariboo-Chilcotin area of BC.

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<sup>1</sup> Note that figures for 2002/21 are unaudited.

- This was the first declaration of Aboriginal title in Canadian history, and confers upon the Tsilhqot'in Nation a constitutionally protected right to the exclusive use and occupation of the land.
- Declarations of Aboriginal title on a territorial basis raise significant issues for land and resource management by the Crown, including in terms of economics and control over decision-making.
- The Province prefers to address these uncertainties through negotiation, rather than litigation, and is taking steps to proceed in a manner that will advance negotiations with First Nations and minimize litigation.
- Indigenous litigation cases in BC include a variety of complex claims:
  - Claims to cut off unallocated reserve lands where fee simple lands are included;
  - Claims to Aboriginal title where fee simple lands are not-excluded, but no particular relief is claimed against fee simple owners;
  - Claims to Aboriginal title where private land interests are directly at issue;
  - Claims to Aboriginal title where private land interests are not at issue;
  - Claims of unjustified infringement of proven and established Aboriginal rights and title;
  - Challenges to the adequacy of consultation and accommodation in respect of decisions which may adversely impact proven and established Aboriginal rights and title;
  - Claims in trespass / nuisance grounded in assertions of Aboriginal title that have been brought against private property holders;
  - Aboriginal rights claims;
  - Challenges to the adequacy of consultation and accommodation in respect of decisions which may adversely impact asserted, but yet unproven, claims of Aboriginal rights and title, and impacts upon treaty rights;
  - Implementation and interpretation of treaty rights (historical and modern treaties), including overlapping claims involving incremental treaty

agreements, and final agreements, and infringement of treaty rights; and

- Claims for damages as a result of the Mt. Polley Mine Dam breach (in abeyance).

**CROSS REFERENCE:**

- **Note H16** – Indigenous Claims and Fee Simple Lands



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 28, 2021

## INDIGENOUS LITIGATION – BLUEBERRY RIVER FIRST NATION

### KEY MESSAGES:

- In 2015, the Blueberry River First Nations (BRFN) brought a claim against BC, asserting that the cumulative impact of the industrial development authorised by BC within their asserted traditional territory infringed their Treaty 8 rights.
- The trial commenced on May 27, 2019, and concluded on November 30, 2020, after more than 160 trial days. The parties are currently awaiting the decision of the trial judge, Justice Burke.
- The Province is committed to reaching a respectful, long-term government-to-government relationship that ensures the BRFN can have both economic opportunities and a strong role in environmental stewardship within their asserted traditional territory.
- BC has committed to developing natural resources in an environmentally sustainable way, which includes consideration of the cumulative effects of development.
- The Province is engaged in the Regional Strategic Environmental Assessment project with several Treaty 8 First Nations to assess the effects of natural resource development activities in the northeast on the rights of the participating First Nations. The results of the assessment will inform management recommendations that optimize the practice of Treaty rights and the development interests of all parties. The Province also provided a mandate to update the Fort St. John Land and Resource Management Plan in partnership with interested Treaty 8 First Nations. BRFN is participating in these processes.

Page 1 of 2

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- As the matter is before the courts, it is inappropriate to comment further.

### FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43 - 44.

### STATISTICS:

- N/A

### BACKGROUND: (subject to solicitor-client privilege)

Advice/Recommendations; Legal Information

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### CROSS REFERENCE:

- **Note H6** – Court Hearing Fees (Section 35 Litigants)
- **Note H16** – Indigenous Claims and Fee Simple Lands
- **Note H18** – Indigenous – Treaty Land Entitlement

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 29, 2021

## INDIGENOUS LITIGATION – COWICHAN NATION v AG CANADA ET AL

### KEY MESSAGES:

- The plaintiffs (Cowichan, Stz'uminus, Penelakut, Halalt Nations and Tribes, on behalf of the Cowichan Nation) seek various declarations and other relief against the defendants (Canada, HMQBC, Vancouver Fraser Port Authority (VFPA), City of Richmond, Tsawwassen First Nation (TFN) and Musqueam Indian Band (MIB)) including, but not limited to, declarations of Aboriginal title and an Aboriginal right to fish an area of the lower Fraser River.
- The lands in question are described as the "Lands of Tl'uqtnus" and constitute approximately 1846 acres comprised of dry lands and submerged lands held primarily in fee simple that encompass the south shore of Lulu Island on the south (i.e. main) arm of the lower Fraser River and include: approximately 700 acres held in fee simple by Canada or its agent VFPA; approximately 80 acres held by Richmond in fee simple, as well as under the *Land Title Act* and the *Community Charter*; a small amount of submerged land that is provincial Crown land; and the balance held by approximately 100 private landowners.
- The plaintiffs seek exclusive possession of the submerged lands as well as the Richmond and Canada lands, but do not seek possession in this litigation of the private lands, and have not sought an order of ejectment against the private landowners. The Province opposes any declaration that has the potential to create uncertainty over the land base and for private landowners.
- The plaintiffs also seek declarations that they have an Aboriginal right to fish "the south (i.e. main) arm of the Fraser River for food purposes" and, that Canada, by prohibiting fishing without a license and for its failure to authorize the plaintiffs'

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right to fish in this area for food purposes, infringed their Aboriginal rights.

- As the matter is before the courts, it is inappropriate to comment further.

## FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43 – 44.

## STATISTICS: (subject to solicitor-client privilege)

Advice/Recommendations; Legal Information; Intergovernmental Communications

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## BACKGROUND: (subject to solicitor-client privilege)

- The estimated 400 day trial commenced on September 9, 2019, before Justice Young. On March 13, 2020, the trial was adjourned after day 105 due to Covid-19, and recommenced by video link in September 2020. The plaintiffs closed their case on March 2, 2021, and the Province on March 5, 2021 (day 220). Canada has now commenced presentation of their case.
- The claim area is subject to an overlap claim by the MIB. Similarly, the TFN, beneficiary of the TFN Final Agreement, holds treaty rights to fish in the south arm of the Fraser River where the plaintiffs also seek a right to a fishery.

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- Advice/Recommendations; Legal Information

**CROSS REFERENCE:**

- **Note H6** – Court Hearing Fees (Section 35 Litigants)
- **Note H16** – Indigenous Claims and Fee Simple Lands

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 30, 2021

## INDIGENOUS LITIGATION – KWIKWETLEM NATION v HMQBC ET AL

### KEY MESSAGES:

- In a notice of civil claim filed on February 9, 2016, Kwikwetlem First Nation (KFN) assert Aboriginal title to various specified lands in the Coquitlam watershed including the Riverview Lands (now named səmiq̓wəʔelə [pronounced Suh-MEE-kwuh-EL-uh], Colony Farm Regional Park and Gates Park, most of which are owned in fee simple by either the Province, BC Housing, Metro Vancouver or the City of Port Coquitlam.
- KFN allege the lands are subject to KFN Aboriginal title and the defendants are infringing their title. KFN allege they have attempted to have the provincial Crown address their concerns but that the Crown has not done so.
- KFN seek various heads of relief including a declaration that any grant, patent or certificate of indefeasible title held in respect of any of these lands either be cancelled or transferred to KFN. They also seek damages and a declaration that the Province has breached their s. 15 *Charter* (equality) rights by failing to establish effective administrative means to recognize, protect and, if necessary, adjudicate the existence, scope, and extent of Aboriginal title.
- The trial scheduled to start May 3, 2021, has been adjourned to January 10, 2022, to allow for further trial preparation by the parties.
- As the matter is before the courts, it is inappropriate to comment further.

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**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND: (subject to solicitor-client privilege)**

Legal Information

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- The plaintiffs applied to strike portions of the Province's defence relating to the displacement of Aboriginal title by grants of fee simple to the lands and Metro Vancouver's defence that the extinguishment of Aboriginal title was affected by the Crown grants. This application was dismissed on May 17, 2018.
- On November 13, 2018, KFN confirmed they are not seeking a declaration of Aboriginal title "over public roads, and specifically the Provincial Highways and major roadways listed with the exception of Colony Farm Road".
- Counsel for KFN notified the defendants they would not file a notice of constitutional question, and also advised of their position that Canada is not a necessary party to the action.

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- The Province applied for an order to add Canada as a defendant, arguing that Canada's involvement is necessary for adjudication of the effect of colonial grants within the claimed area, and of federal grants to portions of the lands within the Railway Belt between 1883 and 1930. The application was dismissed on February 12, 2020. The Province filed a notice of appeal on March 13, 2020.

Advice/Recommendations; Legal Information; Intergovernmental Communications



### CROSS REFERENCE:

- **Note H6** – Court Hearing Fees (Section 35 Litigants)
- **Note H16** – Indigenous Claims and Fee Simple Lands

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

Last updated Date: April 1, 2021

**INDIGENOUS LITIGATION – NUCHATLAHT v HMQBC****KEY MESSAGES:**

- Nuchatlaht filed a claim in the BC Supreme Court in January 2017 seeking a declaration of Aboriginal title to the northern portion of Nootka Island and adjacent smaller islands, off the west coast of Vancouver Island. In addition, the claim challenges the application of the *Forest Act* and the *Park Act* (Nuchatlitz Provincial Park), and seeks to restrain Western Forest Products Inc.'s logging activities in the Claim Area.
- At issue is whether Nuchatlaht had exclusive possession of the Claim Area at the time of Crown sovereignty. The continuity of the Nuchatlaht collective from before the assertion of Crown sovereignty until today is put in issue, and is an element of the test for proof of Aboriginal title.
- Disputes about claim particulars, document discovery, and expert report admissibility have been addressed in applications since the claim was filed. The Province is seeking to resolve outstanding document discovery before trial.
- The trial is scheduled for 8 weeks, commencing March 14, 2022.
- As the matter is before the courts, it is inappropriate to comment.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND:**

- The Province is responding to an appeal of a decision by the case management judge which granted the Province's application to use documents disclosed in related prior litigation (*Ahousaht* fishing rights litigation) in the Nuchatlaht proceeding. The appeal hearing is not set at this time.

**CROSS REFERENCE:**

- **Note H16** – Indigenous Claims and Fee Simple Lands

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: April 1, 2021

## INDIGENOUS LITIGATION – SAIK’UZ AND STELLAT’EN FIRST NATIONS v RIO TINTO ALCAN INC ET AL.

### KEY MESSAGES:

- In September 2011, the plaintiffs commenced an action against Rio Tinto Alcan Inc (“Rio Tinto”); a private company which owns and operates the Kenney Dam (constructed in 1952). The plaintiffs claim that, by operating the dam, Rio Tinto is committing nuisance against their Aboriginal title and fishing rights.
- In September 2012, a notice of constitutional question was served on Canada and the Province, which asserts that provincial laws (*Industrial Development Act*; *Water Act*), agreements, and licences that authorize the diversion of water from the Nechako river are constitutionally inapplicable to the plaintiffs to the extent that they interfere with or extinguish the plaintiffs’ Aboriginal rights.
- In August 2016, the Province and Canada were added as parties to the litigation, over the objections of the plaintiffs, to deal with the Aboriginal rights and title issues. In 2019, the plaintiffs amended their claim to allege that the Crown defendants have a fiduciary duty to require Rio Tinto to, amongst other things, reinstate the natural flow regime of the Nechako river.
- The trial commenced on October 21, 2019, adjourned due to COVID 19 in March 2020, and resumed June 9, 2020. Court adjourned in January 2021, upon completion of the presentation of evidence. Written arguments have now been filed, and oral arguments began in May 2021, before Justice Kent.
- The Province’s role in this litigation is focused on: claimed Aboriginal title to the river bed; claimed exclusive fisheries; constitutional questions related to the applicability of provincial legislation and the authorizations that allow Rio Tinto

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to divert water from the Nechako river; and, the existence and potential breach of fiduciary duties owed to the plaintiffs.

- As the matter is before the courts, it is inappropriate to comment further.

#### **FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

#### **STATISTICS:**

- N/A

#### **BACKGROUND: (subject to solicitor-client privilege)**

- Advice/Recommendations; Legal Information



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- Advice/Recommendations; Legal Information; Intergovernmental Communications

**CROSS REFERENCE:**

- **Note H6** – Court Hearing Fees (Section 35 Litigants)
- **Note H16** – Indigenous Claims and Fee Simple Lands

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

Last updated Date: May 29, 2021

**INDIGENOUS LITIGATION – SITE C PROJECT (WEST MOBERLY)****KEY MESSAGES:**

- On December 11, 2017, the Province announced it would complete the Site C Project (the “Project”).
- All legal challenges brought to date with respect to the Project have been dismissed or discontinued, with the exception of the claim initiated by the West Moberly in January 2018, filed against the Province, BC Hydro and Canada. The Plaintiffs allege the Project is a breach of Treaty 8, and that it unjustifiably infringes their treaty rights by the cumulative impacts of the Bennett, Peace Canyon, and Site C dams. West Moberly’s application for an injunction to halt construction of the Site C project was dismissed in October 2018.
- Following unsuccessful negotiations during 2019, West Moberly amended their claim to include additional causes of action, including breach of fiduciary obligations, trespass, nuisance, breach of riparian rights, breach of international law obligations, *Charter* violations, unjust enrichment, waiver of tort, and civil conspiracy, as well as seeking a mandatory injunction requiring the removal of Site C and remediation of the site, or in the alternative, damages. The defendants filed amended responses to these claims.
- All parties have agreed to a case plan that provides for a 120-day trial, beginning March 14, 2022, although the parties are discussing potential adjustments to that schedule.
- On February 26, 2021, BC reaffirmed its commitment to complete the Project.
- As these matters are before the courts, I cannot comment further at this time.

If asked about non-litigation issues regarding the Project:

- My colleague, the Honourable Bruce Ralston, Minister of Energy, Mines and Low Carbon Innovation is better placed to answer specific questions regarding the Project.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND:** (subject to solicitor-client privilege)

- On April 30, 2021, Milman J. released 3 decisions:
  1. allowing in part West Moberly's application for an order for production of documents related to the Milburn report, on the condition that West Moberly consent to a confidentiality agreement;
  2. striking the allegations of civil conspiracy in the plaintiffs' amended notice of civil claim (on the basis that claim merges with the treaty breach and infringement claims), without leave to amend; and
  3. ordering the plaintiffs to produce anonymized versions of the source materials used to prepare traditional land use study reports, and records reflecting one of the individual plaintiffs' personal exercise of the rights asserted by West Moberly in the litigation.

• Advice/Recommendations; Legal Information; Intergovernmental Communications

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Advice/Recommendations; Legal Information; Intergovernmental Communications

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**CROSS REFERENCE:**

- **Note H16** – Indigenous Claims and Fee Simple Lands



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

Last updated Date: March 25, 2021

**INDIGENOUS LITIGATION – TREATY 8 BOUNDARY APPEAL  
(WEST MOBERLY et al.)****KEY MESSAGES:**

- The West Moberly, Sauteau, Halfway River, Doig River, and Prophet River First Nations, all Treaty 8 beneficiaries, commenced an action in 2005 for a declaration that the western boundary of Treaty 8 follows the Arctic/Pacific watershed, located considerably to the west of the Rocky Mountains. Canada supported the plaintiffs' interpretation of the western boundary. The Kaska Dena Council (KDC) and McLeod Lake Indian Band (MLIB) were added as defendants.
- It was the Province's position that the phrase "the central range of the Rocky Mountains" in the text of Treaty 8 follows the line of the watershed of the Rocky Mountains. The Province's position was supported by the KDC, along with intervenors (at trial and in the appeal), the Tsay Keh Dene, Takla Lake First Nation and Tahltan Central Government.
- In 2017, Justice Johnston of the BC Supreme Court (BCSC) declared that the western boundary of Treaty 8 is the height of land along the continental divide between the Arctic/Pacific watersheds.
- The Province appealed. In May 2020, the majority of the BCCA (Bauman CJ and Goepel JA) dismissed the Province's appeal and upheld the order of the BCSC, granting a declaration that the western boundary of Treaty 8 is the Arctic/Pacific divide.
- All three judges agreed that the declaration does not determine the geographic scope of treaty rights and whether they are connected to the tract described

under Treaty 8. The parties are left to determine what rights and responsibilities flow from the metes and bounds clause

- Applications for leave to appeal with the Supreme Court of Canada were dismissed on January 21, 2021. Accordingly, the location of the western boundary has been finally determined, but what this means in terms of the exercise of treaty rights remains uncertain.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND:**

- There are eight Treaty 8 First Nations in BC, and others in Alberta, who claim treaty rights in BC. Treaty 8 was negotiated in 1899 in Lesser Slave Lake, District of Athabasca (now Alberta) between the Federal Crown and the Indigenous peoples. Following its negotiation, other First Nations not present at Lesser Slave Lake adhered to the Treaty or were added to the Treaty annuity list.
- The western boundary has been a source of uncertainty since shortly after Treaty 8 was negotiated.

**CROSS REFERENCE:**

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: March 26, 2021

## LITIGATION COSTS

### KEY MESSAGES:

- Information regarding the cost of litigation is generally privileged and not disclosed. If an exception is to be made, it can only be done after the litigation has concluded, and any other privilege that attaches must be considered.
- Litigation costs include the hourly rate for legal services provided to the Province, as well as disbursements (including expert reports and travel) incurred by the Province in respect to a legal proceeding.
- Legal Services Branch maintains a record of all litigation costs.

### If asked about how the Province plans to fund other major litigation

- Legal costs (including litigation costs) are not unexpected and the ministries include legal costs in their budgets. Where litigation costs exceed budgeted amounts, contingency access may be required.
- Certain forms of litigation costs (i.e. any costs/disbursements incurred by other parties for which the Province is liable) are funded through the *Crown Proceeding Act*.
- The *Crown Proceeding Act* vote is a statutory appropriation. Expenditures to the account can be of three (major) types:
  - payments as a result of decisions;
  - payments as a result of settlements; or
  - the creation of liabilities where there is a reasonable prospect of loss, and where that loss can be quantified (these are charged to the account

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on an accrual basis, when the prospect of loss and quantum of loss can be determined with reasonable certainty).

- Settlements are funded where the Attorney General certifies that he is of the view that:
  - the claim, if pursued, could result in an order for the payment of money by the Crown; and
  - it is in the public interest to settle the claim in an amount set out in the certificate required under s. 14.

#### **FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 – **Vote 15 – Ministry Operations** Pages 43 - 44 .
- Estimates – Fiscal Year Ending March 31, 2022 – **Vote 17 – Crown Proceeding Act** Page 46.

#### **STATISTICS:**

- N/A

#### **CROSS REFERENCE:**

- N/A

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 29, 2021

## OUTSIDE COUNSEL RETAINERS

### KEY MESSAGES:

- The *Attorney General Act* establishes the Attorney General's roles as the legal advisor to government and the representative of government in legal proceedings.
- The Legal Services Branch ("LSB") is empowered under the Act to provide legal advice to client ministries and retain, contract or employ persons to provide legal services.
- Legal services are generally provided to ministries and agencies by legal counsel employed within LSB. However, where there is a conflict, a requirement for particular expertise, services in another geographic area, and/or workload pressures, outside counsel are retained. These retainers are supervised by LSB legal counsel.
- Outside counsel fees are managed according to the Outside Counsel Fee Tariff. (See Appendix A in LSB ADM binder: Revised Fee Tariff.) The total cost for outside counsel retainers in fiscal 2019/20 was \$39.7 million. The total cost for outside counsel retainers in fiscal 2020/21 was \$38.2 million

### FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.
- For fiscal 2021-22, the LSB Contract budget is \$51.8 million.

### STATISTICS: (subject to solicitor-client privilege)

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Advice/Recommendations ; Legal Information ; Government Financial Information

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 29, 2021

## TRIAL LAWYERS ASSOCIATION OF BC V BRITISH COLUMBIA (ATTORNEY GENERAL) CONSTITUTIONAL CHALLENGE TO THE CIVIL RESOLUTION TRIBUNAL ACT

### KEY MESSAGES:

- On March 2, 2021, Chief Justice Hinkson struck down ss. 133(1)(b) and (c) of the *Civil Resolution Tribunal Act* (CRT Act), and read down s. 16.1 on the basis that these provisions impermissibly remove superior court jurisdiction over vehicle accident claims. As a result, the Civil Resolution Tribunal (CRT) lost the “accident claims” jurisdiction that it was to have had over the determination of whether an injury is a “minor injury” and over liability and damages of up to \$50,000. The jurisdiction over statutory “accident benefits” under s. 133(1)(a) remains constitutional.
- The AGBC is appealing the decision. The TLABC has cross-appealed.
- The provisions in issue are part of a package of reforms aimed at improving care for accident victims and ensuring long-term sustainability and affordability of BC’s public auto insurance system. They apply to motor vehicle accidents that occur between April 1, 2019 and April 30, 2021.
- On April 8, 2021, Justice Frankel granted the AGBC’s application for a partial stay of proceedings, as to declaration of invalidity of s. 133(1)(b) and (c) of the CRT Act. This permits the CRT to continue to make “minor injury” determinations and adjudicate accident claims of up to \$50,000 pending appeal, allowing litigants to choose to proceed in the CRT or the courts.
- We are endeavouring to have the appeal heard on the merits in the fall of 2021.

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- As the matter is before the courts, I cannot comment further.

**FINANCES:**

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43 - 44.

**STATISTICS:**

- N/A

**BACKGROUND: (subject to solicitor-client privilege)**

- Advice/Recommendations; Legal Information

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**CROSS REFERENCE:**

- **Note A 4.4:** Trial Lawyers Association of British Columbia V. British columbia  
(Attorney General)

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 29, 2021

Personal  
Information

## TAX CHALLENGE – ADDITIONAL PROPERTY TRANSFER TAX (v HMQBC CLASS ACTION)

Personal  
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### KEY MESSAGES:

- v HMQBC is a proposed class action challenging the constitutionality of the additional property transfer tax (Tax) that is payable by foreign nationals and foreign corporations who acquire residential property in Metro Vancouver and other specified housing markets in British Columbia.
- The Tax is one of the measures enacted by the government to address the issue of housing unaffordability in the Province.
- In a judgment released October 24, 2019, the BC Supreme Court upheld the Tax as constitutional.
- The plaintiff appealed. The appeal was heard on October 28-30, 2020 and judgment remains on reserve.
- As the matter is before the courts, it would be inappropriate for me to comment further.

### FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations Pages 43 - 44.

### STATISTICS:

- N/A

**BACKGROUND: (subject to solicitor-client privilege)**

- The Tax came into effect on August 2, 2016 by way of amendments to the *Property Transfer Tax Act*.
- The Tax is payable by transferees of residential property who are “foreign nationals” (subject to certain exceptions) and “foreign corporations”.
- As originally enacted, the Tax was assessed at a rate of 15 percent of fair market value and applied only to transfers of residential property located in Metro Vancouver. In the spring of 2018, legislative amendments increased the Tax rate to 20 percent and expanded the specified areas in which the Tax applies to include the Capital Regional District, the Regional District of Central Okanagan, the Fraser Valley Regional District, and the Regional District of Nanaimo.
- The notice of civil claim in the proposed class action was filed and served in September 2016.

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 29, 2021

## TAX CHALLENGE – SPECULATION TAX

### KEY MESSAGES:

- Taxpayers have challenged the lawfulness of the *Speculation and Vacancy Tax Act*, S.B.C. 2008, c. 46 (the “SVTA”) by petition proceeding in the BC Supreme Court, a claim before the Human Rights Tribunal, and a tax appeal to the Minister under the statute.
- In a decision released April 16, 2020, the BC Supreme Court refused to grant the petitioners an interlocutory injunction suspending the operation of the SVTA pending the hearing of the petition.
- The merits of the constitutional challenge have not yet been decided in any of the cases. In the interim, the SVTA remains in force and is being administered by the Ministry of Finance.
- The SVTA is an important component of government’s 30-Point Housing Plan, aimed at addressing affordability and fairness in the housing market.
- As these matters are before the courts, I cannot comment further.

### FINANCES:

Estimates – Fiscal Year Ending March 31, 2022 - Vote 15 – Ministry Operations  
Pages 43 - 44.

### STATISTICS:

- N/A

Contact:	Legal Information
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Information ; Personal Information

**CROSS REFERENCE:**

- N/A

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Debates Note

Last updated Date: May 28, 2021

### Draft Guidelines on Civil Litigation involving Indigenous Peoples

#### KEY MESSAGES:

- The Ministry has reviewed the Federal Directive and is seriously considering the development of guidelines for Provincial litigators.
- While reconciliation is rarely achieved in courtrooms, guidelines may assist in explaining how the Crown is defending these claims and attempts to narrow issues and resolve them outside of the court process if possible.

#### FINANCES:

- Estimates – Fiscal Year Ending March 31, 2022 – Vote 15 – Ministry Operations Pages 43 – 44.

#### BACKGROUND: (subject to solicitor-client privilege)

• Advice/Recommendations; Legal Information; Intergovernmental Communications



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Advice/Recommendations; Legal Information; Intergovernmental Communications



**CROSS REFERENCE:**

**Note**

- **Note H17** – Indigenous – Declaration Act

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Program Summary

Last updated Date: April 26, 2021

## OFFICE OF HOUSING AND CONSTRUCTION STANDARDS

### Branch Description/Key Deliverables

- The work of the Office of Housing and Construction Standards (OHCS) touches most British Columbians through the universal need for shelter and safety.
- Our work affects a large segment of our economy, including construction of all types of buildings, mortgages, strata corporations, renovations, rental housing, subsidized housing and safety of buildings and technical systems.
- We strive to ensure that British Columbians have access to safe, affordable and functional housing through market and non-market housing policy and programs, coordination of policy and actions to combat homelessness, building and safety policy, development of technical codes and standards, and services for landlords and tenants.
- Our stakeholders are the citizens of British Columbia, the federal government, local governments, First Nations, Métis, and Inuit Peoples, community groups, non-profit societies, service organizations, businesses, building owners and managers, tenants, industry and professional associations.
- Key to our success is the ability to maintain strong, collaborative relationships with stakeholders, partner agencies and other levels of government.

- OHCS has four work units:
  - Housing Policy –subsidized and supportive housing, Indigenous housing and affordability for renters and owners; demographic and housing market research and analytics; legislative framework for strata properties; intergovernmental relations; governance oversight of BC Housing and its approximate \$1.5B/yr. annual budget.
  - Homelessness Policy and Partnerships – coordinates a cross-ministry approach to preventing and responding to homelessness; provides research and policy analysis; supports a collaborative approach among provincial ministries and with other levels of government, agencies and community organizations.
  - Residential Tenancy – provides front-line services to landlords and tenants in order to support successful tenancies in British Columbia. This includes education about landlord and tenant responsibilities and formal dispute resolution services.
  - Building and Safety Standards – leads work in collaboration with partners to continuously improve the regulatory system, harmonized with national standards, for buildings and technical systems so British Columbia's homes, buildings and communities serve our needs for generations to come.



**Program Summary:**

	2019/20	2020/21 *Restated	2021/22 Estimates	2022/23 Plan	2023/24 Plan
<b>Budget</b>	486,102,000	506,843,000	576,465,000	608,053,000	633,212,000
<b>FTEs</b>	163	163	163	163	163
Number of affordable and supportive housing units completed, including affordable rental and social housing (including HousingHub)	3,035	3,500	4,500	3,000	3,000
Number of households receiving rental assistance in the private market	34,295	37,200	37,700	40,300	41,000

**Ministry of Attorney General and Minister Responsible for Housing****2021/22 Estimates Program Summary**

Last updated Date: April 30, 2021

**MULTICULTURALISM AND ANTI-RACISM BRANCH****Branch Description/Key Deliverables**

- The objective of the Multiculturalism and Anti-Racism Branch is to champion anti-racism across government, address systemic racism and support communities to respond to public incidents of racism and hate.
- Key deliverables include:
  - Undertake stakeholder consultation to inform the introduction of a new Anti-Racism Act that better serves everyone in BC.
  - Work to reduce systemic discrimination and pave the way for race-based data collection essential to modernizing sectors like policing, health care and education.
  - Engage communities through the Resilience BC Anti-Racism Network and related initiatives.
  - Honour the Japanese-Canadian community by providing lasting recognition of historical wrongs.

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**Program Summary:**

Millions	2019/20	2020/21 *Restated	2021/22 Estimates	2022/23 Plan	2023/24 Plan
<b>Budget</b>	\$1.916 base (+1.140 contingencies)	\$1.916 base (+\$2.900 contingencies)	\$1.916	\$1.916*	\$1.916*
<b>FTEs</b>	8	9	9 confirmed 3 new pending	12 FTEs**	n/a
<b>Key performance Measures</b>	45 (Number of B.C. communities engaged in projects that build intercultural trust and understanding and reduce racism and systemic barriers)	50	50	50	50

Cabinet Confidences; Government Financial Information

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Program Summary

Last updated Date: April 9, 2021

## ANTI-MONEY LAUNDERING SECRETARIAT (AMLS)

### Branch Description/Key Deliverables

- The AMLS is responsible for the implementation of the Provincial AML strategy and all relative work.
- It is also responsible for:
  - the project management, review and implementation of Dr. German's two AML reports provided to government in 2018 and 2019;
  - support to the Ministry of Finance for reporting for the 2019 Maloney report to the Anti-Money Laundering Deputy Ministers Committee (AML DMC);
  - providing coordination of the AML DMC which provides oversight on government actions related to anti-money laundering; and
  - serving as the general government liaison for AML initiatives with other provincial and federal counterparts and related regulators.

### Program Summary:

- The Anti-Money Laundering Secretariat (AMLS) is currently a part of the Crown Agencies Secretariat (CAS) in the Ministry of Finance and managed within CAS's budget.
- The AMLS is led by an Executive Lead and supported by other executive and policy resources within CAS, the Ministry of Public Safety and Solicitor General (PSSG) and the Ministry of Finance.



## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Program Summary

Last updated Date: April 9, 2021

## BC PROSECUTION SERVICE

### Branch Description/Key Deliverables

- The BC Prosecution Service (“the Service”) mandate is defined by statute, the *Crown Counsel Act*. The mandate includes:
  - Approving and conducting regulatory and criminal prosecutions and appeals;
  - Providing criminal law advice to government;
  - Developing policies and procedures on the administration of criminal justice in BC;
  - Liaising with the media on prosecutions and appeals; and
  - Any other functions or responsibilities assigned by the Attorney General.
- The Service is responsible for prosecuting all criminal and regulatory offences that fall within the jurisdiction of the provincial Prosecution Service. This includes all homicide, gang-related, and organized crime.
- Annually, the Service receives approximately 75,000 proposed charges from police and investigative agencies across the province for assessment, approval, and prosecution. The Service does not generally prosecute violation tickets, which (with some exceptions) are generally prosecuted by the issuing enforcement officers.
- At any given time, the Service will typically have conduct of 20,000 to 30,000 active prosecution files before the three levels of court in BC. Another 10,000

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to 15,000 prosecutions may be in abeyance because of outstanding bench warrants and are subject to re-entering the system at any time.

- Conducting a prosecution involves managing the prosecution from charge assessment to conclusion of the prosecution, including sentencing and any ensuing appeals. The process includes:
  - charge assessment
  - addressing bail (if applicable);
  - disclosure to the defence;
  - victim notification;
  - preparation for preliminary inquiries and trials;
  - legal research;
  - marshalling evidence (including witnesses);
  - pre-trial motions;
  - crafting submissions;
  - presenting the case in court and,
  - responding to and conducting any appeals.
- The Branch has 40 staffed offices serving over 80 court locations across BC. Headquarters are in Victoria.
- The current Service Plan focuses on building and maintaining system improvements in case management practices, specifically management of electronic disclosure; advancement of an Indigenous Justice Framework; the full implementation of after-hours Crown-led bail, and the promotion and support for mental health and wellness of our employees.
- Related Legislation:
  - *Crown Counsel Act*
  - *Criminal Code*

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- *Youth Criminal Justice Act*
- *Provincial Offence Act*
- Provincial regulatory statutes, such as the *Motor Vehicle Act*, *Environmental Management Act*, and the *Wildlife Act*

### Program Summary:

	2019/20	2020/21 *Restated	2021/22 Estimates	2022/23 Plan	2023/24 Plan
<b>Budget (\$M)</b>	143.091	146.429	159.595	162.613	162.613
<b>FTEs</b> (Ave FTE BURN)	924	925	926.42	934	934

Note: - 2021/22 FTE figures do not include the additional 15 FTEs approved for the Abbotsford law courts expansion or 7 FTEs required for Crown Led Bail  
 - 2022/23 FTE figures do not include the additional 30 FTEs approved for the Abbotsford law courts expansion 13 FTEs required for Crown Led Bail  
 - 2023/24 FTE figures do not include the additional 30 FTEs approved for the Abbotsford law courts expansion or 13 FTEs required for Crown Led Bail

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Program Summary

Last updated Date: April 1, 2021

### COURT SERVICES BRANCH (CSB)

#### Branch Description/Key Deliverables

- The Court Services Branch is responsible for the delivery of all court administration services in BC.
- In matters of court administration, facilities and registries, the Chief Administrator of Court Services, the Assistant Deputy Minister, receives direction from the Attorney General and, in matters of judicial administration, the Chief Judge of the Provincial Court, Chief Justice of the Supreme Court and the Chief Justice of the BC Court of Appeal provide direction as defined in statute.
- The Branch is divided into three divisions:
  - Headquarters provides corporate oversight and operational support.
  - The Court Administration Division is responsible for case documentation and adjudication support for all matters going before the court, including case initiation and processing, fee collection, file and exhibit management, court clerking, court records and transcripts, interpreter services and the preparation and dissemination of court orders.
  - The Sheriff Service Division is responsible for courtroom and courthouse security, prisoner custody and escort, document service, and jury administration.

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**BC Sheriff Service**

- Currently there are 556 fully-trained sheriffs
- 11 recruits completed Sheriffs Recruitment Training (SRT) on February 24, 2021
- 11 recruits began SRT on March 5, 2021
- 46 recruits graduated in calendar year 2020
- Including 20-03 Sheriff Recruit Training Class 233 will have graduated from SRT since April 2016

**Court Locations:**

- Number of Court Locations: 89
- Supreme only: 1
- Integrated (Supreme & Provincial): 38
- Provincial only: 50
- Provincial with Supreme Filing: 2
- Staffed Locations: 43
- Unstaffed Locations: 46

**Program Summary:**

	2019/20	2020/21 *Restated	2021/22 Estimates	2022/23 Plan	2023/24 Plan
<b>CSB Budget</b>	117.152	120.948	129.131	132.011	132.011
<b>FTEs</b>	1417.38	1421.30	1,475.00	Government Financial Information	

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- The 2021/2022 budget of CSB is \$129.131 M and 1,475 FTEs.
- The branch received a budget lift of \$8.183 M and 52 FTEs compared to the 2020/21 restated budget.
- Budget 2020 provided for \$132 million for improving access to court services, including \$99 million to operate a new 14 room courthouse in Abbotsford and expansions to courthouses in Surrey and Fort St. John, and \$33 million to support additional resources for the Supreme Court, court sheriffs, Public Guardian and Trustee, major cases and crown-led bail hearings.

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Program Summary

Last updated Date: April 9, 2021

## INFORMATION SYSTEMS BRANCH

### Branch Description/Key Deliverables

- The Information Systems Branch (ISB) provides effective and collaborative information management and information technology (IM/IT) advice and services to the justice and public safety sector.
- As a key enabler of the sector's digital transformation, ISB translates client business needs into high value digital solutions that support common capabilities, integrated services, reusable data, and better value for money.
- ISB supports the goals of the justice and public safety sector by:
  - Delivering strategic IM/IT planning, implementation and coordination services;
  - Accelerating IM/IT modernization and transformation while maintaining a stable, standardized and highly available application system environment;
  - Ensuring adherence to current IM/IT standards while monitoring trends and industry advancements;
  - Developing and providing quality assurance, change and risk management procedures;
  - Maturing information security and privacy policies and procedures; and

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- Liaising with government's central agencies and the Office of the Chief Information Officer to facilitate IM/IT services and provide strategic advice to the justice and public safety sector.
- ISB's services include:
  - Strategic IM/IT planning, including service design, and support for portfolio management;
  - IM/IT governance and investment planning;
  - Supporting business clients in identifying and optimizing IM/IT solutions;
  - Strategic privacy, security and enterprise architecture policies and standards;
  - Design and delivery of IM/IT solutions;
  - Ordering hardware and software;
  - Operating and maintaining the sector's portfolio of business applications; and,
  - Providing IM/IT user support services and account access.

### Program Summary:

	2019/20	2020/21* Restated	2021/22 Estimates	2022/23 Plan	2023/24 Plan
<b>Budget</b>	17.108	17.293	19.389	19.816	19.606
<b>FTEs</b>	87.5	85	94	94.5	92

**Ministry of Attorney General and Minister Responsible for Housing****2021/22 Estimates Program Summary**

Last updated Date: April 21, 2021

**JUSTICE SERVICES BRANCH****Branch Description/Key Deliverables**

- Justice Services Branch (JSB) contributes to the vision, goals and objectives of the justice and public safety sector and to the larger goal of meaningful access to justice. The branch's key areas of focus are policy and legislation; Indigenous justice; family justice transformation, programs and services; tribunal transformation; oversight and support for tribunals and independent offices; legal access policy; and justice transformation. The branch is also highly focused on linking these areas to justice recovery and modernization. All this work is supported by a network of administrative and corporate support, strategic communications, and business solutions. Also housed in the branch are the independent offices of the Investigation and Standards Office and the Office of the Superintendent of Professional Governance.
- Justice Services Branch has sole or part responsibility for 125 statutes, the largest legislation program in government, in areas including administrative, civil, criminal, family, human rights, Indigenous, democratic reform, governance, and independent offices.

**Program Summary:**

Justice Services Branch	2019/20	2020/21 *Restated	2021/22 Estimates	2022/23 Plan	2023/24 Plan
<b>Budget</b>	\$129.131 M	\$150.110 M	\$159.644 M	\$162.523 M	\$164.513 M
<b>FTEs</b>	299.5	290.0	320.7	320.7	320.7
<b>Office / Division Breakdown Below</b>					
Assistant Deputy Minister Office (ADMO)	\$2.528 M	\$1.808 M	\$1.819 M	\$1.822 M	\$1.822 M
Family Policy, Legislation and Transformation Division (FPLTD)	\$1.409 M	\$1.423 M	\$1.423 M	\$1.423 M	\$1.423 M
Policy and Legislation Division (PLD)	\$3.557 M	\$3.557 M	\$3.557 M	\$3.557 M	\$3.557 M
Legal Access Policy Division (LAPD)	\$85.257 M	\$103.507 M	\$108.786 M	\$110.306 M	\$112.306 M
Family Justice Services Division (FJSD)	\$12.698 M	\$12.842 M	\$14.687 M	\$14.998 M	\$14.988 M
Indigenous Justice Policy and Legislation Division (IJPLD)	\$0.700 M	\$3.500 M	\$3.000 M	\$3.800 M	\$3.800 M
Tribunals, Transformation, and Independent Offices Division (TTIOD)	\$22.339 M	\$22.901 M	\$25.800 M	\$26.045 M	\$26.045 M
Office of the Superintendent of Professional Governance (OSPG)	\$0.643 M	\$0.572 M	\$0.572 M	\$0.572 M	\$0.572 M

**Caseload Measures:**

<b>Family Justice Services Division (FJSD)</b>	<b>2019/20</b>	<b>2020/21 *Restated</b>	<b>2021/22 Estimates</b>	<b>2022/23 Plan</b>	<b>2023/24 Plan</b>
<b>Budget</b>	\$12.698 M	\$12.842 M	\$14.687 M	\$14.998 M	\$14.988 M
<b>FTEs</b>	165.5	163.5	187.2	187.2	187.2
<b>Brief Services client contacts</b>	12,631	12,305	12,000	12,500	12,500
<b>Child Support Officer Brief Services/ Counselling client contacts</b>	1,671	823	800	1,000	1,000
<b>Brief Counselling client contacts</b>	9,775	7, 531	7,500	8,000	8,000
<b>Dispute Resolution client contacts</b>	10,171	8,815	8,700	9,000	9,200
<b>Child Support Officer Dispute Resolution client contacts</b>	1,188	796	850	1,000	1,000
<b>Clients served by PAS</b>	6,154	4,459 <sup>[1]</sup>	5,700	5,700	5,700
<b>Clients served by 211 Reports</b>	762	568 <sup>[2]</sup>	800	1,000	1,000
<b>Civil Service Client Contacts-brief service/brief counselling</b>	868	689	800	1,000	1,000
<b>JAC Self Help Resource Room Client contacts</b>	5,103 <sup>[3]</sup>	362 <sup>[4]</sup>	1,000	2,000	2,000
<b>TOTAL</b>	<b>48,323</b>	<b>36,348</b>	<b>38,150</b>	<b>41,200</b>	<b>41,400</b>



Legal Aid BC (LABC)		2019/20	2020/21 *Restated	2021/22 Estimates	2022/23 Plan	2023/24 Plan
Service Plan / Estimates		\$86.774 M	\$101.086 M	\$107.503 M	\$107.708 M	\$107.708 M
Budget Management Plan		\$92.999 M	\$106.824 M	TBD	TBD	TBD
FTEs		220.8	206.6	208.4	208.4	208.4
Clients Served	2019/20		2018/19		2017/18	
	Service Requests	Contracts	Service Requests	Contracts	Service Requests	Contracts
Criminal	24,256	20,221	23,926	19,221	24,229	19,179
Family	8,131	4,400	7,951	4,158	7,261	3,276
CFCSA <sup>1</sup>	2,925	2,085 <sup>2</sup>	3,018	2,286	3,095	2,255
Immigration	2,480	1,941	2,029	1,603	1,737	1,327
Administrative Appeals	93	17	94	15	112	24
Total	37,885	28,664	37,018	27,283	36,434	26,061
* All volumes in this table reflect both standard and appeal service requests and contracts.						
<sup>1</sup> LABC provides services to eligible clients facing child protection issues under the CFCSA.						
<sup>2</sup> Includes PLC cases as well as contracts referred to the private bar.						

[1] Breakdown of PAS completions by course type: PAS = 4,264 and PAS for Indigenous Families=195. Includes voluntary and mandatory attendees.

[2] COVID-19 social distancing requirements resulted in s. 211 reports being put on hold until staff were adequately trained to use video conferencing to complete reports by distance, where appropriate.

[3] Changes in SHRR staffing impacted data collection. Stats shown are lower than actual clients served.

[4] In-person SHRRs at the JACs were closed due to COVID-19 pandemic for entirety of 2020/21. Some services still provided by telephone, but other resources that are available in the rooms (including use of government kiosks) reduced client contacts for this type of service.

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## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Program Summary

Last updated Date: April 8, 2021

## LEGAL SERVICES BRANCH

### Branch Description/Key Deliverables

- The mandate of Legal Services Branch (the “Branch”) is to deliver legal services to the Government of British Columbia in accordance with the *Attorney General Act*.
- The Branch provides comprehensive legal and legislative services to government, including alternate dispute resolution services; acting for government in civil suits and tribunal proceedings; drafting all government bills and regulations; and preparing the Revised Statutes of British Columbia.
- The Branch is a centralized government service, consisting of lawyers, paralegals and professional staff. Lawyers in the Branch provide legal and legislative services to the Provincial government.
- The Branch includes the Office of Legislative Counsel and Office of the Assistant Deputy Attorney General (including Director’s Counsel), and was recently reorganized to consist of five legal practice groups (Central Services Group; Litigation Group; Natural Resource, Transportation and Indigenous Legal Group; Justice, Health, and Revenue Group; and the Vancouver Group).

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**Program Summary:**

	2019/20	2020/21 *Restated	2021/22 Estimates	2022/23 Plan	2023/24 Plan
<b>Budget</b>	27,901,000	27,314,000	32,174,000	32,174,000	32,174,000
<b>FTEs</b>	502	502	510	515	515

## Ministry of Attorney General and Minister Responsible for Housing

### 2021/22 Estimates Program Summary

Last updated Date: April, 9, 2021

## CORPORATE MANAGEMENT SERVICES BRANCH

### Branch Description/Key Deliverables

- CMSB serves as the justice and public safety sector's consolidated corporate services resource. Services include finance, strategic human resources, facilities management, business planning, facilitation, process improvement, change management, internal communications and corporate security, strategic planning and project delivery, and safety and risk management supports.
- While the Corporate Management Services Branch (CMSB) supports the Ministries of the Attorney General (AG) and Public Safety and Solicitor General (PSSG), as well as Emergency Management BC (EMBC), the branch is represented organizationally as part of PSSG.
- CMSB acts as the lead strategic link between the various branches and organizations in our sector, government's central agencies (Treasury Board Staff, Office of the Comptroller General), as well as shared service agencies.
- CMSB consists of the following core business areas:
  - **Strategic Human Resources** works in partnership with sector Executive and employees to provide sound, value-added and innovative strategic human resource management, organization development services and interventions.
  - **Finance** provides strategic, ministry-wide direction, consultation and training support regarding Budgets, Forecasting, Accounts Payable, Financial Reporting, Compliance and Procurement.

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- **Strategic Planning, Engagement and Delivery** works at various levels - sector, ministry, and branch – to lead and manage a range of services, including strategic planning and corporate reporting activities
- **Business Planning and Priorities** works collaboratively in the sector with respect to corporate business planning and support, corporate communications, risk and security management, and business continuity planning
- **Facilities Services** manages and maintains government operated buildings for the sector, supporting each individual client program, tailored to their specific requirements ensuring client satisfaction.

#### Program Summary:

- While the branch supports both the Ministry of Attorney General and Ministry of Public Safety and Solicitor General, the branch's financial data is included in the Ministry of Public Safety and Solicitor General's Executive Support Services Operating Budget.

Contact: Tracy Campbell	Tel: 250-387-9180	Mobile: <input type="text"/>	Government Financial Information <input type="text"/>
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## MINISTRY OF ATTORNEY GENERAL

The mission of the Ministry of Attorney General is to administer justice and provide legal advice to government; support inclusive communities that value multiculturalism and anti-racism; and to provide leadership in meeting the housing needs of all British Columbians by establishing building and safety codes, supporting residential tenants, landlords, and homeowners, and enabling a range of market and non-market housing choices.

### MINISTRY SUMMARY

(\$000)

	Estimates 2020/21 <sup>1</sup>	Estimates 2021/22
<b>VOTED APPROPRIATIONS</b>		
Vote 15 — Ministry Operations.....	506,694	554,901
Vote 16 — Judiciary.....	83,572	89,547
Vote 17 — <i>Crown Proceeding Act</i> .....	24,500	24,500
Vote 18 — Independent Investigations Office.....	9,075	9,093
Vote 19 — Housing.....	506,843	576,465
<b>STATUTORY APPROPRIATIONS</b>		
Housing Endowment Fund Special Account.....	12,884	12,884
Public Guardian and Trustee Operating Account Special Account.....	10,355	10,756
Less: Transfer from Ministry Operations Vote.....	(10,355)	(10,756)
<i>Public Inquiry Act</i> .....	10,136	5,111
<b>OPERATING EXPENSES</b>	<u>1,153,704</u>	<u>1,272,501</u>
<b>CAPITAL EXPENDITURES<sup>2</sup></b>	7,033	14,348
<b>LOANS, INVESTMENTS AND OTHER REQUIREMENTS<sup>3</sup></b>	—	—
<b>REVENUE COLLECTED FOR, AND TRANSFERRED TO, OTHER ENTITIES<sup>4</sup></b>	—	—

#### NOTES

<sup>1</sup> For comparative purposes, figures shown for the 2020/21 operating expenses; capital expenditures; loans, investments and other requirements; and revenue collected for, and transferred to, other entities are restated to be consistent with the presentation of the 2021/22 *Estimates*. A reconciliation of restated operating expenses and capital expenditures resulting from transfers between ministries is presented in Schedule A.

<sup>2</sup> A listing of estimated capital expenditures by ministry is presented in Schedule C.

<sup>3</sup> A summary of loans, investments and other requirements by ministry is presented in Schedule D.

<sup>4</sup> A summary of revenue collected for, and transferred to, other entities by ministry is presented in Schedule E.

## MINISTRY OF ATTORNEY GENERAL

## SUMMARY BY CORE BUSINESS

(\$000)

	2020/21	2021/22 ESTIMATES		
OPERATING EXPENSES	Net	Gross	External Recoveries	Net
<b>Core Business</b>				
Justice Services.....	150,110	164,261	(4,617)	159,644
Prosecution Services.....	146,429	159,596	(1)	159,595
Court Services.....	120,948	131,983	(2,852)	129,131
Legal Services.....	27,314	32,474	(300)	32,174
Agencies, Boards, Commissions and Other Tribunals.....	35,679	63,616	(19,752)	43,864
Multiculturalism and Anti-Racism.....	1,916	1,918	(2)	1,916
Executive and Support Services.....	24,298	28,579	(2)	28,577
Judiciary.....	83,572	89,547	—	89,547
<i>Crown Proceeding Act</i> .....	24,500	24,500	—	24,500
Independent Investigations Office.....	9,075	9,095	(2)	9,093
Housing.....	506,843	576,467	(2)	576,465
Housing Endowment Fund Special Account.....	12,884	12,884	—	12,884
Public Guardian and Trustee Operating Account Special Account.....	—	20,545	(20,545)	—
<i>Public Inquiry Act</i> .....	10,136	5,111	—	5,111
<b>TOTAL OPERATING EXPENSES .....</b>	<b>1,153,704</b>	<b>1,320,576</b>	<b>(48,075)</b>	<b>1,272,501</b>
<b>CAPITAL EXPENDITURES</b>	Capital Expenditures	Capital Expenditures	Receipts and P3 Liabilities	Net
<b>Core Business</b>				
Agencies, Boards, Commissions and Other Tribunals.....	10	10	—	10
Executive and Support Services.....	5,740	10,005	—	10,005
Judiciary.....	920	3,970	—	3,970
Public Guardian and Trustee Operating Account Special Account.....	363	363	—	363
<b>TOTAL .....</b>	<b>7,033</b>	<b>14,348</b>	<b>—</b>	<b>14,348</b>

## MINISTRY OF ATTORNEY GENERAL

## VOTE DESCRIPTIONS

(\$000)

Estimates  
2020/21Estimates  
2021/22

## VOTE 15 — MINISTRY OPERATIONS

This vote provides for the programs, operations, and other activities described in the voted appropriations under the following core businesses: Justice Services; Prosecution Services; Court Services; Legal Services; Agencies, Boards, Commissions and Other Tribunals; Multiculturalism and Anti-Racism; and Executive and Support Services.

## JUSTICE SERVICES

## Voted Appropriation

Justice Services.....	150,110	159,644
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**Voted Appropriation Description:** This sub-vote provides for the administration, management, and transformation of justice services throughout the province, including administrative justice reform; Indigenous justice, public, criminal, civil, and family law reform; and broad justice system policy development to support a more accessible, efficient, and effective justice system. This sub-vote also provides for legal aid, human rights, poverty law services, and other publicly-funded legal counsel services; development and management of legislation; access to justice services; support for the federal/provincial/territorial process for discussion of national justice issues and negotiations between the various levels of government; the *Professional Governance Act*; the investigations of matters relating to the administration of the *Correction Act* and court services; services to locate individuals and assets; maintenance enforcement and services associated with inter-jurisdictional support court orders; information and alternative-to-court dispute resolution services for separating and divorcing parents and their children; preparation of Provincial and Supreme Court ordered parenting assessments and views of the child reports in *Family Law Act* matters; parenting after separation programs; developing and promoting non-adversarial dispute resolution options within the justice system and throughout the government; and public legal education and information coordination. Costs may be recovered from ministries, the Legal Services Society, the federal government, and parties external to government for activities described within this sub-vote.

## PROSECUTION SERVICES

## Voted Appropriation

Prosecution Services.....	146,429	159,595
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**Voted Appropriation Description:** This sub-vote provides for the operation of Crown counsel services, including approval and conduct of criminal prosecutions and appeals of offences; advice to government on all criminal law matters; and responsibility for all other matters mandated by the *Crown Counsel Act*. Costs may be recovered from the Victim Surcharge Special Account to enable compliance with the *Victims of Crime Act*. Costs may also be recovered from ministries and the federal government for activities described within this sub-vote.

## COURT SERVICES

## Voted Appropriation

Court Services.....	120,948	129,131
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**Voted Appropriation Description:** This sub-vote provides for court registry operations, court administration, juror support services, prisoner escort, and court security support to the Court of Appeal, Supreme Court, and Provincial Court. Costs may be recovered from ministries for activities described within this sub-vote; from the federal and municipal governments for costs related to ticket enforcement, circuit courts, and other justice-related initiatives; from contracted bailiffs for civil execution services; and from parties or the public for costs associated with activities described within this sub-vote.

## LEGAL SERVICES

## Voted Appropriation

Legal Services.....	27,314	32,174
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**Voted Appropriation Description:** This sub-vote provides for legal and related services, including legal advice; representation in civil litigation; and drafting, preparing, filing, and publishing statutes, regulations, and Orders in Council to the province and various agencies, boards and commissions, and other organizations. This sub-vote also provides for administration of Orders in Council and appeals to the Executive Council. Costs may be recovered from ministries, Crown agencies, boards and commissions, and other organizations for activities described within this sub-vote.



## MINISTRY OF ATTORNEY GENERAL

## VOTE DESCRIPTIONS

(\$000)

	Estimates 2020/21	Estimates 2021/22
<b>AGENCIES, BOARDS, COMMISSIONS AND OTHER TRIBUNALS</b>		
<b>Voted Appropriations</b>		
Agencies, Boards, Commissions and Other Tribunals.....	35,678	43,863
British Columbia Utilities Commission.....	1	1
	<u>35,679</u>	<u>43,864</u>
<p><b>Voted Appropriations Description:</b> This sub-vote provides for the costs of the British Columbia Ferry Commission and partial funding of the Public Guardian and Trustee Operating Account. This sub-vote also provides for the operation, administration, and support services of the following tribunals: British Columbia Civil Resolution Tribunal; British Columbia Human Rights Tribunal; British Columbia Review Board; British Columbia Utilities Commission; Building Code Appeal Board; Community Care and Assisted Living Appeal Board; Employment Standards Tribunal; Environmental Appeal Board; Financial Services Tribunal; Forest Appeals Commission; Health Professions Review Board; Hospital Appeal Board; Industry Training Appeal Board; Labour Relations Board; Mental Health Review Board; Oil and Gas Appeal Tribunal; Property Assessment Appeal Board; Safety Standards Appeal Board; and Surface Rights Board; including budgeting, expenditure management, human resources, information and systems management, performance management, appointments coordination, fees and expenses of appointees, and their governing legislation. Costs may be recovered from ministries, health authorities, regulated entities, Crown agencies, boards, commissions and other tribunals, other levels of government, parties external to government, public bodies, organizations, and individuals for activities described within this sub-vote.</p>		
<b>MULTICULTURALISM AND ANTI-RACISM</b>		
<b>Voted Appropriation</b>		
Multiculturalism and Anti-Racism.....	1,916	1,916
<p><b>Voted Appropriation Description:</b> This sub-vote provides for policy development, research, and the administration and delivery of multiculturalism and anti-racism programs and services. Programs and services include branch operations, support for the Resilience BC Anti-Racism Network, public education, community engagement, and other programming that supports intercultural interaction, racism and hate prevention, addressing systemic barriers, and building community responsiveness. Costs may be recovered from ministries, Crown corporations and agencies, other levels of government, external organizations, licensees, and individuals for activities described within this sub-vote.</p>		
<b>EXECUTIVE AND SUPPORT SERVICES</b>		
<b>Voted Appropriations</b>		
Minister's Office.....	900	1,104
Corporate Services.....	23,398	27,473
	<u>24,298</u>	<u>28,577</u>
<p><b>Voted Appropriations Description:</b> This sub-vote provides for the office of the Attorney General and Minister Responsible for Housing; executive direction of the ministry, including the Deputy Attorney General's office; Associate Deputy Minister's office; general services to support program delivery; policy development; and management services for the ministry and the Ministry of Public Safety and Solicitor General, including information and systems management and service planning. This sub-vote also provides for other initiatives sponsored by the Attorney General and the ministry and for the Parliamentary Secretary for Anti-Racism Initiatives. Costs may be recovered from ministries, Crown agencies, boards and commissions, other levels of government, organizations, and individuals for activities described within this sub-vote.</p>		
<b>VOTE 15 — MINISTRY OPERATIONS</b>	<b>506,694</b>	<b>554,901</b>

## MINISTRY OF ATTORNEY GENERAL

## VOTE DESCRIPTIONS

(\$000)

	Estimates 2020/21	Estimates 2021/22
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## VOTE 16 — JUDICIARY

This vote provides for the programs, operations, and other activities described in the voted appropriations under the following core business: Judiciary.

## JUDICIARY

## Voted Appropriations

Superior Courts.....	20,069	21,078
Provincial Courts.....	63,503	68,469
	<u>83,572</u>	<u>89,547</u>

**Voted Appropriations Description:** This sub-vote provides for administrative and support services for the Court of Appeal and Supreme Court located in the province and provides for the operational budget for the Provincial Court of British Columbia. Costs may be recovered from ministries for activities described within this sub-vote.

<b>VOTE 16 — JUDICIARY</b>	<b>83,572</b>	<b>89,547</b>
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## MINISTRY OF ATTORNEY GENERAL

VOTE DESCRIPTIONS  
((\$000))Estimates  
2020/21Estimates  
2021/22**VOTE 17 — CROWN PROCEEDING ACT**

This vote provides for the programs, operations, and other activities described in the voted appropriation under the following core business: *Crown Proceeding Act*.

**CROWN PROCEEDING ACT****Voted Appropriation**

<i>Crown Proceeding Act</i> .....	24,500	<b>24,500</b>
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**Voted Appropriation Description:** This sub-vote provides for the payments made under the authority of the *Crown Proceeding Act*.

**VOTE 17 — CROWN PROCEEDING ACT**

24,500

**24,500**

## MINISTRY OF ATTORNEY GENERAL

## VOTE DESCRIPTIONS

(\$000)

Estimates  
2020/21Estimates  
2021/22

## VOTE 18 — INDEPENDENT INVESTIGATIONS OFFICE

This vote provides for the programs, operations, and other activities described in the voted appropriation under the following core business: Independent Investigations Office.

## INDEPENDENT INVESTIGATIONS OFFICE

## Voted Appropriation

Independent Investigations Office.....	9,075	9,093
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**Voted Appropriation Description:** This sub-vote provides for the operation of the Independent Investigations Office which operates under the provisions of the *Police Act*. This office conducts investigations into all incidents where the actions or inactions of police may have caused serious injury or death to any person. This includes all on and off duty police who are members of the Royal Canadian Mounted Police in British Columbia, a municipal police force, and on duty special provincial constables. When such investigations result in Crown counsel laying charges under the *Criminal Code* of Canada or any other statute, the Independent Investigations Office supports prosecution of the charges. Costs may be recovered from ministries, Crown agencies, boards and commissions, and other organizations for activities described within this sub-vote.

VOTE 18 — INDEPENDENT INVESTIGATIONS OFFICE

9,075

9,093

## MINISTRY OF ATTORNEY GENERAL

## VOTE DESCRIPTIONS

(\$000)

	Estimates 2020/21	Estimates 2021/22
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## VOTE 19 — HOUSING

This vote provides for the programs, operations, and other activities described in the voted appropriations under the following core business: Housing.

## HOUSING

## Voted Appropriations

Housing.....	491,580	561,507
Building and Safety Policy.....	2,378	2,440
Residential Tenancy.....	11,900	11,533
Office of Homelessness Coordination.....	985	985
	<u>506,843</u>	<u>576,465</u>

**Voted Appropriations Description:** This sub-vote provides for housing and homelessness policy development and program delivery; building and safety technical analysis and policy development and advice respecting the regulatory framework for the built environment; and residential tenancy branch operations, including facilitating the resolution of landlord and tenant disputes. This sub-vote also provides for the administration of the *Homeowner Protection Act*, the *Safety Standards Act*, the *Safety Authority Act*, the *Residential Tenancy Act*, the *Manufactured Home Park Tenancy Act*, the *Assistance to Shelter Act*, the *Ministry of Lands, Parks and Housing Act*, the *Strata Property Act*, the *Building Officials' Association Act*, the *Commercial Tenancy Act*, the *Rent Distress Act*, the British Columbia Fire Code under the *Fire Services Act*, and the *Building Act* and concurrent authority for buildings and other structures under the *Community Charter*. Transfers are provided to British Columbia Housing Management Commission to develop, repair, operate, subsidize, and maintain safe, comprehensive, and affordable housing and shelter options, and to deliver services to those in need. Transfers are also made to ministries, organizations, agencies, and individuals for services described within this sub-vote. Costs may be recovered from ministries, Crown agencies, other levels of government, and parties external to government for activities described within this sub-vote.

<b>VOTE 19 — HOUSING</b>	<b>506,843</b>	<b>576,465</b>
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## MINISTRY OF ATTORNEY GENERAL

## STATUTORY DESCRIPTIONS

(\$000)

Estimates  
2020/21Estimates  
2021/22

## STATUTORY APPROPRIATIONS

These statutory appropriations provide for the programs, operations, and other activities of the following special accounts: Housing Endowment Fund and Public Guardian and Trustee Operating Account; and the *Public Inquiry Act*.

## HOUSING ENDOWMENT FUND

## Statutory Appropriation

Housing Endowment Fund special account.....	12,884	<u>12,884</u>
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**Statutory Appropriation Description:** This statutory appropriation provides for the Housing Endowment Fund special account which is governed under the *Special Accounts Appropriation and Control Act*.

## PUBLIC GUARDIAN AND TRUSTEE OPERATING ACCOUNT

## Statutory Appropriation

Public Guardian and Trustee Operating Account.....	10,355	10,756
Less: Transfer from Ministry Operations Vote.....	<u>(10,355)</u>	<u>(10,756)</u>
	—	—

**Statutory Appropriation Description:** This statutory appropriation provides for the Public Guardian and Trustee Operating Account which is governed under the *Public Guardian and Trustee Act*.

## PUBLIC INQUIRY ACT

## Statutory Appropriation

<i>Public Inquiry Act</i> .....	10,136	<u>5,111</u>
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**Statutory Appropriation Description:** This statutory appropriation provides for the Commission of Inquiry into Money Laundering in British Columbia established under the *Public Inquiry Act*.

## MINISTRY GROUP ACCOUNT CLASSIFICATION SUMMARY

## GROUP ACCOUNT CLASSIFICATION

Salaries and Benefits .....	487,527	533,072
Operating Costs .....	148,494	150,087
Government Transfers .....	629,749	706,575
Other Expenses .....	28,251	28,181
Internal Recoveries .....	(97,396)	(97,339)
External Recoveries .....	<u>(42,921)</u>	<u>(48,075)</u>
<b>TOTAL OPERATING EXPENSES.....</b>	<u>1,153,704</u>	<u>1,272,501</u>

## MINISTRY OF ATTORNEY GENERAL

SPECIAL ACCOUNTS<sup>1</sup>

(\$000)

	Estimates 2020/21	Estimates 2021/22
<b>HOUSING ENDOWMENT FUND SPECIAL ACCOUNT</b>		
This account was established as a special account under the <i>Special Accounts Appropriation and Control Act</i> in 2007. The account exists for purposes relating to innovation in affordable, social, or supportive housing and in housing development and management. The account operates as an endowment fund with a restricted balance of \$250 million which is not permitted to be spent. Net earnings of the account are credited to the account as revenue. Expenses of the account consist of grants in support of authorized housing initiatives.		
<b>SPENDING AUTHORITY AVAILABLE AT THE BEGINNING OF THE FISCAL YEAR <sup>2</sup> .....</b>	<b>94,484</b>	<b>94,484</b>
OPERATING TRANSACTIONS		
Revenue.....	12,884	12,884
Expense.....	(12,884)	(12,884)
Net Revenue (Expense).....	—	—
FINANCING TRANSACTIONS		
Receipts.....	—	—
Disbursements.....	—	—
Capital Expenditures.....	—	—
Net Cash Source (Requirement).....	—	—
<b>PROJECTED SPENDING AUTHORITY AVAILABLE AT THE END OF THE FISCAL YEAR <sup>2</sup> .....</b>	<b>94,484</b>	<b>94,484</b>

## NOTES

<sup>1</sup> A Special Account is an account in the General Fund where the authorization to spend money from the account is located in an Act other than the *Supply Act*.

<sup>2</sup> The Spending Authority Available at the Beginning of the Fiscal Year 2020/21 is based on the 2019/20 *Public Accounts*. The Projected Spending Authority Available at the End of the Fiscal Year represents the cash and temporary investments projected to be available at the end of each fiscal year.

## MINISTRY OF ATTORNEY GENERAL

SPECIAL ACCOUNTS<sup>1</sup>

(\$000)

	Estimates 2020/21	Estimates 2021/22
<b>PUBLIC GUARDIAN AND TRUSTEE OPERATING ACCOUNT</b>		
This account was established as a special account by the <i>Public Trustee Amendment Act</i> in 1989 and is governed by section 24 of the <i>Public Guardian and Trustee Act</i> . The account's revenue sources are transfers from the Ministry Operations Vote. Approved expenses provide for services to clients and for the administration of the Public Guardian and Trustee. Costs may be recovered from clients and parties external to government and from fees, commissions, and charges earned.		
<b>SPENDING AUTHORITY AVAILABLE AT THE BEGINNING OF THE FISCAL YEAR <sup>2</sup>.....</b>	<b>21,378</b>	<b>21,898</b>
OPERATING TRANSACTIONS		
Revenue.....	—	—
Expense.....	(30,603)	(31,302)
Internal and External Recoveries.....	20,248	20,546
Transfer from Ministry Operations Vote.....	10,355	10,756
Net Revenue (Expense).....	—	—
FINANCING TRANSACTIONS		
Receipts.....	—	—
Disbursements.....	—	—
Capital Expenditures.....	(363)	(363)
Net Cash Source (Requirement).....	(363)	(363)
Working Capital Adjustments and Other Spending Authority Committed <sup>3</sup> .....	883	883
<b>PROJECTED SPENDING AUTHORITY AVAILABLE AT THE END OF THE FISCAL YEAR <sup>2</sup>.....</b>	<b>21,898</b>	<b>22,418</b>

## NOTES

<sup>1</sup> A Special Account is an account in the General Fund where the authorization to spend money from the account is located in an Act other than the *Supply Act*.

<sup>2</sup> The Spending Authority Available at the Beginning of the Fiscal Year 2020/21 is based on the 2019/20 *Public Accounts*. The Projected Spending Authority Available at the End of the Fiscal Year represents the cash and temporary investments projected to be available at the end of each fiscal year.

<sup>3</sup> The Working Capital Adjustments and Other Spending Authority Committed includes those adjustments that would change the cash balance of the Special Account. This may include amortization expense, changes in accounts receivable and payable, and the recognition of deferred revenues.



# MINISTRY OF ATTORNEY GENERAL

## (\$000)

### VOTE 15 Ministry Operations

Description	Total 2020/21 Operating Expenses	50	51	52	54	Total Salaries and Benefits	55	57	59	60	63	65	67	68	69
<b>Justice Services</b>	<b>150,110</b>	<b>22,407</b>	<b>—</b>	<b>5,691</b>	<b>—</b>	<b>28,098</b>	<b>—</b>	<b>285</b>	<b>58</b>	<b>795</b>	<b>317</b>	<b>310</b>	<b>30</b>	<b>—</b>	<b>—</b>
<b>Prosecution Services</b>	<b>146,429</b>	<b>118,018</b>	<b>548</b>	<b>29,976</b>	<b>—</b>	<b>148,542</b>	<b>1,909</b>	<b>1,337</b>	<b>120</b>	<b>4,422</b>	<b>322</b>	<b>2,561</b>	<b>—</b>	<b>—</b>	<b>413</b>
<b>Court Services</b>	<b>120,948</b>	<b>89,173</b>	<b>973</b>	<b>22,844</b>	<b>—</b>	<b>112,990</b>	<b>2,001</b>	<b>1,672</b>	<b>55</b>	<b>2,406</b>	<b>2,993</b>	<b>3,244</b>	<b>—</b>	<b>—</b>	<b>1,547</b>
<b>Legal Services</b>	<b>27,314</b>	<b>51,070</b>	<b>485</b>	<b>13,022</b>	<b>—</b>	<b>64,577</b>	<b>20</b>	<b>856</b>	<b>—</b>	<b>53,679</b>	<b>5</b>	<b>2,091</b>	<b>—</b>	<b>127</b>	<b>—</b>
<b>Agencies, Boards, Commissions and Other Tribunals</b>	<b>35,679</b>	<b>29,842</b>	<b>337</b>	<b>8,573</b>	<b>—</b>	<b>38,752</b>	<b>5,350</b>	<b>629</b>	<b>—</b>	<b>2,744</b>	<b>2,480</b>	<b>1,178</b>	<b>37</b>	<b>51</b>	<b>10</b>
Agencies, Boards, Commissions and Other Tribunals	35,678	21,817	93	5,574	—	27,484	4,712	312	—	1,157	922	709	30	22	5
British Columbia Utilities Commission	1	8,025	244	2,999	—	11,268	638	317	—	1,587	1,558	469	7	29	5
<b>Multiculturalism and Anti-Racism</b>	<b>1,916</b>	<b>710</b>	<b>—</b>	<b>181</b>	<b>—</b>	<b>891</b>	<b>35</b>	<b>10</b>	<b>2</b>	<b>55</b>	<b>15</b>	<b>69</b>	<b>—</b>	<b>—</b>	<b>—</b>
<b>Executive and Support Services</b>	<b>24,298</b>	<b>11,125</b>	<b>22</b>	<b>2,854</b>	<b>72</b>	<b>14,073</b>	<b>—</b>	<b>165</b>	<b>60</b>	<b>31</b>	<b>10,428</b>	<b>245</b>	<b>—</b>	<b>12</b>	<b>3</b>
Minister's Office	900	728	—	214	72	1,014	—	60	—	—	10	17	—	—	3
Corporate Services	23,398	10,397	22	2,640	—	13,059	—	105	60	31	10,418	228	—	12	—
<b>Total</b>	<b>506,694</b>	<b>322,345</b>	<b>2,365</b>	<b>83,141</b>	<b>72</b>	<b>407,923</b>	<b>9,315</b>	<b>4,954</b>	<b>295</b>	<b>64,132</b>	<b>16,560</b>	<b>9,698</b>	<b>67</b>	<b>190</b>	<b>1,973</b>

### VOTE 16 Judiciary

Description	Total 2020/21 Operating Expenses	50	51	52	54	Total Salaries and Benefits	55	57	59	60	63	65	67	68	69
<b>Judiciary</b>	<b>83,572</b>	<b>61,930</b>	<b>130</b>	<b>15,731</b>	<b>—</b>	<b>77,791</b>	<b>2,616</b>	<b>2,071</b>	<b>19</b>	<b>516</b>	<b>2,796</b>	<b>2,214</b>	<b>—</b>	<b>—</b>	<b>129</b>
Superior Courts	20,069	13,850	80	3,518	—	17,448	1	189	—	6	1,919	799	—	—	26
Provincial Courts	63,503	48,080	50	12,213	—	60,343	2,615	1,882	19	266	877	1,415	—	—	103
<b>Total</b>	<b>83,572</b>	<b>61,930</b>	<b>130</b>	<b>15,731</b>	<b>—</b>	<b>77,791</b>	<b>2,616</b>	<b>2,071</b>	<b>19</b>	<b>516</b>	<b>2,796</b>	<b>2,214</b>	<b>—</b>	<b>—</b>	<b>129</b>

### VOTE 17 Crown Proceeding Act

Description	Total 2020/21 Operating Expenses	50	51	52	54	Total Salaries and Benefits	55	57	59	60	63	65	67	68	69
<b>Crown Proceeding Act</b>	<b>24,500</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>
<b>Total</b>	<b>24,500</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>

70	72	73	75	Total Operating Costs	77	79	80	Total Govt Transfers	81	83	85	Total Other Expenses	86	88	Total Internal Recoveries	89	90	Total External Recoveries	Total 2021/22 Operating Expenses
64	—	463	61	2,383	516	—	133,155	133,671	—	—	110	110	—	(1)	(1)	(10)	(4,607)	(4,617)	159,644
88	—	100	300	11,572	—	—	—	—	—	—	1,171	1,171	(1,688)	(1)	(1,689)	—	(1)	(1)	159,595
1,600	—	2,006	611	18,135	—	—	—	—	—	—	859	859	—	(1)	(1)	—	(2,852)	(2,852)	129,131
—	—	93	—	56,871	—	—	—	—	—	—	405	405	—	(89,379)	(89,379)	(290)	(10)	(300)	32,174
—	—	119	1,435	14,033	21	—	—	21	10,756	—	56	10,812	—	(2)	(2)	(1,278)	(18,474)	(19,752)	43,864
—	—	118	21	8,008	—	—	—	—	10,756	—	38	10,794	—	(2)	(2)	(1,278)	(1,143)	(2,421)	43,863
—	—	1	1,414	6,025	21	—	—	21	—	—	18	18	—	—	—	—	(17,331)	(17,331)	1
—	—	—	—	186	300	—	540	840	—	—	2	2	—	(1)	(1)	(1)	(1)	(2)	1,916
—	—	9,178	195	20,317	—	—	—	—	—	—	450	450	—	(6,261)	(6,261)	(1)	(1)	(2)	28,577
—	—	—	—	90	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1,104
—	—	9,178	195	20,227	—	—	—	—	—	—	450	450	—	(6,261)	(6,261)	(1)	(1)	(2)	27,473
1,752	—	11,959	2,602	123,497	837	—	133,695	134,532	10,756	—	3,053	13,809	(1,688)	(95,646)	(97,334)	(1,580)	(25,946)	(27,526)	554,901

70	72	73	75	Total Operating Costs	77	79	80	Total Govt Transfers	81	83	85	Total Other Expenses	86	88	Total Internal Recoveries	89	90	Total External Recoveries	Total 2021/22 Operating Expenses
64	—	1,003	275	11,703	—	—	12	12	—	—	43	43	—	(2)	(2)	—	—	—	89,547
4	—	400	—	3,588	—	—	—	—	—	—	43	43	—	(1)	(1)	—	—	—	21,078
60	—	603	275	8,115	—	—	12	12	—	—	—	—	—	(1)	(1)	—	—	—	68,469
64	—	1,003	275	11,703	—	—	12	12	—	—	43	43	—	(2)	(2)	—	—	—	89,547

70	72	73	75	Total Operating Costs	77	79	80	Total Govt Transfers	81	83	85	Total Other Expenses	86	88	Total Internal Recoveries	89	90	Total External Recoveries	Total 2021/22 Operating Expenses
—	—	—	—	—	—	—	—	—	—	—	24,500	24,500	—	—	—	—	—	—	24,500
—	—	—	—	—	—	—	—	—	—	—	24,500	24,500	—	—	—	—	—	—	24,500

# MINISTRY OF ATTORNEY GENERAL

## (\$000)

### VOTE 18 Independent Investigations Office

Description	Total 2020/21 Operating Expenses	50	51	52	54	Total Salaries and Benefits	55	57	59	60	63	65	67	68	69
Independent Investigations Office	9,075	5,545	—	1,595	—	7,140	—	154	48	284	816	317	—	—	20
<b>Total</b>	<b>9,075</b>	<b>5,545</b>	<b>—</b>	<b>1,595</b>	<b>—</b>	<b>7,140</b>	<b>—</b>	<b>154</b>	<b>48</b>	<b>284</b>	<b>816</b>	<b>317</b>	<b>—</b>	<b>—</b>	<b>20</b>

### VOTE 19 Housing

Description	Total 2020/21 Operating Expenses	50	51	52	54	Total Salaries and Benefits	55	57	59	60	63	65	67	68	69
<b>Housing</b>	<b>506,843</b>	<b>11,728</b>	<b>25</b>	<b>2,979</b>	<b>—</b>	<b>14,732</b>	<b>—</b>	<b>213</b>	<b>194</b>	<b>429</b>	<b>1,119</b>	<b>336</b>	<b>—</b>	<b>—</b>	<b>—</b>
Housing	491,580	1,608	1	408	—	2,017	—	30	42	100	9	62	—	—	—
Building and Safety Policy	2,378	1,688	1	429	—	2,118	—	103	30	90	6	78	—	—	—
Residential Tenancy	11,900	7,814	23	1,985	—	9,822	—	60	62	239	1,099	176	—	—	—
Office of Homelessness Coordination	985	618	—	157	—	775	—	20	60	—	5	20	—	—	—
<b>Total</b>	<b>506,843</b>	<b>11,728</b>	<b>25</b>	<b>2,979</b>	<b>—</b>	<b>14,732</b>	<b>—</b>	<b>213</b>	<b>194</b>	<b>429</b>	<b>1,119</b>	<b>336</b>	<b>—</b>	<b>—</b>	<b>—</b>

### Statutory Appropriations

Description	Total 2020/21 Operating Expenses	50	51	52	54	Total Salaries and Benefits	55	57	59	60	63	65	67	68	69
Housing Endowment Fund special account	12,884	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Public Guardian and Trustee Operating Account	10,355	20,040	185	5,092	—	25,317	—	180	—	1,904	1,573	854	—	26	4
<i>Public Inquiry Act</i>	10,136	135	—	34	—	169	—	7	740	3,390	85	329	5	—	—
<b>Total</b>	<b>33,375</b>	<b>20,175</b>	<b>185</b>	<b>5,126</b>	<b>—</b>	<b>25,486</b>	<b>—</b>	<b>187</b>	<b>740</b>	<b>5,294</b>	<b>1,658</b>	<b>1,183</b>	<b>5</b>	<b>26</b>	<b>4</b>

70	72	73	75	Total Operating Costs	77	79	80	Total Govt Transfers	81	83	85	Total Other Expenses	86	88	Total Internal Recoveries	89	90	Total External Recoveries	Total 2021/22 Operating Expenses
96	—	158	43	1,936	—	—	—	—	—	—	20	20	—	(1)	(1)	(1)	(1)	(2)	9,093
96	—	158	43	1,936	—	—	—	—	—	—	20	20	—	(1)	(1)	(1)	(1)	(2)	9,093

70	72	73	75	Total Operating Costs	77	79	80	Total Govt Transfers	81	83	85	Total Other Expenses	86	88	Total Internal Recoveries	89	90	Total External Recoveries	Total 2021/22 Operating Expenses
65	—	—	53	2,409	—	—	559,147	559,147	—	—	180	180	—	(1)	(1)	(1)	(1)	(2)	576,465
—	—	—	—	243	—	—	559,147	559,147	—	—	103	103	—	(1)	(1)	(1)	(1)	(2)	561,507
—	—	—	13	320	—	—	—	—	—	—	2	2	—	—	—	—	—	—	2,440
—	—	—	—	1,636	—	—	—	—	—	—	75	75	—	—	—	—	—	—	11,533
65	—	—	40	210	—	—	—	—	—	—	—	—	—	—	—	—	—	—	985
65	—	—	53	2,409	—	—	559,147	559,147	—	—	180	180	—	(1)	(1)	(1)	(1)	(2)	576,465

70	72	73	75	Total Operating Costs	77	79	80	Total Govt Transfers	81	83	85	Total Other Expenses	86	88	Total Internal Recoveries	89	90	Total External Recoveries	Total 2021/22 Operating Expenses
—	—	—	—	—	—	—	12,884	12,884	—	—	—	—	—	—	—	—	—	—	12,884
—	—	883	176	5,600	—	—	—	—	—	—	385	385	—	(1)	(1)	—	(20,545)	(20,545)	10,756
—	—	83	303	4,942	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5,111
—	—	966	479	10,542	—	—	12,884	12,884	—	—	385	385	—	(1)	(1)	—	(20,545)	(20,545)	28,751

**Ministry of Attorney General  
Capital Budget**

(\$ millions)	Restated Budget 2020/21	Estimates 2021/22	Explanation of Changes
<b>Central Support Services - Justice</b>			
Specialized Equipment	5.411	5.918	Increased budget for Vehicles-Heavy Equipment based on assessed need.
Office Furniture and Equipment	0.024	0.024	
Vehicles	0.030	3.788	Increase in vehicle replacement based on assessed need.
Information Systems	0.275	0.275	
<b>Subtotal</b>	<b>5.740</b>	<b>10.005</b>	
<b>Agencies, Boards, Commissions and Other Tribunals (BCUC)</b>			
Information Systems	0.010	0.010	
<b>Judiciary</b>			
Information Systems	0.890	3.940	Increased capital budget for Courts Modernization.
Office Furniture and Equipment	0.030	0.030	
<b>Subtotal</b>	<b>0.920</b>	<b>3.970</b>	
<b>Public Guardian and Trustee</b>			
Information Systems	0.363	0.363	
<b>Total</b>	<b>7.033</b>	<b>14.348</b>	

Ministry	Branch	Jan 2021		June 2020		Jan 2019		Jan 2018		June 2017		June 2016		June 2015		June 2014		June 2013	
		Headcount	FTE Burn	Headcount	FTE Burn	Headcount	FTE Burn	Headcount	FTE Burn	Headcount	FTE Burn	Headcount	FTE Burn	Headcount	FTE Burn	Headcount	FTE Burn	Headcount	FTE Burn
Ministry of Attorney General	Justice Services	328.00	275.45	314.00	287.53	293.50	259.20	250.00	212.52	263.00	229.00	242.00	209.60	235.00	201.70	233.00	199.70	228.00	200.70
	Prosecution Services	1,010.00	921.28	1,000.00	954.59	974.50	929.65	923.50	881.49	916.00	865.60	896.00	845.60	886.00	838.00	866.00	818.30	908.00	865.80
	Court Services Branch	1,537.00	1,412.04	1,529.00	1,429.55	1,447.00	1,336.56	1,342.00	1,227.88	1,357.00	1,223.00	1,307.00	1,195.50	1,326.00	1,238.20	1,347.00	1,247.50	1,341.00	1,241.60
	Legal Services Branch	604.00	546.67	587.00	571.84	542.50	530.69	506.00	492.89	492.00	478.10	472.00	459.30	452.00	438.90	460.00	448.20	442.00	429.40
	Agencies Boards & Commissions	300.00	278.24	288.00	278.87	232.50	222.09	190.50	180.05	152.00	143.20	31.00	30.80	32.00	32.00	32.00	32.00	36.00	35.20
	15C50 Multiculturalism and Anti-Racism	10.00	2.45																
	Executive Support Service	8.00	6.57	19.00	19.00	14.00	14.00	8.50	8.50	5.00	5.00	6.00	6.00	8.00	8.00	9.00	9.00	25.00	25.00
	Minister's Office	8.00	5.95	8.00	7.71	8.00	7.71	8.00	8.00	6.00	6.00	6.00	6.00	7.00	7.00	6.00	6.00	6.00	6.00
	Information Systems Branch	89.00	86.67	85.00	85.00	77.00	77.00	74.00	74.00	79.00	78.50	77.00	76.50	77.00	76.40	81.00	79.40	81.00	79.40
	Judiciary	451.00	401.75	439.00	400.20	451.50	405.38	443.00	394.00	424.00	379.20	431.00	385.60	412.00	370.10	411.00	366.80	417.00	370.40
	Independent Investigations Office	66.00	60.47	61.00	58.22	64.50	61.66	61.00	61.00	52.00	52.00	50.00	49.90	47.00	47.00	45.00	44.10	50.00	49.00
	Housing	170.00	167.04																
	Public Guardian & Trustee	324.00	293.10	311.00	305.80	280.50	273.45	288.50	282.35	283.00	277.00	277.00	273.10	276.00	270.90	267.00	257.80	267.00	254.10
Ministry of Attorney General Total		4,905.00	4,457.68	4,641.00	4,398.30	4,385.50	4,117.40	4,095.00	3,822.68	4,029.00	3,736.60	3,795.00	3,537.90	3,758.00	3,528.20	3,757.00	3,508.80	3,801.00	3,556.60

Headcount:

FTE Burn:

The actual number of existing staff, regardless of hours worked  
Based on standard hours worked (Reg+OT), averaged over the Month pay periods

Core Business Area	2020/21 Restated Estimates <sup>1</sup>	2021/22 Estimates	2022/23 Plan	2023/24 Plan
<b>Operating Expenses (\$000)</b>				
Justice Services	150.110	159.644	162.523	164.513
Prosecution Services	146.429	159.595	162.613	162.613
Court Services	120.948	129.131	132.011	132.011
Legal Services	27.314	32.174	32.174	32.174
Executive and Support Services	24.298	28.577	29.078	28.902
Agencies, Boards, Commissions and other Tribunals	35.679	43.864	43.871	43.871
Multiculturalism	1.916	1.916	1.916	1.916
Judiciary	83.572	89.547	91.891	91.740
<i>Crown Proceeding Act</i>	24.500	24.500	24.500	24.500
Independent Investigations Office	9.075	9.093	9.093	9.093
Housing Vote	506.843	576.465	608.053	633.212
Housing Endowment Fund Special Account	12.884	12.884	12.884	12.884
Public Guardian and Trustee Operating Account	0.000	0.000	0.000	0.000
<i>Public Inquiry Act</i>	10.136	5.111		
<b>Total</b>	<b>1,153.704</b>	<b>1,272.501</b>	<b>1,310.607</b>	<b>1,337.429</b>
<b>Ministry Capital Expenditures (Consolidated Revenue Fund) (\$000)</b>				
Agencies, Boards, Commissions and other Tribunals	0.010	0.010	0.010	0.010
Executive and Support Services	5.740	10.005	6.846	6.496
Judiciary	0.920	3.970	2.460	0.770
Public Guardian and Trustee Operating Account	0.363	0.363	0.363	0.363
<b>Total</b>	<b>7.033</b>	<b>14.348</b>	<b>9.679</b>	<b>7.639</b>
<b>Capital Plan (\$000)</b>				
By Core Business (and Purpose)	0,000	0,000	0,000	0,000
<b>Total</b>	<b>0,000</b>	<b>0,000</b>	<b>0,000</b>	<b>0,000</b>
<b>Other Financing Transactions (\$000)</b>				
By Core Business (and Purpose)	0,000	0,000	0,000	0,000

Receipts	(0,000)	(0,000)	(0,000)	(0,000)
Disbursements	0,000	0,000	0,000	0,000
Net Cash Requirements (Source)	0,000	0,000	0,000	0,000
<b>Total Receipts</b>	<b>(0,000)</b>	<b>(0,000)</b>	<b>(0,000)</b>	<b>(0,000)</b>
<b>Total Disbursements</b>	<b>0,000</b>	<b>0,000</b>	<b>0,000</b>	<b>0,000</b>
<b>Total Net Cash Requirements (Source)</b>	<b>0,000</b>	<b>0,000</b>	<b>0,000</b>	<b>0,000</b>

<sup>1</sup> For comparative purposes, amounts shown for 2020/21 have been restated to be consistent with the presentation of the 2021/22 Estimates.

\* Further information on program funding and vote recoveries is available in the

## Capital Expenditures

Major Capital Projects (over \$50 million)	Targeted Year of Completion	Project Cost to Dec 31, 2020 (\$m)	Estimated Cost to Complete (\$m)	Approved Anticipated Total Cost (\$m)
Stanley New Fountain Hotel	2022	25	44	69
Through the Affordable Rental Housing (ARH) program, this five-storey, 142-unit mixed-use building, located at 23-51 W. Cordova Street in Vancouver, is developed under a three-party agreement between the Provincial Rental Housing Corporation, Westbank Corp. and non-profit organization, PHS Community Services Society. This innovative partnership will replace old, poorly functioning buildings with new social and market rental housing in Vancouver's Downtown Eastside. The ARH program establishes housing for people who have a low-to-moderate income but may not be eligible for subsidized housing, providing access to rents equal to, or lower than, average rates in the private-market.				
6585 Sussex Avenue Housing Development	2021	30	45	75
Located in the Metrotown neighbourhood of Burnaby, this 14-storey, 125-unit Affordable Rental Housing (ARH) development provides housing for low to moderate income households who may not be eligible for subsidized housing. The ARH program provides access to rents equal to, or lower than, average rates in the private-market. A total of 25 units will be accessible and adaptable for people with disabilities. The project is being developed by 6511 Sussex Heights Developments Ltd. (Thind Properties) in partnership with the operator and non-profit organization, The New Vista Society.				
Clark & 1st Avenue Housing Development	2024	4	105	109
This 10-storey, 97-unit, mixed-use, Affordable Rental Housing (ARH) building is being developed by BC Housing Management Commission, in partnership with Vancouver Coastal Health and the City of Vancouver. It will serve low-to moderate-income households, and include a social enterprise space for local residents, focusing on Indigenous healing and wellness through employment and alignment with culturally informed treatment. The ARH program establishes housing for people who may not be eligible for subsidized housing but fall within the low-to-moderate income threshold, providing access to rents equal to, or lower than, average rates in the private-market. The building will be operated by S.U.C.C.E.S.S. Affordable Housing Society. Vancouver Coastal Health will also operate a Withdrawal Management Centre and 20 short-term transitional housing units, with The City of Vancouver operating a Commercial Retail Unit focusing on Indigenous healing and wellness through employment.				

<sup>1</sup> [Footnote placeholder if necessary]



# Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

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# Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

## 1. Three Year Service Plan Comparison

(\$ millions)	2020/21*	2021/22	2022/23	2022/23
<b>2020/21 Service Plan *</b>	\$1,153.704	\$1,203.933	\$1,243.349	\$1,243.349
<b>2021/22 Service Plan</b>	\$1,153.704	\$1,272.501	\$1,310.607	\$1,337.429
<b>Plan over Plan change (\$)</b> (page 3 for breakdown)		\$68.568	\$67.258	\$94.080
<b>Plan over Plan change (%)</b>		5.70%	5.41%	7.57%
<b>Year over Year change (\$)</b> (page 4 for breakdown)		\$118.797	\$38.106	\$26.822
<b>Year over Year change (%)</b>		10.30%	2.99%	2.05%

\*2020/21-year restated post government re-organization

# Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

Plan over Plan Change	2021/22	2022/23	2023/24
<b><u>Budget 2021 Decisions</u></b>			
ABC Tribunals -Labour Relations Board & BC Health Tribunal	2.930	2.930	2.930
Cannabis Operations	0.800	0.800	0.800
Civil Resolution Tribunal ACT & ECC	4.960	4.960	4.960
JSB - BCFMA	1.663	1.663	1.663
Office of Legislative Counsel	1.246	1.246	1.246
Parent Legal Centres	1.800	1.800	1.800
PIA - Cullen Commission	4.122	0.000	0.000
Public Guardian and Trustee-	0.248	0.248	0.248
Court Modernization	5.496	5.271	4.910
Family Dispute Resolution	2.016	1.886	1.876
SSNM Allocations AG and Housing	25.839	28.673	28.673
Building BC	1.412	1.440	26.317
Non-CSSEA Recruitment and Retention	3.224	3.224	3.224
Minister's Office	0.201	0.218	0.237
Major Cases	3.003	3.003	3.003
Decampment Costs -Summer 2020	9.608	9.896	10.193
Legal Clinics			2.000
<b>Total Plan over Plan Change</b>	<b>68.568</b>	<b>67.258</b>	<b>94.080</b>

# Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

Year over Year Change	2021/22	2022/23	2023/24
<b><u>Budget 2021 Decisions</u></b>			
ABC Tribunals -Labour Relations etc.	2.930		
Cannabis Operations	0.800		
Civil Resolution Tribunal ACT & ECC	4.960		
JSB - BCFMA	1.663		
Office of Legislative Counsel	1.246		
Parent Legal Centres	1.800		
PIA - Cullen Commission	4.122	(4.122)	0.000
Public Guardian and Trustee-	0.248		
Court Modernization	5.496	(0.225)	(0.361)
Family Dispute Resolution	2.016	(0.130)	(0.010)
SSNM Allocations AG and Housing	25.839	2.834	
Building BC	1.412	0.028	24.877
CSSRR Allocation -Non-CSSEA Recruitment and Retention	3.224		
Minister's Office	0.201	0.017	0.019
Major Cases	3.003		
Decampment Costs -Summer 2020 Decampment	9.608	0.288	0.297
Operating and Support Costs			
Legal Clinics			2.000
<b>Sub Total</b>	<b>68.568</b>	<b>(1.310)</b>	<b>26.822</b>
<b>Prior Years Decisions AG &amp; Housing:</b>	<b>50.229</b>	<b>39.416</b>	<b>0.000</b>
<i>Prior years decisions related to Housing vote</i>	<i>47.858</i>	<i>31.287</i>	<i>0.000</i>
<i>Prior years decisions related to AG</i>	<i>2.371</i>	<i>8.129</i>	<i>0.000</i>
<b>Total Year over Year Plan Change</b>	<b>118.797</b>	<b>38.106</b>	<b>26.822</b>

## Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

### 2. Capital Budget

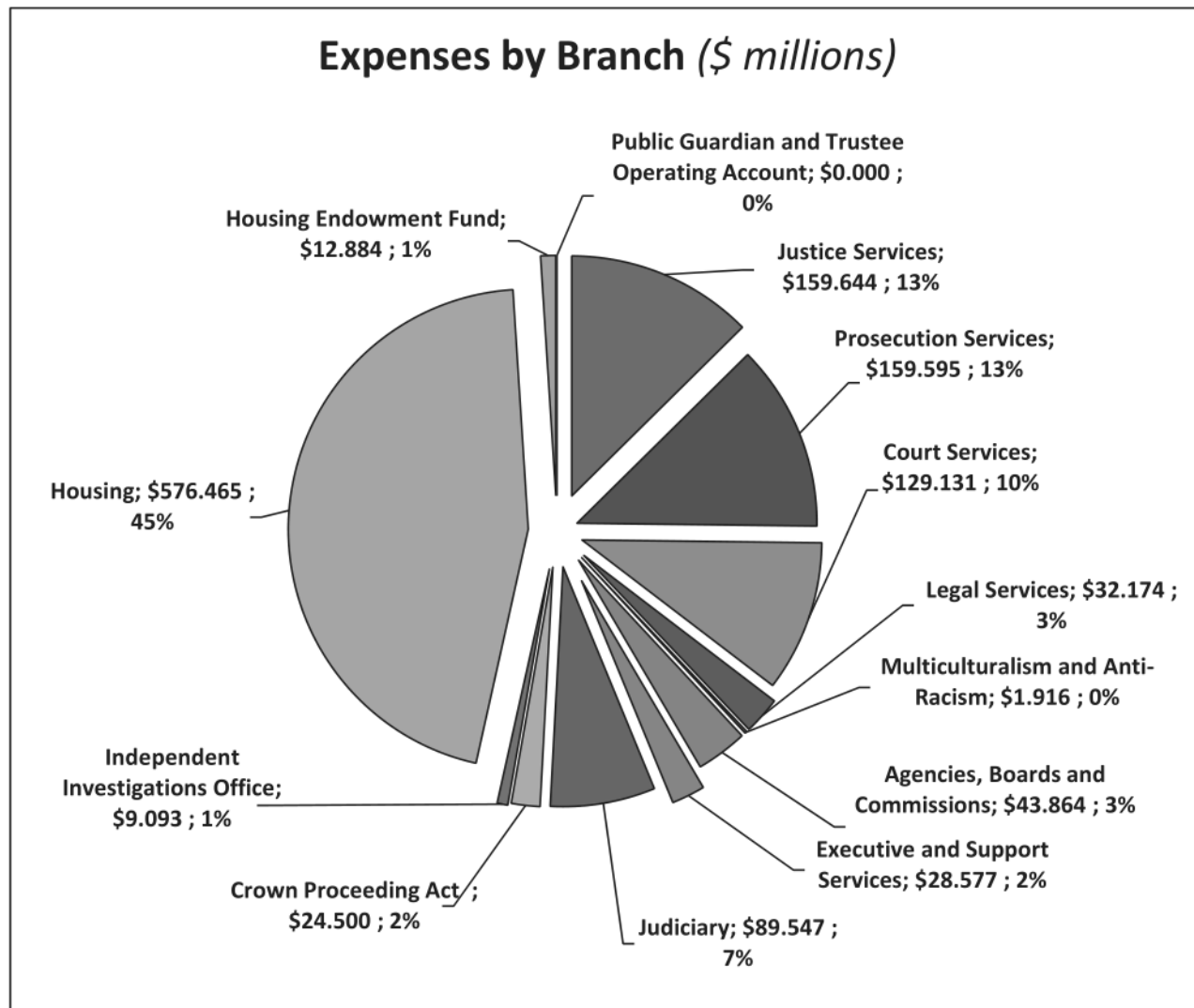
The Capital Budget is \$14.348 million containing significant increases for: vehicles (\$3.786 million), specialized equipment (\$3.192 million) both for courthouses and fit-ups for transport vehicles, and information systems (\$2.950 million) to support Court Modernization.

For administrative purposes, capital provided for Ministry Operations vote is centralized in Executive and Support Services, with additional amounts provided for the Judiciary, Public Guardian and Trustee, and the BC Utilities Commission.

	2020/21	2021/22
Core Business Area	Restated Budget	Estimates
Specialized Equipment	5.411	5.918
Office Furniture and Equipment	0.054	0.054
Vehicles	0.030	3.788
Information Systems	1.538	4.588
<b>Total</b>	<b>7.033</b>	<b>14.348</b>

# Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

## 3. Ministry Budget by Branch



# Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

## 4. Core Business Summary – Year over Year

(\$ millions)	2020/21	2021/22	Change	Change
	Restated Estimates	Estimates	(\$)	(%)
<b>Ministry of Justice Operations</b>				
Justice Services	150.110	159.644	9.534	6.35%
Prosecution Services	146.429	159.595	13.166	8.99%
Court Services	120.948	129.131	8.183	6.77%
Legal Services	27.314	32.174	4.860	17.79%
Agencies, Boards, Commissions and Other Tribunals	35.679	43.864	8.185	22.94%
Multiculturalism and Anti-Racism	1.916	1.916	0.000	0.00%
Executive and Support Services	24.298	28.577	4.279	17.61%
<b>Ministry Operations Subtotal:</b>	<b>506.694</b>	<b>554.901</b>	<b>48.207</b>	<b>9.51%</b>
Judiciary	83.572	89.547	5.975	7.15%
Crown Proceeding Act	24.500	24.500	0.000	0.00%
Independent Investigations Office	9.075	9.093	0.018	0.20%
Housing	506.843	576.465	69.622	13.74%
Housing Endowment Fund	12.884	12.884	0.000	0.00%
Public Guardian and Trustee	0.000	0.000	0.000	0.00%
Public Inquiry Act	10.136	5.111	(5.025)	-49.58%
<b>Total</b>	<b>1,153.704</b>	<b>1,272.501</b>	<b>118.797</b>	<b>10.30%</b>

# **Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing**

## **Summary of Changes by Branch**

### **Justice Services**

A \$9.534 million year over year funding increase is to support Family Dispute Resolution \$1.896 million, Parent Legal Centres \$1.800 million, BC Family Maintenance Agency \$1.663 million, Major Cases \$0.901 million, Courts Modernization \$0.400 million, Civil Resolution Tribunal ACT and ECC \$0.238 million, funding for Sustainable Services Negotiating Mandate (SSNM) \$1.049 million, and prior years decisions \$1.587 million.

### **Prosecution Services**

A \$13.166 million year over year funding increase is to support Major Cases \$1.802 million, Sustainable Services Negotiating Mandate (SSNM) \$8.562 million and prior years decisions \$2.802 million.

### **Court Services**

A \$8.183 million year over year funding increase is to support Courts Modernization \$2.214 million, Major Cases \$0.300 million, Family Dispute Resolution \$0.120 million funding for Sustainable Services Negotiating Mandate (SSNM) \$2.114 million, and prior years decisions \$3.435 million.

### **Legal Services**

A \$4.860 million year over year funding increase is to support the Office of the Legislative Counsel \$1.246 million, funding for Sustainable Services Negotiating Mandate (SSNM) \$3.253 million and prior years decisions \$0.361 million.

### **Agencies Boards & Commissions**

A \$8.185 million year over year funding increase is to support the Civil Resolution Tribunal (ACT and Enhanced Care Legislation) \$4.722 million, ABC Tribunals including Labour Relations Board and BC Human Rights Tribunal \$ 2.930 million, Public Guardian and Trustee \$0.248 million, funding for Sustainable Services Negotiating Mandate (SSNM) \$0.042 million and prior years decisions \$0.243 million.

### **Multiculturalism and Anti-Racism**

No change.



## **Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing**

### **Executive and Support Services**

A \$4.279 million year over year funding increase is to support Courts Modernization IM/IT \$1.150 million, Dynamics 360 platform used for Cannabis Operations \$0.800 million, Building BC program oversight and reporting resources \$0.735 million, Minister's Office \$0.201 million, funding for Sustainable Services Negotiating Mandate (SSNM) \$0.007 million and prior years decisions \$1.386 million.

### **Judiciary**

A \$5.975 million year over year funding increase is to support Courts Modernization \$1.732 million, funding for Sustainable Services Negotiating Mandate (SSNM) \$2.557 million and prior years decisions \$1.686 million.

### **Independent Investigation Office**

A \$0.018 million year over year funding increase is to support prior years decisions.

### **Housing**

A \$69.622 million year over year funding increase is to support Decampment Costs \$9.608 million, Community Social Services Recruitment and Retention (CSSRR) allocation \$3.224 million, Building BC program oversight and reporting resources \$0.677 million, funding for Sustainable Services Negotiating Mandate (SSNM) \$8.255 million and prior years decisions \$47.858 million to support Homelessness Action Plan and Supportive Housing Initiative.

### **Housing Endowment Fund**

No change.

### **Public Guardian and Trustee Operating Account**

A \$0.401 million year over year funding increase is to support new mandatory duties created under Part 3 of the Health Care (Consent) and Care Facility (Admission) Act (HCCCFAA) of \$0.248 million, funding for Sustainable Services Negotiating Mandate (SSNM) \$0.042 million and prior years decisions \$0.111 million.

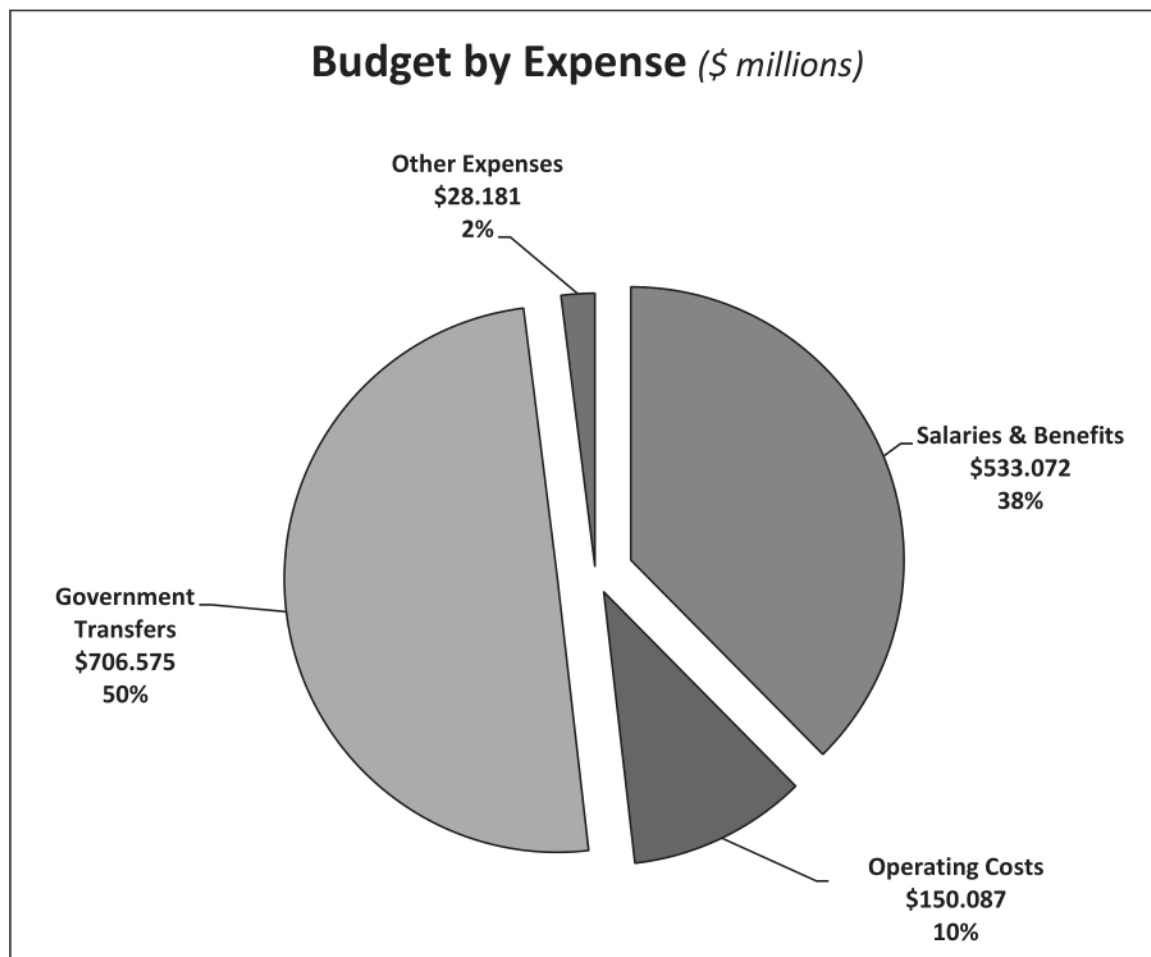
### **Public Inquiry Act – AG**

A (\$5.025) million decrease in year over year funding is the planned conclusion of the inquiry (\$9.147) million adjusted for the delay due to COVID 19 and the necessary extension to December 2021 of \$4.122 million.

# Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

## Ministry Budget by Expense Type and by Branch

### Expenses by Cost Type



\*Recoveries are not included

# Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

## Operations Budget by Group Account Classification (GAC)

	2020/21	2021/22	Change	Change
(\$ millions)	Restated Estimates	Estimates	(\$)	(%)
Salaries & Benefits	487.527	533.072	45.545	9.34%
Operating Costs	148.494	150.087	1.593	1.07%
Government Transfers	629.749	706.575	76.826	12.20%
Other Expenses	28.251	28.181	(0.070)	(0.002)
Recoveries	(97.396)	(97.339)	0.057	-0.06%
Recoveries External	(42.921)	(48.075)	(5.154)	12.01%
<b>Total</b>	<b>1,153.704</b>	<b>1,272.501</b>	<b>118.797</b>	<b>10.30%</b>

\*Does not include Allowances for Doubtful Accounts and Commissions on Collection of Public Funds, or the offsetting recoveries.

### Salaries & Benefits

The increase of \$45.545 million reflects \$36.972 million in *Budget 2021* funding primarily provided for SSNM Allocations (\$16.160 million), Civil Resolution Tribunal ACT & ECC (\$4.960 million), Court Modernization (\$4.046 million), Labour Relations Board and BC Human Rights Tribunal (\$2.369 million), Major Cases (\$2.102 million), reallocation within branches (\$2.369 million), Family Dispute Resolution (\$1.375 million), Office of Legislative Counsel (\$1.160 million), Building BC resources (\$0.670 million), Minister's Office (\$0.392 million), IMIT support for Cannabis Operations (\$0.375 million), PGT (\$.213 million), Cullen Commission (\$0.125 million) and another (\$8.573) million increase from prior year adjustments.

### Operating Costs

The increase of \$1.593 million reflects \$9.187 million in *Budget 2021* funding primarily provided for Public Inquiry Act for Cullen Commission (\$3.997 million), Court Modernization (\$1.450 million), reallocation within branches (\$0.879 million), IMIT support for Cannabis Operations (\$0.425 million), Labour Relations Board and BC Human Rights Tribunal (\$0.321 million), Office of Legislative Counsel (\$0.078 million), Building BC resources (\$0.065 million), Family Dispute Resolution (\$0.050 million), PGT (\$.035 million) offset by Minister's Office stob reallocation (\$0.018 million). An additional \$1.905 million of existing budget was also reallocated between cost groupings, both to and from operating costs, and an additional (\$7.594 million) decrease from prior year adjustments.

## Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

### Government Transfers

The increase of \$76.826 million reflects \$27.704 in *Budget 2021* funding provided for Decampment Costs (\$9.608 million), Community Social Services Recruitment and Retention (\$3.22 million), Building BC resources (\$0.677 million), SSNM (\$9.304 million), Parent Centres (\$1.800 million), BC Family Maintenance Agency (\$1.663 million), Major Cases (\$0.901 million), and Family Dispute Resolution (\$.591 million), offset by stob reallocations (\$.064 million), and an additional \$49.122 million increase in Housing vote from prior year adjustments.

### Other Expenses

The decrease of (\$0.070 million) primarily reflects Budget 2021 funding for Office of Legislative Counsel (\$0.008 million), and budget placeholder (\$0.001 million), offset by stob reallocations of (\$0.188 million), and \$0.109 million increase from prior year adjustments.

### Recoveries

The decrease of (\$0.057 million) reflects Budget 2021 for gross up for recoverable services (\$1.400 million), a budget reduction from Legal Services recoveries rebalancing across ministries based on forecasted demand (\$1.905 million), budget placeholder (\$0.001 million), and \$0.563 million increase from prior year adjustments.

### Recoveries External

The Increase of \$1.840 million in external recoveries reflects a Budget 2021 increase of \$4.160 million due to Gross Up-Down Adj, SSNM Allocation (\$0.081 million), offset by \$0.040 million for ABC Tribunals and another \$0.544 million Increase from prior year adjustments.

## Ministry of Attorney General and Minister Responsible for Housing 2021/22 Budget Day Briefing

External recoveries in Attorney General and Housing Vote total \$48.075 million:

Branch	\$ (millions)
Justice Services	4.617
Prosecution Services	0.001
Court Services	2.852
Legal Services	0.300
Agencies, Boards, Commissions and Other Tribunals	19.752
Multiculturalism and Anti-Racism	0.002
Executive and Support Services	0.002
Independent Investigations Office	0.002
Housing	0.002
Public Guardian and Trustee Operating Account	20.545
	<b>48.075</b>

# **Ministry of Attorney General**

## **2021/22 SUMMARY BY BRANCH**

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## JUSTICE SERVICES

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	25.639	28.098	2.459	9.6%
Operating Costs	2.301	2.383	0.082	3.6%
Government Transfers	126.763	133.671	6.908	5.4%
Other Expenses	0.109	0.110	0.001	
Internal Recoveries	(1.400)	(0.001)	1.399	
External Recoveries	(3.302)	(4.617)	(1.315)	
<b>Operating Budget</b>	<b>150.110</b>	<b>159.644</b>	<b>9.534</b>	<b>6.4%</b>
Capital Budget				

*\*restated for comparative purposes*

### EXPLANATION OF CHANGES

**Salaries and Benefits:** Increase of \$2.459 million for: Family Dispute Resolution \$1.255 million, Court Modernization \$0.400 million, and Civil Resolution Tribunal \$0.238 million and prior years decisions.

**Operating Costs:** Increase of \$0.082 million for budget lifts provided for Family Dispute Resolution and prior years decisions.

**Government Transfers:** Increase of \$6.908 million for: BC Family Maintenance Agency \$1.663 million, Parent Legal Clinics \$1.800 million, Sustainable Services Negotiating Mandate (SSNM) Allocation \$1.049 million, Family Dispute Resolution \$0.591 million, and prior years decisions offset by internal reallocation of \$0.085 million.

**Other Expenses:** Immaterial change.

**Internal Recoveries:** Decreased \$1.399 million for budget adjustment for Child Protection Mediation Program transferred to Ministry of Children and Family Development.

**External Recoveries:** Increased \$1.315 million adjustment for additional funding for supporting immigration and refugee legal aid.

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.

## PROSECUTION SERVICES

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	135.639	148.542	12.903	9.5%
Operating Costs	11.337	11.572	0.235	2.1%
Government Transfers				
Other Expenses	1.143	1.171	0.028	2.4%
Internal Recoveries	(1.689)	(1.689)		
External Recoveries	(0.001)	(0.001)		
<b>Operating Budget</b>	<b>146.429</b>	<b>159.595</b>	<b>13.166</b>	<b>9.0%</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$12.903 million for: Major Cases \$1.802 million, Sustainable Services Negotiating Mandate and Crown Council increases \$8.562 million, and prior years decisions.

**Operating Costs:** Minimal change of \$0.235 million from prior years decisions.

**Government Transfers:** No change.

**Other Expenses:** Minimal change of \$0.028 million from prior years decisions.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.



## COURT SERVICES

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	105.632	112.990	7.358	7.0%
Operating Costs	17.372	18.135	0.763	4.4%
Government Transfers				
Other Expenses	0.797	0.859	0.062	7.8%
Internal Recoveries	(0.001)	(0.001)		
External Recoveries	(2.852)	(2.852)		
<b>Operating Budget</b>	<b>120.948</b>	<b>129.131</b>	<b>8.183</b>	<b>6.8%</b>
Capital Budget				

*\*restated for comparative purposes*

### EXPLANATION OF CHANGES

**Salaries and Benefits:** Increase of \$7.358 million for: Court Modernization \$1.369 million, Sustainable Services Negotiating Mandate (SSNM) for Sheriffs TMA's \$2.114 million, Major Cases \$0.300 million, and prior years decisions.

**Operating Costs:** Increase of \$0.763 million for Court Modernization of \$0.845 million, partly offset by prior years decisions.

**Other Expenses:** Minimal change of \$0.062 million from prior years decisions.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.

## LEGAL SERVICES

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	59.803	64.577	4.774	8.0%
Operating Costs	55.451	56.871	1.420	2.6%
Other Expenses	0.397	0.405	0.008	2.0%
Internal Recoveries	(88.037)	(89.379)	(1.342)	1.5%
External Recoveries	(0.300)	(0.300)		
<b>Operating Budget</b>	27.314	32.174	4.860	17.8%
Capital Budget				

*\*restated for comparative purposes*

### EXPLANATION OF CHANGES

**Salaries and Benefits:** Increase of \$4.774 million for: Sustainable Services Negotiating Mandate (SSNM) for Legal Counsel rate \$3.253 million, Office of the Legislative Counsel \$1.160 million and prior years decisions.

**Operating Costs:** Increase of \$1.905 million due to rebalancing demand across government. The increase in cost is offset by internal recoveries (below), Office of the Legislative Counsel office for \$0.078 million and prior years decisions.

**Other Expenses:** Minimal change of \$0.008 million for Office of the Legislative Counsel.

**Internal Recoveries:** Increase of \$1.342 million due to rebalancing of recovery for legal services across government and prior years decisions.

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.

**Note:** The Branch has a combination of core budget and recoveries from client ministries. The Branch provides legal services to Provincial ministries including legal advice, civil action representation, and preparation of legislation.

## Agencies, Boards, Commissions and Other Tribunals \*

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	28.783	38.752	9.969	34.6%
Operating Costs	12.684	14.033	1.349	10.6%
Government Transfers		0.021	0.021	
Other Expenses	10.425	10.812	0.387	3.7%
Internal Recoveries	(0.002)	(0.002)		
External Recoveries	(16.211)	(19.752)	(3.541)	21.8%
<b>Operating Budget</b>	<b>35.679</b>	<b>43.864</b>	<b>8.185</b>	<b>22.9%</b>
Capital Budget	0.010	0.010		

\* includes Public Guardian and Trustee - Voted and Tribunal Services

\*\* restated for comparative purposes

### **EXPLANATION OF CHANGES**

**Salaries & Benefits:** Increase of \$9.969 million for: \$2.569 million for the Labour Relations Board, BC Human Rights Tribunal and Tribunal Sector pressures, \$4.772 million for Civil Resolution Tribunal - Accident Claims Transformation regime and expanded jurisdiction under the Enhanced Care Legislation, \$2.369 million STOB realignment for BCUC mandated activities, and \$0.309 million for prior years decisions.

**Operating Costs:** Increase of \$1.349 million for: STOB realignment for BCUC mandated activities \$0.879 million, Labour Relations Tribunal, BC Human Rights Tribunal and Tribunal Sector pressures \$0.321 million, and prior years decisions of \$0.149 million.

**Government Transfers:** Minimal change \$0.021 million due to STOB realignment for BCUC mandated activities.

**Other Expenses:** Increase of \$0.387 million for: Public Guardian and Trustee - Health Care (Consent) and Care Facility (Admission) Act of \$0.248 million, Sustainable Services Negotiating Mandate (SSNM) Allocation of \$0.042 millions and prior years decisions of \$0.112 million.

**External Recoveries:** Increase of \$3.541 million to reflect STOB realignment for BCUC mandated activities of \$3.214 and prior years decisions if \$0.327 million.

**Note:** Agencies, Boards and Commissions includes all tribunals under the Tribunal Transformation, as well as Public Guardian and Trustee clients funded by government and BC Ferries Commission.

## Multiculturalism and Anti-Racism

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	0.891	0.891		
Operating Costs	0.186	0.186		
Government Transfers	0.840	0.840		
Other Expenses	0.002	0.002		
Internal Recoveries	(0.001)	(0.001)		
External Recoveries	(0.002)	(0.002)		
<b>Operating Budget</b>	<b>1.916</b>	<b>1.916</b>		
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** No change.

**Operating Costs:** No change.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** No change.

Note: Budget moved to AG as part of the Nov 26, 2020 government reorganization OIC 640 dated December 16, 2020

## EXECUTIVE AND SUPPORT SERVICES

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	11.693	14.073	2.380	20.4%
Operating Costs	18.263	20.317	2.054	11.2%
Government Transfers				
Other Expenses	0.605	0.450	(0.155)	(25.6%)
Internal Recoveries	(6.261)	(6.261)		
External Recoveries	(0.002)	(0.002)		
<b>Operating Budget</b>	<b>24.298</b>	<b>28.577</b>	<b>4.279</b>	<b>17.6%</b>
Capital Budget	5.740	10.005	4.265	74.3%

*\*restated for comparative purposes*

Executive and Support Services consists of the Minister's Office, the Deputy Attorney General's Office, Associate Deputy Minister's Office, Corporate Account, Facilities and Information Systems Branch (ISB). Details follow on the next pages.

### EXPLANATION OF CHANGES

**Salaries and Benefits:** Increase of \$2.380 million for: Courts Modernization \$0.800 million, \$0.670 million for Building BC resourcing, \$0.392 million for Minister's Office, \$0.375 million for IMIT support for Cannabis Operations and prior years decisions.

**Operating Costs:** Increase of \$2.054 million for: IMIT support for Cannabis Operations \$0.425 million, Court Modernization \$0.350 million, Building BC resources \$0.065 million, reallocation from Other Expenses in Minister's Office \$0.018 million, and prior years decisions \$1.232 million.

**Other Expenses:** Reduction of \$0.155 million due to prior years decisions, offset by a reallocation to Salaries in Minister's Office.

**Capital Budget:** Increase of \$4.265 million for: video conferencing equipment \$2.000 million and for vehicle fitup \$1.192 million specialized equipment, annual vehicle replacement \$3.652 million, zero emission vehicles \$0.134 million, offset by a \$2.713 million reduction in Specialized Equipment from previous years decisions.

## MINISTER'S OFFICE

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	0.619	1.014	0.395	63.8%
Operating Costs	0.108	0.090	(0.018)	(16.7%)
Government Transfers				
Other Expenses	0.173	0.000	(0.173)	(100.0%)
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>0.900</b>	<b>1.104</b>	<b>0.204</b>	<b>22.7%</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$0.395 million: reallocation from Other Expenses budget \$0.173 million, budget lift to support the Minister's Office operations \$0.214 million and Sustainable Services Negotiating Mandate and prior years decisions of \$0.008 million.

**Operating Costs:** Minimal Change.

**Other Expenses:** Decrease of \$0.173 million for reallocation to Salaries and Benefits

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.

## CORPORATE (Central Support) SERVICES

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	11.074	13.059	1.985	17.9%
Operating Costs	18.155	20.227	2.072	11.4%
Government Transfers				
Other Expenses	0.432	0.450	0.018	4.2%
Internal Recoveries	(6.261)	(6.261)		
External Recoveries	(0.002)	(0.002)		
<b>Operating Budget</b>	<b>23.398</b>	<b>27.473</b>	<b>4.075</b>	<b>17.4%</b>
Capital Budget	5.740	10.005	4.265	74.3%

*\*restated for comparative purposes*

Corporate Services consists of the Deputy Attorney General's Office, the Associate Deputy Minister's Office, the Corporat Account, Corporate Services-Housing, Information Systems Branch (ISB) and Facilities Projects. Details follow on the next pages.

### EXPLANATION OF CHANGES

**Salaries and Benefits:** Increase of \$1.985 million for: IMIT support for Cannabis Operations of \$0.375 million, Courts Modernization of \$0.800 million, Building BC resourcing of \$0.670 million, Sustainable Services Negotiating Mandate allocations of \$0.007 million, and prior years decisions.

**Operating Budget:** Increase of \$2.072 million for: IMIT support for Cannabis Operations \$0.425 million, \$0.350 million for Courts Modernization, \$0.065 million for Building BC resourcing and \$1.232 million for prior years decisions.

**Other Expenses:** Increase of \$0.018 million for prior years decisions.

**Capital Budget:** Increase of \$4.265 million for: video conferencing equipment \$2.000 million and for vehicle fitup \$1.192 million specialized equipment, annual vehicle replacement \$3.652 million, zero emission vehicles \$0.134 million, offset by a \$2.713 million reduction in Specialized Equipment from previous years decisions.

## DEPUTY MINISTER'S OFFICE - AG

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	1.041	1.046	0.005	0.5%
Operating Costs	0.139	0.139		
Government Transfers				
Other Expenses	0.001	0.001		
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>1.181</b>	<b>1.186</b>	<b>0.005</b>	<b>0.4%</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$0.005 million due to prior years decisions.

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.



## ASSOCIATE DEPUTY MINISTER'S OFFICE - AG (SL11843)

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	0.098	0.435	0.337	343.9%
Operating Costs	0.025	0.044	0.019	76.0%
Government Transfers				
Other Expenses				
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>0.123</b>	<b>0.479</b>	<b>0.356</b>	<b>289.4%</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$0.337 million to provide additional resourcing for Housing program oversight.

**Operating Costs:** Minimal change of \$0.019 million to support program oversight.

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.

## Corporate Services - Housing

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	0.350	0.683	0.333	95.1%
Operating Costs	0.009	0.055	0.046	511.1%
Government Transfers				
Other Expenses	0.008	0.008		
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>0.367</b>	<b>0.746</b>	<b>0.379</b>	<b>103.3%</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$0.333 million due to provide additional resourcing for Housing program oversight.

**Operating Costs:** Minimal change of \$0.046 million due to provide additional resourcing for Housing program oversight.

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.

## Strategic Planning and Legislation Office

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits				
Operating Costs	2.842	4.074	1.232	43.3%
Government Transfers				
Other Expenses				
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>2.842</b>	<b>4.074</b>	<b>1.232</b>	<b>43.3%</b>
Capital Budget				

*\*restated for comparative purposes*

### EXPLANATION OF CHANGES

**Operating Costs:** Increase of \$1.232 million a result of prior year budget lift provided for courthouse mandatory operating equipment.

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.

## INFORMATION SYSTEMS BRANCH

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	8.636	9.939	1.303	15.1%
Operating Costs	14.917	15.692	0.775	5.2%
Government Transfers				
Other Expenses		0.018	0.018	
Internal Recoveries	(6.260)	(6.260)		
External Recoveries				
<b>Operating Budget</b>	<b>17.293</b>	<b>19.389</b>	<b>2.096</b>	<b>12.1%</b>
Capital Budget				

*\*restated for comparative purposes*

### EXPLANATION OF CHANGES

**Salaries and Benefits:** Increase of \$1.303 million infrastructure support (staffing) for: Cannabis Operations \$0.375 million, Court Modernization \$0.800 million and prior years decisions.

**Operating Costs:** Increase of \$0.775 million infrastructure support for: Cannabis Operations \$0.425 million and Court Modernization \$0.350 million.

**Other Expenses:** Minimal Change from prior years decisions.

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.

## CORPORATE ACCOUNT

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	0.949	0.956	0.007	0.7%
Operating Costs	0.223	0.223		
Government Transfers				
Other Expenses	0.423	0.423		
Internal Recoveries	(0.001)	(0.001)		
External Recoveries	(0.002)	(0.002)		
<b>Operating Budget</b>	<b>1.592</b>	<b>1.599</b>	<b>0.007</b>	<b>0.4%</b>
Capital Budget	5.740	10.005	4.265	74.3%

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Minimal Change of \$0.007 million for Sustainable Services Negotiating Mandate allocations.

**Operating Costs:** No change.

**Other Expenses:** No change.

**Capital Budget:** Increase of \$4.265 million for: video conferencing equipment \$2.000 million and for vehicle fitup \$1.192 million specialized equipment, annual vehicle replacement \$3.652 million, zero emission vehicles \$0.134 million, offset by a \$2.713 million reduction in Specialized Equipment from previous years decisions.

## JUDICIARY VOTE

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	72.244	77.791	5.547	7.7%
Operating Costs	11.275	11.703	0.428	3.8%
Government Transfers	0.012	0.012		
Other Expenses	0.043	0.043		
Internal Recoveries	(0.002)	(0.002)		
External Recoveries				
<b>Operating Budget</b>	<b>83.572</b>	<b>89.547</b>	<b>5.975</b>	<b>7.1%</b>
Capital Budget	0.920	3.970	3.050	331.5%

*\*restated for comparative purposes*

Judiciary Vote consists of both the Provincial Court Judiciary and the Superior Courts Judiciary.

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$5.547 million for: Court Modernization \$1.447 million, Sustainable Services Negotiating Mandate (SSNM) allocation for 2019 Judicial Compensation Committee response \$2.557 million and prior years' decisions.

**Operating Costs:** Increase of \$0.428 million for: Court Modernization \$0.255 million, and prior years' decisions.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**Capital Budget:** Increase of \$3.050 million for: Court Modernization to expand videoconferencing capacity to support virtual court proceedings of \$2.950 million and \$0.100 million from previous years decisions for Information system improvements related to the Colbran report recommendations.

## SUPERIOR COURTS JUDICIARY

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	16.520	17.448	0.928	5.6%
Operating Costs	3.507	3.588	0.081	2.3%
Government Transfers				
Other Expenses	0.043	0.043		
Internal Recoveries	(0.001)	(0.001)		
External Recoveries				
<b>Operating Budget</b>	<b>20.069</b>	<b>21.078</b>	<b>1.009</b>	5.0%
Capital Budget	0.580	3.630	3.050	525.9%

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$0.928 million for: Court Modernization schedulers \$0.627 million, Sustainable Services Negotiating Mandate (SSNM) allocation for 2019 Judicial Compensation Committee response, \$0.120 million and prior year's decisions to fund implementation of Colbran report recommendations of \$0.181 million.

**Operating Costs:** Increase of \$0.070 million for Court Modernization and prior year's decisions to fund implementation of Colbran report recommendations.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**Capital Budget:** Increase of \$3.050 million for Court Modernation to expand videoconferencing capacity to support virtual court proceedings.

## PROVINCIAL COURT JUDICIARY

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	55.724	60.343	4.619	8.3%
Operating Costs	7.768	8.115	0.347	4.5%
Government Transfers	0.012	0.012		
Other Expenses				
Internal Recoveries	(0.001)	(0.001)		
External Recoveries				
<b>Operating Budget</b>	<b>63.503</b>	<b>68.469</b>	<b>4.966</b>	<b>7.8%</b>
Capital Budget	0.340	0.340		

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$4.619 million for: Sustainable Services Negotiating Mandate (SSNM) allocation for 2019 Judicial Compensation Committee response \$2.437 million, Court Modernization \$0.850 million and prior year's decisions for funding Court Facilities Expansion of \$1.332 million.

**Operating Costs:** Increase of \$0.347 million for Court Modernization \$0.185 million, and prior year's decisions.

**Government Transfers:** No change.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** No change.



## CROWN PROCEEDING ACT

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits				
Operating Costs				
Government Transfers				
Other Expenses	24.500	24.500		
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>24.500</b>	<b>24.500</b>		
Capital Budget				

*\*restated for comparative purposes*

### EXPLANATION OF CHANGES

**Operating Budget:** No change.

## INDEPENDENT INVESTIGATIONS OFFICE

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	7.122	7.140	0.018	0.3%
Operating Costs	1.936	1.936		
Government Transfers				
Other Expenses	0.020	0.020		
Internal Recoveries	(0.001)	(0.001)		
External Recoveries	(0.002)	(0.002)		
<b>Operating Budget</b>	<b>9.075</b>	<b>9.093</b>	<b>0.018</b>	<b>0.2%</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$0.018 million from prior years decisions.

**Operating Costs:** No change.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change

**Capital Budget:** All approved capital for Ministry Operations has been centralized under Corporate Services. The Ministry is currently reviewing capital expenditure priorities to determine branch allocations.

### **Notes:**

1) Independent Investigations Office (IIO) has been established in response to the recommendations from both the Braidwood Commission into the death of Robert Dziekanski and the Davies Commission into the death of Frank Paul,

2) IIO conducts investigations into deaths and incidents of serious harm involving BC municipal police and RCMP, on and off duty, to determine if there should be criminal charges recommended.

3) The IIO became officially operational on September 10, 2012.

## Housing

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	14.232	14.732	0.500	3.5%
Operating Costs	2.199	2.409	0.210	9.5%
Government Transfers	489.250	559.147	69.897	14.3%
Other Expenses	0.180	0.180		
Internal Recoveries	(0.001)	(0.001)		
External Recoveries	(0.002)	(0.002)		
<b>Operating Budget</b>	<b>505.858</b>	<b>576.465</b>	<b>70.607</b>	<b>14.0%</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Decrease of \$0.275 million from prior years decisions.

**Operating Costs:** Increase of \$69.897 million for: Decampment Costs \$9.608 million, Sustainable Services Negotiating Mandate allocations \$8.255 million, Community Social Services Recruitment and Retention allocation \$3.224 million, Building BC approval and reporting resources \$0.677 million and prior year's decisions of \$48.133 million to support the Homelessness Action plan and Supportive Housing initiative.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** Not applicable.

## Office of Homeless Coordination

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	0.775	0.775		
Operating Costs	0.210	0.210		
Government Transfers				
Other Expenses				
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>0.985</b>	<b>0.985</b>		
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** No change.

**Operating Costs:** No change.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** Not applicable.

## Housing Policy

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	1.987	2.017	0.030	1.5%
Operating Costs	0.243	0.243		
Government Transfers	489.250	559.147	69.897	14.3%
Other Expenses	0.103	0.103		
Internal Recoveries	(0.001)	(0.001)		
External Recoveries	(0.002)	(0.002)		
<b>Operating Budget</b>	<b>491.580</b>	<b>561.507</b>	<b>69.927</b>	<b>14.2%</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$0.030 million from prior years decisions.

**Operating Costs:** No Change.

**Government Transfers:** Increase of \$69.897 million for: Decampment Costs \$9.608 million, SSNM allocations \$8.255 million, Community Social Services Recruitment and Retention \$3.224 million, and Building BC approval and reporting resources \$0.677 million, and prior year budget decision of \$48.133 million.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** Not applicable.

## Housing - Residential Tenancy

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	10.189	9.822	(0.367)	(3.6%)
Operating Costs	1.636	1.636		
Government Transfers				
Other Expenses	0.075	0.075		
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>11.900</b>	<b>11.533</b>	<b>(0.367)</b>	<b>(3.1%)</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Decrease of \$0.367 million from prior years decisions.

**Operating Costs:** No Change.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** Not applicable.

## Housing - Building and Safety Policy

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	2.056	2.118	0.062	3.0%
Operating Costs	0.320	0.320		
Government Transfers				
Other Expenses	0.002	0.002		
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>2.378</b>	<b>2.440</b>	<b>0.062</b>	<b>2.6%</b>
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$0.062 million from prior years decisions.

**Operating Costs:** No Change.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** Not applicable.

## HOUSING ENDOWMENT FUND SPECIAL ACCOUNT

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits				
Operating Costs				
Government Transfers	12.884	12.884		
Other Expenses				
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>12.884</b>	<b>12.884</b>		
Capital Budget				

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** No change.

**Operating Costs:** No change.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** Not applicable.

### **Notes:**

This account was established as a special account under the Special Accounts Appropriation and Control Act in 2007. The account exists for purposes relating to innovation in affordable, social, or supportive housing and in housing development and management. The account operates as an endowment fund with a restricted balance of \$250 million which is not permitted to be spent. Net earnings of the account are credited to the account as revenue. Expenses of the account consist of grants in support of authorized housing initiatives.



## PUBLIC GUARDIAN AND TRUSTEE SPECIAL ACCOUNT

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	24.653	25.317	0.664	2.7%
Operating Costs	5.565	5.600	0.035	0.6%
Government Transfers				
Other Expenses	0.385	0.385		
Internal Recoveries	(0.001)	(0.001)		
External Recoveries	(20.247)	(20.545)	(0.298)	1.5%
<b>Operating Budget</b>	<b>10.355</b>	<b>10.756</b>	<b>0.401</b>	<b>3.9%</b>
Capital Budget	0.363	0.363		

*\*restated for comparative purposes*

### **EXPLANATION OF CHANGES**

**Salaries and Benefits:** Increase of \$0.664 million for: new mandatory duties created under Part 3 of the *Health Care (Consent) and Care Facility (Admission) Act* (HCCCFAA) of \$0.213 million, Sustainable Services Negotiating Mandate (SSNM) allocation of \$0.123 million and prior year's decisions.

**Operating Costs:** Increase of \$0.035 million due to funding of HCCCFAA.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** Increase of \$0.291 million due to salary adjustments being partially recoverable from fees.

**Capital Budget:** No change.

## PUBLIC INQUIRY ACT

(\$ Millions)

	Estimates 2020/21*	Estimates 2021/22	Amount Change	Per Cent Change (%)
Salaries and Benefits	0.421	0.169	(0.252)	(59.9%)
Operating Costs	9.715	4.942	(4.773)	(49.1%)
Government Transfers				
Other Expenses				
Internal Recoveries				
External Recoveries				
<b>Operating Budget</b>	<b>10.136</b>	<b>5.111</b>	<b>(5.025)</b>	<b>(49.6%)</b>
Capital Budget				

*\*restated for comparative purposes*

### EXPLANATION OF CHANGES

**Salaries and Benefits:** Cullen Commission Inquiry into Money Laundering to wrap up in fiscal year 2021/22 albeit extended to December 2021 due to the delay from COVID-19; budget is reflective of partial year.

**Operating Costs:** Cullen Commission Inquiry into Money Laundering to wrap up in fiscal year 2021/22 albeit extended to December 2021 due to the delay from COVID-19; budget is reflective of partial year.

**Other Expenses:** No change.

**Internal Recoveries:** No change.

**External Recoveries:** No change.

**Capital Budget:** Not applicable.

### **Notes:**

1) I PIA has been established by TBS for Fiscal year 2020/21 and for 2021/22 for Cullen Commission Inquiry for BC Money Laundering.

Due to the delay from COVID-19 and the impact on hearings, an extension to late 2021 to complete the hearings and draft the final report has been requested. There is an underspend in fiscal 2020/21 and an increased forecast for next fiscal year, 2021/22. Costs related to the Participant legal counsel have been higher than originally forecast as a direct result of the depth and breadth of the inquiry

# Ministry of Attorney General and Minister Responsible for Housing

(\$ Millions)

## Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
SSNM Allocations	25.839	28.673	28.673	83.185
Decampment Costs	9.608	9.896	10.193	29.697
Court Modernization	5.496	5.271	4.910	15.677
Civil Resolution Tribunal ACT & ECC	4.960	4.960	4.960	14.880
PIA - Cullen Commission	4.122			4.122
Community Social Services Recruitment and Retention (CSSRR) Allocation	3.224	3.224	3.224	9.672
Major Cases	3.003	3.003	3.003	9.009
ABC Tribunals	2.930	2.930	2.930	8.790
Family Dispute Resolution	2.016	1.886	1.876	5.778
Parent Legal Centres	1.800	1.800	1.800	5.400
JSB - BC Family Maintenance Agency	1.663	1.663	1.663	4.989
Building BC	1.412	1.440	26.317	29.169
Office of the Legislative Counsel	1.246	1.246	1.246	3.738
Cannabis Operations	0.800	0.800	0.800	2.400
Public Guardian and Trustee	0.248	0.248	0.248	0.744
Minister's Office	0.201	0.218	0.237	0.656
Legal Clinics			2.000	2.000
<b>Total Base Lift/Reduction</b>	<b>68.568</b>	<b>67.258</b>	<b>94.080</b>	<b>229.906</b>

## 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
ABC Tribunals	2.569	0.321			0.040	2.930
Cannabis Operations	0.375	0.425				0.800
Civil Resolution Tribunal ACT & ECC	4.960					4.960
JSB - BC Family Maintenance Agency			1.663			1.663
Major Cases	2.102		0.901			3.003
Office of the Legislative Counsel	1.160	0.078		0.008		1.246
Legal Clinics						0.000
Parent Legal Centres			1.800			1.800
Public Inquiry Act - Cullen Commission	0.125	3.997				4.122
Public Guardian and Trustee	0.213	0.035				0.248
Court Modernization	4.046	1.450				5.496
Family Dispute Resolution	1.375	0.050	0.591			2.016
SSNM Allocations	16.616		9.304		(0.081)	25.839
Building BC	0.670	0.065	0.677			1.412
Community Social Services Recruitment and Retention (CSSRR) Allocation			3.224			3.224
Decampment Costs			9.608			9.608
Minister's Office	0.392	(0.018)		(0.173)		0.201
<b>TOTAL</b>	<b>34.603</b>	<b>6.403</b>	<b>27.768</b>	<b>(0.165)</b>	<b>(0.041)</b>	<b>68.568</b>

## SUMMARY OF INITIATIVE

The fiscal plan includes a total of \$230 million in funding for the Ministry of Attorney General and Minister Responsible for Housing, including net incremental base budget lifts of \$68.6 million in 2021/22, \$67.3 million in 2022/23 and \$94.1 million in 2023/24.

Budget 2021 provides \$230 million over the next three years to meet the ministry's priorities including: ABC Tribunals, Cannabis Operations, CRT ACT & ECT, BC Family Maintenance Agency, Major Cases, Office of the Legislative Counsel, Legal Clinics, Parent Legal Centres, Public Inquiry into Money Laundering, Public Guardian and Trustee, Courts Modernization, Family Dispute Resolution, Building BC, Decampment, Minister's Office, and funding for the ratified collective agreements under the Sustainable Services Negotiating Mandate.

## ABC TRIBUNALS

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Agencies, Boards, Commissions and Other Tribunals	2.930	2.930	2.930	8.790
<b>Total Base Lift/Reduction</b>	<b>2.930</b>	<b>2.930</b>	<b>2.930</b>	<b>8.790</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Agencies, Boards, Commissions and Other Tribunals	2.569	0.321			0.040	2.930
<b>TOTAL</b>	<b>2.569</b>	<b>0.321</b>	<b>0.000</b>	<b>0.000</b>	<b>0.040</b>	<b>2.930</b>

### SUMMARY OF INITIATIVE

Funding will support the increased mandate for the Labour Relations Board (LRB), BC and caseload pressures related to other agencies, boards, commissions and tribunals, especially BC Human Rights Tribunal (BCHRT) (there are 19 administrative justice tribunals within the ministry's portfolio).

## Infrastructure Support for Cannabis Operations

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Executive and Support Services AG	0.800	0.800	0.800	<b>2.400</b>
<b>Total Base Lift/Reduction</b>	<b>0.800</b>	<b>0.800</b>	<b>0.800</b>	<b>2.400</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Executive and Support Services AG	0.375	0.425				<b>0.800</b>
<b>TOTAL</b>	<b>0.375</b>	<b>0.425</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.800</b>

### SUMMARY OF INITIATIVE

Funding will provide additional IT support for Dynamics365 (Dynamics) - a shared digital platform, initially implemented in response to cannabis legalization, created to support the case management systems of various programs within the justice sector in order to meet priorities and cannabis legalization. By building a shared single reusable platform for case management, the sector is achieving significant cost efficiencies.

## Civil Resolution Tribunal ACT & ECC

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Justice Services	0.238	0.238	0.238	<b>0.714</b>
Agencies, Boards, Commissions and Other Tribunals	4.722	4.722	4.722	<b>14.166</b>
<b>Total Base Lift/Reduction</b>	<b>4.960</b>	<b>4.960</b>	<b>4.960</b>	<b>14.880</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Justice Services	0.238					<b>0.238</b>
Agencies, Boards, Commissions and Other Tribunals	4.722					<b>4.722</b>
<b>TOTAL</b>	<b>4.960</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>4.960</b>

### SUMMARY OF INITIATIVE

Funding will support the Accident Claims Transformation regime and the expanded jurisdiction under the Enhanced Care Legislation.

To continue supporting government's goal of cost-savings and fulfill public commitments made to British Columbians, the Civil Resolution Tribunal (CRT) additional funding is to manage the caseload volumes related to motor vehicle injury (MVI) claim disputes. Under the broader heading of MVI, this includes funding to support ongoing new case volumes under the previous Accident Claims Transformation (ACT) regime where certain motor vehicle accident injury claims came within the CRT jurisdiction, including accident benefits, minor injury determinations and fault and damages claims for up to \$50,000 and funding for the CRT to handle its expanded jurisdiction under the Enhanced Care (ECC) legislation, which takes effect May 1, 2021.

## BC Family Maintenance Agency

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Justice Services	1.663	1.663	1.663	4.989
<b>Total Base Lift/Reduction</b>	<b>1.663</b>	<b>1.663</b>	<b>1.663</b>	<b>4.989</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Justice Services			1.663			1.663
<b>TOTAL</b>	<b>0.000</b>	<b>0.000</b>	<b>1.663</b>	<b>0.000</b>	<b>0.000</b>	<b>1.663</b>

### SUMMARY OF INITIATIVE

Funding will ensure the uninterrupted delivery of services to vulnerable families by addressing historic operating pressures and includes the negotiated salary increases for the PEA and BCGEU staff for which the BC Family Maintenance Agency is obliged to pay under the collective agreements.

## Major Cases

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Justice Services	0.901	0.901	0.901	<b>2.703</b>
Prosecution Services	1.802	1.802	1.802	<b>5.406</b>
Court Services	0.300	0.300	0.300	<b>0.900</b>
<b>Total Base Lift/Reduction</b>	<b>3.003</b>	<b>3.003</b>	<b>3.003</b>	<b>9.009</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Justice Services			0.901			<b>0.901</b>
Prosecution Services	1.802					<b>1.802</b>
Court Services	0.300					<b>0.300</b>
<b>TOTAL</b>	<b>2.102</b>	<b>0.000</b>	<b>0.901</b>	<b>0.000</b>	<b>0.000</b>	<b>3.003</b>

### SUMMARY OF INITIATIVE

Funding will support high priority pressures historically managed through a combination of contingencies and base budget. Costs for Major Cases are extremely variable and difficult to predict due to potential guilty pleas, the timing and length of trials, as well as future unknown cases that increase forecast uncertainty beyond the current year.



## Office of Legislative Counsel

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Legal Services	1.246	1.246	1.246	3.738
<b>Total Base Lift/Reduction</b>	<b>1.246</b>	<b>1.246</b>	<b>1.246</b>	<b>3.738</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Legal Services	1.160	0.078		0.008		1.246
<b>TOTAL</b>	<b>1.160</b>	<b>0.078</b>	<b>0.000</b>	<b>0.008</b>	<b>0.000</b>	<b>1.246</b>

### SUMMARY OF INITIATIVE

Funding will support the additional FTEs in place to support the increase in legislative activity.

## Legal Clinics

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Justice Services	0.000	0.000	2.000	2.000
<b>Total Base Lift/Reduction</b>	<b>0.000</b>	<b>0.000</b>	<b>2.000</b>	<b>2.000</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Justice Services						0.000
<b>TOTAL</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>

### SUMMARY OF INITIATIVE

Funding will support the ongoing operation of seven Legal Clinics and support the opening of an eighth clinic. The seven existing and proposed eighth legal clinics are consistent with the recommendations from the Maclaren report and the ministry's broader efforts to improve and expand the legal aid system in BC.

Legal clinics provide free legal information, advice, and representation to low-income individuals, and are part of the ministry's broader efforts to expand access to legal aid services, which includes tariff-based legal aid, parent legal centres, Indigenous justice centres, and alternative dispute resolution services for family law matters. Legal clinics are administered through the Law Foundation and costs are relatively low when compared to other government-funded legal aid services.

## Parent Legal Centres

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Justice Services	1.800	1.800	1.800	5.400
<b>Total Base Lift/Reduction</b>	<b>1.800</b>	<b>1.800</b>	<b>1.800</b>	<b>5.400</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Justice Services			1.800			1.800
<b>TOTAL</b>	<b>0.000</b>	<b>0.000</b>	<b>1.800</b>	<b>0.000</b>	<b>0.000</b>	<b>1.800</b>

### SUMMARY OF INITIATIVE

Funding will support sustained ongoing operations for ten Parent Legal Centres across the Province.

Parent legal centres were one of several pilot programs intended to provide more citizens with access to justice through legal aid services in criminal, family and child protection matters and help keep matters out of court where possible. The centres help parents settle child protection matters in a collaborative manner and are part of a continuum of legal aid services, which includes tariff-based legal aid, legal clinics, Indigenous justice centres, and alternative dispute resolution for family law matters.

## PIA Cullen Commission

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Public Inquiry Act - AG	4.122			4.122
<b>Total Base Lift/Reduction</b>	<b>4.122</b>	<b>0.000</b>	<b>0.000</b>	<b>4.122</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Public Inquiry Act - AG	0.125	3.997				4.122
<b>TOTAL</b>	<b>0.125</b>	<b>3.997</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>4.122</b>

### SUMMARY OF INITIATIVE

Funding will support the delay due to the impact of COVID 19 and the necessary extension to December 2021 to conclude the Commission of Inquiry on Money Laundering (Cullen Commission), announced May 15, 2019.

Government's decision to proceed with a commission of inquiry follows four independent reviews that found extraordinary levels of money laundering in B.C.'s real estate market, casinos, horse racing and the luxury vehicle sales. Commissioner Austin Cullen was appointed to head the inquiry which is looking at the full scope of money laundering in British Columbia, including real estate, gaming, financial institutions and the corporate and professional sectors.

## Public Guardian and Trustee

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Agencies, Boards, Commissions and Other Tribunals	0.248	0.248	0.248	<b>0.744</b>
Public Guardian and Trustee of BC	0.248	0.248	0.248	<b>0.744</b>
Elimination Service Line PGT	(0.248)	(0.248)	(0.248)	<b>(0.744)</b>
<b>Total Base Lift/Reduction</b>	<b>0.248</b>	<b>0.248</b>	<b>0.248</b>	<b>0.744</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Agencies, Boards, Commissions and Other Tribunals				0.248		<b>0.248</b>
Public Guardian and Trustee of BC	0.213	0.035				<b>0.248</b>
Elimination Service Line PGT				(0.248)		<b>(0.248)</b>
<b>TOTAL</b>	<b>0.213</b>	<b>0.035</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.248</b>

### SUMMARY OF INITIATIVE

Funding provides a top up to fully enable the Public Guardian and Trustee to carry out new mandatory duties under Part 3 of the *Health Care (Consent) and Care Facility (Admission) Act (HCCCFAA)*.

This adjustment represents the unfunded balance of the costs associated with the *Health Care Consent and Care Facilities Admission Act* program as amended by the *Health Statutes Amendment Act* (Bill 26), 2007 ("Part 3 of the HCCCFAA") which came into force on November 4, 2019.

## Court Modernization

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Justice Services	0.400	0.645	0.645	1.690
Court Services	2.214	1.500	1.500	5.214
Executive and Support Services AG- ISB	1.150	1.560	1.350	4.060
Judiciary	1.732	1.566	1.415	
<b>Total Base Lift/Reduction</b>	<b>5.496</b>	<b>5.271</b>	<b>4.910</b>	<b>10.964</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Justice Services	0.400					0.400
Court Services	1.369	0.845				2.214
Executive and Support Services AG	0.800	0.350				1.150
Judiciary	1.477	0.255				1.732
<b>TOTAL</b>	<b>4.046</b>	<b>1.450</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>5.496</b>

### SUMMARY OF INITIATIVE

Funding will support ongoing activity to modernize and improve access to the justice system. Health and safety concerns during the COVID-19 pandemic have highlighted the need to modernize courts, upgrade technology and allow for virtual and digital justice services.

The COVID-19 pandemic has had a significant impact on the justice system—over 32,000 cases were adjourned during the onset of the pandemic. In response, courts have modified physical spaces to accommodate physical distancing requirements and shifted to virtual appearances, where appropriate.

## Family Dispute Resolution

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Justice Services	1.896	1.766	1.756	<b>5.418</b>
Court Services	0.120	0.120	0.120	<b>0.360</b>
<b>Total Base Lift/Reduction</b>	<b>2.016</b>	<b>1.886</b>	<b>1.876</b>	<b>5.778</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Justice Services	1.255	0.050	0.591			<b>1.896</b>
Court Services	0.120					<b>0.120</b>
<b>TOTAL</b>	<b>1.375</b>	<b>0.050</b>	<b>0.591</b>	<b>0.000</b>	<b>0.000</b>	<b>2.016</b>

### SUMMARY OF INITIATIVE

Funding for Dispute Resolution for Families will provide for ongoing support for the early dispute resolution model in the Surrey Courthouse.

In 2017/18 the Provincial Court reported *Family Law Act* matters made up 59% of civil matters in that court. Family files take up a disproportionate amount of court time, with many more events per case, three times more adjournments, and twice as many hearings. Pandemics and crises such as COVID-19 put additional pressure on families that are already strained. Addressing family matters in a timely, service oriented and less adversarial way can help to mitigate the impacts of the such crises, can result in better outcomes for families following separation and divorce, and, due to reducing court backlogs, may lead to more timely resolutions.

## Sustainable Services Negotiating Mandate

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Justice Services	1.049	1.250	1.250	<b>3.549</b>
Prosecution Services	8.562	8.562	8.562	<b>25.686</b>
Court Services	2.114	3.434	3.434	<b>8.982</b>
Legal Services	3.253	3.253	3.253	<b>9.759</b>
Agencies, Boards, Commissions and Other Tribunals	0.042	0.049	0.049	<b>0.140</b>
Executive and Support Services AG	0.007	0.049	0.049	<b>0.105</b>
Judiciary	2.557	3.821	3.821	<b>10.199</b>
Public Guardian and Trustee of BC	0.042	0.049	0.049	<b>0.140</b>
Elimination Service Line PGT	(0.042)	(0.049)	(0.049)	<b>(0.140)</b>
Housing Programs	8.255	8.255	8.255	<b>24.765</b>
<b>Total Base Lift/Reduction</b>	<b>25.839</b>	<b>28.673</b>	<b>28.673</b>	<b>83.185</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Justice Services			1.049			<b>1.049</b>
Prosecution Services	8.562					<b>8.562</b>
Court Services	2.114					<b>2.114</b>
Legal Services	3.253					<b>3.253</b>
Agencies, Boards, Commissions and Other Tribunals		0.042				<b>0.042</b>
Executive and Support Services AG	0.007					<b>0.007</b>
Judiciary	2.557					<b>2.557</b>
Public Guardian and Trustee of BC	0.123				(0.081)	<b>0.042</b>
Elimination Service Line PGT		(0.042)				<b>(0.042)</b>
Housing Programs			8.255			<b>8.255</b>
<b>TOTAL</b>	<b>16.616</b>	<b>0.000</b>	<b>9.304</b>	<b>0.000</b>	<b>(0.081)</b>	<b>25.839</b>

### SUMMARY OF INITIATIVE

Funding has been provided for compensation agreements under the Sustainable Services Negotiating Mandate that have been ratified by March 31, 2021.

The three-year (2019-2022) Sustainable Services Negotiating Mandate (SSNM) applies to all public sector employers with unionized employees.



## BUILDING BC

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Executive and Support Services	0.735	0.750	0.765	<b>2.250</b>
Housing Programs	0.677	0.690	25.552	<b>26.919</b>
<b>Total Base Lift/Reduction</b>	<b>1.412</b>	<b>1.440</b>	<b>26.317</b>	<b>29.169</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Executive and Support Services	0.670	0.065				<b>0.735</b>
Housing Programs			0.677			<b>0.677</b>
<b>TOTAL</b>	<b>0.670</b>	<b>0.065</b>	<b>0.677</b>	<b>0.000</b>	<b>0.000</b>	<b>1.412</b>

### SUMMARY OF INITIATIVE

Funding provides for additional resources for program oversight in and to support the implementation and ongoing administration of the Approval and Reporting Framework.

## Community Social Services Recruitment and Retention Allocation

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Housing Programs	3.224	3.224	3.224	9.672
<b>Total Base Lift/Reduction</b>	<b>3.224</b>	<b>3.224</b>	<b>3.224</b>	<b>9.672</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Housing Programs			3.224			3.224
<b>TOTAL</b>	<b>0.000</b>	<b>0.000</b>	<b>3.224</b>	<b>0.000</b>	<b>0.000</b>	<b>3.224</b>

### SUMMARY OF INITIATIVE

Funding will support training initiatives and compensation of non-union employees in partially certified and non-Community Social Services Employers Association (CSSEA) agencies.

## Extension of BC Housing Covid-19 Responses-Decampment

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Housing Programs	9.608	9.896	10.193	29.697
<b>Total Base Lift/Reduction</b>	<b>9.608</b>	<b>9.896</b>	<b>10.193</b>	<b>29.697</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Housing Programs			9.608			9.608
<b>TOTAL</b>	<b>0.000</b>	<b>0.000</b>	<b>9.608</b>	<b>0.000</b>	<b>0.000</b>	<b>9.608</b>

### SUMMARY OF INITIATIVE

Funding will provide operating and support subsidies to BC Housing for the four hotels/motels that were acquired in Summer 2020 as part of the decampment and relocation of vulnerable populations in Vancouver and Victoria during the Province's all-of-government response to COVID-19.

## Minister's Office

(\$ Millions)

### Three Year Summary by Branch

	2021/22	2022/23	2023/24	TOTAL
Minister's Office	0.201	0.218	0.237	0.656
<b>Total</b>	<b>0.201</b>	<b>0.218</b>	<b>0.237</b>	<b>0.656</b>

### 2021/22 Base Lift/Reduction Summary by GAC

	Salaries & Benefits	Operating Costs	Transfers	Other	Recoveries	TOTAL
Minister's Office	0.392	(0.018)		(0.173)		0.201
<b>TOTAL</b>	<b>0.392</b>	<b>(0.018)</b>	<b>0.000</b>	<b>(0.173)</b>	<b>0.000</b>	<b>0.201</b>

### SUMMARY OF INITIATIVE

Funding will support Minister's Office operational expenditures.